

## DIGNITY AT WORK:

## ANTI-BULLYING, HARASSMENT &

## VICTIMISATION POLICY

### Document Control

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## **1.0 Introduction**

Mahdlo Youth Zone is fully supportive of every person's right to be treated with dignity and respect at work, and has zero tolerance for bullying, harassment and victimisation. We actively strive to create a working environment that is truly inclusive and fair for all, where everyone can be themselves and thrive, with a shared passion for empowering young people to lead positive, fulfilling lives.

Each and every person associated with Mahdlo Youth Zone; employees, managers, trustees, volunteers, suppliers and others, has a responsibility to:

- behave in ways which support a healthy, inclusive and tolerant working environment;
- be open to listen and learn how their behaviour impacts on others;
- be prepared to challenge and/or report bullying or harassment;
- actively support any individuals or groups experiencing offensive, intimidating or insulting behaviour.

This policy applies to employees, managers, trustees, volunteers, suppliers and others on and off Mahdlo Youth Zone premises, and while working at home or at other locations for Mahdlo Youth Zone. Any individual experiencing bullying, harassment or victimisation, or having witnessed harassment, should speak to their line manager or a member of the Senior Team (see section 8). All allegations of bullying, harassment or victimisation will be taken seriously, treated confidentially, and complaints or grievances will be responded to promptly and robustly. Bullying, harassment or victimisation may constitute gross misconduct under Mahdlo Youth Zone's Disciplinary Policy and Grievance Policy, which if upheld may result in the dismissal of the perpetrator.

## **2.0 The Reality**

Research by CIPD (2020) on managing conflict in the modern workplace has found that bullying and harassment remain significant workplace issues despite increasing awareness of the problem in the media and society more generally. Their findings show bullying and harassment can occur across a wide spectrum of behaviour, ranging from extreme forms of intimidation, such as physical violence, to more subtle forms such as inappropriate jokes or ignoring someone. In addition, bullying or harassing behaviour can be carried out just as easily via digital channels, such as email, social media or by phone or text message, as more traditional, face-to-face forms.

## **3.0 Prevention of Bullying, Harassment and Victimisation**

Mahdlo Youth Zone, as an employer, has a 'duty of care' for all its employees. Trustees and the Senior Team will actively promote a safe working environment that supports the health, wellbeing and engagement of employees. It is recognised that the behaviour of senior staff, and the culture they create, has a major influence on employees' experience of work; however, all employees have a shared responsibility for their behaviour and the organisational culture. See section 11 on implementation of the policy, including training.

Mahdlo Youth Zone is committed to a management approach that:

- is open, fair and consistent;
- handles conflict and people management issues;
- provides knowledge, clarity and guidance;
- builds and sustains relationships;
- supports development.

## 4.0 Bullying

Bullying is a form of offensive, intimidating or insulting behaviour from a person or group towards another person or group with the purpose of harming their dignity, safety and well-being, and creating an intimidating or humiliating work environment.

Examples of bullying at work can include

- unwelcome remarks about a person's age, dress or appearance;
- jokes at personal expense, offensive language, personal insults, gossip or slander;
- isolation, non-cooperation or exclusion from social activities;
- failure to safeguard confidential information;
- taking away responsibility from an employee unnecessarily or withholding important information which an employee needs to have as part of their job;
- personal intrusion from pestering, spying or stalking;
- shouting, setting impossible deadlines or persistent unwarranted criticism;
- gaslighting, a manipulative power-game with deliberate intent to control an individual or situation;
- unwanted physical contact or coercion for sexual favours.

Bullying may

- be a regular pattern of behaviour or a one-off incident;
- happen face-to-face, on social media (cyberbullying), on phone or video calls, and in emails;
- happen while working (in the office, from home, at other locations) or at work social events (including detrimental texts or images posted to external websites afterwards);
- not always be obvious or noticed by others.

