

# **BULLYING AND HARASSMENT AT WORK POLICY (H4)**

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<b>Date of Issue:</b>	September 2015	<b>Next Review Date:</b>	January 2023
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<b>Author:</b>	Diversity & Inclusion Lead/Anti Bullying Network/Freedom to Speak Up Guardians/Staffside/HR Advisor		
<b>Directorate:</b>	Workforce and Organisational Development		
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LCNC/JCNC		April 2014	
Partnership Forum		June 2020	
<b>Links or overlaps with other policies:</b>			
Disciplinary Policy (H1)			
Exclusion from Work Guidance			
Grievance Procedure – No. 20 (SDHCT) and HR01 (TSDHCT)			
Personal Safety: Violence and Aggression Advice for Manager - No.23 (SDHCT)			
Violence and Aggression Management Policy (TSDHCT)			
Diversity & Inclusion Policy/Tackling Discrimination			
Raising Concerns Policy			

## Amendment History

Issue	Status	Date	Reason for Change	Authorised
2	Final	June 2020	Full review and change of name of policy	Partnership Forum
2.1	Final	August 2020	Change in EAP provider	-
2.2	Final	October 2022	Extension to review date	Associate Director of People

**Rapid Equality Impact Assessment** *(for use when writing policies and procedures)*

<b>Policy Title</b> (and number)	Bullying & Harassment at Work Policy (H4)	<b>Version and Date</b>	Version 2.2 June 2020
<b>Policy Author</b>	Diversity & Inclusion Lead/Anti Bullying Network/Freedom to Speak Up Guardians/Staffside/HR Advisor		
An equality impact assessment (EIA) is a process designed to ensure that a policy, project or scheme does not discriminate or disadvantage people. EIAs also improve and promote equality. Consider the nature and extent of the impact, not the number of people affected.			
<b>EQUALITY ANALYSIS:</b> How well do people from protected groups fare in relation to the general population? <b>PLEASE NOTE: Any 'Yes' answers may trigger a full EIA and must be referred to the equality leads below</b>			
<b>Is it likely that the policy/procedure could treat people from protected groups less favorably than the general population? (see below)</b>			
Age	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Disability	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Race	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Gender	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Gender Reassignment	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Pregnancy/ Maternity	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Sexual Orientation			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Religion/Belief (non)			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Marriage/ Civil Partnership			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Is it likely that the policy/procedure could affect particular 'Inclusion Health' groups less favorably than the general population?</b> (substance misuse; teenage mums; carers <sup>1</sup> ; travellers <sup>2</sup> ; homeless <sup>3</sup> ; convictions; social isolation <sup>4</sup> ; refugees)			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Please provide details for each protected group where you have indicated 'Yes'.</b>			
<b>VISION AND VALUES:</b> Policies must aim to remove unintentional barriers and promote inclusion			
Is inclusive language <sup>5</sup> used throughout?			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Are the services outlined in the policy/procedure fully accessible <sup>6</sup> ?			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does the policy/procedure encourage individualised and person-centered care?			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Could there be an adverse impact on an individual's independence or autonomy <sup>7</sup> ?			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If 'Yes', how will you mitigate this risk to ensure fair and equal access?			
<b>EXTERNAL FACTORS</b>			
<b>Is the policy/procedure a result of national legislation which cannot be modified in any way?</b>			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>What is the reason for writing this policy?</b> (Is it a result in a change of legislation/ national research?)			
Amended policy to replace Acceptable Behaviour Policy			
<b>Who was consulted when drafting this policy/procedure? What were the recommendations/suggestions?</b>			
Diversity & Inclusion Lead/Anti Bullying Network/Freedom to Speak Up Guardians/Staffside			
<b>ACTION PLAN:</b> Please list all actions identified to address any impacts			
<b>Action</b>	<b>Person responsible</b>	<b>Completion date</b>	
<b>AUTHORISATION:</b>			
By signing below, I confirm that the named person responsible above is aware of the actions assigned to them			
<b>Name of person completing the form</b>	HR Advisor	<b>Signature</b>	HR Advisor
<b>Validated by (line manager)</b>	People Hub Service Manager	<b>Signature</b>	People Hub Service Manager

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## **1 SUMMARY**

- 1.1 This policy has been developed to enable members of staff who believe they have been the subject of bullying or harassment to take action, obtain support and to ensure that all staff understands their responsibilities under the policy. It also guides managers involved with cases of bullying and harassment by defining their role and responsibility, the processes to be followed, both informal and formal and the support that is available to staff.

