



BULLYING, HARASSMENT & VICTIMISATION POLICY 2021

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BULLYING, HARASSMENT & VICTIMISATION POLICY

Contents

1.0	Policy Statement	2
2.0	Definitions	2
2.1	Harassment	2
2.2	Bullying	3
2.3	Victimisation	3
3.0	Responsibilities	3
4.0	Support Contacts	4
4.1	Human Resources	4
4.2	Representation and Support	4

1.0 Policy Statement

As part of its overall commitment to equality of opportunity and valuing diversity, Urban Planters is committed to promoting and ensuring a working environment where individuals are treated with respect and courtesy. Harassment, bullying and/or victimisation detracts from a productive working environment and can affect the health, confidence, morale and performance of those affected by it, including anyone who witnesses, or has knowledge of, the unwanted behaviour.

Urban Planters has a legal duty to protect its members of staff. This policy emphasises that harassment, bullying and/or victimisation is unacceptable, whether in the workplace or outside of the workplace where it involves or affects Urban Planters in any way. Such conduct must not be ignored and any complaints of harassment, bullying and/or victimisation of any individual who makes a complaint of harassment or bullying will be taken seriously and investigated as a matter of urgency. Harassment, bullying and victimisation are viewed as gross misconduct, and disciplinary action, including dismissal, may be taken if any complaint of harassment, bullying or victimisation is upheld. All members of staff have an obligation to comply with this policy.

The aim of this policy is to prevent harassment, bullying and/or victimisation, provide guidance to resolve any problems should they occur, and avoid recurrence.

It is the responsibility of all line managers to make sure that their staff have familiarised themselves with and understand this policy. Line managers have an obligation to tackle harassment, bullying and victimisation.

Urban Planters treats equality of opportunity seriously and has an equality framework that is applicable to staff in order to promote and ensure equality of opportunity. Implementation of this procedure must be clear and transparent and not subject to any unfair discriminatory practices.

Line managers and supervisors are required to familiarise and understand this procedure.

2.0 Definitions

2.1 Harassment: Men and women have a right not to be subjected to harassment at work or work in an intimidating environment. Legally, it is defined as occurring where an individual engages in unwanted conduct which has the purpose or effect of violating another person's dignity, or creating an intimidating, hostile, degrading or offensive environment for that person. Please note that an individual may feel harassed or offended even when the inappropriate comment or conduct is not made towards or about the individual personally. Harassment can take a variety of different forms and can be written, verbal, non-verbal or transmitted electronically. Examples include repeatedly ignoring a colleague through to subjecting him or her to unwelcome attention, ridicule or humiliation. More extreme forms of harassment and bullying include intimidation, physical threats or violence. Harassment may consist of a single incident or a series of incidents and may not always be directed to or be about the person who makes a complaint of harassment. Harassment may not always be intentional but is always unacceptable whether intentional or not.

All forms of harassment intentional or not are covered by this policy and procedure. The following are examples of unacceptable behaviour. This list is not exhaustive:

- Sexual harassment can be physical conduct ranging from the invasion of personal space and/or inappropriate touching to serious assault. It can include questions or remarks about a person's sex life, comments or ridicule about appearance or dress, unwanted sexual advances, sexually explicit remarks or innuendoes and/or pressure for sexual favours, displays or distribution of pornographic or sexually suggestive material, including graffiti, posters or other offensive material.
- Racial harassment may include obscene gestures or jokes about, or gratuitous references to, a person's colour, race, religion or nationality. It can include deliberate exclusion for reasons related to race. It can also include offensive remarks about dress, culture or customs which have the effect of ridiculing or undermining an individual or fostering hatred and/or prejudice towards individuals or particular ethnic groups. It also includes inappropriate displays of posters, or other offensive material. In some circumstances it can include pressure to participate in political/religious groups.

- Harassment of people with disabilities can take the form of individuals being ignored, disparaged, ridiculed or denied opportunities because of mistaken assumptions about their capabilities. In such cases, disability, rather than ability, has become the focus of attention. Such harassment can include inappropriate personal remarks, jokes or inappropriate references to an individual's appearance.
- Harassment on the grounds of actual or perceived sexual orientation can include homophobic remarks or jokes, (whether spoken, written or sent by email), offensive comments relating to a person's sexuality, threats to disclose a person's sexuality to others or offensive behaviour/abuse relating to HIV or AIDS status.
- Harassment on the grounds of religious belief can include jokes or insults about items of clothing, religious artefacts, religious beliefs or rituals.
- Harassment on the grounds of gender reassignment can include jokes, name-calling, humiliation, exclusion or being singled out for different treatment.
- Harassment on the grounds of age can include jokes or insults about a person's age or singling a person out for different treatment as a result of their age.

