



## **EAST YORKSHIRE PARENT CARER FORUM**

Charity number 117499

### **Bullying and Harassment Policy**

#### **1. Introduction**

EYPCF is committed to identifying and eliminating all forms of discrimination, providing equal opportunities to all, promoting diversity throughout our organisation, and encouraging all persons to treat each other with respect. EYPCF supports an environment for individuals who are either working for or supporting the organisation in which dignity and respect are paramount and a culture in which bullying and harassment is unacceptable. Bullying and harassment is not just morally unacceptable but in most cases it is also unlawful. Any allegations raised regarding bullying and or harassment will be taken seriously and treated confidentially. EYPCFs will not tolerate victimisation against any employee or volunteer making a complaint under this policy or against employees or volunteers who assist or support a colleague in making a complaint.

#### **2. Scope**

This policy applies to anyone associated with EYPCFs including; members , employees, Trustees, volunteers, suppliers and contractors and staff from other organisations working for EYPCF.

#### **3. What is bullying & harassment?**

**3.1 Bullying** is defined as behaviour against an individual that is intimidating, degrading, offensive or malicious and undermines the confidence and self-esteem of the recipient.

**3.2 Harassment** is defined as unwanted conduct that either violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. It may be related to any personal characteristic of the individual (whether perceived or real), or by association (ie related to the individual's relationship or dealings with others who have that personal characteristic, even if they do not). It may be persistent, or an isolated incident and can take many forms, from relatively mild banter to actual physical violence. Harassment can be regarded as behaviour that is offensive, frightening or in any way distressing and it is the impact on the individual that is important. It may be intentional, obvious or violent, but it can also be unintentional or subtle and insidious.

**3.3** Volunteers/Employees may not always realise that their behaviour constitutes bullying or harassment but they must recognise that what is acceptable to one person may not be acceptable to another. The fact that bullying or harassment was not intended does not mean that it cannot have occurred; however, bullying or harassment will not have taken place if the claimant's perception of the conduct in question is unreasonable in all of the circumstances.

**3.4** The person complaining of bullying or harassment need not necessarily be the person towards which the behaviour is directed. For example, a person who overhears comments made to someone else, and who is offended by those comments, may still make a complaint of bullying or harassment.

**3.5** People can be subject to bullying and harassment on a wide variety of grounds including:

- ethnic origin, nationality, skin colour or cultural differences
- gender or gender re-assignment
- sexual orientation
- religion or belief
- a willingness to challenge harassment, leading to victimisation
- age
- disabilities, sensory impairments or learning difficulties
- real or suspected infection with HIV/AIDS or any illness or condition which may be seen as carrying a social stigma
- political views
- clash of personalities
- perceived poor performance.

**3.6** Appendix 1 lists some examples of unacceptable behaviours

**3.7** Bullying or harassment can be a single serious incident or persistent and repeated, continuing after the person subjected to it makes it clear that they wish it to stop.

**3.8** All volunteers/employees should be aware that any act or acts of bullying or harassment committed by them in the course of their work for EYPCF will be dealt with as set out under this policy. This includes not only situations occurring whilst working for or supporting EYPCF, but also at any time on our office premises, or externally whilst attending social functions or training courses, etc in the course of the work for the charity. It also covers emails, phone calls and texts sent by volunteers/employees outside of their work for the charity using our equipment or their own personal equipment, as well as posts on social networking sites.

**3.9** This type of behaviour can reduce the effectiveness of our organisation by creating a hostile or threatening environment. The damage, tension and conflict which harassment and bullying creates not only results in poor morale for all, but also divides people and reduces productivity. Volunteers and employees can be subject to fear, stress and anxiety, which not only affect their contribution within the organisation but can also put great strains on their personal and family life, leading to illness, increased sickness absence and staff turnover.

**3.10** All complaints of bullying or harassment will be treated very seriously.

#### **4. Third party Harassment and Discrimination**

4.1 Third party harassment and discrimination refers to harassment and/or discrimination of a volunteer or employee by any person who is not one of our volunteers or employees. Third party harassers and discriminators may include:

- Parents and carers
- Officers of our partner organisation eg the Local authority, CCG etc
- Business clients, independent contractors or consultants

4.2 Any volunteer/employee who believes that they have been the victim of third party harassment and/or discrimination should immediately inform the co chairs of the incident. Where a volunteer or employee has been harassed and/or discriminated against, we will take such steps as are reasonably practicable to prevent any recurrence.

4.3 If a volunteer or employee harasses and/or discriminates against a member, client, supplier or an independent contractor or consultant, they will be subject to disciplinary action.

#### **5. EYPCF response to Bullying and Harassment**

5.1 EYPCF will treat every case of proven bullying or harassment as a disciplinary offence, which in severe cases could lead to termination of employment or of engagement as a volunteer or in serious cases referral to the police for investigation.

5.2 All allegations of bullying and harassment will be treated seriously and confidentially. Investigations will be undertaken and solutions will be sought in discussion with the complainant

who will be protected against any form of victimisation that may arise as a result of making the complaint.