Bullying is NOT

- **Character building:** negative remarks and actions towards an individual will not build any sort of character; the effect can be debilitating and affect mental health.
- **A leadership style:** aggressive or dominant management does not build a healthy, supportive working environment which enables people to be their authentic self.
- **A clash of personalities:** individuals should not think being systematically excluded or intimidated is due to a personality clash.
- **Provoked by the victim:** bullying is never the victim's fault and can be motivated by the perpetrator's own insecurities or desire for progression.

### Legal Position

There is no single piece of legislation which deals with workplace bullying. However, this does not mean a victim is not protected by the law; a victim may be protected by the Equality Act 2010 if it is linked to a protected characteristic (see Harassment), the Employment Rights Act 1996, the Protection from Harassment Act 1998, Health and Safety at work etc Act 1974, and other legal principles and laws. Individuals can be personally liable to pay compensation and be prosecuted under criminal as well as civil law.

## **5.0 Harassment**

Harassment is the term used when the bullying, intimidating or unwanted behaviour harming dignity, safety and wellbeing, is because of an individual's protected characteristics as defined by the Equality Act 2010, and is unlawful. These protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Pregnancy and maternity are not protected directly under the harassment provisions; however, unwanted behaviour will amount to harassment related to sex. Although marriage and civil partnership are protected characteristics, they are not covered by the law on harassment.

For unwanted behaviour to be considered as harassment, it must have either violated the person's dignity, whether it was intended or not; or created a hostile environment for the person, whether it was intended or not. Harassment can include a serious one-off incident, repeated behaviour, spoken or written words, imagery, or physical behaviour. Harassment is still unlawful even if the person being harassed does not ask for it to stop. The law on harassment also applies to:

- a person experiencing sexual harassment, which is unwanted behaviour of a sexual nature;
- a person being harassed because they are thought to have a certain protected characteristic when they do not;
- a person being harassed because they are linked to someone with a certain protected characteristic;
- a person being unfairly treated because they have stood up against harassment;
- a person who witnesses harassment because of a protected characteristic and is distressed by it.

### **Legal Position**

The law on harassment protects individuals while applying for a job, in employment and, in some circumstances, after the working relationship has ended (for example, in connection with the provision of a verbal or written reference). Employers are liable for harassment between employees, and can also be liable for harassment from a third party. Although express protection for this third-party harassment has been removed from the Equality Act 2010, liability can still arise as a result of other legal duties such as the Protection from Harassment Act 1997, and therefore employers should continue to take steps to protect employees from harassment from anyone they come into contact with. Employers and individuals can be ordered to pay unlimited compensation where discrimination-based harassment has occurred.

## **6.0 Victimisation**

Victimisation is being treated unfairly because a person has made or supported a complaint to do with a protected characteristic, or the perpetrator thinks the person did. For example, should a colleague make a sexual harassment claim against a manager and after the person gives evidence as a witness to support their colleague the manager starts treating them unfairly, this constitutes victimisation.

## **7.0 Effects of Bullying, Harassment and Victimisation**

Offensive, intimidating or insulting behaviour affects individuals in different ways and can be experienced as work-related stress, depression or anxiety, loss of confidence and/or self-esteem, nausea, dread of going to work, sleeplessness, low morale; these are only examples and individuals can experience other effects. Bullying, harassment or victimisation may also give rise to poor employee relations, increased absenteeism and staff turnover, reputational damage, negative publicity or civil court claims.

## **8.0 Raising Concerns or Complaints**

Mahdlo Youth Zone actively encourages any individual experiencing bullying, harassment or victimisation, or having witnessed harassment while working, to come forward and speak to their line manager or a member of the senior Team.

To support a complaint, an individual experiencing bullying, harassment or victimisation, or having witnessed harassment while working, should keep detailed records of:

- every occurrence of offensive, intimidating or insulting behaviour including dates and times, and the resultant feelings;
- the names of any people who witnessed this behaviour;
- other evidence such as emails, texts, and screenshots of social media posts.

Line managers are expected to address concerns or complaints about bullying or harassing behaviour raised by any member of their team; listening carefully to an individual's concerns in a sensitive and constructive way, remaining objective, and avoiding taking sides or making hasty judgements.

