

ANTI-BULLYING AND HARASSMENT POLICY

Purpose

The purpose of this policy is to ensure that all LIA International CIO staff are treated and treat others with dignity and respect, free from bullying and harassment.

This policy covers bullying and harassment occurring both in and out of the workplace, including at outside events or when visiting programmes supported by the charity. All members of staff are expected to help to prevent bullying and harassment by being sensitive to the reactions and needs of others and ensuring that their words and conduct do not cause offence and by not condoning or tolerating behaviour which constitutes bullying and harassment.

LIA International CIO will take steps to eliminate bullying and harassment and other unlawful discrimination, as well as to actively promote equality to provide a collegiate, lawful and harmonious working environment. We take allegations of bullying or harassment seriously and we will address them promptly and confidentially where possible. Bullying or harassment by a member of staff will be treated as misconduct under our disciplinary policy. In some cases it may amount to gross misconduct leading to summary dismissal.

Scope

This policy covers all individuals working for LIA International CIO irrespective of their status. It therefore includes all paid staff, trustees, volunteers and contractors (collectively referred to as staff in this policy).

The Law

The Equality Act 2010 prohibits harassment related to age, disability, race, sex, gender reassignment, religion or belief or sexual orientation.

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

Under the Health and Safety at Work Act 1974 staff are entitled to a safe place and system of work.

Members of staff may in some cases be legally liable for harassment of colleagues and may be ordered to pay compensation by a court or employment tribunal.

Bullying

Bullying may be defined as a repeated line of offensive, intimidating, malicious or insulting behaviour or an abuse or misuse of power through means that undermine, humiliate or injure the recipient.

Bullying can take the form of physical, verbal and non-verbal conduct, for example

- persistent unmerited criticism, exclusion, ostracising and/or gossip
- spreading rumours about a person
- taunting, teasing or ridiculing a person either directly or to a third party
- shouting at, being sarcastic towards or demeaning another
- regularly belittling another's opinion
- overbearing and intimidating levels of supervision
- derogatory remarks about a person or their performance
- inconsistent management style whereby some people are favoured more than others

Legitimate, reasonable and constructive criticism of a staff member's performance or behaviour, or reasonable management instructions, will not amount to bullying on their own.

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.

Harassment may include, for example

- unwanted physical conduct or horseplay, including touching, brushing past someone, invading their personal space or 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
- stalking or persistently making unwelcome contact with a person, for example by text messages
- sending or displaying material that is inappropriate or offensive
- offensive or intimidating comments or gestures, or insensitive jokes or pranks
- racist, sexist or ageist jokes or derogatory or stereotypical remarks about a particular group or gender

Informal steps

If 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 to them that their behaviour is not welcome or makes you uncomfortable.

If you are not certain whether an incident or series of incidents amount to bullying or harassment, you should initially contact the Safeguarding Co-ordinator informally for confidential advice.

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

Raising a formal complaint

If you wish to make a formal complaint, you should submit it in writing to the Safeguarding Co-ordinator, whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned. If the matter concerns the Safeguarding Co-ordinator, you should refer it to the Chair of the Board.

Your written complaint should set out full details of the conduct in question, including the name of the bully or harasser, the nature of the bullying or harassment, the date(s) and time(s) at which it occurred, the names of witnesses and any action taken so far to prevent its recurrence.

Formal investigations

The Safeguarding Co-ordinator will ensure that all complaints are investigated in a timely and confidential manner. Individuals not involved in the complaint or the investigation will not be told about it. The Safeguarding Co-ordinator will normally appoint someone with appropriate experience and no prior involvement in the complaint to undertake the investigation. It should be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned.

When your complaint is about a member of staff, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. We will also consider any request you make for changes to your duties or working hours so as to avoid or minimise contact with the alleged bully or harasser.

When your complaint is about a volunteer or a contractor, we will consider what action may be appropriate to protect you. Where appropriate, we will attempt to discuss the matter with the person concerned.

At the end of the investigation, the investigator will submit a report to the Safeguarding Co-ordinator, who will arrange a meeting with you as soon as possible in order to discuss the outcome of the report and what action, if any, should be taken.

[Action following the investigation](#)

If the Safeguarding Co-ordinator considers that bullying or harassment has occurred, prompt action will be taken to address it.

Where the bully or harasser is a member of staff the matter will be dealt with as a case of possible misconduct or gross misconduct under the charity's disciplinary procedure.

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

Any member of staff who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under the charity's disciplinary procedure.

[Protection for those making complaints or assisting with an investigation](#)

We will ensure that members of staff who make complaints or who participate in good faith in any investigation conducted under this policy will not suffer any form of retaliation or victimisation as a result.

Anyone found to have retaliated against or victimised someone for making a complaint or assisting in good faith with an investigation will be subject to disciplinary action under the charity's disciplinary procedure.

[Confidentiality and data protection](#)

Confidentiality is an important part of the procedures provided under this policy. Everyone involved in the operation of this policy, whether making a complaint or involved in an investigation, is responsible for observing the high level of confidentiality that is required. 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 the charity's disciplinary procedure.

[Communication](#)

This policy will be communicated to all individuals and contractors working directly with LIA International CIO and to all partners who we support. It will be made available on the charity's website.

[Review of policy](#)

After a formal investigation under this policy, the Safeguarding Co-ordinator should consider whether this policy has been effective in addressing the issues. In any case, this policy will be reviewed annually by the Board for its fitness for purpose and scope.

Adopted: February 2019