

Bullying and Harassment Policy

Reference No:	P_HR_11
Version:	7
Ratified by:	LCHS Trust Board
Date ratified:	9 th January 2018
Name of originator/author:	Rachael Potter
Name of responsible committee/individual:	Employment Policy Group/JCNC
Date issued:	March 2018
Review date:	November 2019
Target audience:	All staff
Distributed via:	Website

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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

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Policy Statement

Background	The organisation 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.
Statement	All employees have the right to be treated with dignity and respect, therefore, the organisation has a responsibility to protect staff from bullying, harassment and discrimination.
Responsibilities	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.
Training	Workshops are available for managers on the Your Behaviour Matters policies
Dissemination	Website Intranet
Resource implication	Time and expertise resource for training and implementation
Equality and Diversity	This policy aims to meet the requirements of the Equality Act 2010 and ensure that no employee receives less favourable treatment on the grounds of gender, sexual orientation, transgender, civil partnership/marital status, appearance, race, nationality, ethnic or national origins, religion/belief or no religion/belief, disability, age, carer, pregnancy or maternity, social status or trade union membership.

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Bullying and Harassment Policy

1. Introduction

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

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 organisation does not tolerate this in any form. All employees have the right not to be bullied or harassed at work.

It is the responsibility of all employees to eliminate bullying. All staff are encouraged to contribute to a positive working environment by challenging unacceptable behaviour in a constructive way.

2. Definitions

Bullying

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.

Harassment

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.

Discrimination

Discrimination can be defined as the unjust or prejudicial treatment of different categories of people, especially those related to a protected characteristic.

Discrimination by Association

Under the Equality Act (2010) an employee can claim harassment even if the behaviour is not directed towards them for example if they are harassed because they associate with somebody who has a protected characteristic.

Discrimination due to Perception

If somebody is harassed because somebody thinks they have a characteristic, they can claim harassment even if they do not actually have that characteristic.

The Your Behaviour Matters Toolkit offers further guidance on examples of bullying, harassment and discrimination.

3. Informal Process

We recognise the potential that harassment and bullying can have on an individual's working conditions and personal wellbeing and therefore encourage 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.

Where the employee feels able they should:

- Talk to the person directly
- Advise them that their behaviour is unacceptable
- Ask them to stop

If you feel you are being bullied and/ or harassed it is advised that you keep a written record of the incidences and there is a template for you to capture this information.

If the behaviour continues then the employee should follow the Grievance Process as outlined within the Grievance Policy and Procedure. The Grievance Procedure will ensure that all informal routes have been considered before the issues are progressed to the formal stage.

You can access support through the Healthy Minds program, the Freedom to Speak up Guardian, Mediation and Occupational Health.

Health Minds – Telephone Number: 0800 269616

Occupational Health – Telephone Number: 01522 573597

Freedom to Speak Up Guardian – Telephone Number: 01522 308947

Equality Assessment

Name of Policy/Procedure/Function*

Prevention of Bullying and Harassment Policy

Equality Analysis Carried out by: Deborah Lilley

Date: November 2017

Equality & Human rights Lead: Rachel Higgins

Director\General Manager: Marie Fosh

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 organisation 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. All employees have the right to be treated with dignity and respect, therefore, the Trust has a responsibility to protect staff from bullying, harassment and discrimination		
B.	Does the policy have an impact on patients, carers or staff, or the wider community that we have links with? Please give details	No		
C.	Is there any evidence that the policy/service relates to an area with known inequalities? Please give details	No		
D.	Will/Does the implementation of the policy/service result in different impacts for protected characteristics?	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	
	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			
The above named policy has been considered and does not require a full equality analysis				
Equality Analysis Carried out by:		Deborah Lilley		
Date:		November 2017		