

STAFF BULLYING AND HARRASSMENT Policy



Grassroots Day Nursery takes bullying very seriously. Bullying involves the persistent physical or verbal abuse of another staff member or child.

Bullying is not specifically defined in law, but Grassroots define bullying 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 may be related to age, sex, race, disability, religion, 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.

Inappropriate conduct can be defined as behaviours that make an individual feel intimidated, degraded, humiliated or offended is considered to be unacceptable conduct. Even if there was no intent to cause offence, if an individual's perception is that the behaviour and conduct is unacceptable; it is the impact of the conduct and not the intention which determines whether or not the behaviour is unacceptable.

Grassroots Day Nursery has an obligation under the Health & Safety Act 1974 to ensure a safe and healthy working environment, and also to look after the wellbeing of all staff.

It is therefore essential a culture is established where bullying and harassment is unacceptable and will not be tolerated.

All managers have a responsibility to implement this policy and to bring it to the attention of staff in their work area, in order to establish and maintain a work environment free of bullying and harassment. They must:

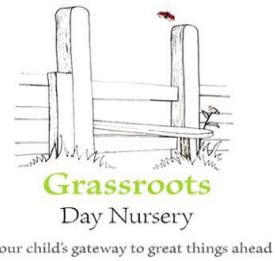
- Set a positive example by treating others with respect and setting standards of acceptable behaviour
- Promote a working environment where bullying and harassment is unacceptable and not tolerated
- Treat a complaint seriously and deal with it promptly and confidentially, giving the member of staff and the alleged perpetrator full support during the whole process
- Tackle and where possible, resolve any incidents of bullying, harassment before the formal process is invoked
- Consult with Atlas/Citation at any time for advice and support

All staff have a personal responsibility for their own behaviour and for ensuring that they comply with the policy. Grassroots expects all staff to:

- Help promote an environment by treating everyone with dignity and respect
- Familiarise themselves with Grassroots policy on Bullying and Harassment and work within its boundaries
- Appropriately challenge and/or report behaviour that may be considered to be offensive when directed against themselves or others
- Support Grassroots by engaging with the informal and formal processes that challenge offensive behaviours in the workplace.

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Any member of staff that is subject to bullying and/or harassment but does not feel able to talk about it yet, should make notes including dates and details which will help events to be recalled clearly at a later date.

This policy outlines Grassroots guiding principles when addressing staff allegations of bullying and harassment.

Grassroots endeavours to provide a supportive working environment and culture in which bullying and harassment of any kind will not be tolerated.

The delivery of this policy will promote fair and transparent practice throughout the Nursery.

Grassroots is committed to achieving informal resolution of complaints relating to bullying and harassment wherever possible.

Complaints that such conduct has taken place must be supported by examples of particular behaviour.

Staff that invoke the harassment and bullying procedure against a manager who is in the course of managing issues of capability or conduct through formal procedures will have their complaint addressed in line with normal Grassroots and statutory procedures. If the complaint, following investigation, is subsequently found to be without foundation and/or is considered malicious, the case will be investigated and dealt with fairly and objectively under the disciplinary procedure. There may be cases where an individual makes an unfounded allegation of bullying and/or harassment for malicious reasons. These cases will be investigated and dealt with fairly and objectively under the disciplinary procedure.

Ideally relationship issues and conflicts between colleagues should be dealt with through less formal processes wherever possible. Sometimes people are not aware that their behaviour is unwelcome and an unofficial discussion can lead to greater understanding and an agreement that the behaviour will cease.

In many cases it may be sufficient for the complainant of the unfair treatment to raise the problem directly with the person they think is responsible. The matter should be raised at the time or as soon as reasonably possible.

The complainant should explain what the offending and unwanted behaviour is to the perpetrator, the impact and consequences of such behaviour and seek agreement that the behaviour will cease.

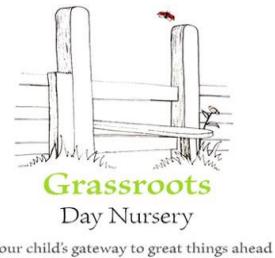
Offending individuals could be unaware or insensitive to, the impact of their actions and such discussions can change behaviour or prevent further incidents. Being aware that the situation is noticed and being monitored also can act as sufficient motive to stop the offending actions.

If the complainant feels uncomfortable speaking directly to the perpetrator, they can seek support from an appropriate person. It can then be established whether a facilitated conversation between the two or more colleagues might resolve the situation or whether further assistance is required.

