

# **Bullying and Harassment (Dignity at Work) Policy**

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## Bullying and Harassment (Dignity at Work) Policy

### Version Control Sheet

Version	Section / Para / Appendix	Version / Description of Amendments	Date	Author / Amended by
1		Archived	December 2006	Sheila Manning
2	Section 1 Section 6 Section 9 Section 10 Section 11 Form	Additional wording to introduction In most cases action will only be taken with complainant's consent The manager is required to evidence meetings following the cessation of bullying and harassment It may not always be possible to keep confidentiality as in some instances this could result in victims being harmed List of contacts updated Updated flowchart Address amended	August 2008	Sheila Manning  Melanie O'Brien    Sheila Manning April 09
3	Minor amendments	Policy Statement reference to Training needs Analysis process. Third para in Introduction inserted to state that B&H is unacceptable. Section 13 Monitoring and Review table added		September 2010
4	Font Cover	Review date extended to coincide with TCS date	February 2011	S Barnes for John Watkinson
4.1	Whole Document	Policy realigned following implementation of the Transforming Community Services agenda (TCS) and new entity	15 March 2011	Rachael Ellis-Ingamells
5	Whole document	Amended to incorporate Equality Act. New form added. Contacts amended.	December 2012	Melanie O'Brien
5.1	Whole document	General update – stalking added	January 2015	Melanie O'Brien
5.2	Whole document	Footers changed and extension to allow for imminent legislative changes	November 2015	EPG

5.3		Extension agreed by EPG Extension agreed by EPG	May 2015 October 2015	
6	Whole Document	Full review and Update	February 2016	EPG
7	Whole Document	Complete Revision	November 2017	Rachael Potter
8	Whole Document	Full review	September 2019	Francesca Civitillo

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# **Bullying and Harassment (Dignity at Work) Policy**

## **Procedural Document Statement**

<b>Background Statement</b>	The Trust recognises bullying and harassment is a serious matter and can occur in any organisation. This policy seeks to give guidance to all parties involved in order to prevent incidents and to deal with them promptly if they arise.
<b>Responsibilities</b>	All employees are to adopt a code of behaviour which respects the dignity of all individuals. It is the responsibility of all employees to eliminate bullying.
<b>Training</b>	Non specifically identified
<b>Dissemination</b>	Website
<b>Resource implication</b>	Non specifically identified
<b>Consultation</b>	Non specifically identified

## 1. Introduction

The Trust is committed to creating a positive and safe working environment, with a non-bullying and harassment culture for all staff. Everyone has the right to be treated with respect and dignity, irrespective of their status or position within the Trust.

Bullying and harassment has a negative effect on the well-being and morale of anyone who experiences it. For this reason, all complaints of bullying and harassment will be treated seriously, fairly, confidentially and sensitively. Neither harassment nor bullying is acceptable and the Trust does not tolerate this in any form. All employees have the right not to be bullied or harassed at work.

All staff are encouraged to contribute to a positive working environment by challenging unacceptable behaviour in a constructive way and are expected to behave in accordance with our values, expressed in the LCHS Way;

**We listen:** we engage with everyone we work with | we are united | we are always positive

**We care:** everyone is valued, respected and developed | knowledge and skills are nurtured | success is celebrated

**We act:** clear goals and the right resources | freedom coupled with accountability | emphasis on simplicity

**We improve:** we are creative, resourceful and innovative | integration and collaboration is the way forward | we're always striving to do better

## 2. Definitions

Harassment as defined in the Equality Act 2010 is: Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

Bullying may be characterised as; Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Employees can complain of behaviour that they find offensive even if it is not directed at them. Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Examples of bullying/harassing behaviour include:

- spreading malicious rumours, or insulting someone by word or behaviour (copying memos that are critical about someone to others who do not need to know, ridiculing or demeaning someone – picking on them or setting them up to fail)
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances – touching, standing too close, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

### **3. Informal Process**

It is recognised the potential impact that harassment and bullying can have on an individual's working conditions and personal wellbeing and therefore the Trust encourages all employees to act promptly when faced with an issue of harassment or bullying.