## **6. What should employees or volunteers do if they think they are being bullied or harassed?**

- 6.1 If the employee or volunteer feels able to, they should speak to the individual or individuals concerned and explain that their behaviour is causing distress and must stop. If preferred, this may be in writing.
- 6.2 If this proves ineffective, or the employee or volunteer feels unable to do this, they should approach the co chairs to arrange a confidential meeting to discuss the matter.
- 6.3 Staff and volunteers in such a position may wish to discuss the matter with a work colleague, friend or relative who may accompany them and support them in such discussions.
- 6.4 If the employee or volunteer still feels unable to address the individual directly themselves the co chairs should arrange to speak to the individual on behalf of the volunteer/employee.
- 6.5 If the above informal procedure fails to stop the problems or the individual wishes to proceed formally then the procedure below can be used:

## **7. Formal Procedure to deal with allegations of bullying and harassment.**

**7.1** A formal complaint may be made to the co chairs.

**7.2** The formal complaint should be detailed in writing and submitted without unreasonable delay.

**7.3** It should contain the reasons for the complaint and all relevant facts surrounding the matter, including relevant dates, names and witnesses. The complaint should also indicate what we should do and any other suggestions or information that will assist in resolving the issue. Whilst recognising the complainant's feelings and the effect the alleged behaviour may have had, it is important to establish the facts and he/she will be asked to provide details of the allegations, eg:

- what happened
- where it occurred
- when did it occur
- who was involved
- was this the first incident
- were there any witnesses
- whether any action has been taken previously to prevent further repetition of the behaviour

**7.4** A full investigation will be undertaken as quickly as possible to establish the facts and decide upon the appropriate course of action. Normally this is within 28 days. The investigation may be carried out by the co chairs or a person appointed by them.

7.5 The volunteer/employee may be supported throughout the process and at any meetings by a colleague of their choice.

7.6 The person investigating the complaint will be sensitive and will take care not to phrase questions in a way that implies that the bullying and or harassment may in some way have been directly or indirectly invited and to avoid remarks that appear to trivialise the experience or suggest that it was imaginary. The intention of the alleged bully/harasser is irrelevant; it is the effect on the complainant that is important.

7.7 Consideration will be given as to whether the employee should be suspended or the volunteer stand down while the allegations are investigated.

7.8 All parties must respect the need for complete confidentiality (includes complainant perpetrator and witnesses.)

7.9 Copies of statements made by witnesses will be made available to both the person making the complaint and the alleged bully/harasser, but the names of the witnesses may be withheld if they request to remain anonymous and particularly if they have a genuine belief of fear of reprisal.

## **8. Outcome**

8.1 If the allegation is upheld by the person investigating the complaint. The co chairs will clearly explain the outcome to both parties in writing and consider the next course of action.

8.2 The consequences may include a warning, some training or support or removal as a volunteer.

8.3 The perpetrator has the right to appeal in 28 days stating why they disagree with the decision and the co chairs will consider the evidence and give a decision on the outcome which will be final.

8.4 If the co chairs become aware of bullying and harassment and the volunteer or employee does not raise it in a complaint they may investigate themselves in the interests of protecting all volunteers/employees in the organisation.

8.5 Where the complaint is against a third party such as one of our partner agencies, members or suppliers then an investigation will be carried out and all appropriate measures taken to protect volunteers/employees in the organisation.

8.6 Full consideration will need to be given to managing relationships going forwards and how everyone concerned can work together. This will apply even if the complaint is not proven.

## **9. Creating a positive environment**

9.1 All staff and volunteers have personal responsibility for their own behaviour and for ensuring that they comply with this policy. Staff and volunteers should report any incidents of bullying and harassment which come to their attention to the co chairs.

9.2 All new volunteers/employees will be made aware of this policy at induction

9.2 EYPCF encourages an environment of positive challenge to inappropriate behaviour to reduce bullying and harassment and there are a number of things that staff and volunteers can do to help prevent bullying and harassment, such as:

- Set a positive example by treating others with respect.
- Be aware of the organisations policy and comply with it.
- Do not accept behaviour that may be offensive when directed against you or others, and take positive action to ensure that it is challenged and/or reported.
- Be supportive of colleagues who may be subject to bullying and/or harassment.

## **10. Related Policies**

Equality and Diversity Policy

Comments and Complaints Policy

Code of Conduct

Confidentiality

Persistent and vexatious policy

**Policy approved by Trustees date**

**Policy review date Oct 2020**

## Appendix 1

Examples of unacceptable behaviours that can be considered to constitute bullying and harassment:

- Bullying by exclusion – this may take the form of social isolation and/or exclusion from meetings
- Deliberate withholding of information with the intention of affecting a colleagues performance
- Removing responsibilities
- Undermining a person's role or instructions
- Unfair and destructive criticism carried out publicly or privately
- Intimidating behaviour
- Name calling (consideration should also be given to the use of 'pet names or nick names') • Shouting or screaming at someone
- Setting someone up to fail
- Verbal abuse and spreading of unfounded rumours
- Humiliation or ridicule
- Copying emails that are critical about someone to others that do not need to know
- Criticism or innuendoes based on protected characteristics

Harassment can be in many forms, below are some examples

- Spreading rumours • Racist, sexist or homophobic jokes
- Exclusion or victimisation
- Unwelcome sexual advances (touching, standing too close, sending inappropriate messages or images by text or email, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected)
- Physical contact varying from touching to criminal assault
- Display of offensive material
- Unwelcome remarks about a person's dress, appearance, race, gender, sexual orientation or marital status
- Using social media to display offensive material or spread rumours.

