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**FAIR FROME**

**ANTI-BULLYING AND HARASSMENT STATEMENT**

Employees and volunteers are Fair Frome's most valuable and important resource, and Fair Frome has a legal, moral, and ethical duty to ensure that the environment in which they work enables them to contribute to their fullest potential and that they feel confident and comfortable about that working environment.

As well as considering the welfare of its employees and volunteers, there is a strong business case for ensuring the elimination and prevention of harassment and bullying such as; the financial impact (e.g. cost of reduced performance), health and safety (e.g. physical and emotional effects on employees), and recruitment and retention (e.g. people will not wish to join us or to remain with us).

Fair Frome believes that all its employees and volunteers have the right to be treated with dignity and respect, and that harassment and bullying is totally unacceptable. Fair Frome will deal effectively with any form of harassment or bullying and take any steps it sees fit to either stop or prevent it. This may include taking disciplinary action, up to and including dismissal in the case of employees and volunteers.

**ANTI-BULLYING AND HARASSMENT POLICY**

## **Introduction**

At Fair Frome we are committed to having a workplace which is free from harassment and bullying. Also, to make sure that all employees, contractors and others who come into contact with us in the course of our work, are treated with dignity and respect. This is without regard to gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability.

Striving to make sure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is central to ensuring equal opportunities in employment.

This policy and procedure is intended to support this commitment in practice and to provide guidance to staff on how to deal with concerns of bullying or harassment. The policy covers harassment and bullying by staff, volunteers and Trustees. It does not cover harassment and bullying from the public or contractors. However Fair Frome has a duty of care towards its employees and volunteers and, in these cases, employees and volunteers should report any such behaviour to their line manager who will decide upon the appropriate action. If the line manager is involved in the bullying or harassment then report it to the Chair of Trustees.

## **Our Policy**

We will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace. This is regardless of whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not.

Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee has harassed or bullied another employee or contractor, then the employee may be subject to disciplinary action, up to and including dismissal.

Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result. False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

**The type of treatment that amounts to bullying or harassment**

Bullying or harassment is something that has happened that is unwelcome, unwarranted and causes a detrimental effect. If employees complain they are being bullied or harassed, then they have a grievance which must be dealt with regardless of whether or not their complaint accords with a standard definition. For further information, please refer to [ACAS’ guidance](http://www.acas.org.uk/index.aspx?articleid=794).

Fair Frome recognises the fact that employees or volunteers may initially submit to a particular instance of harassment or bullying, but this does not mean that they find the behaviour acceptable. For example, an employee who is the butt of jokes may not wish to object initially, but this should not prevent them from addressing the issue once they feel able to do so.

Bullying does not include appropriate criticism of an employee’s behaviour or proper performance management.

Harassment

There are various definitions of harassment, but there are two key questions which help to define ‘Harassment'. They are: 'Is the behaviour unwanted?' 'Does it undermine the dignity of the individual?' and ‘Is it related to a protected characteristic?’

Harassment is defined by ACAS 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’. The protected characteristics are age; disability; sex or gender; gender reassignment; marriage/civil partnership; pregnancy or maternity; race (including ethnic origin, skin colour, nationality and national origin); religion or belief; and sexual orientation.

It is also unacceptable to harass any individual:

1. Based on their association with another individual with a protected characteristic (e.g. an employee married to someone of a different ethnic origin); or
2. Based on a perception that they have a protected characteristic (e.g. a heterosexual employee who is made fun of because his colleagues believe he is homosexual).

A definition of bullying is given in the next section of this policy, but harassment and bullying are closely linked.

Examples of harassment include:

1. **Sexual harassment:**
* Ridiculing someone because of their sex or sexual orientation by looks, remarks, sexual innuendo or jokes of a sexually explicit nature
* Unnecessary touching or unwanted physical conduct
1. **Sexual orientation harassment:**
	* Homophobic remarks, innuendo, jokes
	* Offensive actions and physical attack
2. **Racial harassment:**
	* Embarrassing or derogatory remarks such as racist jokes, name-calling or nicknames
	* Deliberate isolation or different treatment
3. **Harassment on the grounds of disability:**
	* Name calling
	* Uninvited, patronising or unnecessary assistance
4. **Harassment on the grounds of religion or belief:**
	* Ridicule and religious jokes
	* Scorning of belief
5. **Age harassment:**
	* Negative comments generalising about the age group of the individual
	* Exclusion from informal groups such as social events

Bullying

ACAS states that bullying can be characterised as ‘offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient’.

