

Bullying & Harassment Policy for Staff and Volunteers

It is the policy of Rother Fed to provide a workplace which is free from bullying and harassment. This policy covers all staff, directors and volunteers.

Rother Fed will not tolerate bullying or harassment, which will be treated as misconduct. Allegations will be taken seriously, and dealt with fairly, sensitively and as confidentially as possible.

It is the responsibility of the Board of Directors to ensure Rother Fed is free from bullying and harassment under its duties assigned to it under the Health & Safety and Equal Opportunity Policies. It is the responsibility of the Manager to implement this policy.

Definitions

Sexual harassment is defined as: "Unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men at work".

It is a behaviour perceived by the victim which is unwanted, unsolicited, personally offensive and fails to respect their rights.

Bullying & harassment: is defined as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

In general Rother Fed does not consider a one-off incident to be Bullying. Nevertheless certain single incidents, if sufficiently serious, may be taken to constitute bullying or harassment, and if upheld may be grounds for disciplinary action.

Normal supervisory functions which may include justifiable and reasonable criticism of an individual's work or performance will not be regarded as bullying or harassment. Disagreement on professional issues or review of an individual's conduct or performance does not of itself constitute bullying.

For examples of Bullying & Harassment, see Appendix A.

Responsibilities

All employees, directors and volunteers have a duty to create and maintain a positive work environment where the right of each individual to dignity at work is recognised and protected. This includes personal and professional behaviour while on Rother Fed's premises and whilst engaged in work related activities (including training, & travel) or social events organised by Rother Fed. The manager has a particular responsibility to implement this policy.

Issues

Rother Fed recognises that employees and volunteers may be reluctant to make a complaint of harassment or bullying because they may fear that:

- They will be perceived as unable to cope - a sign of weakness;
- They will be perceived as being different or not one of the group;
- They will not be believed;
- Management will "cover up" for colleagues;
- The complaints will be seen as trivial;
- It is one person's word against another;
- They are challenging an accepted management or group behaviour style;
- They may suffer further bullying or harassment if they complain.

Rother Fed employees and volunteers are reassured they will not suffer any detrimental affect as a result of making a harassment or bullying complaint*. Rother Fed will treat all complaints seriously, fairly, objectively and as confidentially as possible.

*** Malicious accusations**

Employees and volunteers also have the right NOT to have false or malicious accusations made against them, and therefore any accusations found to be willfully or deliberately false or malicious will be treated as a disciplinary matter.

Bullying & Harassment Procedure

All complaints will be dealt with following Rother Fed's Bullying and Harassment procedure – Appendix B. If a complaint is upheld, Rother Fed's Grievance and Disciplinary procedure will be invoked.

Confidentiality

The importance of confidentiality will be stressed to all parties involved in the process.

Education and Training

Appropriate training for management will be provided where necessary.

Date Policy adopted: 8.12.09

Signed:
Chair of the Board

Appendix A - Examples of Bullying and Harassment

Sexual Harassment

The following are examples of sexual harassment:

- **Verbal**
 - Suggestive remarks
 - Degrading abuse or insults
 - Jokes or tricks of a sexual nature
 - Requests or demands for sexual favours
 - Suggestions that sexual favours may further someone's career or that refusal may damage it.

- **Physical**
 - Gesturing of a sexual nature
 - Unnecessary touching
 - Indecent exposure (subject to criminal and civil proceedings)
 - Actual sexual assault, up to and including rape is subject to criminal proceedings.

- **Other**
 - Accessing, displaying and circulating sexually explicit material at the work place (this includes photographs, cartoons, email, Web sites, TV, video and sexually suggestive objects).
 - Leering, whistling

This is not an exhaustive list.

