

Harassment and bullying at work policy and procedure

Statement of intent

1. Everyone at Wickersley Kids Club is working together to create a community where bullying in any form and of any description will not be tolerated.
2. As part of its overall equal opportunities policy, Wickersley Kids Club is committed to ensuring that all employees are treated with dignity and respect while at work, irrespective of race, colour, nationality, ethnic or national origins, sex or marital status, disability, sexual orientation, age, religion or belief.
3. The Management is committed to creating an environment of positive working relationships. To establish and protect such an environment, the management has policies and procedures (e.g. on grievance) which enable staff to raise concerns and allow these to be addressed.
4. This policy is concerned with the prevention of harassment and bullying in the workplace, and aims to provide a means of challenging unreasonable or unjustifiable behaviour. It is not intended to inhibit reasonable and effective management of staff.
5. Harassment and bullying in the workplace will not be permitted or condoned by the management and will be treated as **gross misconduct**. Discipline action will be implemented, which may lead to the dismissal of the member of staff.

Equal opportunities statement of commitment

7. The management believes firmly in equality of opportunity in employment. It therefore commits itself to developing policies, practices and procedures that promote equality of opportunity and anti-discriminatory practices. To this end, the management is committed to ensuring that job applicants and employees receive equal treatment. No applicant or employee will be discriminated against on the grounds of race, colour, nationality, ethnic or national origin, sex or marital status, disability, sexual orientation, age, religious belief, nor be disadvantaged by conditions or requirements which cannot be shown to be justifiable. Procedures will be regularly reviewed to ensure that individuals are treated on the basis of their relevant merits and abilities. The management will continue to review its personnel policies and practices, and to undertake appropriate action to make its policy fully effective.

To whom does this policy apply?

8. All management and employees have a responsibility to comply with this policy. Management has a particular responsibility to implement it by creating a good working environment and by managing people in a professional and caring manner.

Definition and effects of bullying

9. Bullying is characterised as aggressive, intimidating, malicious or insulting behaviour or abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
10. Bullying does not always derive from supervisor/subordinate relationships or vice versa; unacceptable peer pressure can also amount to bullying.
11. Examples of bullying include:
 - displays of rage at a colleague in public and/or in private
 - personal insults and name-calling
 - persistent unjust criticism and public humiliation

- setting objectives with impossible deadlines
 - removing areas of responsibility and inflicting menial tasks instead
 - ignoring or excluding an individual, or talking only to a third party to isolate another
 - spreading malicious rumours
 - insulting someone
 - copying critical memos about someone to others who do not need to know
 - ridiculing or demeaning someone
 - exclusion
 - victimisation
 - unfair treatment
 - overbearing supervision
 - unwelcome sexual advances
 - touching or standing too close
 - displaying offensive materials
 - making threats or comments about job security without foundation
 - deliberately undermining a competent worker by overlooking and constant criticism
 - preventing individuals progressing by intentionally blocking promotion or training opportunities.
12. Bullying can take other forms. For example, what may emerge as a concern initially categorised as ‘harassment’, ‘intimidation’ or ‘aggressive management’ may, upon investigation, be considered to be a case of bullying.
13. A person who is subject to bullying may suffer from physical and/or emotional symptoms,
e.g. disturbed sleep, feeling sick, sweating, shaking, depression and loss of confidence and motivation. Additionally, they can suffer in other ways, e.g. loss of training and development opportunities, and missed promotion opportunities.

Wickersley Kids Club approach to bullying and harassment

How to complain about harassment or bullying

14. The management requires that any allegations of harassment will be considered seriously and confidentially. Lack of confidentiality can harm both the complainant and also the person accused. The management recognises that employees may fear victimisation for making or being involved in a complaint and so is committed to ensure complainants do not suffer. All staff should be assured that that the Owner Paul Brooks has an open door policy. If they feel they are being bullied in the workplace they can confide in him on a confidential basis. All staff have his personal number and Paul can be contacted and told of their concerns.
15. Complaints of bullying should be pursued in the following way:
- 15.1. Employees are encouraged to make clear to the person who is harassing or bullying them that the behaviour is unwelcome and must be stopped. However, it may not be possible to resolve the matter informally.
- (Employees may find it helpful to keep records of incidents of behaviour, which they consider to be harassment or bullying, noting the date and time of the incident and details of any witnesses. Such records can be helpful in describing the problem and may also be used if any formal action is subsequently taken. It is not expected, however, that such records would be kept for extended periods without the complainant’s concerns being raised

through the process described in paragraphs 15, 16 and 17).

- 15.2. Should the behaviour continue, staff should approach the owner Paul Brooks'
16. A manager handling the complaint of harassment or bullying is likely, in the first instance, to discuss the complaint informally with the alleged offender. This should take place without delay after the complaint has been made.
 17. If the matter is not resolved informally, the manager will initiate an investigation. At this stage the alleged offender will be suspended, whilst a full investigation is implemented.
 18. Following an investigation, as referred to in paragraph 17, the decision of the manager will be confirmed in writing to the complainant and the person against whom the allegation has been made.
 19. **If the manager concludes that harassment or bullying have taken place then this will be considered as GROSS MISCONDUCT AND COULD LEAD TO THE TERMINATION OF EMPLOYMENT OF THE OFFENDER**
 20. The complainant can appeal against the manager's decision. Appeals must be lodged within ten working days of receipt of the letter confirming the decision, in accordance with arrangements set out in the letter. The decision of the appeals panel is final.
 21. Employees who feel they have been harassed or bullied or who have been the subject of allegations will be given access to support, e.g. counselling, if this is appropriate.
 22. If, after an investigation (which may include medical enquiries), a period of absence is attributed to proven harassment or bullying at work, no absence shall be recorded against the entitlement to occupational sick pay.

Responsibilities of Managers and staff (including complainants)

24. The management requires all managers and staff to maintain a high standard of conduct in relationships with colleagues and those who are under their direct authority. 25. The management will not tolerate intimidation, victimisation, retaliation or discrimination against an individual for filing a complaint or assisting in an investigation, whether or not the complaint is upheld. Where such action is alleged, the matter will be dealt with in the same way as an allegation of harassment or bullying.

26. Malicious complaints of harassment or bullying will not be condoned and will be regarded as a disciplinary offence. They will be dealt with in accordance with the Clubs disciplinary procedure.

27. This policy must not be used as a defence against reasonable management behaviour, e.g. action under the capability or disciplinary procedure. Such procedures may be suspended where a complaint of harassment or bullying is made.

28. This policy further requires all managers and staff to act to eliminate any harassment or bullying in the workplace of which they are aware. Failure to do so will be considered a failure to fulfil all the responsibilities of their position.

29. Harassment or bullying of any kind should not be dismissed by either managers or staff as trivial or insignificant, as a matter of interest only to a minority or as behaviour that can be excused as fun or a joke.