In some cases the individual may not be aware of the impact that their behaviour is having. It may be that words have been misinterpreted or actions misunderstood and in many cases, such situations can be resolved simply by raising the issue with the person concerned as soon as possible.

Employees that feel they are being bullied and / or harassed, are advised to keep a written record of all incidents (records of dates, times, any witnesses, feelings, etc.) and should discuss this with line management at the earliest opportunity. Where the employee feels able they should:

- Talk to the person directly
- Explain what it is they object to in the behaviour
- Ask them to stop whatever it is they are doing that is causing distress.

If the behaviour continues, then the employee should follow the process as outlined within the Grievance Policy and Procedure.

### **4. Support**

In addition to other identified ways to raise issues and concerns, the Trust's Freedom to Speak Up Guardian provides staff with access to an independent and impartial source of advice at any stage of raising a concern. Staff will be offered the necessary guidance and support and kept updated as to what is happening with their concern.

Mediation is a voluntary, confidential and solution focused service available to all LCHS staff and is an alternative form of dispute resolution addressing workplace tensions. Mediation can be useful at any stage of a dispute and is most effective in the early stages. There is no formal outcome and a mutually developed agreement may be reached to be future focused and improve working relationships.

The Bupa Healthy Minds service is designed to help employees talk through any worries and concerns they may be experiencing and can provide information and support. Any conversations will be strictly confidential unless it is determined that the employee, or someone else, may be at risk. The Healthy Minds telephone helpline is available 24 hours a day, 7 days a week on 0800 269 616.

## Monitoring Template

This template should be used to demonstrate compliance with NHSLA requirements for the procedural document where applicable and/or how compliance with the document will be monitored.

Minimum requirement to be monitored	Process for monitoring e.g. audit	Responsible individuals /group /committee	Frequency of monitoring /audit	Responsible individuals / group / committee (multi-disciplinary) for review of results	Responsible individuals / group / committee for development of action plan	Responsible individuals / group / committee for monitoring of action plan
Record of all complaints of bullying and harassment and the outcome	ER Tracker	Operational Managers, Practitioner Performance Review Meetings, People Executive Group	Quarterly	Practitioner Performance Review Meetings, People Executive Group	Operational Managers, Practitioner Performance Review Meetings	Operational Managers, People Executive Group

## Equality Analysis

<p><b>Name of Policy/Procedure/Function: Bullying and Harassment Policy</b></p> <p><b>Equality Analysis Carried out by: Francesca Civitillo</b></p> <p><b>Date: September 2019</b></p> <p><b>Equality &amp; Human rights Lead: Rachel Higgins</b></p> <p><b>Date: September 2019</b></p> <p><b>Director\General Manager: Ceri Lennon</b></p> <p><b>Date: September 2019</b></p>
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### Section 1 – to be completed for all policies

A.	Briefly give an outline of the key objectives of the policy; what it's intended outcome is and who the intended beneficiaries are expected to be	The Trust recognises bullying and harassment is a serious matter and can occur in any organisation. This policy seeks to give guidance to all parties involved in order to prevent incidents and to deal with them promptly if they arise. Everyone has the right to be treated with respect and dignity, therefore, the Trust has a responsibility to protect staff from bullying and harassment.		
B.	Does the policy have an impact on patients, carers or staff, or the wider community that we have links with? <b>Please give details</b>	No.		
C.	Is there is any evidence that the policy\service relates to an area with known inequalities? <b>Please give details</b>	No.		
D.	Will/Does the implementation of the policy\service result in different impacts for protected?	No.		
		Yes	No	
	Disability		X	
	Sexual Orientation		X	

	Sex		X	
	Gender Reassignment		X	
	Race		X	
	Marriage/Civil Partnership		X	
	Maternity/Pregnancy		X	
	Age		X	
	Religion or Belief		X	
	Carers		X	
	<b>If you have answered 'Yes' to any of the questions then you are required to carry out a full Equality Analysis which should be approved by the Equality and Human Rights Lead – please go to section 2</b>			
The above named policy has been considered and does not require a full equality analysis				
<b>Equality Analysis Carried out by:</b>		Francesca Civitillo		
<b>Date:</b>		September 2019		