

# AGE UK EXETER

## Controlled Document

**Document Name:** Anti-Harassment & Bullying Policy

**Document Reference Number:** Pol 1

Document Version Number 5

Approved by Board of Trustees on: 10 February 2022

Review Schedule Every two years

Next review due January 2024

Owner (Responsibility) Chief Executive Officer

Revision History See appendix

Document Location Idrive/Resources/Policies/Pol1

## Implementation & Quality Assurance

Implementation is immediate and this Policy shall stay in force until any alterations are formally agreed.

The Policy will be reviewed every two years by the Board of Trustees, sooner if legislation, best practice or other circumstances indicate this is necessary.

All aspects of this Policy shall be open to review at any time. If you have any comments or suggestions on the content of this policy please contact The Chief Executive Officer via email at [info@ageukexeter.org.uk](mailto:info@ageukexeter.org.uk)

# **ANTI-HARASSMENT AND BULLYING POLICY**

## **1. ABOUT THIS POLICY**

- 1.1 Age UK Exeter is committed to providing a working environment free from harassment and bullying and ensuring all staff are treated, and treat others, with dignity and respect.
- 1.2 This policy covers harassment or bullying which occurs at work and out of the workplace, such as on business trips or at work-related events or social functions. It covers bullying and harassment by staff (which may include volunteers, consultants, contractors and agency workers) and also by third parties such as customers, suppliers or visitors to our premises.
- 1.3 Employees found guilty of harassment or bullying may face disciplinary penalties, up to and including dismissal, could be personally liable to pay compensation in legal claims, and may find their own family and social relationships are adversely affected. Serious harassment may be a criminal offence.
- 1.4 This policy does not form part of any employee's contract of employment and we may amend it at any time.

## **2. WHAT IS HARASSMENT?**

- 2.1 Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.
- 2.2 It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
- 2.3 Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories.
- 2.4 Harassment may include, for example:
  - a) unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
  - b) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);

- c) offensive e-mails, text messages or social media content;
- d) mocking, mimicking or belittling a person's disability.
- e) Verbal and written harassment through jokes, offensive language, gossip, slander and letters including by the use of social media
- f) Visual display of posters, obscene gestures

**2.5** A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

### **3. WHAT IS BULLYING?**

**3.1** Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.

**3.2** Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:

- a) physical or psychological threats;
- b) overbearing and intimidating levels of supervision;
- c) inappropriate derogatory remarks about someone's performance;
- d) isolation or non-cooperation at work
- e) coercion
- f) persistent undermining of an individual
- g) rudeness or verbal aggression

**3.3** Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

### **4. PEOPLE CAN BE SUBJECT TO BULLYING AND HARASSMENT ON A WIDE VARIETY OF GROUNDS INCLUDING:**

- a) ethnic origin, nationality, skin colour or cultural differences
- b) gender or gender re-assignment
- c) sexual orientation
- d) religion or belief
- e) a willingness to challenge harassment, leading to victimisation
- f) age

- g) disabilities, sensory impairments or learning difficulties
- h) being pregnant, or on maternity or paternity leave
- i) real or suspected infection with HIV/AIDS or any illness or condition which may be seen as carrying a social stigma
- j) political views
- k) clash of personalities
- l) perceived poor performance.

## **5. AGE UK EXETER'S RESPONSE TO BULLYING AND HARASSMENT**

- 5.1 Age UK Exeter will treat every case of proven bullying or harassment as a disciplinary offence, which in severe cases could lead to termination of employment or of engagement as a volunteer in line with our disciplinary procedures or in referral to the police for investigation.
- 5.2 All allegations of bullying and harassment will be treated seriously and confidentially. Investigations will be undertaken and solutions will be sought in discussion with the complainant who will be protected against any form of victimisation that may arise as a result of making the complaint.

## **6 IF YOU ARE BEING HARASSED OR BULLIED**

- 6.1 If you are being harassed or bullied, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, you should speak to your line manager **OR** the CEO who can provide confidential advice and assistance in resolving the issue formally or informally.
- 6.2 If informal steps are not appropriate, or have not been successful, you should raise the matter formally under our Grievance Procedure.
- 6.3 We will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. We will consider whether any steps are necessary to manage any ongoing relationship between you and the person accused during the investigation.
- 6.4 Once the investigation is complete, we will inform you of our decision. If we consider you have been harassed or bullied by an employee the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct

or gross misconduct. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

## **7 PROTECTION AND SUPPORT FOR THOSE INVOLVED**

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

## **8 RECORD-KEEPING**

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Privacy Standard.

## **9 MAKING THIS POLICY WORK**

- 9.1 Age UK Exeter will ensure that this policy is made known to all new staff and volunteers as part of their induction.
- 9.2 Age UK Exeter will review the outcomes of cases where complaints of bullying and harassment have been made to check that the proper procedures have been followed and to identify any points that can be learned from those cases and implement any necessary changes.
- 9.3 The Organisation will also periodically monitor how successful it is being in creating a workplace free of bullying and harassment by other means which may include confidential staff surveys.
- 9.4 If a harassment accusation is raised it should be escalated to the CEO.

<b>Revision date</b>	<b>Summary of Changes</b>	<b>Other Comments</b>
4.9.15	Routine review by Standards Committee	
15.9.15	Approved by Board of Trustees	Next review due September 2017

4.9.17	Routine Review by Standards Committee Social media included in the examples of how harassment outside the work place can happen	Recommended to the Board for approval.
12.9.17	Approved by Board of Trustees	Next review due September 2019
9.9.19	Routine review by the Standards Committee which recommended that we separate out the different procedures for reporting and hearing claims of harassment for employees and volunteers given the non-employment status of the latter.	Further work to be done on this policy.
10.9.19	Reviewed by the Board of Trustees who returned to Standards Committee asking for the protected characteristics to be re-written.	Returned to Standards Committee.
6.1.20	Further review by Standards Committee.	Recommended to the Board for approval.
14.1.20	Reviewed by Board of Trustees	Approved Next review due January 2022
10.12.21	Reviewed and reformatted to use the HR Express template. Just minor tweaks.	