

# Bullying and Harassment Policy

## 1. Purpose of the policy

- 1.1 To provide clear guidelines to employees and volunteers for reporting bullying and harassment.
- 1.2 To provide clear guidelines to staff and volunteers regarding behaviour which GMFA considers bullying or harassment.
- 1.3 To provide clear guidelines for line-managers for dealing with reports of bullying or harassment.

## 2. Principles and law

- 2.1 The Board of Directors and the Chief Executive of GMFA are committed to preventing and dealing with bullying and harassment against employees and volunteers.
- 2.2 GMFA seeks to provide an environment of mutual trust and respect among its workforce and volunteer base and will not tolerate bullying and harassment.
- 2.3 GMFA will be objective in dealing with complaints of bullying and harassment and not prejudice the findings before due process is followed. Where deliberate bullying and harassment has occurred, GMFA will dismiss or expel the person who bullies or harasses.

## 3. Types of activities that GMFA considers to be bullying and harassment

- 3.1 The following are examples of harassment and bullying but do not form a definitive list:

### 3.2 Harassment

- 3.2.1 Inappropriate remarks/behaviour
- 3.2.2 Ridicule
- 3.2.3 Behaviour intended to threaten, humiliate or patronise
- 3.2.4 Physical, verbal or written abuse
- 3.2.5 Unwanted / unnecessary physical contact / gesture / language of a sexual nature
- 3.2.6 Display of inappropriate materials
- 3.2.7 Undermining of competent employees / volunteers
- 3.2.8 Shunning or excluding people from normal workplace conversation or work-related social events
- 3.2.9 Threatening and abusive language
- 3.2.10 Unfair allocation of work
- 3.2.11 Unequal treatment in respect of conditions of employment
- 3.2.12 Inappropriate comments about dress or appearance

### **3.3 Sexual harassment**

- 3.3.1 Sexually provocative remarks or “jokes”
- 3.3.2 Inappropriate comments about dress or appearance
- 3.3.3 Non work related display or distribution of sexually explicit material
- 3.3.4 Unwelcome sexual advances/ physical contact / demands for sexual favours / assault

### **3.4 Racial, ethnic or religious harassment**

- 3.4.1 All of the examples under the heading “3.2 Harassment” when motivated by race, ethnic origin or religion
- 3.4.2 Intrusive questioning about a person’s racial or ethnic origin, culture, dress, customs or religion, or subjecting this to mockery
- 3.4.3 Display of racist material including racist graffiti

### **3.5 Harassment of people with disabilities**

- 3.5.1 Making negative assumptions about someone’s capabilities
- 3.5.2 Ignoring or ridiculing someone because of their disability
- 3.5.3 The disability as the focus of attention for non work related discussions
- 3.5.4 Personal remarks, “jokes” or inappropriate reference to an individual’s appearance
- 3.5.5 Inappropriate or patronising language

### **3.6 Harassment because of someone’s sexuality**

- 3.6.1 Personal remarks, “jokes” or inappropriate reference to an individual’s sexuality
- 3.6.2 Inappropriate comments relating to a person’s sexuality
- 3.6.3 Threats to disclose a person’s sexuality to others
- 3.6.4 Intrusive questions about someone’s sexuality or personal / domestic situation

### **3.7 Harassment because of someone’s HIV status**

- 3.7.1 Inappropriate reference to a person’s HIV status
- 3.7.2 Inappropriate comments or “jokes” relating to HIV status
- 3.7.3 Threats to disclose a person’s HIV status to others
- 3.7.4 Intrusive questions about someone’s HIV status or medical condition

### **3.8 Bullying**

- 3.8.1 Intimidation
- 3.8.2 Threats - either implied or direct
- 3.8.3 Enforcing / imposing someone's will on someone else
- 3.8.4 Copying memos, emails etc. that are critical about someone to others who do not need to know
- 3.8.5 Humiliation, particularly in public
- 3.8.6 Unjustified, persistent criticism / trivial fault-finding / excessive monitoring or any form of malicious fault-finding
- 3.8.7 Setting unobtainable targets
- 3.8.8 Inappropriate handling of poor performance
- 3.8.9 Scapegoating someone
- 3.8.10 Singling someone out / treating them differently
- 3.8.11 Isolating and excluding someone. This does not include excluding people for an objectively valid reason i.e. a disruptive participant in a workshop may be asked to leave the group or a Board member may be asked to leave a meeting if there is a clear conflict of interest.
- 3.8.12 Making malicious or unfounded allegations of a serious nature
- 3.8.13 Misuse of the individual's position of authority towards a volunteer, employee, or a member of the public.

