



Bullying and Harassment Policy

Red Rock Partnership Ltd aims to provide a working environment which will be stimulating and supportive and free of unlawful discrimination. Bullying and harassment can seriously worsen working and social conditions for employees.

Red Rock Partnership has agreed a procedure for dealing with complaints of harassment. Any incidents of harassment will be regarded extremely seriously and may be grounds for disciplinary action including dismissal or expulsion.

It is recognised that informal channels can be the most effective means of preventing or stopping harassment. Where a formal complaint is lodged, the Grievance and Disciplinary Procedure will apply.

DEFINING BULLYING AND HARASSMENT

A general definition of **harassment** is that it is *verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of a specific characteristic of that person such as their age, disability, gender reassignment status, marriage & civil partnership status, pregnancy or maternity, race, skin colour, national origin, religion or belief, gender or sexual orientation* .

Bullying or general harassment is a similar misuse of power or position. It may include persistent and unfair criticism or condemnation, humiliation, and the undermining of an individual's ability and confidence. Bullying usually takes the form of irrational and unfair verbal assaults, but physical violence can be involved.

Bullying occurs when any such behaviour creates an intimidating, hostile or offensive environment for employment, study or for social life. Bullying can occur even if offence is not intended.

Employees shall be made aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as bullying by one person may not seem so to another. The defining features, however, are that the behaviour is **offensive to and unwanted by the recipient** and would be regarded as bullying by any reasonable person.

Harassment can be a source of great stress to an individual. It may be so serious and unrelenting that the person who is being, or has been, bullied or harassed feels it necessary to change job. All employees, are responsible for helping to ensure that individuals do not suffer any form of harassment, and that they are encouraged and supported in any legitimate complaint.

Harassment is difficult to define because it may take many different forms. It may consist of behaviour taking place over a period of time or a single incident. Harassment may occur where a harasser has a position of authority.

Any difficulty in defining what constitutes harassment or bullying should not deter employees from complaining of behaviour which causes them distress. Nor should anyone be deterred from making a complaint because of embarrassment or fear of intimidation or publicity. We will respect the

particular sensitivity of harassment complaints and their consequences as well as the need for the utmost confidentiality.

Sexual and racial harassment have well-established definitions provided by the Equal Opportunities Commission and the Commission for Racial Equality on which the following are based. Definitions of harassment on grounds of sexual orientation, religion and disability; and of bullying are also given below.

Sexual harassment is a form of sex discrimination. It always involves unwanted conduct of a sexual nature which emphasises sexual status over status as an individual or colleague. It is most often found that it is women who are harassed by men. However sexual harassment between members of the same sex, or of men by women, or of transsexual people does also occur. It often, though not always, involves relationships between people of unequal status and involves elements of coercion. It can be: physical, verbal or non-verbal, ranging from intimate contact, suggestive remarks or compromising invitations to aggressively foul language or unwanted demands for sex, or displays of sexually suggestive or degrading pictures in the work place. The outing of a transsexual person would also be considered sexual harassment.

Sexual harassment occurs when any such behaviour creates an intimidating, hostile or offensive environment for employment or for social life. Any behaviour that makes the recipient feel unjustifiably viewed as a sexual object is liable to cause offence, *even if offence is not intended*. Employees shall be made aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as sexual harassment by one person may not seem so to another. The defining features, however, are that the behaviour is offensive to and unwanted by the recipient and would be regarded as sexual harassment by any reasonable person.

Harassment on grounds of sexual orientation may be defined as any hostile or offensive act or expression against a person because of their sexual orientation. Such behaviour can include offensive behaviour or abuse, homophobic remarks or jokes; threats to 'out' lesbian, gay or bisexual employees.

Harassment on grounds of sexual orientation occurs when any such behaviour creates an intimidating, hostile or offensive environment for employment or for social life. It can occur *even if offence is not intended*. Employees shall be made aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another. The defining features, however, are that the behaviour is offensive to and unwanted by the recipient and would be regarded as harassment on grounds of sexual orientation by any reasonable person.

Racial harassment may be defined as any hostile or offensive act or expression (or series or combination of such acts) against a person, relating to colour, race, nationality, or ethnic or national origins. It also includes incitement to commit such an act. Such behaviour includes derogatory name-calling, insults and racist jokes, racist graffiti, verbal abuse or threats, physical attack or ridicule of an individual for cultural differences.

Racial harassment occurs when any such behaviour creates an intimidating, hostile or offensive environment for employment or social life. Racial harassment can occur even if offence is not intended. Employees shall be made aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as racial harassment by one person may not seem so to another. The defining features, however, are that the behaviour is offensive to and unwanted by the recipient and would be regarded as racial harassment by any reasonable person.

