FHLTA Bullying and Harassment Policy

# **Policy**

Everyone will be treated with dignity and respect at the FHLTA. Bullying and harassment of any kind are in no-one's interest and will not be tolerated within the FHLTA in any form.

This policy applies to all Trustees, members and volunteers of the FHLTA.

Bullying and harassment will be treated as serious complaints.

## **What are Bullying and Harassment?**

**Harassment, in general terms is** unwanted conduct affecting the dignity of an individual(s), where actions or comments are viewed as demeaning and unacceptable to the recipient.

It may be related to age, gender, race, disability, religion, belief, sexuality, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident.

**Bullying is o**ffensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Bullying or harassment may be by an individual against an individual or involve groups of people. It may be obvious, or it may be insidious. It may be face to face or in written communications, electronic, for example, by email, phone, social media or verbally. Whatever form it takes, it is unwarranted and unwelcome to the individual. It may take place in private or in public.

**Examples of bullying/harassing behaviour include:**

* spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of race, sex, age, disability, sexual orientation and religion or belief);
* copying memos that are critical 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, the display of offensive materials;
* 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.

Legitimate, constructive and fair criticism someone’s performance or behaviour at is not bullying. An occasional raised voice or argument is not bullying.

## **Procedures**

Complaints of bullying and/or harassment, or information from Trustees, members or volunteers relating to such complaints, will be dealt with by the FHLTA fairly, confidentially and sensitively. However, bullying or harassment will not be treated as a standard grievance; it is a serious issue and will be treated as such.

Complaints of bullying or harassment should be made to the FHLTA Chairperson or Vice Chairperson of the FHLTA unless they are directly involved therefore another appropriate Trustee should be approached.

## **Investigation**

Complaints will be taken seriously and investigated promptly, objectively and independently. Decisions can then be made as to what action needs to be taken.

## **Informal action**

If appropriate, the matter will be dealt with 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 cease.

## **Formal action**

Where bullying or harassment amounts to gross misconduct, dismissal from the FHLTA without notice may be appropriate.

## **Counselling and Mediation**

Counselling or mediation may be considered, particularly where investigation shows no cause for disciplinary action, or where it may be useful to help resolve the issue or help support the person accused as well as the complainant.

## **Unfounded allegations**

Individuals lodging a complaint will not be disciplined for doing so unless somebody makes an unfounded allegation of bullying and/or harassment **for malicious reasons**. The case will then be investigated and dealt with fairly.

# **Procedures**

The aim of these procedures is to ensure incidents of bullying and harassment can be recognised and dealt with.

## **How can bullying and harassment be recognised?**

Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment, but it is sometimes the “grey” areas that cause most problems.

Bullying and harassment can often be hard to recognise – they may not be obvious to others and may be insidious. The recipient may think “perhaps this is normal behaviour”. They may be anxious that others will consider them weak, if they find the actions of others intimidating. They may be accused of “overreacting” and worry that they won’t be believed if they do report incidents.

People being bullied or harassed may sometimes appear to overreact to something that seems relatively trivial, but which may be the “last straw” following a series of incidents. There is often fear of retribution if they make a complaint. Individuals may be reluctant to come forward as witnesses, as they too may fear the consequences to themselves. They may be so relieved not to be the target of the bully that they collude with the bully as a way of avoiding attention.

Bullying and harassment makes someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and demotivated. Stress, loss of self confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation. Almost always the person is affected and relations within the organisation will suffer.

## **Why do we need to take action?**

Bullying and harassment are not only unacceptable on moral grounds but may, if unchecked or badly handled, create serious problems:

* Poor morale and poor employee relations;
* Loss of respect for managers and supervisors;
* Poor performance;
* Lost productivity;
* Absence;
* Resignations;
* Damage to organisational reputation;
* Tribunal and other court cases and payment of unlimited compensation.

## **Action by Trustees, members and volunteers**

Trustees, members and volunteers should be clear about the standards of behaviour expected, set a good example in their own behaviour and ensure that individuals are fully aware of their responsibilities to others.

### **Procedures**

Bullying should not be treated as a standard grievance; it is a serious issue and must be treated as such. Complaints of bullying and / or harassment, must be dealt with fairly and confidentially and sensitively using the general format set out in the FHLTA’s complaints procedure.

### **Investigation**

Complaints must be taken seriously and investigated promptly and objectively. People do not normally make serious accusations unless they feel seriously aggrieved. The investigation must be seen to be objective and independent. Decisions can then be made as to what action needs to be taken.

### **Informal approaches**

In some cases, it may be possible to rectify matters informally. Sometimes people are unaware that their behaviour is not welcome, and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease. It may be that the individual will choose to do this themselves, or they may need support from a manager, a colleague or an employee representative.

### **Counselling**

Counselling or mediation may be used where appropriate, particularly where investigation shows no cause for disciplinary action, or where doubt is cast on the validity of the complaint. Counselling may be used to resolve the issue or help support the person accused as well as the complainant.

### **Serious misconduct**

In cases which appear to involve serious misconduct, and there is reason to separate the parties, a short period of suspension of the alleged bully/harasser may need to be considered while the case is being investigated.

When somebody makes an unfounded allegation of bullying and/or harassment for malicious reasons the case should be investigated and dealt with fairly and objectively.

# Change Record

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| **Date of Change:** | **Changed By:** | **Comments:** |
| January 2021 | NEW | Policy approved by the Trustees |
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