## **2 POLICY STATEMENT**

- 2.1 Torbay and South Devon NHS Foundation Trust (TSDFT) will not tolerate any behaviour at any level in the organisation, which constitutes bullying or harassment. Any reported allegation of bullying or harassment will be investigated fully and promptly by the Trust and appropriate action will be taken which may include disciplinary proceedings against the offender which could result in disciplinary action up to and including dismissal.
- 2.2 All allegations concerning bullying or harassment will be taken seriously and dealt with fairly, sensitively and confidentially by the Trust and there will be no victimisation of any member of staff making or involved in a complaint.

## **3 SCOPE**

- 3.1 This policy applies to all Trust staff and also includes Bank workers, agency staff, sub-contractors and volunteers such as the League of Friends. The words member of staff in this policy refers to all these groups.
- 3.2 The Trust is committed to preventing discrimination, valuing diversity and achieving equality of opportunity. No person (staff, patient or public) will receive less favourable treatment on the grounds of the nine protected characteristics (as governed by the Equality Act 2010): sexual orientation; gender; age; gender re-assignment; pregnancy and maternity; disability; religion or belief; race; marriage and civil partnership. In addition to these nine, the Trust will not discriminate on the grounds of domestic circumstances, social-economic status, political affiliation or trade union membership.
- 3.3 The Trust is committed to ensuring all services, policies, projects and strategies undergo equality analysis. For more information about equalities analysis and Equality Impact Assessments please refer to the Equality Analysis Procedure.

## **4 DEFINITIONS**

- 4.1 Harassment – The Equality Act 2010 uses a single definition of harassment to cover protected characteristics: Harassment is “unwanted conduct 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. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.
- 4.2 Employees are able to raise concerns regarding behaviour that they find offensive even if it is not directed at them. In addition, the employee need not possess the relevant protected characteristic themselves they can be harassed because of their association with a person who has a protected characteristic or because they are wrongly perceived to have a protected characteristic or are treated as if they do have one

- 4.3 Bullying is characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.
- 4.4 Examples of inappropriate behaviour which may constitute bullying or harassing behaviour in the Trust include:
- Spreading malicious rumours or insulting someone by word or behaviour
  - Copying critical memos about someone to others who do not need to know
  - Ridiculing or demeaning someone - picking on them or setting them up to fail
  - Exclusion, victimisation or unfair treatment
  - Overbearing supervision or other misuse of power or position
  - Unwelcome sexual advances: you don't need to have previously objected to someone's behaviour for it to be considered unwanted. Sexual harassment is unwanted behaviour of a sexual nature which:
    - Violates your dignity
    - Makes you feel intimidated, degraded or humiliated
    - Creates a hostile or offensive environment
    - Making threats or comments about job security without foundation
    - Deliberately undermining by overloading and constant criticism
    - Preventing individuals progressing by intentionally blocking promotion or training opportunities
- 4.5 Bullying or harassing actions can range from unintentional misunderstandings and lack of awareness through to deliberate and malicious acts. Bullying and harassment left unchecked or badly handled may result in poor morale and employee relations; loss of respect for managers and supervisors; poor performance; lost productivity; absence; resignations and; reputational damage. It is in everyone's interest to promote a safe, healthy and fair environment in which people can work.
- 4.6 Bullying is not about the management of conduct, change or performance although it is recognised by the Trust that members of staff may find it difficult to cope with these circumstances. Other aspects of management, e.g. the allocation of work or the refusal of specific requests such as time off or changes in hours do not in themselves constitute bullying.
- 4.7 The difference lies in the way that staff and managers carry out their duties and that there is a difference between firm but fair management practice and a manager who uses a management style that is perceived as bullying by staff. The table below sets out a framework to make clear the distinctions between the management styles and provides a guide as to whether a member of staff's concerns may relate to bullying. These behaviours apply to staff at all levels.

