



Inspire South West Anti bullying and harassment policy and procedure

The purpose of this policy is to ensure that all Practitioners/volunteers are treated and treat others with dignity and respect, free from harassment and bullying. All Practitioners/volunteers should take the time to ensure they understand what types of behaviour are unacceptable under this policy.

Practitioners/volunteers must treat colleagues and others with dignity and respect and should always consider whether their words or conduct could be offensive. Even unintentional harassment or bullying is unacceptable.

Inspire South West will take allegations of harassment or bullying seriously and address them promptly and confidentially where possible. Harassment or bullying by an employee/volunteer or anyone representing Inspire South West will be treated as misconduct and in some cases, it may amount to gross misconduct leading to ending of contract.

This policy does not form part of any employee's contract of employment, or any seasonal/self-employed agreements and appropriate.

What the law says

The Equality Act 2010 prohibits harassment related to gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age. For more information see our Equal Opportunities Policy.

The Protection from Harassment Act 1997 also makes it unlawful to pursue a course of conduct which you know or ought to know would be harassment, which includes causing someone upset/distress.

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Updated 2nd Jan 2024



Who is covered by the policy?

This policy covers all individuals working/ volunteer or representing Inspire South West at any of our premises or out in the community within homes, schools or other provision irrespective of their status, level or grade. It therefore includes all employees, self-employed intervention workers/practitioners, CEO, admin, trainees and volunteers.

What is harassment?

Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.

It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to the victim's gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability, or age. Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include, for example:

- ***unwanted physical conduct or "horseplay", including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space, and more serious forms of physical or sexual assault.***
- ***unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless), and suggestions that sexual favours may further a career or that a refusal may hinder it.***
- ***continued suggestions for social activity after it has been made clear that such suggestions are unwelcome.***
- ***sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);***

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- ***offensive or intimidating comments or gestures, or insensitive jokes mocking, mimicking or belittling a person's disability.***
- ***racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender.***
- ***outing or threatening to out someone as gay or lesbian; or ignoring or shunning someone, for example, by deliberately excluding them from a conversation or a workplace social activity.***

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if they create an offensive environment for them.

What is bullying?

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to pressure through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:

- ***shouting at, being sarcastic towards, ridiculing or demeaning others.***
- ***unjustified persistent criticism.***
- ***belittling someone's opinion.***
- ***physical or psychological threats.***
- ***overbearing and intimidating levels of supervision.***
- ***inappropriate and/or derogatory remarks about someone's performance.***
- ***abuse of authority or power by those in positions of seniority; or***
- ***deliberately excluding someone from meetings or communications without good reason.***

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Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying

Informal steps

If you feel you are being bullied or harassed, you should initially consider raising the problem informally with the person responsible, if you feel able. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing to do on your own, you should speak to CEO Lyn Brown who will provide you with confidential advice and assistance in resolving the issue formally or informally.

If you are not certain whether an incident or series of incidents amount to bullying or harassment, you should initially contact Lyn Brown informally for confidential advice.

If informal steps have not been successful or are not possible or appropriate, you should follow the formal procedure set out below.

Raising a formal complaint

If you wish to make a formal complaint about bullying or harassment, you should submit it in writing to the CEO whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned.

Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring. As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all Practitioners/volunteers and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

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Formal investigations

We will investigate complaints in a timely and confidential manner. Individuals not involved in the complaint or the investigation should not be told about it. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint. The investigation should be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned.

We will arrange a meeting with you, usually within one week of receiving your complaint, so that you can give your account of events. You have the right to be accompanied by a colleague or a trade union representative of your choice, who must respect the confidentiality of the investigation. You will be given a provisional timetable for the investigation.

Action following the investigation

If the CEO considers that harassment or bullying has occurred, prompt action will be taken to address it.

Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties.

Appeals

If you are not satisfied with the outcome you may appeal in writing to the individual named within the outcome letter, stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you.

We will hold an appeal meeting, normally within one week of receiving your written appeal

Confidentiality and record-keeping

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Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to disciplinary action under our Disciplinary Procedure.

Information about a complaint by a Practitioner/volunteer may be placed on the personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our GDPR/ Data Protection Policy.

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