It must be clearly understood that it is a manager's responsibility to set targets and review work performance. It is also the manager’s role when individuals do not reach targets to ensure that corrective processes are put in place. These discussions are sometimes difficult for both parties but need to take place to ensure employees work competently. In this context bullying will only occur when a manager abuses his or her authority.

It should be noted that bullying does not just occur in manager/subordinate relationships, it can occur when there is unacceptable peer pressure or pressure by others in a position of ‘authority’, e.g. Trustees .

Examples of bullying behaviour can include:

1. Spreading malicious rumours;
2. Making the employee the butt of jokes;
3. Aggressive, insulting and onco-operative attitude;
4. Destructive innuendo and sarcasm;
5. Constant unjustified criticism;
6. Unjustifiably removing responsibilities and replacing them with trivial tasks to do instead;
7. Shouting at employees or volunteers;
8. Unreasonable use of disciplinary/competence procedures;
9. Unreasonable refusal of requests (e.g. leave or training) ;
10. Deliberately ignoring or excluding individuals from activities;
11. Imposing unreasonable workloads and/or unjustifiably reducing deadlines;
12. Constantly undermining an employee in terms of their professional or personal standing;
13. Undervaluing an employee’s or volunteers efforts;
14. Seeking to make an employee or volunteer appear incompetent, or intentionally creating an unacceptable working environment, with the object of either achieving a dismissal or of making them resign.

Victimisation

Any employee or volunteer who makes a complaint or supports another employee or volunteer who has done so must not be subjected to any victimisation or less favourable treatment as result. Fair Frome will not tolerate any such behaviour and will take appropriate action to stop/prevent this, which may include disciplinary action.

Responsibilities of Managers, Employees,Volunteers and Trustees

Fair Frome Senior Coordinator has the following responsibilities:

1. Compliance with the Policy;
2. Creating/ensuring that there is a supportive working environment;
3. Making sure that their employees and volunteers know the details of this policy and ensuring compliance with it;
4. Making sure that their employees and volunteers know what standards of behaviour are expected of them;
5. Taking allegations of harassment and/or bullying seriously and dealing with them as quickly as possible;
6. Ensuring that victims of harassment and/or bullying receive appropriate support which might include counselling. (Note: consideration should be given as to whether the harasser/bully should also be given access to counselling, as the employee or volunteer who has been accused of bullying/harassment can find this a stressful situation);
7. Dealing with complaints under the Bullying and Harassment Complaints Procedure (see below);
8. Ensuring that matters are dealt with confidentially and impartially;
9. Ensuring that their employees and volunteers attend any training requirement; and
10. Liaising with Fair Frome’s Chair of Trustees on how to deal with cases that arise.

Employees and volunteers

Employees and volunteers will have the following responsibilities:

1. Compliance with the policy;
2. Treating their colleagues with dignity and respect;
3. Having an awareness of their own standards of behaviour;
4. Making it clear that they find harassment and bullying unacceptable;
5. Reporting harassment and supporting management with the investigation of complaints; and
6. Intervening to stop harassment and/or bullying and give support to victims.

Trustees

Trustees will have the following responsibilities:

1. Compliance with the Policy; and
2. Treating employees and volunteers with dignity and respect.

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**FAIR FROME**

## **REPORTING BULLYING AND HARASSEMENT PROCEDURE**

No employee or volunteer need put up with bullying or harassment. Fair Frome recognises that making a complaint may be a distressing experience, but all complaints will be taken seriously and dealt with in a sympathetic and sensitive manner.

If you feel that you are being bullied/harassed, the decision about how to pursue this will, in the first instance, rest solely with you. You have the right to redress through either the informal or formal procedure.

Only if the matter is brought to the attention of the alleged harasser/bully or your manager can action be taken to stop the behaviour.

In the interests of natural justice a complaint should be made as close as possible to the date when the incident occurred. In a situation where, in your view, an accumulation of incidents merit a bullying/harassment complaint, this should be done as close as possible to the date when the ‘final straw’ incident took place.

**What you should do if you witness an incident you believe to harassment or bullying**

**I**f you witness such behaviour, you should report the incident in confidence to the Senior Fair Frome Coordinator. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

**What you should do if you feel you are being bullied or harassed by a stakeholder or supplier (as opposed to a colleague)**

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with the Fair Frome Senior Coordinator or Chair of Trustees in the first instance. We will then decide how best to deal with the situation, in consultation with you.

**What you should do if you are being bullied or harassed by a colleague**

If you are being bullied or harassed by another employee or contractor, there are two possible avenues for you, informal or formal.

