

TITLE	Bullying and Harassment Policy		
Policy ref	S007P	Approval date	November 2024
Owner	Corporate Services Director	Planned review date	November 2027
Approved by	Executive Committee		

Version	Purpose/change	Author	Date
1.0	Policy written	HR Manager	November 2014
2.0	Policy reviewed.	HR Manager	May 2017
3.0	Policy reviewed.	HR Manager	May 2019
4.0	Reviewed and moved across to new policy format. Policy and procedure separated. Name changed from Dignity at Work within Abbeyfield to Bullying and Harassment.	Gail Manley	June 2022
5.0	Amended in line with The Worker Protection (Amendment of Equality Act 2010) Act 2023 laying down that employers have a positive legal duty to take reasonable steps to prevent sexual harassment of their workers.	HR Business Partner	October 2024

1 Background	We are committed to providing a positive working environment that is free from bullying and harassment and where everyone is treated fairly and with dignity and respect. We will treat all claims of bullying and harassment seriously and ensure they are investigated promptly and thoroughly – this includes behaviours meant “as a joke” as this can still cause distress. Abbeyfield Living Society (ALS) operates zero tolerance approach to bullying and harassment. We all have a responsibility for providing a positive work environment. As well as, or instead of employers, individual employees may in some cases be held legally liable for serious cases of bullying or harassment in relation to colleagues or third parties, or if they fail to act to address concerns of bullying/harassment. The policy sets out the expectations for the behaviour of our staff as well as what we can do to protect all staff from bullying and harassment.

2 Objectives	This policy sets out ALS's commitment to create a welcoming and inclusive work environment free from hostility, harassment or bullying in which individuals are valued for their contribution and can develop to their full potential. We expect everyone to act professionally, in a way that recognises everyone's right to dignity at work. The aim of the policy is to prevent, respond to incidents that arise, and take action to effect long-term change by: • fostering a working environment that supports the dignity and respect of all and is free from any form of discrimination, bullying, harassment, and violence, including gender-based violence; • where harassment does occur, providing a process and procedure for dealing with it to ensure it is properly managed; • capturing learning from what happened to help create an environment free from harassment; and bullying • monitoring our progress in achieving a workplace free from harassment; and building continuous improvement into our culture • educating all staff about sexual harassment and their role in developing a culture free from harassment and bullying.
3 Scope	This policy covers all employees within ALS. All those providing services on our behalf such as volunteers, bank and agency workers, consultants, contractors as well as visitors are expected to abide by this policy. The intention to treat others with dignity and respect applies to the treatment of people across all sectors of ALS, which includes all current and potential residents, their relatives and advocates, visitors, employees, ex-employees, bank and agency workers, volunteers, Trustees, consultants, contractors, job applicants and all other third parties and the treatment of our employees by third parties. This policy covers bullying and harassment which occurs both in the workplace and in settings outside work, such as training courses, business trips, events or social functions organised by the company or on our behalf and whether on or off our premises. Actions outside of work can also have an impact upon a person's sense of dignity at work and may therefore be dealt with as appropriate.