### **4. Bullying and harassment and gross misconduct**

- 4.1 Deliberate or persistent acts of harassment and bullying will constitute gross misconduct and as such may lead to dismissal for staff or expulsion of volunteers.
- 4.2 However, it may be that an employee or volunteer subjectively feels harassed or bullied but no harassment or bullying has objectively occurred. Furthermore, an employee or volunteer may feel harassed and bullied but the person perpetrating the harassment or bullying does not realise that s/he is doing so. In these cases, harassment and bullying will not be treated as gross misconduct.
- 4.3 When a person feels justifiably harassed or bullied by someone's actions but neither was intended, the person whose action caused offence will be clearly informed that their behaviour was perceived as harassment or bullying. They will not be disciplined, and will be expected to apologise for any unintended offence caused. Future similar behaviour towards the same person will not be considered unintentional.
- 4.4 Making a false report of bullying or harassment, maliciously or for personal gain will be considered bullying in itself and may lead to disciplinary action.

## **5. Reporting bullying or harassment**

- 5.1 Employees and volunteers can make a report orally or in writing. GMFA would normally expect an employee to raise his/her concerns to either his/her line manager, Chief Executive or the Chair.
- 5.2 Which of these individuals is the more appropriate will depend on who is involved in the bullying and harassment.
- 5.3 A full written report will be kept in an employee's personnel file of any claims of bullying or harassment (see appendix A). This will be kept on file for two years.
- 5.4 A volunteer can make a report orally or in writing to the Chief Executive, or the Chair if the report is about the Chief Executive.

## **6. Investigating a report**

- 6.1 Once a report has been made, the person to whom the report was made will acknowledge receipt of the report normally within 5 working days. If the person to whom the report was made is the Chair then s/he will normally get back to the volunteer or employee within 10 days.
- 6.2 There are, of course, two sides to every story and GMFA will need to make preliminary enquiries to decide whether a full investigation is necessary. If such an investigation is necessary then, an employee's report will be investigated by the line manager of the person against whom the report was made or the Chief Executive.
- 6.3 Investigations into harassment and bullying can only be dealt with formally.
- 6.4 Subject to any legal constraints, GMFA will inform the person who made the report of the outcome of preliminary enquiries, full investigation and any further action that has been taken. However, the details of volunteer and staff disciplinary procedures are confidential.

## **7. Dissemination of guidelines**

- 7.1 This policy will go to all staff and volunteers and be included in any staff or volunteer induction.

## **8. Review**

- 8.1 This policy will be reviewed every four years.
- 8.2 This policy was passed on 13/03/03.
- 8.3 This policy was reviewed and updated on 26/10/06.
- 8.4 This policy was amended on 27/08/08.

## Appendix A

### **Guidelines for dealing with complaints of bullying and harassment**

Where an individual raises a problem of harassment or bullying at GMFA:

Think about the interview environment. A place at work where you will not be interrupted, overlooked or overheard.

Stress the need for confidentiality by all parties

Reiterate the organisation's policy on bullying and harassment and commitment to eliminate it.

Use tact, sensitivity and empathy to find out as much relevant information as you can about the incident(s)

Ask the following questions and keep detailed notes:

- What happened?
- Where did it happen?
- When did it happen?
- Who was involved?
- Has it happened before?
- How often?
- Were there witnesses?
- How do you feel about what happened?
- Have you felt able to speak to the person/people involved?
- What did you do or say on each occasion?
- How did they react?
- Has anyone else spoken to the person/ people about their behaviour?
- Have you spoken to anyone else about this?
- Do you wish the complaint to be investigated?

Challenge sensitively without adopting a position in relation to the complaint.

Outline options available under the policy and establish goals.

Keep a level of professional detachment while remaining sensitive to the individual's needs and feelings. An objective manager will not show by their behaviour or expression either belief or disbelief.

Establish with the individual any further support needs and in each case make appropriate arrangements.

Do not judge the complaint or the people involved.

Do not allow inappropriate or unconsidered expression of feelings about what you hear.

Do not comment on the allegations or try to justify the behaviour.

Do not criticise action taken by the complainant.

Do not take over the responsibility of the complaint.

Do not encourage the individual to put up with the harassment or bullying.

At the end of the interview:

- Summarise the details to ensure that you have the correct information.

- Ensure that you know what the action that the complainant wants you to take.
- Explain the next steps you are going to take.