2.2 Bullying: The exercise of power over another person through persistent, negative acts or behaviour that undermines an individual, personally and/or professionally. Bullying can be threatening, insulting, abusive, disparaging or intimidating behaviour placing inappropriate pressure on the recipient which can affect self-confidence and self-esteem or has the effect of isolating or excluding them. Bullying can take the form of persistent shouting, sarcasm or derogatory remarks; it can be constant criticism, without constructive support, to assist a member of staff to address performance concerns; it may also include cyber bullying, i.e., using the internet and related technologies to harm another person in a deliberate, repeated and hostile manner.

The distinction between good management and bullying is that, whilst the former is intended to support and develop potential and to promote desired work performance, the latter is intended to hurt, intimidate, and undermine the individual.

2.3 Victimisation: Urban Planters will not tolerate victimisation against a member of staff because he or she has made, or intends to make, a complaint or allegation, or has given, or intends to give, assistance and/or evidence in an investigation. Urban Planters will also not tolerate victimisation or discrimination against members of staff who have left; for example, by refusing to give a reference because the person has made a genuine complaint.

3.0 Responsibilities

Urban Planters is legally responsible for ensuring that harassment or victimisation on the grounds of someone's race, sex, sexual orientation, religious belief [including lack of belief], gender reassignment, disability or age does not take place at work.

In addition, under the Health and Safety at Work Act 1974, Urban Planters is responsible for the health, safety and welfare at work of all members of staff, and is liable for the actions of its members of staff at work and in any work-related setting outside Urban Planters, e.g., trips, work-related social events, etc.

Urban Planters also has a responsibility to ensure that its members of staff are not subjected to unacceptable behaviour by contractors or service providers. Any complaints about such behaviour or conduct should be made to the manager responsible for engaging the contractor. The line manager will be responsible for taking it forward in conjunction with the section of Urban Planters which has retained the contractor or service provider. Contractors or service providers breaching this policy may be regarded as in breach of contract, which may lead to the removal from an Urban Planters' site of an individual, or termination of the contract.

All managers have a duty to implement this policy, and to make every effort to ensure that harassment, bullying or victimisation does not occur, particularly in the areas of work for which they are responsible. Any concerns relating to harassment, bullying or victimisation must be investigated promptly and effectively. It is not acceptable for any manager to ignore unacceptable behaviour.

All members of staff must comply with, and demonstrate active commitment to, this policy. Staff are required to respect the age, beliefs, convictions and orientation of others and not behave in ways which cause offence, or which in any way could be considered to be harassment, bullying or victimisation. Each member of staff has a responsibility to ensure colleagues, clients, visitors, etc. are treated with dignity and respect.

All members of staff should discourage harassment, bullying or victimisation by making it clear that they find such behaviour unacceptable and by supporting colleagues who suffer such treatment and who are considering making a formal complaint. Staff should alert a manager or supervisor to any incident of harassment, bullying or victimisation to enable Urban Planters to deal with the matter.

4.0 Support Contacts

It is advisable to talk to someone before taking any action either informally or formally.

4.1 Human Resources

- Members of staff can seek support and advice from Human Resources at any stage of this procedure.
- Members of staff who have been accused of harassment, bullying or victimisation have the option to be provided with a HR representative not involved in the case to provide procedural guidance.

4.2 Staff Representation and Support

- During the informal stages of a grievance, staff representatives are available to provide support and at the formal stages of this procedure the members of staff are entitled to representation or assistance from a staff representative or a work colleague.

Policy sign off

Company Directors acceptance of responsibility for the policy and its implementation.

As Directors of Urban Planters, we accept responsibility for ensuring that Urban Planters is managed in a manner that will provide for compliance with Urban Planters' legal obligations and conformity with the objectives and requirements as detailed in this policy.

Name: (Print) Alan Page (Director)

Signature: 

Date: 27th January 2021