

Bullying and Harassment in the Workplace

Policy

The following statement outlines the Organisational policy across BCTG Limited.

BCTG are committed to working towards creating an environment in which all staff and clients/learners are treated fairly and with dignity and respect.

This policy applies to all staff and clients/learners and to visitors and contractors, however for the management of allegations regarding staff of BCTG appropriate advice will be sought from the Local Authority Designated Officer from a local authority.

Policy Aim

Bullying or harassment in any form will not be tolerated and will be dealt with as a disciplinary matter and may result in dismissal.

Underpinning Principles

- Ensure that any member of staff, client or learner is entitled to dignity at work.
- Encourage a workplace where everyone respects and values differences.
- Endeavour to make full use of the talents of the workforce and clients/learners
- Prevent acts of discrimination, exclusion, unfair treatment and other negative or demeaning behaviors
- Demonstrate our commitment to equal opportunities for all.
- Be open and constructive in our communications.
- Handle conflict sensitively
- Be fair and just in our dealings.
- Educate our staff and clients/learners in the development of positive behaviors.
- Deal with complaints in a serious, confidential manner so that the matter can be resolved as quickly as possible for all concerned.

We aim to do this by:

- Providing training and support to recognise bullying and harassment and positive behaviours to overcome differences and conflict.

- Educating all staff and clients/learners on their personal responsibility to behave in a way that respects the dignity of others
- Monitoring the organisational culture and climate
- Providing effective and fair processes and procedures for dealing with negative behaviours - including bullying and harassment

Definitions and Examples

Bullying

Bullying includes actions such as making threats, spreading rumors, or attacking someone physically or verbally and excluding someone from a group on purpose.

(ACAS) defines bullying as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.”

It is a bullying when:

- There is a pattern of behavior established: for behavior to be bullying it usually has to happen several times within a short timescale.
- There is an intention to cause hurt. This might be physical or emotional. (What is perceived as mean, hurtful and threatening to one person may not be to another).
- The bullying has a negative effect on the person who is the target of the taunts/comments/abuse
- There is an imbalance of power: The person doing the bullying is stronger in some way than the person they are bullying.
- The behaviour is unprovoked.

There are 3 types of bullying.

VERBAL: saying or writing mean things. This includes.

- Teasing
- Name calling
- Inappropriate sexual comments
- Taunting
- Threatening to cause harm.

SOCIAL BULLYING: sometimes referred to as relational bullying. This involves hurting someone’s reputation or relationships. Social bullying includes:

- Leaving someone out on purpose
- Telling other students not to be friends with someone (for whatever reason)
- Spreading rumors about someone
- Embarrassing someone in public

PHYSICAL BULLYING: involves hurting a person’s body or possession. Physical bullying includes.

- Hitting/kicking/pinching
- Spitting
- Tripping or pushing
- Taking or breaking someone’s things.

- Making mean or rude hand gestures

Cyber-bullying

With the popularity of use of the Internet, it is increasingly easy for anyone to use this medium for sinister purposes. Cyber-bullying is on the increase, via internet and mobile phone use, and staff should be alert to the possible consequences of this, not only for any learners staff come into contact with but also for protection of staff themselves. **Under no circumstances** should staff give out/use any contact details other than business telephone numbers or email addresses. Staff should also be aware of the possible implications of undesirable contact via internet social networking sites and safeguard themselves against this by not divulging personal details if at all possible.

Definition of Harassment

The Equality Act 2010 defines harassment as, “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.” Harassment based on age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

Different things affect us all in different ways, and therefore what one individual might think of as harmless could be felt to be harassment by another.

Harassment depends on the view of the individual on the receiving end of another person’s behaviour. Harassment does not depend on the severity of the behaviour – a joke or a throw away comment could be perceived as harassment by anyone who hears it. Harassment can include behaviour that you can hear or see, even if it is not directed at you and has nothing to do with you.

Examples of harassment:

- Physical contact
- Jokes, offensive language, gossip, slander including peer on peer abuse
- Posters, graffiti, obscene gestures
- Exclusion from activities
- Stalking, spying
- Failure to safeguard confidential information
- Touching, grabbing or brushing up against others
- Innuendo, mockery, jokes or lewd remarks
- Stereotyping comments

All people have the legal right to work and study in an environment that is free from any form of harassment. It should be noted that discrimination, victimization, harassment or bullying can be intentional or unintentional. It is possible for a person to harass or bully someone even though they are not intending to as individual perceptions of what constitutes harassment vary. It is the impact of the behaviour and the feelings of the injured employee that is taken into account. Suggesting that no offence was intended or claiming ignorance of the effect will not be considered as a defence against unacceptable behaviour.

Harassment is unlawful and individual staff/clients/learners may be liable in law. If individuals harass their colleagues, their actions could break criminal as well as civil law and they would be personally

liable and have to pay compensation themselves. In some circumstances an employer may be held liable for the acts of its employees.

Responsibilities

BCTG is responsible for:

- Ensuring all staff are made aware of their personal responsibilities under this policy. (Please refer also to the Safeguarding Children & Vulnerable Young Adults Protection Policy)
- Providing formal training to support the policy.
- Making it clear to staff and clients/learners that certain behaviour or language is unacceptable regardless of whether a complaint is made.
- Setting examples and standards of behaviour in the workplace and being aware of how their behaviour affects other people.
- Creating an environment and culture where everyone is treated with respect and dignity.
- Supporting staff who may feel they are being bullied
- Promoting equality of opportunity

Everyone is responsible for ensuring that bullying and harassment is not permitted within the workplace.

All staff and clients/learners are responsible for

- Adhering to the policy
- Being aware of the problems bullying and harassment causes and ensuring that their behaviour does not cause others to feel harassed
- Treating all colleagues and students with dignity and respect and being aware of how their behaviour can affect other people
- Supporting colleagues/students who are being bullied or harassed.

If a member of staff feels bullied or harassed then reporting procedures for this will mirror those for a safeguarding issue – it must be reported in the first instance to the Designated Safeguarding Lead who will then work with SLT, or in her absence to the Head of Quality and Curriculum.

Policy review

This policy will be reviewed annually by the BCTG Advisory Board.

A handwritten signature in black ink, appearing to read 'Chris Luty'.

Chris Luty M.Sc. MCIPD MIoD
Chairman

January 2023