4 Policy	4.1 Definition of Bullying and Harassment Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power with the intention of or having the effect of undermining, humiliating, denigrating or injuring the recipient. Bullying can be unwanted physical, verbal or non-verbal conduct. Examples of bullying include, but are not limited to: • Ostracising someone – refusing to speak to them or excluding them from work-related or social activities • Practical jokes with a negative perception • Persistent criticism • Spreading malicious rumours or false gossip • Intentionally blocking promotion or training opportunities • Overbearing supervision or misuse of power • Constantly undervaluing effort • Spontaneous rages, often over trivial matters • Withholding information or supplying incorrect information • Setting individuals up to fail by overloading them or imposing impossible deadlines • Removing areas of responsibility and imposing menial tasks Legitimate and constructive developmental feedback of an employee's performance or behaviour or reasonable requests made of employees in the course of their employment will not constitute bullying. Harassment is defined as any unwanted conduct of a sexual nature (sexual harassment) or it may be related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. A protected characteristic could be an individual's age, disability, gender reassignment, race, religion or belief, ethnic origin, sex and sexual orientation. The person does not have to possess the protected characteristic themselves to make a complaint of harassment as this can be by perception or association, for example, homophobic comments made to a heterosexual person or rude remarks about disabled persons when the complainant has a disabled child.
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	A harassment claim can be brought by someone who has not been subjected to the unwanted conduct personally, but where the effect of it nonetheless violates their dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them. Key to this is that the behaviour of the alleged harasser is reasonably considered as unacceptable by the employee making the allegation, even if this was unintended by the person responsible for the behaviour. Harassment takes many forms, from casual comments to actual physical violence. Examples of harassment include, but are not limited to: • Unwelcome and/or insensitive comments or gestures • Sexual innuendo or unwelcome sexual advances • Insensitive jokes, ridicule and pranks • Personal insults, rude comments, verbal abuse • Threatening behaviour • Unwanted physical contact • Social Media usage which has a negative impact on a person • Exclusion/silence • Unfair treatment • Victimisation • Sending offensive/insensitive messages or pictures via internal or external mail, via any form of social media or email Bullying and harassment may be persistent or an isolated incident and not necessarily face to face. It may also occur in written communications, email and phone calls. Both bullying and harassment will not be tolerated. 4.1.1 Prevention of sexual harassment The Worker Protection (Amendment of Equality Act 2010) Act 2023 sets out a legal obligation to prevent sexual harassment of workers. ALS is committed to taking reasonable steps to prevent sexual harassment of workers in the course of their employment (the 'preventative duty' Sexual harassment will not be tolerated, and it is unlawful.
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	We should anticipate scenarios when our staff may be subject to sexual harassment in the course of their employment and take action to prevent such harassment taking place. However, if sexual harassment has taken place, we will take action to stop sexual harassment from happening again. Cases of harassment or bullying may lead to disciplinary action up to and including dismissal. Aggravating factors, such as abuse of power over a more junior colleague, will be taken into account in deciding what disciplinary action to take. 4.1.2 Prevention of sexual harassment by third parties ALS will not tolerate sexual harassment by third parties. We will take reasonable steps to prevent sexual harassment by our employees and workers as well as by third parties, such as clients, suppliers, contractors and customers. While an individual cannot bring a claim for third-party harassment alone, it can still result in legal liability when raised in other types of claims. All staff are strongly encouraged to report any harassment by third parties to their Line Manager or Employee Relations Advisors. The steps that ALS will take to prevent sexual harassment by third parties include expectations set within supplier and contractor contracts and a contractor and visitor code of conduct. Steps will also be taken to set expectations for customers and risk assess any concerns with relevant action taken to protect staff. Any criminal acts will be reported to the police. ALS will: • consider the risks of sexual harassment occurring in the course of employment • consider what steps it could take to reduce those risks and prevent sexual harassment of our workers • consider which of those steps it would be reasonable for it to take • implement those reasonable steps 4.1.3 Reporting of sexual harassment cases
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	Any cases of sexual harassment should be reported to the Line Manager or Employee Relations Advisors. Unless the allegation is in relation to the Line Manager, then HR should be contacted. 4.1.4 ALS commitment: ALS is committed to review this policy at regular intervals, monitor its effectiveness and implement any changes that may be required. 4.2 Roles and Responsibilities 4.2.1 Line Managers All managers are responsible for upholding ALS's Values and Behaviours, as detailed in the Code of Conduct and working in a way which sets an example to employees and ensuring that each member of their team does the same, specifically: • Ensuring that their teams know and understand the standards and types of behaviour expected from them • Proactively building an environment where everyone can work in a way which ensures ALS's Values and Behaviours, and the principles of equality and diversity are upheld, with an aim to prevent bullying and harassment • Acting proactively, consistently and fairly to prevent and address any breach of these values and principles • Treating all members of their team with equal respect and fairness • Responding to any incidents of bullying or harassment in a prompt manner, ensuring confidentiality is maintained at all times 4.2.2 Employees All employees are responsible for: • Ensuring their own behaviour and working in such a way as to ensure ALS's Values and Behaviours as detailed in the Code of Conduct, and principles of equality and diversity are consistently upheld • Respecting all colleagues, managers, people we support and other third parties • Ensuring that their behaviour is not offensive, directly or indirectly, to others • To bring incidents which breach the values or principles of equality and diversity to the attention of their line manager or Employee Relations Advisors immediately • To support any individual who has reported such breaches
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	4.2.3 People Services The role of Employee Relations Advisors will be to advise managers and employees on all aspects of the processes detailed in the policies and procedures relating to Employee Relations. No formal action (instigation of a Formal Investigation or suspension under the Disciplinary Procedure) should be taken without obtaining advice and guidance from the People services team. The people team is also responsible for ensuring the right training is provided to staff within our HR system and it is reviewed and refreshed by staff within the agreed periods. 4.3 Support If you are experiencing bullying and/or harassment in the workplace (either personally or indirectly) there are a number of people who can be contacted for support and advice: • Your line manager or Employee Relations Advisors can offer confidential advice if you feel you are being bullied or harassed • Confidential advice is available for all Abbeyfield employees via a dedicated advice line detailed in Wellbeing page available on Connect.
5 Finance, Value for Money & Social Value	N/A
6 Linked policies	Equality Diversity and Inclusion (LGO16P) Disciplinary (S008P) Grievance Policy (S014P)
7 Relevant Legislation / Regulation	Equality Act 2010 Employment Rights Act 1996 Health & Safety at Work Act 1974 Protection from Harassment Act 1997 The Worker Protection (Amendment of Equality Act 2010) Act 2023
8 Guidance	None.

Policy



9 Review	Every 3 years, subject to any regulatory or legislative updates.
10 Procedure	Addressing Bullying & Harassment Concerns
11 Process Map(s)	N/A