The initial discussion with their line manager or a Senior Team member will provide an individual with the opportunity to talk in confidence about the inappropriate behaviour experienced or witnessed and the impact on them, and explore what they would like to happen to resolve the situation or move forward. Should it be possible to resolve a complaint informally, the decision on how to progress will rest with the individual. Where a decision is made by the line manager or a senior Team member to refer a complaint for formal investigation, consideration will be given to the individual's preference in making this decision.

## **9.0 Informal Approach**

In some situations, it may be possible to resolve the issue directly, with the complainant informing the other party/alleged perpetrator that their behaviour is unwelcome and distressing. The line manager and HR and Business Support Coordinator should be made aware of the approach to be taken (the complainant informing the perpetrator in person or in writing), and support provided if needed. Mahdlo Youth Zone may also consider mediation (using an independent third party), where this is viewed as appropriate and both parties are willing to participate. However, should the person not feel able to take an informal approach or the behaviour continues, a formal approach will be followed.

## **10.0 Formal Approach**

Where a formal allegation is made of bullying, harassment or victimisation, this may be dealt with under the formal procedures set out in Mahdlo Youth Zone's Disciplinary Policy and Grievance Policy, which will be explained further by the HR and Business Support Coordinator. A full investigation will initially be carried out, listening to both the complainant and alleged perpetrator's version of events, and taking evidence from any witnesses. Should the investigation indicate there is a case to answer, the procedure set out in the policy will be followed. Where the outcome of the investigation shows no case for action, or where doubt is cast on the validity of the complainant, mediation or counselling may be offered to help resolve the issue and/or support the person accused as well as the complainant.

In the case where a decision is made to proceed with disciplinary action, support will be discussed with and put in place for the individuals involved. In addition, Mahdlo Youth Zone will review organisational culture, policies and working practices for areas of improvement.

## 11.0 Implementation of the Policy

The Chief Executive has overall charge for implementing this policy, with line managers and the senior Team having day-to-day responsibility for addressing inappropriate behaviour. However, each and every person associated with Mahdlo Youth Zone has personal responsibility to behave in ways which support a healthy, inclusive and tolerant working environment. Training and support will be provided for employees to enable them to recognise, challenge and report bullying and harassment, together with training for line managers to ensure a proper understanding of how to implement the policy, together with help in supporting individuals experiencing bullying, harassment or victimisation, or are alleged to have perpetrated such behaviour. New employees, volunteers and trustees will be made aware of the policy as part of their induction process. This policy is linked to other policies including the Disciplinary Policy, Equality Policy and Grievance Policy.

## 12.0 Monitoring and Reviewing the Policy

The policy will be monitored and regularly reviewed for effectiveness, including the numbers of occurrences of complaints, the outcomes (why and how they occurred, who was involved, etc) and individual complaints to ensure resolution and no victimisation. This will be reported to the Senior Team for review, looking for trends, issues and any organisation wide training or change required. It is recognised that an absence of complaints does not necessarily mean that bullying, harassment or victimisation is not occurring. The policy will also be reviewed to take account of any changes in good practice or legislation.

## 13.0 References and Support

[Discrimination, bullying and harassment | Acas](#)

[Bullying advice | Bullying UK](#)

[Information & advice about all forms of bullying \(nationalbullyinghelpline.co.uk\)](#)

[Bullying advice for managers and businesses \(nationalbullyinghelpline.co.uk\)](#)

[what-to-do-if-accused.pdf \(nationalbullyinghelpline.co.uk\)](#)

[Sexual harassment at work - Rights of Women Rights of Women](#)

[What is harassment? | Equality and Human Rights Commission \(equalityhumanrights.com\)](#)

[Reporting work-related violence | TUC](#)

[Report Harmful Content - We Help You Remove Content](#)

[Workplace bullying and harassment - GOV.UK \(www.gov.uk\)](#)

[Managing-conflict-in-the-workplace-1\\_tcm18-70655.pdf \(cipd.co.uk\)](#)