



## Harassment and Bullying Policy

Little Elms believes that everyone has the right to work in an environment free from harassment and bullying.

Any form of harassment is harmful, may cause distress and can lead to accidents, illness and poor performance. Harassment is unsolicited or unwelcome conduct that humiliates intimidates or undermines the individual involved or creates a hostile or offensive environment. No form of bullying or harassment will be condoned at work or outside of work if it has a bearing on the working relationship.

This policy does not form part of any employee's contract of employment, therefore it may be amended at any time.

### Scope

This procedure applies to all employees.

### Aim

The aim of this procedure is to protect all Little Elms staff from any form of harassment and to provide support and guidance to help resolve any problems that may occur.

This policy covers harassment or bullying which occurs both in and out of the workplace, such as at events or work-related social functions. It covers bullying and harassment by staff and also by third parties such as customers, suppliers or visitors to our premises.

All Little Elms staff must treat others with dignity and respect, and should always consider whether their words or conduct could be offensive.

Little Elms will not tolerate any form of bullying or harassment.

Any individual, who is aware of behaviour that breaches this policy, has a responsibility to highlight this matter to their Nursery Manager, Head of Operations or HR Manager.

### Victims of Bullying and Harassment

It is understandable that an individual who feels bullied or harassed may feel vulnerable and isolated and may be reluctant to highlight their complaint as they may feel their complaint will not be taken seriously. If an employee feels harassed, they should feel confident that the matter will be taken seriously and investigated thoroughly if brought to someone's attention.

Incidents of harassment may be persistent and may continue after the person subjected to the behaviour makes it clear they wish the behaviour to stop. A single incident may constitute harassment. Any Little Elms employee can bring a complaint of Harassment and offensive behaviour even if it is not directed at them.

An employee who suffers from harassment as a result of his or her association with a person who has a protected characteristic i.e. sex, race, sexual orientation, religion or beliefs, disability, pregnancy and maternity, gender reassignment and age is also protected under this policy.

### Examples of Harassment

Harassment includes unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment, this includes treatment that causes an offensive environment for any employee - even if the harassment is not directed at that individual. Harassment can take many different forms and may occur for a variety of reasons, such as sex, sexual



orientation, race, religion or beliefs, marital status (including civil partnerships), disability, pregnancy and maternity, gender reassignment, or age.

It is important to recognise that some behaviour may be considered acceptable to one person, however may not be acceptable to another. If an individual feels harassed, this must be taken seriously and support must be given.

The examples below are not exhaustive, however give an indication of what behaviours may be considered as harassment:-

- Derogatory remarks
- Insensitive jokes or pranks
- Unwanted physical contact
- Unwanted verbal conduct
- Insulting or aggressive behaviour
- Bullying
- Ignoring or excluding an individual
- Setting unrealistic deadlines
- Public criticism
- Substituting responsible tasks with menial or trivial ones
- Purposely withholding information necessary for an individual to carry out their role effectively
- Constantly undervaluing effort
- Lewd comments about appearance
- Displays of racially or sexually offensive material
- Requests for sexual favours and threat of dismissal, loss of promotion or other implications for refusal.
- Speculation about a person's private life and sexual activities.

#### **Recommended Procedures to deal with cases of Harassment**

We recognise that the nature of complaints relating to harassment is likely to be of a sensitive nature and therefore provide a choice of options to encourage you to discuss your problems in confidence and with someone you feel comfortable with. If you believe that you have been subject to any form of harassment then you may address the matter yourself with guidance from your Nursery Manager, Head of Operations or HR Manager or you may ask for support in dealing with the allegations.

If you feel you are a victim of harassment you should make it clear to the individual that you feel the behaviour displayed towards you is unacceptable and that you wish for it to stop.

In the event that you feel unable to deal with harassment yourself (as above), or if this approach has not worked, or if the harassment is considered more serious, you should follow the following guidelines:-

Speak to your Nursery Manager, Head of Operations or HR Manager who will ask you to describe the incident/s that have occurred in as much detail as possible, ideally you should be able to provide the following information:-

- What happened?
- Where did it occur?
- Who was involved?
- Was this the first incident?
- When did it occur?
- Were there any witnesses?
- Has any action been taken to prevent further harassment?
- What is your desired outcome?



Following this initial discussion, further investigations may be required to ask additional questions or to obtain additional information.

Further investigations into the allegations made, in line with Little Elm's Grievance Procedure, will take place as soon as possible. This will involve speaking to the individual against whom the allegations have been made and to any potential witnesses. Where appropriate, the Manager may consider using alternative informal methods to reaching a resolution. For example, if both parties have shown commitment to resolving the situation, the Manager may consider using informal conversations to understand expectations, to share feedback regarding behaviours or mediation.

It is important that all employees involved in the investigations respect the need for confidentiality and therefore any employee involved in an investigation is prohibited from discussing the matter with anyone, other than in confidence with their representative, professional advisers or immediate family. Failure to do so may be regarded as Gross Misconduct and could result in disciplinary action. It is recognised that investigations into alleged harassment or bullying need to be dealt with sensitively, and employees may be reluctant to provide information. Therefore, in appropriate cases, information may be obtained from witnesses on an anonymous basis.

If you are unhappy with the outcome of the investigations, you have the opportunity to appeal against the outcome in line with Little Elm's Grievance Procedure.

If the investigations carried out indicate harassment may have taken place the matter will be handled in accordance with Little Elm's disciplinary procedure and may be considered Gross Misconduct.

Any disciplinary action taken will reflect the severity of the offence and may include the transfer of the employee accused of harassment, on a temporary or permanent basis, suspension of the employee accused of harassment or in cases of Gross Misconduct, dismissal may be considered.

### **General Considerations**

It is the responsibility of the appropriate manager to ensure that any employee who makes a complaint of harassment is not victimised

Any complaints found to be false or malicious may be regarded as Gross Misconduct and could result in disciplinary action being taken against the complainant.

Once a complaint has been fully investigated and any action taken, the appropriate Manager should review the situation between both parties after time has been given to allow the relationship to return to normal, to ensure problems have not continued.

In the event the complaint made relates to an individual's immediate Manager, the next level Manager will support the investigations.

Disciplinary action may be taken against an individual who fails to fulfil their responsibilities under this policy.

### ***Associated Documents:***

- ***Disciplinary Procedure***
- ***Grievance Procedure***
- ***General Data Protection Regulations Policy***