

Bullying and Harassment: Employees and Learners

We believe all our employees and learners have the right to work in an environment free from bullying behaviour and any form of harassment, be it on the grounds of their sex, sexual orientation, race, religion or belief, political opinion, marital status, disability, age, nationality or appearance. Such behaviour will not be tolerated and we seek to ensure that our working environment is sympathetic to all of our employees and to those who have business dealings with us, and that they are treated with dignity and respect. In addition, we aim to ensure that employees and learners are protected from bullying or harassment of any kind whilst engaged in any of our business activities.

The aim of this policy and the accompanying procedure is to prevent bullying and harassment, provide guidance and to resolve any problems should they occur and prevent further recurrence. This policy is not contractual, but aims to set out how we normally deal with such issues.

We outline below the types the actions employees should take if they feel they are being subjected to bullying or harassment. It is the duty of all employees to implement and comply with this policy. Any manager or supervisor who becomes aware of behaviour which breaches this policy, irrespective of whether a complaint has been made or not, has a responsibility to take the matter forward through investigation and to ensure it is dealt with confidentially and promptly.

Bullying is defined as persistent behaviour against an individual that is intimidating, degrading, offensive or malicious and undermines the confidence and self-esteem of the recipient.

Harassment is defined as unwanted conduct that either violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. It may be related to age, sex, race, disability, religion or belief, sexual orientation, age or any personal characteristic of the individual. It may be persistent or an isolated incident. It can take many forms, from relatively mild banter to actual physical violence.

The following types of behaviour may amount to bullying and harassment however the list is not meant to be exhaustive.

Unwanted physical conduct - such as unnecessary touching, patting, pinching, brushing against another person's body, insulting behaviour or obscene gestures, physical threats and assault.

Unwanted verbal conduct - such as unwelcome advances, patronising titles or nicknames, propositions or remarks, innuendo, lewd or suggestive comments, over-familiar behaviour, jokes, banter or abusive/offensive language which is either threatening or refers to a person's gender, colour, race, religion, ethnic or national origins, disability, age or sexual preference, gossip and slander (including speculation about a person's private life and sexual activities).

Unwanted non-verbal conduct - such as racially or sexually based graffiti or graffiti referring to an individual's characteristics or private life, abusive or offensive gestures, leering whistling, creation or distribution of suggestive or offensive pictures (including "pin-up" calendars) or videos through any means.

Bullying - includes unwanted physical contact or assault but also verbal bullying such as insulting or threatening comments, comments intended to undermine, belittle, embarrass or humiliate the recipient, persistent criticism or trivial fault-finding, and personal abuse, either in public or private, which humiliates or demeans the individual involved.

Issue 2	20 th March 2014	Issued & Approved by JI
TO BE RETAINED AS A QUALITY RECORD		



Bullying & Harassment Policy

Virtual bullying - includes distribution of unwanted emails, texts, images or humiliating data published on social networking internet sites or abusing company technological facilities to contact the employee in an intimidating or malicious manner.

Coercion - including threats of dismissal or loss of promotion etc for refusal of sexual favours, (or promises made in return for sexual favours); pressure to participate in political or religious groups.

Isolation or non-co-operation at work - deliberate exclusion from conversations or social activities.

The Company considers bullying and harassment to amount to misconduct and may be gross misconduct depending on the nature and extent of the harassment. Such misconduct will be dealt with under the Company's Disciplinary Procedure and may lead to summary dismissal.

Complaints from customers or colleagues including allegations of harassment will be dealt with in accordance with the Company's Disciplinary Procedure. Where the complaint is made against a client, customer or other business contact, this will be investigated and such steps will be taken as are reasonably practicable to protect the employee.

Bullying and Harassment Policy Procedure

Because in some cases the complaint may be of a sensitive nature the Company has implemented a two stage informal/formal procedure.

Use of the informal procedure does not mean that the complaint will be viewed less seriously by the Company should a subsequent formal complaint be made. The aim of the procedure is to stop the harassment and prevent recurrence.

Informal Procedure

Any incidents of bullying and harassment of employees and learners by other employees and learners should be reported to the employee's Line Manager or Appris advisor who will thereafter be responsible for taking the appropriate action. If the employee or learner feels unable to report the matter to their Line Manager or Appris advisor and believes that the action taken by the Line Manager was insufficient, the matter should be referred to the Managing Director of Appris for further information and advice.

To assist with the investigative process an employee or learner who feels that they are being bullied or harassed should be able to demonstrate if at all possible, that they have advised the harasser that their behaviour is unwanted and offensive.

A written request that the behaviour stops may be effective. Notes and diary entries of all incidents should be kept in as much detail as possible. If the harassment does not stop the employee should immediately approach their Line Manager who will provide further advice.

Formal Procedure

In the event an employee or learners wishes to formally complain about being harassed they should advise their Line Managers of their complaint in writing. In circumstances where this is not possible the complaint should be directed by the Central Services Manager to the Managing Director.

The complaint should include;

Issue 2	20 th March 2014	Issued & Approved by JI
TO BE RETAINED AS A QUALITY RECORD		



Bullying & Harassment Policy

The name of the harasser
What has occurred
When and where it occurred
The name(s) of any witness(es)
Any steps taken to stop the harassment

When a complaint is received the alleged bully or harasser will be notified. Your Line Manager and a Appris representative will investigate the matter fully and all implicated employees or learners will be expected to co-operate with the investigation. In certain circumstances, for precautionary reasons an employee or employees may be suspended in accordance with the Company's Disciplinary Procedure, whilst the investigation takes place.

Failure to co-operate in such an investigation will be deemed by the Company to be a disciplinary offence and will result in disciplinary action being taken against the employee.

Where a grievance under the bullying and harassment procedure is considered by your Line Manager to be valid, disciplinary action in line with the Company's Disciplinary Procedure will be undertaken. Copies of all statements will be provided to both the alleged harasser and the complainant prior to a disciplinary meeting being held in accordance with the Company's Disciplinary Procedure.

Any action taken by the Company against the harasser will be in accordance with the Company's Disciplinary Procedure and may amount to a written warning, department transfer, demotion or dismissal depending on the severity of the offence.

Where a Line Manager or Appris Advisor becomes aware of employee or learners bullying or harassment, whether or not an informal/formal complaint has been made, they are responsible for taking the matter forward after first discussing the matter with the victim.

All employees and learners are required to behave in a respectable way and to ensure that no offence is caused to colleagues by way of bullying or harassment or any other inappropriate behaviour. Employees or learners witnessing such incidents should immediately report them to their Line Manager. Any employee or learner failing to observe these principles may be subject to disciplinary action being taken against them in accordance with their Company's Disciplinary Procedure.

Refer to: [Safeguarding Learners Policy](#) and [Equality & Diversity Policy](#)

Issue 2	20 th March 2014	Issued & Approved by JI
TO BE RETAINED AS A QUALITY RECORD		