



# **BULLYING AND HARRASSMENT POLICY**

## **POLICY AND PROCEDURE**

# **ASPECTS CARE BULLYING AND HARRASSMENT POLICY**

## **INTRODUCTION**

Bullying and/or harassment are unacceptable, whether in the workplace or outside the workplace where it involves or affects the Company in any way. Everyone should be treated with dignity and respect and as such the Company will not tolerate bullying or harassment, whether intentional or otherwise.

Bullying and/or harassment are serious offences and are likely to be regarded as gross misconduct. If you bully or harass a colleague or other person (or condone harassment), you could be the subject of disciplinary action and may be summarily dismissed.

This policy is designed to prevent bullying and harassment and to deal with any cases that occur. Each employee has a duty to observe and apply this policy at all times.

## Definitions

### **Bullying**

Bullying is the repeated less favourable treatment of a person by another or others. Bullying can take the form of physical, verbal and non-verbal conduct.

Examples of what is unacceptable behaviour, including what may be defined as bullying, can be found below:

- Spreading malicious rumours, or insulting someone;
- 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;
- 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.

Bullying does not include:

- Occasional differences of opinion, and non-aggressive conflicts and problems in working relations;
- Workplace counselling, managing under-performance and other actions in line with company procedures.

## **Harassment**

Harassment is unwanted 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.

Harassment may be related to, age, disability, gender re-assignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.

Harassment also includes conduct of a sexual nature (sexual harassment) as well as treating someone less favourably because they have previously submitted or refused to submit to conduct of a sexual nature or conduct related to gender reassignment or sex. A single incident can amount to harassment. Even if harassment does not fall into any of the categories above it is still unacceptable. Harassment can take many forms and can be physical, verbal or non-verbal conduct.

Harassment may include, for example:

- Racist, sexist, homophobic or ageist jokes or derogatory or stereotypical remarks about a particular ethnic group, religion, gender, sexual orientation or disability;
- Offensive or intimidating comments or gestures;
- Insensitive pranks or jokes;
- Unwelcome sexual advances or suggestive behaviour (whether or not the person making the advance or exhibiting the behaviour perceives the conduct as harmless);

- Unwanted physical conduct.

The examples above are not an exhaustive list.

A person may be harassed even if they are not the intended subject of the harassment. For example, a person may be harassed by racist comments about a different ethnic group if they create an offensive environment for that person.

Therefore:

- If you wouldn't say it or do it in front of your parents, partner or close friend of the same or opposite sex: don't say it, don't do it.
- If you wouldn't want your words or actions to be the subject of newspaper or television reporting: don't say it, don't do it.
- If in doubt: don't say it, don't do it.

### Company Approach

Management are responsible for ensuring that all employees understand that bullying and harassment are not tolerated and for taking early corrective action to deal with behaviour that is offensive or intimidating.

Each employee has an obligation to promote an equal opportunity environment within the Company. As our employee, you have a duty to observe and apply this policy at all times.

### Informal Procedure

In some cases it may be possible to rectify matters informally. Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease.

If you think that you may be the victim of bullying or harassment you should in the first instance raise the issue with your manager in confidence. They will then investigate the allegations before deciding the correct approach.

Depending on the circumstances your manager may consider mediation between the parties to resolve the issues. All circumstances will be taken into account with the aim being that a satisfactory resolution is achieved with minimum disruption.

The Company takes all complaints of bullying and harassment very seriously and will endeavour to deal with each issue promptly, confidentially and adequately to ensure the smooth running of the business.

#### Formal Procedure

If resolution at an informal stage has been unsuccessful or you feel the complaint is serious enough, the formal procedure may be used.

The Company encourages the use of its grievance procedure to deal with issues which cannot be resolved informally. It should be noted however, that the Company encourages resolution at an early stage and therefore promotes the use of the informal procedure wherever possible.

Details of the Company's grievance procedure can be found in the preceding policy. Following the outcome of the grievance procedure, if it is found that bullying or harassment has occurred then the relevant disciplinary action will be taken, which may lead to summary dismissal.

#### Malicious Complaints

Disciplinary action may be considered if a deliberately false allegation of bullying or harassment is made. However, such action will not be taken if a complaint which proves to be unfounded is judged to have been made in good faith.