Other types of harassment and bullying

The following are example of bullying & harassment

- Subjecting an individual to unreasonable scrutiny;
- Excessive or unfair criticism about minor matters
- Undermining someone's authority or dignity in the workplace;
- Spreading malicious rumours
- Verbal or written jokes which are offensive to the recipient or offensive language or gossip
- Shouting or swearing at others
- Isolating, ignoring or excluding people
- Taking credit for others work, or blaming mistakes on others;

- Unreasonable refusal to requests for leave/time off, training or promotion opportunities
- Setting unreasonable work targets or objectives;
- Changing work requirements or targets or objectives without informing the individual or regularly reducing work to menial tasks, where other suitable work is available
- Ignoring on a persistent basis someone's point of view
- Publicly insulting a colleague
- Humiliating an individual publicly or privately
- Withholding necessary work related information
- Displaying aggression.

This list is not exhaustive.

Appendix B - **Bullying & Harassment Procedure**

Step 1: Informal

An employee, director or volunteers who is being harassed or bullied is encouraged in the first instance, to try to deal with the matter informally with the perpetrator by informing him or her that the behaviour is unacceptable and unwelcome. This could be done face to face, by telephone or in writing.

When someone wants to deal with the matter informally, he or she may wish to approach a number of people to assist him or her:

- A Supervisor / Manager
- A Trade Union or Staff Representative

In some cases, the alleged harasser/bully may not be aware of the effect of his or her behaviour. Making it clear that it is not acceptable is an important step and this action will be sufficient to bring it to an end in many cases. Where the complaint relates to an employee's supervisor or manager, the employee may prefer to approach another staff member or a board member who could intervene on his or her behalf.

Where the complaint is resolved at this stage, no further action will be taken.

No one is obliged to take the informal route and may initiate the Formal Procedure at any stage.

Step 2: Formal

If an informal approach does not work and the harassment or bullying continues, then a formal complaint can be made which will signal the start of the formal investigation procedure.

Bullying & Harassment, formal complaint procedure

All formal complaints should be made to the Manager or (if the Manager is the alleged harasser/bully) to the Chair of the board. A complaint must be made in writing and must detail the nature of the allegation(s).

The Manager will appoint the Complaints Sub Committee as the internal investigator. If the alleged harasser is one of the sub committee members, they will be asked to step down from the committee while the investigation is taking place. If the alleged harasser is the Manager an independent external investigator will be appointed. The investigation will be thorough, impartial and objective and will be carried out seriously, sensitively, fairly, confidentially and quickly as possible.

The complainant, and the alleged harasser, can if they request, be assigned support by a Rother Fed employee/staff representative or director of their choice (who is independent of the allegations). The assigned support person cannot assist both parties.

Rother Fed will make every effort to ensure complete confidentiality is observed by everyone involved whilst the complaint is being investigated. Where it is necessary to interview witnesses, the importance of confidentiality will be emphasized to all parties interviewed.

Separate interviews will be conducted with the complainant and with the alleged harasser. The complainant and the alleged harasser will have the right to be accompanied by a representative, trade union representative or a friend or colleague.

The alleged harasser will be given details in writing of the nature of the complaint, and any other relevant documentation specific to the complaint. The alleged harasser will be given at least 7 working days time to consider the documentation and an opportunity to respond.

On completion of the investigation, the investigator will prepare a report for the Manager/Chair which includes the nature and details of the complaint, the written response from the alleged harasser, interview statements and the detailed results of the investigation.

The Manager/Chair will write to both parties giving them the date when the complaint will be considered.

The Manager/Chair will decide whether the complaint is upheld fully or partially, or not upheld. In complex cases this decision may involve one or more members of the Staffing Sub Committee. Both parties will be informed of the decision by the Manager/Chair, including a copy of the investigation report within 7 days of the complaint being considered.

The decision of the Manager/Chair is final.

If the complaint is upheld or partially upheld:

The harasser will be subject to the disciplinary and grievance procedures.

If the complaint is not upheld:

Both parties will be advised by the Manager/Chair.

If the complaint is not upheld and considered to be malicious:

A further investigation will take place which may lead to disciplinary action being taken against the complainant.

Appeals Process

Both parties have the right to appeal once to the Chair of the Board. Appeals will be confined to the conduct of the investigation. Notice of appeal listing the grounds must be submitted in writing not later than three weeks after notification of the outcome of the investigation.