Where a less formal process is not successful or not possible, it will be necessary to move to the formal process.

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Formal Process

Formal Resolution - Stage 1

In the first instance, the aim is to resolve any complaint as informally as possible, however if this is not possible then the following procedure should be adopted where a member of staff has a complaint relating to bullying and/or harassment.

The first stage of the formal process will be for the complainant to submit a formal complaint in writing to the Manager as soon as realistically possible after the event or realisation of the problem or the attempted resolution.

The complaint should detail relevant dates, witnesses and incidents; and any approaches asking the alleged perpetrator to stop. The information provided should be as concise as possible and care should be taken that the information focuses on the actual complaint/s and is not defamatory. The person against whom the complaint has been made will be allowed to receive a copy of the complaint record.

Following receipt of a written complaint (complaint record) and as part of stage 1, the Manager will pass all of the information onto Atlas/Citation to review the case to determine whether the complaint could be resolved informally or to continue with the formal process.

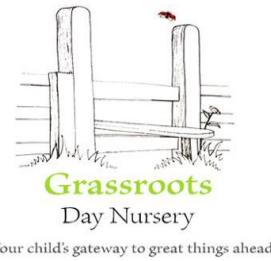
Staff will have the right to have a work colleague or person (who is not a relative) present at every stage of the formal process.

Formal Resolution – Stage 2

Should the complaint be unresolved following the informal meeting, an investigation will be instigated. It may be appropriate to separate the parties by either moving the complainant and/or perpetrator to another role or requesting the complainant and/or perpetrator to remain at home on paid leave of absence, which could constitute exclusion in certain cases. This is not a disciplinary measure and as such does not represent disciplinary action or prejudice an individual's future employment. Individuals may also be removed from duty for a brief period of time and will be paid leave of absence, which could constitute exclusion in certain cases. This is also not a disciplinary measure and as such does not represent disciplinary action or prejudice an individual's future employment. Individuals will be removed from duty for a brief period of time and will be clearly informed in writing that they will be on full contractual pay for as short a period as possible.

The Manager will read the report and consider the evidence provided to decide upon the appropriate outcome and next steps.

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Appeal – Stage 3

If the complainant is not satisfied with the decision reached by the Commissioning Manager, they will have a right of appeal.

Additional Information

The Manager who has implemented the appropriate action will conduct a follow up meeting, normally no more than two (2) months after the decision to ensure that there has been a full resolution to the issue and that no victimisation or retaliation is occurring. This review will also cover anyone who has given evidence or information in connection with proceedings. This support will be available even if the allegation is not upheld, provided the complaint was made in good faith.

Individuals that knowingly aid another person to undertake an act of harassment will also be subject to disciplinary action.

Confidentiality

All complaints, associated correspondence and interviews will be treated in strict confidence.

All staff involved with the investigation and any subsequent processes must respect the need for confidentiality.

Breaches in confidentiality will be subject to disciplinary action. For further details, please refer to the Confidentiality Policy.

EXAMPLES OF UNACCEPTABLE BEHAVIOURS

Unfair treatment can take a wide range of forms. Some examples are cited below; however it should be noted that this list is not exhaustive:

- Bullying by exclusion – this may take the form of social isolation and/or exclusion from meetings
- The deliberate withholding of information with the intention of affecting a colleague's performance
- Unfair and destructive criticism
- Intimidating behaviour including unwanted jokes and comments
- Verbal abuse and spreading of malicious rumours
- Humiliation or ridicule
- Setting of unrealistic targets which are unreasonable and/or changed with limited notice of consultation

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- Copying memos that are critical about someone to others that do not need to know
- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances, e.g. promotion, access to training
- Threats for rejecting sexual advances, e.g. suggests that refusing advances will adversely affect the individual's employment, evaluation, pay, advancement, assigned work, or any other conditions of employment or career development
- Demeaning comments about a person's appearance
- Questions about a person's sex life
- The use of obscene gestures
- Overbearing supervision or other misuse of power or position
- Making threats of comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals from progressing by intentionally blocking promotion or training opportunities
- Bullying via social media

I, confirm that I have read and understood this policy and will abide by it.

Date

Policy/Procedure name: **Staff Bullying and Harassment Policy**

Publication Date: **April 2024**

Date for Review: **April 2025**

Signed: (Proprietor/Manager)

Signed: (Deputy Manager)