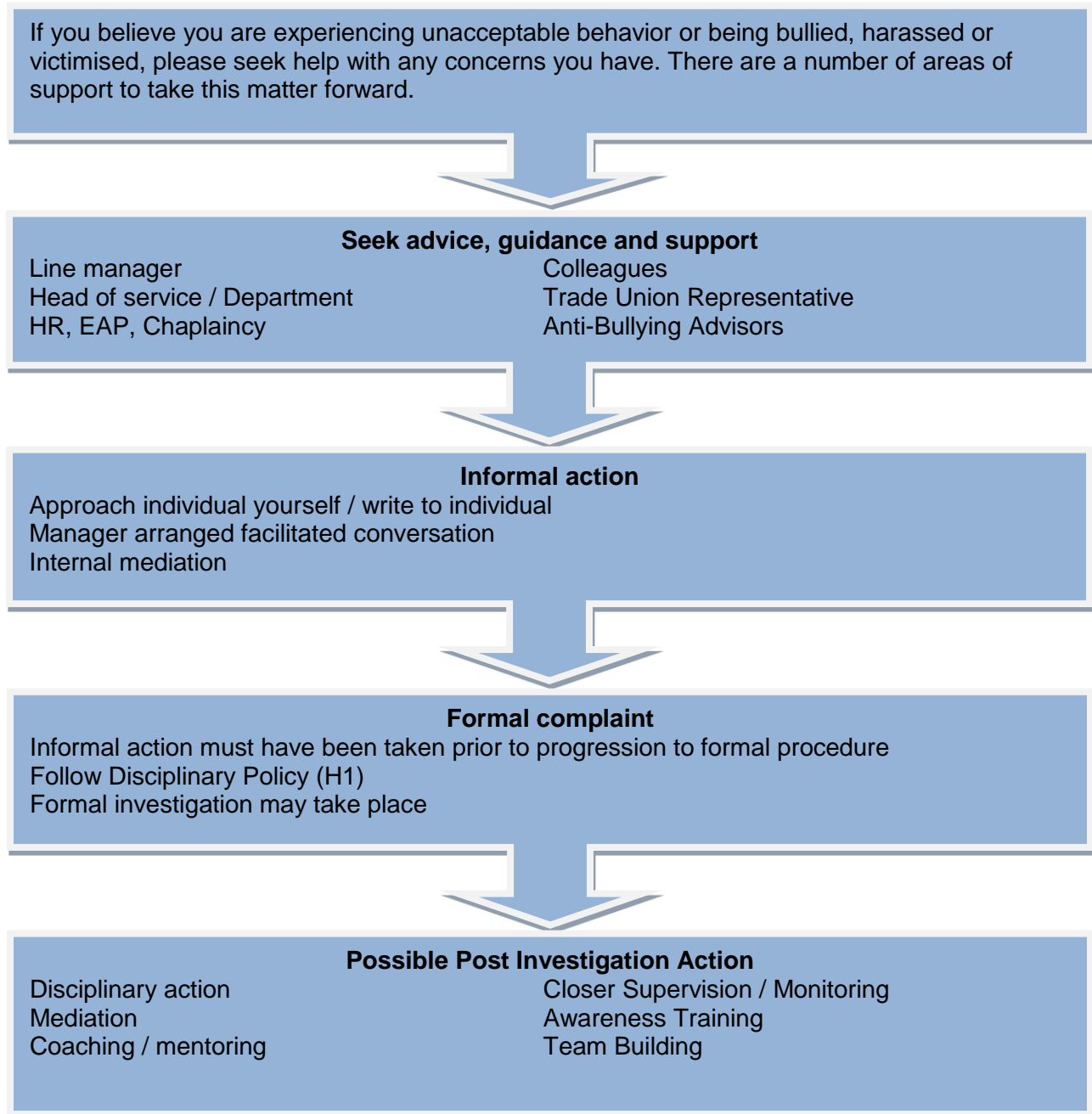
<b>Firm but fair</b>	<b>Bullying or harassing</b>
Consistent and fair	Aggressive, inconsistent and unfair
Determined to achieve the best results but reasonable and flexible	Unreasonable and inflexible
Knows their own mind and is clear about their ideas, but willing to consult with colleagues and staff before drawing up proposals	Believes that they are always right, has fixed opinions, believes they know best and not prepared to value other people's opinions
Insists on high standards of service and behaviours in the team	Insists upon high standards of service and behaviour but blames others if things go wrong
Will discuss in private any perceived deterioration before forming views or taking action and does not apportion blame on others when things go wrong	Loses temper, regularly degrades people in front of others, and threatens official warning without listening to any explanation
Asks for people's views and listens to the team	Tells people what is happening, does not listen

4.8 Any malicious or vexatious complaint, which after investigation is proved to be unfounded will be treated seriously and appropriate action taken which may include disciplinary action against the complainant.

## **5 BULLYING OR HARASSMENT OF TRUST STAFF BY A PATIENT, MEMBER OF THE PUBLIC, CONTRACTOR ETC**

5.1 Where there is an incident(s) of harassment or bullying of a member of staff by a patient, visitor or other member of the public, this should be reported with reference to the Violence and Aggression Management policy. The Trust will investigate each situation appropriately and take steps to ensure that actions to prevent reoccurrence are implemented. Staff support mechanisms detailed here in this policy apply to all staff regardless of whether their allegation is regarding another member of staff or a member of the public.

## 6 DECIDING ON A COURSE OF ACTION



6.1 In some cases where employees feel they may have been or are being bullied or harassed it may be possible to rectify matters informally. Often people are not aware that their behaviour is unwelcome and upsetting, and an informal facilitated discussion can lead to greater understanding and an agreement that the behaviour will cease. An employee may choose to approach the person themselves to discuss the behaviour. However, if an employee feels unable to do this themselves, informal resolution of matters can sometimes be best achieved through timely dialogue with a manager, Human Resources, or a Trade Union representative, and this would be encouraged. Additionally, the Trust offers the services of Anti-Bullying Advisors as well as facilitated conversations and internal mediation.



6.2 There may be occasions when the Trust has a responsibility to act in respect of bullying and harassment even if these issues have not been raised by individual employees. For instance, because of the severity or circumstances of the alleged conduct, it may be necessary to take other action such as initiating disciplinary proceedings.

## **7 PROCEDURE FOR MANAGING A BULLYING AND HARASSMENT COMPLAINT**

7.1 As soon as possible after an employee considers that an incident of bullying or harassment has occurred, they should seek to resolve it either through the informal or formal procedures outlined below.

7.2 Complaints should be made as soon as possible after the incident(s) have occurred. The aim is to stop the bullying or harassment and to prevent a recurrence. It is therefore expected that a complaint would normally be brought **within three months** of the incident occurring.

7.3 In some cases an employee may only perceive that they have been a victim of bullying or harassment because of a course or pattern of conduct over a period of time. If this is the case the employee should seek to resolve their concerns as soon as they perceive they may have been bullied or harassed. A formal investigation may concentrate on incidents over the previous 12 months if appropriate.

7.4 Employees are encouraged, wherever possible to resolve complaints in an informal manner. This approach should not be used to discourage an employee from using the formal procedure or when an instance of harassment could be of such a serious nature that the complaint would warrant formal action.

7.5 Informal complaint and resolution is not appropriate if the employee has fears for their health or safety or if informal resolution has previously been attempted and failed to produce a change in the alleged bully or harasser's conduct.

## **8 INFORMAL PROCEDURE**

8.1 At the informal stage, there are a number of different options open to a member of staff who feels they have been harassed or bullied by another member of staff including a colleague, supervisor or manager. It is for the member of staff to decide the best course of action for them to take.

8.2 If possible, an employee who feels bullied or harassed should in the first instance tell the person responsible that their behaviour is unwelcome, that it is causing them distress and to ask them to stop as the alleged bully/harasser may be unaware of the effect of their actions. The employee may wish to ask a colleague to be present when they speak to the person concerned. Alternatively, they may find it easier to write to them.

8.3 If the harassment or bullying continues or if the member of staff is unwilling or unable, for whatever reason, to confront the person directly, they may seek support from an Anti-Bullying Advisor. The Advisor will listen to the complaint in confidence, provide support and help the member of staff identify options to resolve the problem and prevent recurrence.

8.4 The employee also has the options of speaking to a Trade Union or to a member of Human Resources, who can advise on the process that should be followed; or speaking to Employment Assistance Programme (where appropriate use of the free confidential

counselling service may be provided) participating in a facilitated conversation or using the Trust's mediation service.

8.5 If the member of staff concerned decides that they wish to pursue the matter further, they should speak to their manager. If their manager is the alleged harasser or if they do not wish to raise the issue with their manager, then they should speak to a more senior manager or to a member of Human Resources. At this stage the manager will try to resolve the situation informally using a number of different options - these could include the manager speaking to the alleged harasser directly about the complaint or arranging a meeting where both parties come together and the manager, another manager or a member of Human Resources facilitates the discussion. The manager will need to find out what has happened by establishing the facts and should also keep a written record. Where the complaint is against a member of staff from another department or against a more senior person than the employee's manager, that manager must contact Human Resources.

8.6 Summary of options for resolving issues and complaints of bullying and harassment informally:

The options are not listed in a specific order as there is no one set means for addressing issues such as these. It is for the member of staff to decide the best course of action for them to take:

- Speak or write to the alleged harasser about the bullying or harassing behaviour.
- Speak to the line manager or to a more senior manager.
- Speak to a member of Human Resources, who can advise on the process that should be followed.
- Speak to an Anti-Bullying Advisor to discuss the issue in confidence (see section 6).
- Speak to a Trade Union representative for support and guidance
- Speak to Employment Assistance Programme (where appropriate use of the free confidential counselling service may be provided).
- Consider using mediation or facilitated conversation through a trained mediator.
- Speak to a Freedom to Speak Up Guardian.

## **9 FACILITATED CONVERSATIONS**

9.1 It is the role of the line manager or a more senior manager to facilitate resolution to apparent concerns between staff as they affect working relations and/or performance.

9.2 This may be at a point before or at the informal stage of the bullying and harassment policy, and is designed to:

- Address workplace concerns raised by the manager or another member of staff with the relevant member(s) of staff
- Understand the situation from the perspective of those involved
- Exploring the impact of the concerns on the individuals involved and the service
- Innovate realistic solutions

9.3 The facilitating manager will meet individually with each of the members of staff involved before bringing them together and will then lead the joint meeting, giving time for each member of staff to explain their concerns and discuss ways of resolving the problem.

9.4 The role of the manager as facilitator is to promote both a shared resolution to the concerns of the staff, and in so doing ensure that the staff understand the standards of behaviour and performance expected of them. The manager should set out their expectations in writing, following the meeting.

9.5 Managers can seek advice/guidance on conducting facilitated conversations from Human Resources.

## **10 MEDIATION**

10.1 Mediation is a voluntary process for resolving interpersonal differences at either an informal or formal stage of the bullying and harassment procedure and other Trust procedures.

10.2 The process of mediation is designed to help the members of staff involved to share their experiences, identify the impact of the situation on them, and consider how they need to change and what they need from others to resolve the situation.

10.3 Mediation should only be considered when the affected staff are openly committed to resolving their differences. It can help rebuild relations that have been damaged through other Trust procedures, but should not be used in place of formal procedures; where the health and safety of staff and patients is at ongoing risk or in place of clear management instruction on expected behaviours/levels of performance.

10.4 For further information about mediation and how to make a referral, please visit the Mediation site on ICON or contact Human Resources.

10.5 The Trust's learning and development department runs specific programmes for managers and staff on equality and diversity and anti-bullying. Programmes are also available to train and support managers in managing their staff fairly and effectively.

## **11 FORMAL PROCEDURE**

11.1 Where the informal procedure is exhausted or the matter is considered too serious or the member of staff does not wish to deal with the matter informally, a formal written complaint should be made by the member of staff to their manager who will contact HR. Where this is inappropriate the member of staff should make the complaint to a more senior manager.

11.2 In circumstances where a member of staff wants to make a formal complaint without having initially tried to resolve the situation informally, if it is appropriate the manager to whom they make their formal complaint may suggest supporting them to try to resolve the matter informally at this stage. If they do not wish to resolve their complaint informally, the complaint will be formally investigated. It is for the member of staff to decide if they are willing to take this course of action.

11.3 The formal complaint should include the following information

- Clear, specific allegations against the named person(s)
- Where possible, dates, times and witnesses to any incidents
- Relevant documentary evidence
- Details of any informal action taken to address the issue.

- 11.4 An investigating manager will be appointed by the manager receiving the complaint to conduct the investigation under Disciplinary Policy (H1). Consideration will be given to those carrying out the investigations to ensure they reflect the nature of the case, are impartial and are at an appropriate level within the Trust. This means that wherever possible the investigating manager will not have close working links with the work areas (e.g. working in the same Integrated Service Unit) where the members of staff involved are employed. It is essential that the manager investigating the case is not then involved in any related disciplinary case other than providing evidence to the hearing.
- 11.5 The Trust recognises the need to investigate and resolve cases of bullying and harassment in a timely manner, to minimise potential stress to all those involved. However, such cases are often very complicated and need to be dealt with sensitively and thoroughly to ensure that full consideration is given to each situation. The timescales given below are therefore a guide only and may need to be extended for reasons which may include arranging dates for meeting with all parties involved, gathering evidence/ statements etc.
- 11.6 The investigation meetings will be arranged by the investigating manager supported by a Human Resources representative and will normally begin to be conducted within ten working days of the complaint being received by the manager. All parties who are interviewed should maintain strict confidentiality, although anonymity will not be possible. The individual is entitled to representation by a trade union representative or workplace colleague. The individual must take all reasonable steps to attend this meeting. If an individual's representative cannot attend the meeting on the proposed date, the individual can suggest another date so long as it is reasonable and usually not more than seven days after the date originally proposed by the manager.
- 11.7 The investigating manager will normally meet both parties and any relevant witnesses individually. The complainant should be permitted to submit written statements, to be represented or accompanied during the investigation meetings by a trade union representative or a workplace colleague. Where appropriate, witnesses may also be asked to make a written statement.
- 11.8 In the event of a serious allegation of bullying or harassment it may be necessary to separate the two parties in the workplace or until a full investigation has been carried out. Due regard will be paid to the circumstances and rights of both the complainant and the individual alleged to have exhibited unacceptable behaviour. If necessary, both parties concerned may be asked to stay away from work whilst the investigation is being carried out.

The investigating manager may consider options such as:

- Removing individuals from the department/ward, moving one or both to a different department/ward or from one area to another;
  - Exclusion as in accordance with the Trust's Exclusion from Work guidance and procedure may also apply. It will be made clear that suspension is not a disciplinary measure and does not imply guilt or misconduct;
  - It should not be assumed automatically that it is the complainant who should be moved or excluded during the investigation.
- 11.9 Once the investigation has been completed, the investigating manager will submit a written report to the commissioning manager outlining their findings and conclusion.

11.10 The commissioning manager will confirm the outcome of the investigation normally within seven days of receipt of the investigation report or as soon as is practically possible having decided one of the following:

- Take no further action, as the allegation has not been substantiated or there is insufficient evidence.
- Proceed to a formal disciplinary meeting, as the investigation has found that there may be a case to answer in accordance with the Trust's Disciplinary Policy (H1).
- Take alternative management action, as the evidence and/or nature of the complaint does not justify formal disciplinary

11.11 Where a disciplinary hearing is recommended, it will be held in accordance with the Trust's Disciplinary Policy (H1)

11.12 When any formal process has concluded the initial concern raiser will receive formal notification that this is the case.

## 12 ROLES AND RESPONSIBILITIES

12.1 Overall responsibility for ensuring that this policy is implemented rests with the Trust Board of Directors but specific accountability is with the Director of Workforce and Development.

12.2 Managers:

- Are responsible for setting appropriate workplace standards
- Have a responsibility to ensure the working environment is free from bullying, harassment and victimisation and that all employees are treated fairly and with respect
- Are responsible for challenging bullying and harassment. Managers should examine their own behaviour and be aware of circumstances where staff may feel bullied even if bullying is unintended
- Are responsible for taking complaints of bullying and harassment seriously and dealing with them promptly and appropriately
- Must support employees experiencing bullying and harassment and provide the opportunity to discuss matters with their Trade Union, HR and/or any of the support services available within the Trust
- Must ensure that the complainant is not victimised for bringing a complaint forward

The Trust will support managers who legitimately discharge their management responsibilities properly and reasonably without this constituting bullying and harassment where a reasonable and proportionate approach is taken within the Trust's policies and procedures. Examples of good management are:

- Setting achievable standards of work and time limits
- Positively supporting the performance of individual workers
- Addressing matters of performance, attendance and conduct through the appropriate Trust procedures objectively
- Applying Trust procedures in a just and fair manner

12.3 Employees:

- Are expected to treat each other with dignity and respect

- Have a responsibility not to bully or harass other employees nor must employees aid or collude with others to bully, harass or victimise
- Have a responsibility to report bullying and harassment through appropriate channels

All members of staff are responsible for supporting this policy to ensure that all staff can work in an environment that is free from bullying and harassment.

12.4 All staff and managers are required to attend the Trust's mandatory Equality and Diversity and Anti-Bullying training programme.

12.5 Human Resources will provide advice and assistance to all stakeholders.

12.6 The Trade Unions are responsible for working in partnership with the Trust to tackle bullying and harassment at work. The Trade Unions may advise, accompany and/or represent their members at any formal meeting outlined in this policy and procedure. If employees are not represented by a trade union, an employee may be supported at any formal meeting under this policy by a current Trust employee who is not involved in the proceedings. It is the responsibility of the employee to make their own arrangements for their representation or support. With the agreement of all parties, trade unions may attend informal meetings as appropriate.

12.7 There may be occasions when the Trust has a responsibility to take action in respect of bullying and harassment even if these issues have not been raised by individual employees. For instance, because of the severity or circumstances of the alleged conduct, it may be necessary to take action such as initiating disciplinary proceedings.

### **13 FURTHER INFORMATION AND SUPPORT**

#### **Anti-Bullying Advisors**

##### **Freedom to Speak Up Guardians**

Contact at [tsdft.guardian@nhs.net](mailto:tsdft.guardian@nhs.net) or go to See Something Say Something button on ICON for further details

##### **Trade Union Representatives**

For further information and contact details please see: ICON

##### **HR Team**

For details of the HR team please contact:

- HR Helpline – 01803 655754 (ext. 55754)
- [tsdft.humanresources@nhs.net](mailto:tsdft.humanresources@nhs.net)

##### **Employee Assistance Programme**

Access to a team of trained wellbeing and counselling practitioners to support all employees, offering confidential, independent and unbiased information and guidance by telephone, in writing, online and through face-to-face appointments for a wide variety of issues.

Contact them on 0800 031 4674 or for further information go to:  
<https://tsdft.optimise.health/>

## **14 REFERENCES**

ACAS Code of Practice

NHS Employers

NHS Constitution

Royal Marsden NHS Foundation Trust Policy - Bullying and Harassment- Managing Incidents at Work Policy and Procedure

## **15 MONITORING, AUDIT AND REVIEW PROCEDURES**

15.1 This policy will be monitored and audited on a regular basis. A full review will take place every two years by the Directorate of Workforce and Organisational Development unless legislative changes determine otherwise.

## 16 APPENDIX A – OUR VALUES AND BEHAVIOURS



Respect and Dignity	We value each person as an individual, respect their aspirations and commitments in life, and seek to understand their priorities, needs, abilities and limits. We take what others have to say seriously. We are honest about our point of view and what we can and cannot do.
Commitment to quality of care	We earn the trust placed in us by insisting on quality and striving to get the basics right every time: safety, confidentiality, professional and managerial integrity, accountability, dependable service and good communication. We welcome feedback, learn from our mistakes and build on our successes.
Compassion	We respond with humanity and kindness to each person's pain, distress, anxiety or need. We search for the things we can do, however small, to give comfort and relieve suffering. We find time for those we serve and work alongside. We do not wait to be asked because we care.
Improving lives	We strive to improve health and well-being and people's experience of the NHS. We value excellence and professionalism wherever we find it – in the everyday things that make people's lives better as much as in clinical practice, service improvements and innovation.
Working together for patients	We put patients first in everything we do, by reaching out to staff, patients, carers, families, communities, and professionals outside the NHS. We put the needs of patients and communities before organisational boundaries.
Everyone counts	We use our resources for the benefit of the whole community, and make sure nobody is excluded or left behind. We accept that some need more help, that difficult decisions have to be taken – and that when we waste resources we waste others' opportunities. We recognise that we all have a part to play in making ourselves and our communities healthier.



**Standards of expected behaviours**

**Everyone who is contact with our service is likely to be feeling anxious or uncertain about either their appointment with you or their own situation.** We will show empathy, sensitivity, compassion and understanding at all times.

