



Harassment and Bullying



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1. Context

- 1.1 Whilst every effort is made through the recruitment and selection process, and training and personal development to ensure that employees share organisational values and manage staff in accordance with good practice there may be some occasions where the assessment procedures do not identify employees who may subsequently harass or bully staff.
- 1.2 The purpose of this policy is to ensure that employees who believe they have a complaint of harassment against any person connected with their employment to be able to raise that complaint, in confidence, in an endeavour to resolve the issue to their and the employer's satisfaction.
- 1.3 The policy also allows employees the opportunity to raise concerns, in confidence, about any alleged harassment or bullying of clients or volunteers.
- 1.4 The policy includes harassment of another employee on the grounds of race, gender, disability, age, religion, or sexual orientation.
- 1.5 The policy covers employees in the workplace, on organisational business or training and work based social events. Where employees are harassed or bullied outside the workplace by another employee and where such harassment may be construed as a continuation of bullying or harassment in the workplace it will be taken as within the scope of this policy.

2. Underlying Principles

- 2.1 The organisation is committed to working with the most disadvantaged people enabling them to develop the skills to take advantage of employment opportunities within the social and local economies.
- 2.2 The organisation condemns all incidents of harassment or bullying. Any form of harassment or bullying against an employee will be taken seriously. Any complaint will be investigated by the Directors and the



organisation will implement the strongest possible sanctions against anyone found to be harassing or bullying another employee, client or volunteer, including, where appropriate, the termination of employment.

- 2.3 The Human Rights Act 1998 provides that every employer may not act in a way that fundamentally breaches an employee's human rights. Fusion will use its best endeavours to ensure that its employees do not breach the Act.
- 2.4 Fusion will respond promptly to any complaint relating to harassment or bullying and take all complaints seriously. However, where complaints are made that have no foundation and are considered to be malicious disciplinary action may be considered.
- 2.5 Where appropriate Fusion will provide counselling for the person being bullied or harassed and for the person accused.

3. What is Harassment?

- 3.1 Harassment can be regarded as any form of unwanted behaviour. It may be spoken, written or behavioural. It is for each employee to determine what behaviour they find acceptable. Any unwanted behaviour will be regarded as harassment by the recipient. It is often associated with an abuse of power by one person over another.
- 3.2 The list below gives some examples of harassment. It is not intended to be an exhaustive list, but to give guidance to the type of behaviour that is regarded as unwarranted.
 - Unnecessary touching or unwanted physical contact
 - Misuse of power or position or overbearing supervision
 - Suggestive remarks or other verbal abuse, including jokes, innuendo and gossip
 - Visible display or circulation of pictures depicting scenes that a person may find offensive
 - Leering at a person's body
 - Compromising invitations
 - Spreading malicious rumours
 - Exclusion or victimisation
 - Ridiculing, demeaning or deliberately undermining someone
 - Office banter/horseplay that exceeds the bounds of acceptable behaviour
 - Demands for sexual favours
 - Unsolicited comments of a sexual, racist or personal nature
 - Physical assault



- Actions that amount to victimisation of an employee on the grounds of race, gender, sexual orientation, age, religion or disability
- 3.3 An employee may choose to raise the matter with the person directly if they so wish, making it clear that the behaviour is unwanted. This will not prevent them using the formal procedure at a later date if they so wish.
- 3.4 Harassment is less likely to be one specific incident but more likely a series of incidents.

4. What is Bullying?

- 4.1 Bullying can be regarded as intimidation of an employee, volunteer or client. There does not need to be a direct line management relationship between the bully and the person being bullied. This will also include persistent public or private humiliation or insults and unwarranted public or private criticism.
- 4.2 Whilst bullying is different to harassment there is a similarity in that both are an expression of power designed to intimidate staff. Bullying may be a contributor to stress within the workplace. The organisation has a responsibility to ensure the health and safety of employees. Unlike discrimination, there is no recourse for an employee to an Employment Tribunal for bullying. Any claim to a Tribunal is likely to be through constructive dismissal if the level of bullying becomes intolerable.
- 4.3 Bullying is less likely to be one specific incident but more likely a series of incidents.

5. Personal Responsibilities

- 5.1 All employees have a personal responsibility to ensure that their own behaviour does not constitute harassment or bullying, and that the behaviour of others is not condoned. There is statutory responsibility to ensure that employees do not harass or victimise employees on the grounds of race and gender. There is also a responsibility to ensure that there are no malicious complaints made against employees.

All matters relating to harassment and bullying shall be treated as confidential between all parties concerned.