



Title of Policy: Anti-Harassment and Anti-Bullying Policy  
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Related policies, procedures and guidance

Disciplinary Policy  
Grievance Policy  
Stress Policy

This is a discretionary policy which does not form part of a contract of employment. The Board of Trustees of Carers in Bedfordshire may vary or amend the policy as it deems necessary.

The term staff is used in this document as a generic statement to refer to any person working for Carers in Bedfordshire in any capacity and includes volunteers, part time staff, Board members, sessional/ temporary workers and placement students.

### **Anti-harassment and Anti-Bullying Policy**

The purpose of this policy is to ensure that all staff are treated and treat others with dignity and respect, free from harassment and bullying. All staff should take the time to ensure they understand what types of behaviour are unacceptable under this policy.

This policy covers harassment or bullying which occurs both in and out of the workplace, such as on trips or at events or work-related social functions. It covers bullying, harassment by staff and also by third parties such as users of our services, suppliers or visitors to our premises.

This policy covers all staff, officers, consultants, contractors, volunteers, interns, casual workers and agency workers.

Staff must treat colleagues and others with dignity and respect, and should always consider whether their words or conduct could be offensive. Even unintentional harassment or bullying is unacceptable.

We will take allegations of harassment or bullying seriously and address them promptly and confidentially where possible. Harassment or bullying by a member of staff will be treated as misconduct under our Disciplinary Procedure. In some cases it may amount to gross misconduct leading to summary dismissal.

### **What the law says**

The Equality Act 2010 prohibits harassment related to gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age.

The Protection from Harassment Act 1997 also makes it unlawful to pursue a course of conduct which you know or ought to know would be harassment, which includes causing someone alarm or distress.

Under the Health and Safety at Work Act 1974 staff are entitled to a safe place and system of work.

Individual members of staff may in some cases be legally liable for harassment of colleagues or third parties, and may be ordered to pay compensation by a court or employment tribunal.

### **What is harassment?**

Harassment is any unwanted physical, verbal or non-verbal conduct which 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.

It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to the victim's gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability, or age. Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include, for example:

- a. Unwanted physical conduct or "horseplay", including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space, and more serious forms of physical or sexual assault;
- b. Unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless), and suggestions that sexual favours may further a career or that a refusal may hinder it;
- c. Continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;

- d. Sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- e. Offensive or intimidating comments or gestures, or insensitive jokes or pranks;
- f. Mocking, mimicking or belittling a person's disability;
- g. Racist, , sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- h. outing or threatening to out someone as LGBTQ+; or
- i. ignoring or shunning someone , for example, by deliberately excluding them from a conversation or a workplace social activity.

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 they create an offensive environment for him/her.

What is bullying?

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.

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

- 1) Shouting at, being sarcastic towards, ridiculing or demeaning others;
- 2) Physical or psychological threats;
- 3) overbearing and intimidating levels of supervision;
- 4) inappropriate and/or derogatory remarks about someone's performance;
- 5) abuse of authority or power by those in positions of seniority; or
- 6) deliberately excluding someone from meetings or communications without good reason.

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.

Staff should disclose any instances of harassment or bullying of which they become aware to their manager.

### **Informal Steps**

If you are being bullied or harassed, you should initially consider raising the problem informally with the person responsible, if you feel able. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing to do on your own, you should speak to your manager, who can provide confidential advice and assistance in resolving the issue formally or informally.

If you are not certain whether an incident or series of incidents amount to bullying or harassment, you should initially contact your manager informally for confidential advice.

If informal steps have not been successful or are not possible or appropriate, you should follow the formal procedure set out below.

### **Raising a formal complaint**

If you wish to make a formal complaint about bullying or harassment, you should submit it in writing to your manager, whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned.

Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

### **Formal Investigations**

We will investigate complaints in a timely and confidential manner. Individuals not involved in the complaint or the investigation should not be told about it. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint. The investigation should be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned.