

INTEQUAL

Bullying Policy

Version 2

Ref – Bullying Policy

Issue: June 2023

Review: June 2024

**Approved by: Rod Harris
(Board Representative)**

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Our commitment

The Company will not tolerate any form of harassment or bullying and is committed to ensuring that employees and learners are able to work confidently and without fear of harassment, bullying or victimisation. Therefore, if a complaint is made to the Company, it will be investigated promptly, and appropriate action will be taken in line with the Company's policy. Where a person is found to have committed a serious act of bullying or harassment this will be dealt with under the disciplinary procedure and may be viewed as gross misconduct, which could result in summary dismissal. Where a learner is found to have harassed or bullied an employee, the Company will deal with this under the learner disciplinary procedure, which could result in expulsion. Where an employee reports an incident of harassment or bullying by a third party, staff, or learners, the Company will take immediate and appropriate action.

To meet our commitments, the Company ensures to publicise its policy fully and to ensure that employees understand their rights and responsibilities. All employees and agency workers will be made aware of how to access the policy, either via the Company Intranet or in hard copy. In addition, the Company will make contractors, consultants and secondees aware of its policy. Visitors to the Company will also be made aware of the Company's stance on bullying and harassment.

Objectives

The Company aims to create a working environment that respects the dignity and rights of all employees and learners, and where individuals can realise their full potential. The aim of the Company's policy is to support this ethos and to strive to prevent harassment and bullying from occurring.

Scope

This policy applies to anyone working for or on behalf of Intequal. This includes Intequal employees, casual workers, agency workers, freelancers, self-employed contractors and any other third-party delivering services on behalf of Intequal.

Key contacts

Name/Role/Team	Contact details
Rod Harris - Director of Quality & Curriculum	rod.harris@intequal.co.uk

Definitions

Keywords used in the policy and what they mean in relation to this policy:

Keyword	Definition
Bullying	Offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate, or injure the person on the receiving end.
Harassment	Unwanted conduct that: <ul style="list-style-type: none">• Has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person, or• Is reasonably considered by that person to have the effect of violating his or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her.

Legislation

Individuals are protected from harassment and bullying under the following legislation:

- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995

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- Disability Discrimination Act 2005
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2007
- Employment Equality (Age) Regulations 2006
- Equality Act 2010
- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Employment Rights Act 1996
- Criminal Justice Public Order Act 1994
- Protection from Harassment Act 1997

Under these pieces of legislation, an employee may be held individually liable for an act of harassment, as well as the Company being held vicariously liable for that employee's act.

Background

Where harassment and bullying occur, they cause serious repercussions for the employer and employees. They can affect people's health, work performance and the success of the Corporation. Bullying, as a cause of stress at work, should be regarded as a workplace health and safety hazard.

Definition of harassment and bullying

Harassment

Harassment occurs when an individual is subjected to unwanted conduct which has the purpose (intentional) or effect (unintentional) of:

- Violating a person's dignity

- Creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual
- Continuation of small acts of detrimental treatment

Moreover, harassment is unlawful when it is on the grounds of sex, gender reassignment, race, ethnic or national origin, sexual orientation, age, religion/belief, or for a reason relating to a person's disability. It is also unlawful to subject an individual to sexual harassment, or to harassment on the grounds of that individual's membership or non-membership of a trade union, or, in Northern Ireland, on the grounds of an individual's political belief.

The Company will not tolerate harassment or bullying in any form. It is the individual's perception of whether the conduct in question was unacceptable that is important in determining whether harassment occurred. Where the conduct in question is found to have been unintentional, it will be viewed as having the effect of harassment if this could be regarded as a reasonable conclusion when considering all the circumstances, including the complainant's perception.

Bullying

Bullying, although not defined legally, is described as offensive, intimidating, malicious or insulting behaviour, abuse, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Examples of forms of harassment and bullying

Harassment and bullying can take many forms. Examples of unacceptable behaviour include:

- Offensive songs, remarks, slander, jokes, letters, emails or gestures
- Display of offensive posters, publications, flags, bunting, emblems, and graffiti
- Unwanted physical contact or advances
- Offensive remarks about a person's dress or appearance
- Offensive remarks about a person's race, gender, marital status, disability, religion or

- belief, sexual orientation, gender identity or age
- Shouting, abusive, offensive, or intimidating language
- Spreading malicious rumour's, allegations or gossip
- Excluding, marginalising, or ignoring someone, and exclusion from social activities
- Intrusion by pestering, spying, or stalking
- Personal insults
- Coercion for sexual favours
- Pressure to participate in political/religious groups
- Copying memos that are critical about someone to others who do not need to know.
- Deliberately undermining a competent worker by overloading, taking credit for his/her work, setting impossible deadlines or constant criticism
- Removing areas of responsibility and imposing menial tasks
- Cyber-bullying: that is, the sending or posting of harmful, cruel, or offensive text or images by email, internet, social networking websites or other digital communication devices.

The above list is intended to give a clear impression of the types of behaviour that the Company considers to be unacceptable; however, it only contains examples and is not exhaustive.

The Company will not tolerate acts of harassment or bullying during work, including at other people's workplaces, but also at work-related functions, such as conferences, or at social gatherings, such as after-work drinks.

It is accepted that vigorous debate and occasional raised voice or argument, of itself, may not necessarily constitute harassment or bullying.

Bullying must be distinguished from the right of, and obligation placed on, managers to exercise proper supervision of employees in the course of their duties, which may include legitimate, constructive, and fair criticism of an employee's performance or behaviour at work. Managers will exercise this supervision in a fair, constructive, consistent, and

reasonable manner that does not compromise the employee's dignity. Similarly, reasonable (but perhaps unpopular) requests by a manager of his/her employees in the normal course of their duties will not be viewed as acts of harassment or bullying.

Responsibilities

Directors

Are responsible for ensuring that:

- They are familiar with the harassment and bullying policy.
- Training on the Company's policy features as part of the Company's operational policies stemming from the Company's strategic plan.
- They are aware of the Company's legal responsibilities as an employer in relation to harassment and bullying.
- They receive and respond to any monitoring information collated as part of the reviews of the policy.

Managers

Managers are responsible for ensuring that:

- The Company Chief Executive and Senior Management Team are responsible for taking the lead in creating a positive, open culture that challenges inappropriate behaviour on the part of managers, employees or learners.
- They are familiar with the harassment and bullying policy, and that it is followed correctly.
- They are aware of the Company's legal responsibilities as an employer in relation to harassment and bullying.

Employees

Employees are responsible for ensuring that:

- They familiarise themselves with the harassment and bullying policy.

- Their behaviour supports a positive work environment free from harassment and bullying; and
- They participate in an investigation when asked by an investigating officer, where the employee has observed or has evidence that another employee is being harassed or bullied.

Training

To support the Company's aim of preventing harassment and bullying, awareness training will be provided to all staff. The Company will also provide specific training to managers in the correct operation of the harassment and bullying policy.

Support available!

The Company recognises the sensitive nature of harassment and bullying. Employees who believe they are being harassed or bullied may wish to discuss their situation in confidence before deciding what action to take. Employees are encouraged to discuss workplace problems openly and informally with their line manager. However, the Company recognises that this may not always be appropriate and provides the following support:

- Employees can discuss the situation with the next-level manager
- The Company provides a specialist counselling service which can be accessed directly.

Confidentiality will be maintained as far as possible. However, if an employee decides not to take any action to deal with the problem and the circumstances described are very serious, the Company reserves the right to investigate the situation in accordance with its duty of care to ensure the safety of all employees who may be affected by the alleged behaviour.

General

The Harassment and Bullying Policy should not be read in isolation but cross-referenced with all relevant Company employment policies.

Associated Policies

- Bullying procedure
- Whistleblowing policy
- Equality & diversity policy

Changes to this policy

Intequal review policies and subsequent documents will be published annually. The policy issue and review date can be found in the footer of the document.

History

Version	Author	Change	Date
V2	Vini Pathmanathan	First version in the new format	22/06/2023
V2	Vini Pathmanathan	Split bullying policy and procedure	31/07/2023
V2	Rod Harris	Renewal approved	31/07/2023

Appendix 1: Support Available

Advice to Staff Who Feel They Are Being Personally Bullied or Harassed.

- Do not ignore the problem. You have a duty to yourself and colleagues to alert the Company to issues such as these.
- Anyone who believes he/she is experiencing or witnessing an incident of personal bullying or harassment can talk to a manager, even if they are uncertain as to whether it is bullying or harassment or not.
- The Company's Support Service is available to all staff. If you need support or reassurance, or if you simply want someone with whom to talk the problem through on a confidential basis, give them a call.
- Keep a diary of incidents and copies of any written material including electronic communication.
- If you discover that colleagues are experiencing similar bullying or harassment, encourage them to follow the same procedure.
- Do try and resolve the matter informally. Some people do not realise that they are causing offence and simply pointing this out to them will encourage them to change their behaviour.
- Bringing a complaint is a serious matter and must be treated as such by all parties.
- The Staff Disciplinary Procedure, should this be invoked, is intended not only to allow management to maintain satisfactory standards but also to safeguard the position of individuals in respect of whom disciplinary action is being considered, or taken.
- The Company will deal with these matters as sensitively as possible.