

BULLYING AND HARASSMENT POLICY

INTRODUCTION

Tayside Contracts will not tolerate any form of bullying and harassment in the workplace, it is immoral and unlawful.

SCOPE OF POLICY

This policy applies to all individuals working at all levels and grades within Tayside Contracts.

As an employee working at any level within Tayside Contracts you have a responsibility to ensure that your conduct does not constitute bullying or harassment and you should be alert to behaviour which may constitute bullying or harassment.

WHAT IS BULLYING AND HARASSMENT?

ACAS defines 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.”*

Tayside Contracts will not tolerate any form of bullying and harassment. This includes towards job applicants, colleagues, direct reports, individuals on work experience, contractors, suppliers, customers and members of the public.

There are many forms of bullying and harassment, it is not always by one individual against another, it may involve a group of people or a team, it may be by a visitor, customer, client, contractor and in other instances it may be by someone in a position of authority such as a supervisor or manager.

Bullying and harassment is not always obvious, although it often occurs face-to-face, it can also be physical, involve visual images or electronic media such as emails, text messages or social networking sites. It may be a one off act or occur persistently over a period of time. Examples include the following activities, in person or electronically, but are not limited to:

- Unwelcome remarks or insults about an individual
- Shouting or swearing at someone
- Intrusion by pestering, spying and stalking
- Actively seeking negative comments/attempting to influence group opinion about an individual
- Isolation and exclusion from work-related social activities
- Unwanted physical contact such as touching or standing too close
- Jokes, offensive language, gossip, slander, sectarian songs and letters
- Posters, graffiti and obscene gestures
- Misuse of power and/or position
- Intentionally preventing individuals from progressing by blocking training and promotion opportunities
- Constant supervision and deliberate criticism of a competent individual which is intended to undermine

UNLAWFUL BULLYING AND HARASSMENT

Harassment is unlawful when it is sexual harassment or harassment motivated by an individual's age, disability, gender reassignment, race, religion or belief, sex, sexual orientation (i.e. seven of the nine protected characteristics).

The Equality Act 2010 defines unlawful harassment as *“unwanted conduct related to a relevant protected characteristic/unwanted conduct of a sexual nature 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”*.

Tayside Contracts takes seriously any hate incidents, victimisation or unlawful harassment and bullying and, along with applying this policy, will report any such incidents to the police if it is considered there are sufficient grounds to do so.

THE EFFECTS OF BULLYING AND HARASSMENT

The effects of bullying and harassment can be severe, it can have a direct influence on an individual's mental and physical well-being. It is a health and safety as well as an equality issue. The stress caused by bullying and harassment can lead to physical illness, depression, post traumatic stress disorder and in some extreme cases, suicide. The wider effects can lead to reduced efficiency, it can undermine team working and create divisions in the workplace. It creates negative publicity and has a damaging impact on an organisation's reputation.

Harassment is not dependant on an intention to cause distress or hurt, but it is assessed by the impact that the behaviour has on the recipient.

REPORTING UNACCEPTABLE BEHAVIOUR

If a colleague is being bullied or harassed it is important that you provide support and report it to your immediate supervisor/line manager, you should also keep a diary of incidents, so that these can be recalled at any subsequent disciplinary investigation and hearing.

If you believe that you are being bullied you should follow the procedures outlined below.

INFORMAL PROCEDURE

In some instances the individual may not be aware that they are causing you distress and it may be possible to resolve the situation informally by approaching the individual to explain how you feel, you may wish to approach your line manager or a colleague for support and advice or seek advice from HR Services, a Trade Union representative, a supervisor or line manager.

FORMAL PROCEDURE

Informal resolution may not be suitable or may not resolve the situation and in this instance you should follow the procedure detailed within the Grievance Policy.

It is essential that you keep a record of the date, time and place of the incident, take a note of what actually happened, take a note of what was said, and by whom, record the names of those who were

present and the individual responsible for carrying out the bullying or harassing behaviour, you should also record how you felt.

Any allegations will be taken seriously, treated confidentially and investigated promptly and objectively. If the allegation/s are proven, disciplinary action will be taken in accordance with our Disciplinary Policy and the complainant will be protected from victimisation. Any allegation of bullying and harassment which is subsequently found to be malicious and unfounded will also be treated seriously and dealt with in accordance with Tayside Contracts' Disciplinary Policy.

RELATED POLICIES

The Bullying and Harassment policy links to the following policies which can be accessed on the Intranet, or requested from your line manager or from the HR Admin Team:

- Employee Code of Conduct
- Equality and Diversity Policy
- Disciplinary Policy
- Grievance Policy
- Internet and Email Use Policy

The above list is not exhaustive.

POLICY REVIEW

The Bullying and Harassment Policy will be reviewed at three yearly intervals, or as required by legislative changes.

GENERAL DATA PROTECTION REGULATION

Tayside Contracts respects the privacy of our employees, any personal data processed during the application of this policy will be in line with Data Protection Legislation. Further information on how we may process personal data for the purpose of applying this policy can be found in our Privacy Notice.

Should you have any queries or require further clarification regarding any aspects of this policy or related policies please contact, HR Services on 01382 812721 or employment.policies@tayside-contracts.co.uk

If you would like this document translated into another language or in another format such as audio or large print then please contact Angie Thompson, Equalities and Communications Manager on 01382 834165 or angie.thompson@tayside-contracts.co.uk