



## **ANTI-BULLYING POLICY**

RESTART Lives does not condone bullying in any form. The charity expects staff not to bully one another, volunteers, guests or any other person they come into contact with in their capacity with Restart Lives. Restart Lives will take allegations of bullying seriously, will investigate and will take either informal or formal action where necessary.

This policy is formulated from the best practice guidelines given by ACAS.

Although there is no legal definition of bullying, it can be described as unwanted behaviour from a person or group that is either:

- offensive, intimidating, malicious or insulting
- an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone

Bullying might:

- be a regular pattern of behaviour or a one-off incident
- happen face-to-face, on social media, in emails or calls
- happen at work or in other work-related situations
- not always be obvious or noticed by others
- It's possible someone might not know their behaviour is bullying. It can still be bullying even if they do not realise it or do not intend to bully someone.

### **Examples of bullying**

Examples of bullying at work could include:

- constantly criticising someone's work
- spreading malicious rumours about someone
- constantly putting someone down in meetings
- deliberately giving someone a heavier workload than everyone else
- excluding someone from team social events
- putting humiliating, offensive or threatening comments or photos on social media
- Upward bullying
- Bullying can also happen from staff towards someone more senior, for example a manager. This is sometimes called 'upward bullying' or 'subordinate bullying'.

It can be by one employee or a group of employees.

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Examples of upward bullying can include:

- showing continued disrespect
- refusing to complete tasks
- spreading rumours
- constantly undermining someone's authority
- doing things to make someone seem unskilled or unable to do their job properly
- It can be difficult for someone in a senior role to realise they're experiencing bullying behaviour from their staff.

It's important to consider the real reasons for the behaviour. For example, there might be a wider issue with the culture of the organisation that can be identified and addressed. You can raise concerns about the culture in general, or suggest ways to improve policy or procedure to help to make bullying less likely, or less possible. The senior members of the charity will always keep anti-bullying in mind when formulating any new process, procedure or policy and welcome support in further stamping out bullying.

### **When bullying might be harassment**

Bullying and harassment are often confused. By law (Equality Act 2010), bullying behaviour can be harassment if it relates to any of the following 'protected characteristics':

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation

We take harassment very seriously and, as well as following normal bullying complaints procedure, will escalate the complaint to the relevant services outside of the organisation if harassment is taking place.

### **Employer responsibilities**

Employers and employees have a mutual duty to treat each other honestly and with respect.

This means employees have the right to:

- have trust and confidence in their employer
- expect not to be bullied at work

Employers have the right to:

- expect employees not to bully each other
- expect employees to treat their managers with respect and follow all reasonable instructions

Employers also have a legal duty to protect their employees from harm. This includes dealing with bullying issues.

Employers should:

- do all they can to try to prevent bullying happening
- take any bullying complaint seriously and look into it as soon as possible

### **How Restart Lives handles complaints**

Complaints can be either formal or informal.

If you want to make an informal complaint, you should first make this complaint to your manager. You can do this as a chat in person or over the phone, within a one to one meeting you request, or via email.

If your manager is the person you are concerned about, you should approach their manager. You should not go directly to the CEO or a member of the Board of Trustees with an informal complaint unless you need to do so because of the nature of the complaint.

The person hearing the complaint will:

- Listen
- Ask for specific types of information or details
- Answer questions about the complaints process
- Ask you what course of action you are hoping for
- Let you know the steps they feel they need to take if those are different from the course of action you would like and explain to you why those are the chosen steps

They may contact the ACAS helpline for support in handling the complaint or concern in the best possible way.

We will always seek to resolve a complaint informally if at all possible. This is in accordance with ACAS advice and takes into account the stress and delays that can be incurred by formal processes. Some issues, however, cannot be dealt with informally even if the person raising the complaint would like them to be. We will always be proportionate in dealing with complaints or concerns and are not hesitant to pursue a formal complaint if that is the appropriate level.

The types of complaints that will almost always warrant formal procedures (whether relating to bullying or other accusations) include:

- Serious breaches of safeguarding policy
- Sexual misconduct
- Sexual harassment
- Violence, threats of violence or intimidation
- Serious financial misconduct
- Repeated insubordination
- Targeting a person based on protected characteristics
- Repeat of bullying behaviour after an informal procedure

If dealing informally with a complaint, the types of action taken by the manager, or other appropriate senior member of the team might include:

- have a quiet word with the person who's been complained about
- arrange a meeting with everyone involved
- offer mediation

We will need to deal with the complaint formally if:

- the employee raising the issue is not willing to try to resolve it informally
- this organisation's policy says the type of situation they're complaining about must be dealt with formally (see above)
- the complaint is very serious
- the situation could lead to disciplinary action against another employee

A formal complaint should again be made to your manager, or your manager's manager if the complaint is about your manager.

A formal complaint needs to be made in writing.

The complaint needs to be as clear and detailed as possible. A formal complaint cannot preserve the anonymity of the person being complained about, or the detail of what behaviour or event has occasioned the complaint. In other words, it needs to involve a person, event or incident for the person receiving the complaint to look into. If possible, details such as places, times, any witnesses, and any other evidence that supports your complaint.

The complaint will be stored in a folder on the G Drive accessible by the Programmes Manager, the CEO, and the Chair of the Board of Trustees. They will store all information relating to this complaint in that same folder.

Your manager will inform the CEO and the Chair of the Board of Trustees if a formal complaint is made. The complaint will be discussed openly between them.

You will be invited to attend a meeting with your manager and at least one of the CEO and the Chair of the Board of Trustees where they will:

- Listen
- Ask for specific types of information or details
- Answer questions about the complaints process
- Let you know the steps they feel they need to take

The kinds of actions they may take while investigating the complaint might include:

- Moving the person(s) who has/have been complained about to a different shift, or location so as to keep them separate from the person making the complaint.
- Move the person making the complaint but usually only if they ask to be the one moved.
- Suspending the person pending investigation.
- Contact external services including the police if necessary.

Those investigating will let the person complaining know what steps they are taking and keep them up to date with the investigation as much as is possible to do.

If you are looking for external support either before, during or after making a complaint, the following are options suggested by ACAS:

- Equality Advisory and Support Service (EASS) – for advice on dealing with discrimination
- Samaritans – for anyone struggling to cope

Those investigating the complaint may decide that no action is required. They will explain this decision to you and you will have a chance to respond.

A warning may be given to the person or people who you have complained about.

Procedure, policy and processes may be changed to ensure as far as possible that there can be no repeat instances.

They may decide they need to take formal disciplinary action.

They may decide that external services also/instead need to be involved and take the action.

If a disciplinary hearing is to take place, the procedures in the 'Procedures for Handling Bullying Complaints' document will be followed.

The outcomes of a disciplinary hearing could be:

- Informal warning
- Formal warning
- Dismissal
- Change of role, including demotion
- Change of working location
- Setting of performance/behaviour management objectives, with possibility of dismissal if failure to meet those within given time period(s)
- Requirement to take specified training or qualifications before resuming role
- Other outcomes that relate to the specific complaint more closely or that emerge from outside specialist advice/proceedings

Whatever conclusion they come to, they will explain their decision to you and you will have a chance to respond.

Those investigating will write notes while they investigate and about their conclusions as well as about any action to be taken and those notes will be kept on file with the original complaint. As long as it doesn't compromise GDPR or put others at risk, they can share those notes with you on request.

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