Bullying and Harassment Guidance

What is meant by Bullying and Harassment?

It is not always easy to tell the difference between appropriate behaviours and bullying and harassment. We have provided some helpful examples below, these lists are not exhaustive:

Examples of Bullying behaviour

- physical or verbal abuse, threats or assault
- deliberately making someone feel small/not valued, or belittled
- unprofessionally criticising the performance of a colleague
- racist, sexist or offensive comments, gestures or communication
- suggestive remarks or unwanted advances
- spreading malicious rumours
- misusing the power of their position by conducting any of the above.

Bullying and harassment could happen face-to-face, by written communications, phone or social media.

Examples of Harassing behaviour

Some examples of situations which may be defined as harassment are:

- The visual display of calendars, posters or other printed material which could be perceived as offensive;
- Unwanted physical contact or over familiar or suggestive behaviour;
- Isolation or non-co-operation at work, purposefully withholding useful information or training, exclusion from social activities;
- Intrusive behaviour e.g. pestering, spying, following; graffiti or obscene gestures;
- Verbal or written harassment through jokes about, or at the expense of someone's protected characteristics.
- Unfair allocation of work/responsibilities.

What Bullying and Harassment is not

Bullying and harassment are quite different from the legitimate pressures that may be experienced when there is a need to meet deadlines or customer requirements. Bullying and harassment should not be confused with managing workplace performance of an individual or group that might include comments about areas where performance needs to improve. Giving feedback on performance must always be carried out in a constructive way that is not humiliating or threatening.

If you feel any of the above applies to you or a colleague, you are encouraged to first determine whether early resolution (informal route) could help resolve the situation.

Below outlines the informal and formal routes for dealing with complaints of bullying and harassment.

Where the informal route is unsuccessful, or the behaviours are serious and / or persistent, you can go straight to the formal route.

Witnessed bullying or harassment?

If you witness an incident:

- keep a record of what you have witnessed.
- Where appropriate, report this to your line manager, who should address the problem with the people involved.

Informal route

Speaking to the individual directly

If you feel able to, you may decide to raise the issue with the individual themselves, to make clear that their behaviour is not welcome and to ask them to stop. They may not be aware that their behaviour is offending you.

Supported approach

If you do not feel up to speaking directly to the individual, you may consider asking your manager or a colleague for support.

You may or may not want them to talk to the individual on your behalf and, where possible, we will respect your wishes.

However, if the welfare or safety of you or others is at risk or where your allegations are particularly serious, we may have to approach the individual and instigate a formal investigation. In such a case we will, where possible, discuss this with you first.

Supported conversation/mediation

If the individuals involved agree that Early Resolution is possible this can be supported through an informal conversation or mediation which will be led by your manager or an impartial party.

This approach offers a safe and constructive approach to enable the parties to problem solve and develop a realistic agreement that meets all their needs. They do not take sides or offer solutions but promote and support good conversation. What is said in mediation is confidential and cannot be disclosed or used in any subsequent procedure.

During this process, employees can also be supported by their trade union representative or a work colleague.

A record of the agreed outcomes will be provided by the third party to all participants.

Bully*/harasser is a third party.*

If you are experiencing bullying or harassment by a third party, for example a client or a supplier, we encourage you to report this to your line manager or the People Team without delay so that they can advise and support you on the best course of action.

Formal route

If you are not happy with the outcome of an informal process, or if you feel it is not appropriate to approach the issue informally, you may decide to raise it formally.

To make a formal complaint, you should discuss this first with your line manager. If your complaint is about your line manager, you should raise this with either their line manager or the People Team.

While you can address bullying or harassment through our Grievance procedure, this policy specifically targets such issues. Note that you cannot file a complaint under this policy if the same issue was previously raised under the Grievance procedure.

Under the formal procedure we will usually:

- ask you to set out your complaint in writing and include as much detail as possible, for example the alleged bully/harasser's name, the nature of the bullying/harassment, the dates of the alleged acts of bullying/harassment, names of any witnesses, and details of any action taken to address the matter so far;
- hold a meeting with the alleged bully/harasser to ascertain their response to the allegations;
- carry out further investigations where necessary, including interviewing potential witnesses who we will instruct to keep the matter confidential;
- invite you to a meeting to discuss your complaint in full and where you will have the right to be accompanied by a colleague or trade union representative;
- hold a meeting with you to enable us to ask you further questions in light of any information we have gathered from the alleged bully/harasser and/or witnesses.
- consider all the evidence in full and make a decision; and
- inform you of our decision and, if we uphold the complaint, instigate disciplinary action up to and including dismissal against the bully/harasser.

We will investigate fully every formal complaint in an objective and confidential way, while also ensuring that we respect your rights as well as the rights of the alleged bully/harasser.

We will use every effort to complete an investigation into bullying or harassment as quickly as possible.

Where the alleged bully/harasser is a third party, we may need to adjust the procedure under this policy to ensure we conduct appropriate investigations, and we will discuss this with you.

If, following a reasonable investigation, there are reasonable grounds to believe there is a case to answer, we will follow the Disciplinary policy.

In addition, confidential advice and support can be obtained from the following:

- Line Manager
- Another Manager (where your concern is about your Line Manager)

- People Team
- Employee Assistance Programme
- Trade Union Representatives