**✓ Behaviour we expect**

**X Behaviour we will not accept**

<b>FOR PEOPLE WHO NEED OUR SERVICES</b>	<ul style="list-style-type: none"> <li>• Aim to meet the needs of our clients and partners in care</li> <li>• Use initiative to enhance care in innovative and imaginative ways</li> <li>• Respect individual cultural differences; challenge bias &amp; prejudice</li> <li>• Provide a high quality and safe service for our clients</li> </ul>	<ul style="list-style-type: none"> <li>• forgetting we are here to provide a service to our clients</li> <li>• criticising colleagues/ disagreeing with them in front of our clients, visitors and other staff</li> <li>• appearing unapproachable or moody</li> <li>• imposing personal beliefs and opinions on our clients</li> <li>• blaming others/other departments for mistakes</li> <li>• wearing inappropriate dress/or having an unprofessional appearance</li> <li>• being unsupportive of change/ of new ideas for improvement</li> <li>• moaning and demoralising others without making an attempt to change things</li> </ul>
<b>PASSIONATE ABOUT SUCCESS</b>	<ul style="list-style-type: none"> <li>• Be prepared to challenge the status quo</li> <li>• Contribute to the Trust’s success</li> <li>• Stretch the boundaries of personal performance</li> <li>• Look for better ways of working to achieve improvements</li> <li>• Question poor practice process &amp; behaviour</li> <li>• Uphold the values and be proud to be part of the Trust</li> </ul>	
<b>WITH INTEGRITY</b>	<ul style="list-style-type: none"> <li>• Be honest and do what you say you will do</li> <li>• Take responsibility and be accountable for your actions</li> <li>• Guard and build the Trust’s reputation</li> <li>• Take into account the human and social impact of our work</li> <li>• Treat everyone in a friendly, courteous manner; smile &amp; make eye contact</li> </ul>	
<b>BUILDING EFFECTIVE TEAMS AND CARING FOR EACH OTHER</b>	<ul style="list-style-type: none"> <li>• Agree on our goals and see them through</li> <li>• Treat each other with dignity and respect</li> <li>• Learn from each other’s’ experiences</li> <li>• Understand and recognise each other’s contributions of being of equal value</li> </ul>	
<b>WORKING OPENLY TOGETHER</b>	<ul style="list-style-type: none"> <li>• Be straightforward in our dealings with each other and build relationships</li> <li>• Listen to others and explain the decisions we have made</li> <li>• Recognise and remove barriers to action</li> <li>• Create an open and positive learning culture</li> <li>• Learn from mistakes &amp; ask others for support where necessary</li> </ul>	
<b>OTHER</b>	<ul style="list-style-type: none"> <li>• Maintain privacy and ensure confidential information is kept safe</li> <li>• Ensure appearance is professional &amp; name badge visible</li> <li>• Use plain language &amp; speak in English when carrying out duties</li> </ul>	

'Our ambition is to achieve the highest standards of care and demonstrating excellence in all that we do'.

## **17 APPENDIX B – GUIDANCE FOR MANAGERS ON THE INFORMAL PROCESS**

The Trust recognises that there are organisational contributors which may lead to allegations of bullying and harassment as detailed below:

- Lack of communication and consultation
- Aggressive responses to suggestions
- Lack of feedback
- Failure to act in response to complaints
- Organisational re-structuring
- Professional disagreements
- Imposed performance targets
- Lack of appraisals or supervision
- Lack of encouragement to work in teams

The list is by no means exhaustive.

It is essential as part of the informal process to consider whether any of the above organisational contributors could have led to the allegation and if so what sort of actions can be taken to resolve the situation for the benefit of all parties concerned.

Dealing with the allegation informally allows you to resolve the problem quicker because it allows you to make clear to the individual that:

- Their behaviour is contrary to the Trust's Policy.
- Their behaviour must comply with the Trust's required standards.
- What the impact of their behaviour is on others.
- That the unacceptable behaviour must cease.
- That the situation will be monitored.
- What the consequences will be if this behaviour continues.
- The discussion is informal and confidential at this stage.

It is always worth noting when dealing with allegations that the formal procedure may, whatever the outcome, mean that all parties can no longer work together which is at the detriment of the department/ward as well as those directly involved.

**18 APPENDIX C – COMPLAINANT PRO-FORMA**

**COMPLAINANT**

**Name:** .....

**Job Title:**

**Department:** .....

**Contact Details:** .....

**Trade Union Representative:** .....

**Trade Union Representative Contact Details:** .....

**PERSON ALLEGED TO HAVE DEMONSTRATED UNWANTED BEHAVIOUR**

**If more than one, please complete pro forma for each individual**

**Name:** .....

**Job Title & Band:** .....

**Department:** .....

**Contact Details:** .....

**Please complete for each allegation**

**ALLEGATION**

**Nature of Allegation:** .....

**Date & Time:** .....

**Details of incident:** .....

**Names and details of witnesses:** .....

**Documentary Evidence:** .....

.....

***Please continue on separate sheet if necessary.***

**ACTION TAKEN TO DATE**

**What action have you taken in an attempt to stop the unwanted behaviour:**

**Have you raised your concerns informally, either directly or through a manager, with the individual alleged to have demonstrated unwanted behaviour?**

**If yes, please provide details of action taken:**

**If no, please explain why:**

**Have you considered mediation?**

**If not, please explain why you feel this may not resolve the problem:**

**Have you been made aware of all the options available to you? .....**

**Please detail the outcome or remedy sought .....**

**Signed: ..... Date: .....**