



For better
mental health

Sheffield Mind Ltd

Lawton Tonge House
57 Wostenholm Road
Sheffield S7 1LE
T: 0114 258 4489
F: 0114 250 0729
w: www.sheffieldmind.co.uk
e: office@sheffieldmind.co.uk

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BULLYING AND HARASSMENT POLICY & PROCEDURE

POLICY

Sheffield Mind recognises that all employees have a right to work in an environment in which the dignity of individuals is respected and which is free from harassment and bullying. It is committed to eliminating intimidation in any form.

The Policy applies to harassment on the grounds of disability, gender, marital status, religious beliefs, sexual orientation, age, creed, colour, race or ethnic origin.

Harassment breaches Sheffield Mind's Equal Opportunities Policy and it is classified as a serious offence which may result in summary dismissal under the Disciplinary Procedure.

The Policy applies to all staff employed by Sheffield Mind.

DEFINITION

Harassment has no definition in law but is generally described as "unwanted conduct", it encompasses unwelcome physical, verbal or non-verbal behaviour which denigrates or ridicules or is intimidatory. The essential characteristic of harassment is that the action(s) is unwanted by the recipient.

RESPONSIBILITIES OF MANAGERS

Every manager has an obligation to prevent harassment / bullying and to take immediate action once it has been identified, whether or not a complaint has been made.

Allegations of harassment or bullying, received either informally or formally through the Grievance Procedure, must be dealt with promptly and sensitively.

It is important that managers recognise that sexual harassment is any sexual advance unwanted by the recipient or behaviour which causes offence to the recipient. Similarly, racial harassment is behaviour which is racially offensive to the recipient. Managers must therefore take care to ensure that they do not pre-judge situations based on their own sexual or racial attitudes and perceptions.

It may not always be appropriate for a line manager to be involved with specific complaints. For example, if the complainant is male and wishes to speak to a male, but the manager is female, or, if the complaint relates to the conduct of the line manager.

RESPONSIBILITIES OF ALL EMPLOYEES

Every employee has a personal responsibility NOT to harass or bully other members of staff.

An employee who becomes aware of harassment or bullying occurring should bring the matter to the attention of his/her manager.

REDRESS

An employee who feels that he/she has been harassed or bullied has a right to seek redress via the procedures set out in the following section.



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PROCEDURE FOR DEALING WITH HARASSMENT

An employee who feels that he/she is being subjected to harassment or bullying may attempt to resolve the matter informally in the first instance. In some cases it may be possible and sufficient for him/her to explain clearly to the person(s) engaged in the unwanted activities that the behaviour is unwelcome, that it offends or makes him/her uncomfortable.

- If at the initial informal discussion stage the circumstances are too difficult or embarrassing to approach the harasser alone, the complainant may wish to be accompanied by a friend or colleague;
- the complainant may wish to write a letter to the harasser (research has shown that this can be effective);
- the complainant should keep a record of any incidents, detailing when, where, what occurred, and witnesses (if any);
- in some cases victims of harassment or bullying may not be sufficiently confident to tell the harasser that his or her behaviour is unacceptable.

Where the steps outlined above are unsuccessful or inappropriate, the complainant should raise the matter informally and in confidence with his/her manager. Alternatively, the matter may be raised with another manager or director of the same sex as the complainant.

If the complaint relates to the conduct of the complainant's manager, the complainant may choose to discuss the matter with his/her manager's line manager.

Sheffield Mind emphasises therefore that staff are not required to approach the harasser in an attempt to resolve the problem informally, and are entitled to report the matter immediately if they so wish.

The Manager will discuss the matter with the complainant and agree a course of action. The complainant may be accompanied by a representative or colleague at these meetings. The alleged harasser will also have the right to state their version of events to the manager and to also be accompanied by a representative or colleague.

The complainant must be assured that he/she will not be discriminated against or victimised for raising the complaint. Confidentiality will be observed throughout and the need for any disclosure of the details of the case will be discussed and agreed.

At any stage of the process the complainant, the manager dealing with the complaint or the accused may feel that they need the help of an independent person before deciding on the best course of action. Sheffield Mind will work with the complainant to source a network of trained persons who can give confidential advice and assistance, including:

- advising on the nature of harassment;
- offering guidance on resolving harassment problems, including acting as an independent broker
- advising on the use of the Company's Grievance Procedure.



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If the situation cannot be resolved informally then the complainant has the right to pursue his or her complaint formally via Sheffield Mind's Grievance Procedure.

Where management consider that there may be evidence of harassment, they may consider it appropriate to undertake a full investigation of the circumstances. In this case a manager not connected with the department involved, or an individual external to the Company will be commissioned to undertake this investigation. Best practice in relation to confidentiality will be maintained during this investigation; and both the complainant and alleged harasser will have the opportunity to have their say. The investigator will also interview and take statements from any appropriate witnesses to the alleged harassment.

Where there is evidence that harassment has occurred, prompt and corrective action will be taken, including disciplinary action where appropriate. Harassment is a serious offence which may result in summary dismissal.

COMMUNICATION

All staff will be informed of the Harassment Policy and Procedure. They must be reassured regarding:

- fear that others will consider the behaviour trivial and not take complaints of harassment seriously;
- fear that no action will be taken against a person guilty of harassment;
- fear of retaliation or victimisation in registering a complaint either informally or formally through the Grievance Procedure.

The Harassment Policy and Procedure will be included in all staff induction programmes.

TRAINING

Training will be provided for those employees who have a specific responsibility for implementing the Procedure or who may be involved in dealing with complaints which arise

MONITORING AND REVIEW

In order to assess the effectiveness of the Procedure, statistics will be maintained in respect of the complaints of harassment. Strict confidentiality will be maintained and the monitoring process will comply with the Data Protection Act.