**Informal Resolution**

If it is possible and appropriate to do so, you should ask the person who you feel is harassing or bullying you to stop such behaviour, making it clear that you find it offensive, and it is unwelcome. This can be done face-to-face or in writing.

If you feel that you cannot approach the alleged harasser/bully alone then you may wish to ask a work colleague or trade union representative to accompany you.

It is possible that some people may not have realised that their behaviour was offensive and alerting them to it will alter their behaviour.

**Formal Resolution and Raising a Formal Complaint**

If you feel unable to use resolve the issue informally as detailed above, or you feel that this is not appropriate, or if informally resolving the issue fails to resolve your complaint, then you can raise this formally if you wish.

In this case you will need to put your complaint in writing to the Fair Frome Senior Coordinator. If the complaint is against the Senior Coordinator, then it should be directed to the Chair of Trustees.

Once you have done this the matter will be investigated under the Fair Frome’s Grievance Procedure. We will first investigate the complaint. You will need to co-operate with the investigation and provide the following details (if not already provided).

* The name of the alleged perpetrator(s).
* The nature of the harassment or bullying.
* The dates and times the harassment or bullying occurred.
* The names of any witnesses.
* Any action taken by you to resolve the matter informally.

The Senior coordinator will discuss your complaint with you. In line with the informal resolution stage set out in the Grievance Procedure, the Senior Coordinator will, if appropriate, explore with you whether there are any informal measures that you feel able to pursue in order to attempt to resolve the situation before requesting that formal action is taken. These could include meetings with the alleged harasser/bully facilitated by your line manager or the Chair of Trustees, or more structured mediation. The formal process must, however, be followed if the particular 'offence' brought to the Fair Frome’s attention is so serious that criminal prosecution may result.

If informal measures are not appropriate/successful or you wish to proceed straight to the formal process, the Senior Coordinator, or their representative, will thoroughly investigate the complaint in accordance with the Grievance Procedure.

The usual representation will apply to the alleged bully/harasser and you can be supported throughout the process by a work colleague or trade union representative.

In accordance with Fair Frome's Grievance Procedure you will be invited to attend a hearing. You will be given written notification of the outcome of this hearing and will have the right of appeal.

Decisions will be made at/after the hearing about the appropriate actions to be taken. These could include taking disciplinary action against the bully/harasser; issuing management instructions; arranging mediation if both parties are willing to participate; making changes to working arrangements; or taking no further action.

It should be noted that if disciplinary action is taken against the alleged bully/harasser, you will be informed that disciplinary action is being taken, but will not be informed of the outcome of this or have a right of appeal against the decision of the disciplinary panel. Nor do you have the right to raise a grievance about any decision affecting the harasser/bully following a disciplinary hearing or investigation.

Disclosure and Confidentiality

Fair Frome will treat personal data collected during this process in accordance with the [data protection policy](https://www.xperthr.co.uk/policies-and-documents/data-protection-policy-compliant-with-the-gdpr-/162690/). Information about how employees' data is used and the basis for processing data is provided in the [employee privacy notice](https://www.xperthr.co.uk/policies-and-documents/employee-privacy-notice-compliant-with-the-gdpr-/162693/). The alleged perpetrator(s) would need to be told your name and the details of your complaint in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

The knowledge that a complaint has been made will be restricted to the minimum number of people necessary to investigate what happened. All those involved in any complaint must respect this and ensure that they are sensitive to the needs of both the complainant and the alleged harasser/bully.

All involved in investigating a complaint will do so impartially and make no inferences that either party is at fault until the investigation is complete. Breaches in confidentiality may result in disciplinary action.

Complaints About Other Parties

If the matter involves a complaint against the Senior Coordinator, you should inform the Chair of Trustees, who will determine the most appropriate means of dealing properly with the complaint.

If the matter involves a complaint against a Trustee, you should inform the Senior Coordinator. Following investigation, a report will be submitted to the Chair of Trustees.

Malicious/Unfounded Complaints

This procedure is designed to protect individuals who raise their concerns. It is accepted that some allegations may arise from genuine misunderstandings. However making a malicious and unfounded complaint may itself constitute harassment and be dealt with under the disciplinary procedure.

The Board of Fair Frome will carry out regular monitoring of policy and procedures. These Policies will be reviewed annually. The Policy and Procedures were accepted and adopted by the Trustees of Fair Frome:

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| --- | --- | --- | --- |
| Name: | John Killah | Position: | Chair of trustees |
| Date: | 2.12.24 | Signature: | John Killah |