

# Discrimination, bullying and harassment policy and procedure

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**Dewdrops Community Centre for Special Needs**

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## 1.0 Introduction

- 1.1 Dewdrops Community Centre for Special Needs is committed to creating a working environment in which individual differences are valued and respected. All employees have a right to work in an environment that is free from all forms of bullying, discrimination and harassment.
- 1.2 This policy and its procedures should be read in conjunction with Dewdrops Community Centre for Special Needs' Equality and Diversity Policy. It covers bullying, discrimination and harassment by staff, as well as third parties such as suppliers or visitors to any of our premises.
- 1.3 This policy does not form part of any employee's contract of employment and we may amend it at any time.

## 2.0 Scope and definitions

- 2.1 Each individual within Dewdrops Community Centre for Special Needs has a right to be treated with dignity and respect. Behaviour that is derogatory or displays unduly or unreasonably negative attitudes towards others, however subtly conveyed, is unacceptable and will not be tolerated.
- 2.2 All incidents of discrimination, bullying, harassment or other inappropriate behaviour that shows lack of respect for others or leads to people feeling uncomfortable or threatened will be taken very seriously. Dewdrops Community Centre for Special Needs will provide support to those affected by inappropriate behaviour and, where necessary, take appropriate disciplinary action.
- 2.3 Managers are responsible for ensuring their team and direct reports perform to the required standards. They will provide regular feedback on performance and are responsible for highlighting any shortfall and agreeing a plan to rectify the situation with the direct report in a fair, consistent, constructive and non-discriminatory manner. It is acknowledged that on occasion this may not be a positive experience, however it is intended to improve individual, team and organisational performance. Managers reserve the right to be able to provide such feedback. Provided it is in keeping with the principals outlined in this policy, it will not amount to bullying or harassment on its own.

## 3.0 Principles

- 3.1 The highest standards of behaviour and conduct are expected of all Dewdrops Community Centre for Special Needs employees at all times, regardless of their seniority. It is the responsibility of everyone in Dewdrops Community Centre for Special Needs to uphold the principles of this policy and to ensure that individuals do not experience harassment.
- 3.2 Dewdrops Community Centre for Special Needs expects all employees to challenge or report behaviour that may marginalise or exclude others. It is the responsibility of all employees to be aware of their own behaviour.
- 3.3 Behaviour that is acceptable and normal in one culture may be offensive in another



and may contribute to misunderstandings. All employees of Dewdrops Community Centre for Special Needs should respect the points of view of others and promote an inclusive environment.

- 3.4** Behaviours or actions that contravene this policy should be reported in accordance with the Discrimination, Bullying and Harassment Procedure, and will be dealt with promptly, sensitively and, where possible, in the strictest confidence.

## 4.0 Examples of discrimination, harassment and bullying

Harassment is any unwanted physical, verbal or non-verbal 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. A single incident can amount to harassment.

It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may involve conduct of a discriminatory nature, specifically conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, gender or sexual orientation. However, harassment is unacceptable even if it does not fall within any of these categories.

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.

The following list is not exhaustive and is intended to provide examples as a guide. Other discrimination, harassment and bullying concerns or complaints, not specifically listed, may still be considered unacceptable under the Bullying and Harassment Policy. If in doubt, contact your Senior HR Business Partner for further advice.

- Spreading malicious rumours, or insulting someone
- Copying critical memos 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
- Unwelcome sexual advances: touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- 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.



A person may be harassed even if they were not the intended target. For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

Employees should ensure they comply with Dewdrops Community Centre for Special Needs' regulations and policies governing the use of IT and data management.

## 5.0 Informal procedure for resolving complaints

**5.1** If the employee experiencing harassment, discrimination or bullying feels able to, they should talk directly to the person whose behaviour is causing them concern. The perpetrator may not know that his or her behaviour is unwelcome or upsetting. The perpetrator should be informed of the behaviour that is found to be offensive, and that it should cease.

It is almost always preferable to attempt 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 be moderated and/or cease.

**5.2** If the employee does not feel able to talk directly to the person or they would like advice about the situation, they should approach their line manager or HR Business Partner for further advice.

**5.3** If informal resolution is not possible or the matter is sufficiently serious that informal resolution is not appropriate, an employee who believes that they, or others, have been bullied, harassed or discriminated against may make a formal complaint by using the Grievance Policy and Procedures.

## 6.0 Formal procedure for resolving complaints

**6.1** If the matter cannot be resolved informally, a more formal investigation will take place in line with the Grievance Policy and Procedures. The employee should raise their grievance in writing to their line manager (where the line manager is not the subject of the grievance) and a copy should be sent to the Senior HR Business Partner as soon as possible. If the line manager is the subject of the grievance, the grievance should be addressed to the line manager's manager and copied to the Senior HR Business Partner. We will consider whether any steps are necessary to manage any ongoing relationship during the investigation.

**6.2** Following a formal investigation, if it is found that bullying, discrimination or harassment has occurred, this will be regarded as serious or gross misconduct and action will be taken under the Disciplinary Policy and Procedures, which may result in a disciplinary sanction, up to and including dismissal for gross misconduct. If the harasser or bully is a third party such as a supplier or visitor, we will consider what action would be appropriate to deal with the problem. Whether or not the complaint is upheld, we will consider how best to manage any ongoing working relationship. We will also generally review the process followed to determine if any lessons can be learned for dealing with such incidents in the future.

**6.3** Any allegation of bullying and harassment is very serious. If it is found that an individual has intentionally raised a vexatious or malicious allegation against another person



falsely, this may lead to disciplinary action up to and including dismissal for gross misconduct.

- 6.4** Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action.
- 6.5** If an employee wishes to raise a concern about suspected wrongdoing or danger at work that they reasonably believe to be in the public interest, they should instead refer to the Whistleblowing Policy. If an employee is unsure which policy to use, they should contact their Senior HR Business Partner.



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