Bullying and harassment policy

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Bullying and harassment policy

A good policy should inform an employee what route to take if they are being bullied or harassed, or if they suspect a colleague is being bullied or harassed. The policy should provide the employer with guidelines on how to handle complaints or grievances about bullying or harassment.

A model document is shown here. This model document is provided for guidance only and should not be regarded as an authoritative statement of the law.

Employers should also make reference to the ACAS guidance on Discrimination, bullying and harassment

Policy statement

[NAME OF ORGANISATION] is committed to equal opportunities and will not tolerate bullying or harassment in any form. [NAME OF ORGANISATION]recognises that every employee has the right to a working environment which encourages respectful, considerate and dignified working relations between colleagues.

All staff and trustees have a responsibility to prevent bullying and harassment from taking place and to deal with it as they would any other form of employee misconduct.

Every employee is responsible for their own behaviour under this policy and bullying and harassment, where proven, can lead to disciplinary action which may include dismissal.

If an employee is being subjected to bullying or harassment in any form, they should not feel that it is their fault or that they have to tolerate it. An employee will not suffer victimisation as a result of their complaint.

The following procedure informs employees of the type of behaviour that is unacceptable and provides employees who are the victims of harassment with a means of redress.

What are bullying and harassment?

Bullying is defined by ACAS as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.



Harassment is defined by ACAS as unwanted conduct affecting the dignity of men and women.
It may be related to age, race, disability, religion or belief, sexual orientation, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Bullying and harassment can take many forms. ACAS defines examples of actions or behaviour which may constitute bullying or harassment include, but is not restricted to:

- Unnecessary or unwarranted physical contact
- Spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of race, sex, disability, sexual orientation and religion or belief)
- Exclusion or victimisation
- Ridiculing or demeaning someone
- Overbearing supervision or other misuse of power or position
- Unwelcome sexual advances – touching, standing too close, the display of offensive materials
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities

Some forms of harassment are covered by Acts of Parliament or Statutory Instruments. Nothing in this policy and procedure will prevent employees from exercising their legal rights.

If a criminal offence arises, [NAME OF ORGANISATION] will continue to operate its disciplinary procedure in the normal way.

It is important that anyone who believes that they have experienced bullying or harassing behaviour should keep a diary of all incidents including dates, times, any witnesses, feelings etc and keep any copies of anything that is relevant to the incident.

Informal procedure

An employee who believes himself/herself to have been bullied or harassed, should take action as quickly as possible.

The employee should tell the harasser or bully to stop whatever it is they are doing that is causing distress. If the employee cannot confront the bully, they may consider writing to the bully or harasser detailing what it is they object to in their behaviour. The employee should keep copies of this statement and any reply received.

In some circumstances this action may be sufficient to stop the offensive behaviour.

If an employee feels unable to tackle the person concerned this does not constitute consent to the harassment nor will it prejudice any complaint they may bring.

If the employee finds such action to be too difficult or embarrassing, he or she may discuss the matter informally with their immediate line manager. The discussion will be strictly confidential, but the line manager may seek suitable advice.

If the employee consents, their immediate line manager can contact the alleged harasser on an informal basis with a view to resolution without formal action. The alleged harasser will be advised that it is an informal meeting but that a workplace colleague, friend or trade union representative may accompany them.

If the complaint is against the employee's immediate line manager, the employee should go to [NAME OF LINE MANAGER'S MANAGER]. If the complaint is against the Chief Executive the employee should go to the Chairperson of the board.

Formal procedure

If the employee considers the harassment to be of a serious nature or if the harassment continues following the request to stop, the employee should bring a formal complaint in writing, which should clearly set out the grounds for the complaint, including

- The name of the harasser
- The nature of the harassment
- Dates and times when harassment occurred
- Names of witnesses to any incidents of harassment
- Any action already taken by the complainant to stop the harassment.

A meeting will be held with the employee's [ENTER POSITION I.E. LINE MANAGER] to discuss the matter. At the meeting the employee may be accompanied by a colleague, friend or trade union representative if they wish.

The alleged harasser will be informed that a complaint has been made.



The complaint will then be investigated thoroughly by the employee's [ENTER POSITION I.E. LINE MANAGER] who may receive advice if applicable. The investigation will take place as quickly as possible, with confidentiality being maintained at all times. All employees involved in the investigation are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence. The investigation will involve interviewing the alleged bully or harasser who may be accompanied by a colleague, friend or trade union representative; interviewing other employees as necessary and taking statements. Confidential written records will be kept of all actions taken, with dates. During the investigation, voluntary transfer of the complainant or alleged bully or harasser may be considered
(N.B. only include this if your organisation has the capacity to do it).

Following the investigation, if found that the complaint cannot be substantiated, no further action will be taken. Both parties will be notified in writing of this decision within [ENTER TIME PERIOD] of the decision having been taken. If the complaint is not upheld a voluntary transfer of one of the employees may be considered.
(N.B. only include this if your organisation has the capacity to do it).

If the complaint is substantiated then [NAME OF ORGANISATION] disciplinary procedure will be invoked. The alleged bully or harasser must be informed of their rights under this procedure.

Disciplinary action may involve a formal warning, relocation to another job or department *(N.B. only include this if your organisation has the capacity to do this)*, or dismissal.

Both the complainant and the alleged harasser will be offered support throughout the process and after the formal investigations, regardless of the outcome.

Action when the complainant is dissatisfied

If the complainant disagrees with the decision and/or believes that the procedures were not properly applied, they have the right to raise this matter under [NAME OF ORGANISATION] grievance procedures.

Vexatious complaints

Complaints of bullying or harassment are treated seriously by [NAME OF ORGANISATION].
It should therefore be noted that if it is found that the complaint was malicious, mischievous or frivolous,

the complainant will be subject to the appropriate disciplinary procedures.

Executive or Other Committee Members

Any complaints that the Board, or other committee members, have breached the bullying or harassment policy, will be investigated by a nominated Executive member acceptable to both parties. If the complaint is found to be justified the person concerned may be asked by the Executive to resign.

The employee concerned should inform their line manager who will take the matter up with the Chief Executive. The Chief Executive will then ensure that a member of the Executive who is acceptable to both parties will investigate further.

Further information

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