Harassment on grounds of religion or belief (or lack of belief) may be defined as any hostile or offensive act or expression (or series or combination of such acts) against a person, relating to their faith or a faith they are perceived to belong to. It also includes incitement to commit such an act. Such behaviour includes derogatory name-calling, insults and jokes, graffiti, verbal abuse or threats, physical attack or ridicule of an individual.

Religious harassment occurs when any such behaviour creates an intimidating, hostile or offensive environment for employment or social life. It can occur *even if offence is not intended*. Employees and students shall be made aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as religious harassment by one person may not seem so to another. The defining features, however, are that the behaviour is offensive to and unwanted by the recipient and would be regarded as harassment by any reasonable person.

Disability harassment may be defined as any hostile or offensive act or expression against a person because of their disability or learning difficulty. It also includes incitement to commit such an act. Such behaviour includes, as well as physical attack, derogatory name-calling, insults and jokes, verbal abuse or threats (this might include abuse relating to particular medical conditions such as HIV/AIDS), and actions which humiliate, demean or ridicule a person because of their disability.

Disability harassment occurs when any such behaviour creates an intimidating, hostile or offensive environment for employment or social life. Disability harassment can occur *even if offence is not intended*. Employees shall be made aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as disability harassment by one person may not seem so to another. The defining features, however, are that the behaviour is offensive to an unwanted by the recipient and would be regarded as disability harassment by any reasonable person.

GUIDING PRINCIPLES

- a) Bullying and harassment of one employee by another is wholly unacceptable behaviour, and it is our policy to take any incidents very seriously and to act appropriately.
- b) No complaint of bullying and harassment of any type made in good faith will result in detrimental action against the person raising the complaint or their advocates. Any act of victimisation or reprisal against a person complaining of bullying and harassment or supporting a complainant will be treated by RRPL as a disciplinary matter.
- d) When reported, complaints of bullying and harassment will be considered with all possible speed and RRPL will take appropriate action as quickly as possible.
- e) Though some cases of bullying and harassment may be resolved informally, bullying and harassment may provide grounds for disciplinary action against individuals up to and including dismissal from RRPL and its disciplinary rules reflect this view.
- f) RRPL will treat as confidential all records concerning allegations or complaints of bullying and harassment. Cases of alleged bullying and harassment which are taken forward into RRPL's formal grievance and disciplinary procedures will be investigated impartially by RRPL. This will ensure that the alleged harasser has the opportunity to be represented and to be given a clear account of the allegation so that they may state their case.
- g) When formal disciplinary procedures have been carried out, employee complainants will be advised of the outcome: if proven, without giving details of the sanction imposed, but indicating that

the behaviour did constitute harassment/bullying according to RRPL's policy and was unacceptable. If not proven, the complainant will also be informed.

h) The possibility that complaints might be brought with mischievous or malicious intent is also recognised by RRPL and may provide grounds for disciplinary action against individuals up to and including dismissal from RRPL and its disciplinary rules reflect this view.

i) Unless there has been notification of a situation involving bullying and harassment RRPL may not be able to take steps to prevent or eliminate it; it is therefore important that RRPL authorities are kept informed of any potential complaint.

GUIDANCE

If you feel that you are being subjected to bullying or harassment in any form, do not feel that it is your fault or that you have to tolerate it. This is what you can do:-

- If at all possible you should make it clear to the person causing the offence that such behaviour on that person's part is unacceptable to you. This may in some instances be sufficient to stop it.
- It is important to note that the possibility of counter-accusation or recrimination exists. Given that this is so, it may be wise to alert someone else to your problem before you approach the person concerned.
- If you feel unable to speak to the person concerned or having spoken the behaviour persists or resumes, keep a note of the details including the names of witnesses, and of any relevant incidents which distress you, including a note of the ways in which the incidents cause you to change the pattern of your work or social life. It would be wise to make it clear that the individual's behaviour is unwanted, but if you feel unable to tackle the person concerned this does not constitute consent to the bullying or harassment nor will it prejudice any complaint you may bring.
- **EMPLOYEES** At any time you may seek a confidential meeting with an **Manager or Director**. If you wish, you may be accompanied at such an interview by a colleague or trade union representative. Following such an interview further action involving you will not normally take place without your express permission; in particular the person about whom you are complaining will not be given your name as a complainant without your express permission.

At this stage you may wish to make a formal complaint under the grievance procedure which may result in disciplinary action against the harasser.

Should you wish to proceed with a formal complaint, please put this in writing to Louise Wincott, Red Rock Partnership Ltd, Head Office Upper Floor, 138 High Street, Lincoln LN5 7PJ.