



City of Sanctuary
Sheffield

Creating a Culture of Welcome

ANTI-BULLYING AND ANTI-HARASSMENT POLICY

Version	1.0
Date of approval:	September 2020
Approved by:	Board of Trustees
Date for review	September 2023

1. Introduction

City of Sanctuary Sheffield (CoSS) is committed to ensuring that all members of staff and volunteers are treated professionally, courteously and with dignity. All harassment and bullying is strictly prohibited by CoSS whether it takes place within the premises of the Sanctuary or outside, including at the drop-in at Victoria Hall, (or other venues) social events, training sessions or conferences etc.

CoSS operates a zero tolerance policy regarding any harassment or bullying of members of staff or volunteers, and will ensure that every employee and volunteer has the right to air their concerns should this occur. Bullying or harassment is a serious matter and could amount to gross misconduct.

2. Scope

This policy applies to all staff, volunteers and trustees. Its procedures link to the Disciplinary and Grievance Policies in the case of staff, and to the Volunteer Policy in the case of volunteers.

3. Definitions

For definitions of bullying, harassment and cyberspace, please see Appendix A

4. Procedure

What to do if facing bullying and/or harassment.

4.1 Informal Stage

This stage is appropriate where the staff member or volunteer simply wants the behaviour to stop, where the harassment or bullying is not serious, or where it has not been repeated.

Staff members and volunteers can seek to resolve matters informally by:

- a) Approaching the alleged harasser or bully directly, making it clear to the person(s) harassing or bullying the staff member or volunteer that the behaviour in question is offensive is not welcome and should be stopped; or
- b) Approaching the alleged harasser or bully with the support of a colleague; or
- c) Approaching the alleged harasser with the support of the line manager; or
- d) If they find this is too difficult or embarrassing, staff members or volunteers may request the manager to approach the alleged harasser or bully on their behalf. Alternatively the staff member or volunteer could contact CoSS for a contact person on the Board of Trustees.

Where an employee or volunteer seeks the support of their line manager, they must be aware that initially at the informal stage their role is only one of support and assistance.

The line manager will advise the employee that a formal investigation and possible disciplinary action can only take place if the complaint is investigated under the formal procedure. A simple written record of this will be made to assist with any formal proceedings that may arise if the behaviour does not stop.

All reported incidents of harassment and bullying will be monitored and, in the event of any patterns emerging, management may wish to initiate its own formal investigation and take remedial action where this proves necessary. Additionally, there may be situations where the seriousness of a complaint warrants formal proceedings.

4.2 Formal Stage

The formal complaint procedure is appropriate if the harassment or bullying is serious, and if the person making the complaint prefers this or if the harassment continues after informal procedures have been used.

The staff member or volunteer should raise their complaint with the line manager. An independent person (e.g. a trustee) may then be appointed to investigate the matter further. The manager carrying out the investigation at this stage should not be connected in any way with the allegation that has been made. If the Director is the line manager who is accused of bullying or harassment, the Co-chairs or the Chair of the HR Subcommittee should be notified and they are responsible for carrying out the investigation. (for contact details of the Co-chairs and the Chair of HR Committee, please see Appendix B)

The manager conducting the investigation will check all records to ensure accuracy.

Time Limits

The procedure will normally be completed within 20 working days of the complaint being received. Where this is not possible, the procedure will be completed as soon as practicable. Both parties will be informed of the revised timescale.

Making the Complaint

Complaints should be raised as soon as possible following the alleged harassment or bullying so that the matter can be dealt with swiftly and decisively.

While it is preferable that the complaint should be made in writing to the manager, this does not preclude the investigation of a complaint made verbally. The manager will acknowledge receipt of the complaint and arrange to meet the complainant within three working days.

At the meeting the manager will clarify with the complainant and formally record the nature of the complaint and that it is being handled under the formal procedure. The manager will advise the complainant that he or she has the right to be accompanied by a representative, friend, or a work colleague to any of the meetings.

Avoiding Contact between Complainant and Alleged Harasser or Bully

The issue of avoiding contact between complainant and the alleged harasser or bully must be considered before action is taken to inform the alleged harasser or bully of the complaint. The manager will take appropriate action to minimise the potential for any harassment or bullying, including the possibility of changing work patterns and flexible working. Both parties should also be advised that there should be no communication between them, directly or indirectly, in relation to the complaint.

Where a case of serious harassment or bullying has been alleged, consideration will be given to precautionary suspension of the alleged harasser or bully to enable the

investigation to proceed. An individual will have the right to be accompanied and represented at this meeting by a representative or work colleague not acting in a legal capacity, as appropriate.

Informing the Alleged Harasser

The manager will meet with the alleged harasser or bully and outline the complaint. The manager will confirm that it is being handled under the formal procedure and ensure that the individual is aware of the next stages of the procedure. The manager will advise the alleged harasser or bully that they have the right to be accompanied by a representative or work colleague.

Following this meeting the manager will write to the alleged harasser or bully outlining the nature of the complaint and set a date for a formal meeting to be held within five working days of the complaint being received.

The Investigation

The investigation should involve at least the following:

- The manager and/or Board of Trustees will seek to resolve the matter as quickly as possible.
- Every effort will be made to have held all necessary meetings within ten working days of the date the complaint was received. Where this is not practicable the complainant and the alleged harasser or bully will be so advised.
- The purpose of these meetings is to establish the facts. All those giving information to the manager will do so in private and not in the presence of any other person involved in the incident. A record of all meetings will be kept by the manager or Board of Trustees. All evidence provided to assist with the investigation will be treated as confidential to the investigation subject to statutory requirements.

Meeting with the person alleging harassment

The manager and/or member of the Board of Trustees will meet with the person alleging harassment or bullying and consider both what they have to say and any other related matters. The person alleging harassment or bullying will have the right to be accompanied by a representative, friend or work colleague not acting in a legal capacity, as appropriate.

Meeting with the alleged harasser or bully

The manager and/or member of Board of Trustees will meet with the alleged harasser or bully and hear what they have to say about the alleged incidents and any other related matters. The alleged harasser or bully will have the right to be accompanied by a representative, friend, or a work colleague as appropriate. This will not be the same person who accompanies or represents the complainant.

Meeting with Anyone Who Can Assist with the Investigation

The manager and/or member of the Board of Trustees will meet with anyone who can assist with the investigation. This may include other staff members, volunteers and anyone who observed the complainant's demeanour immediately before and after the alleged incidents. Each individual will be asked to outline what happened.

The manager and/or member of the Board of Trustees will meet the manager of both the complainant and the alleged harasser or bully to establish if there has been any history of conflict between them or with other parties.

Consideration of Information

Having obtained all the information possible, the manager or member of the Board of Trustees will consider whether CoSS's disciplinary procedure should be invoked or some other action taken.

The manager undertaking the investigation will prepare a written report outlining the facts, indicating their findings, and whether the disciplinary procedure should be invoked or other action taken. When the manager does not have the authority to take the necessary action, this report will be forwarded to the appropriate level of management.

Decision of Disciplinary Action

The manager will then decide either to initiate CoSS's disciplinary procedure against any party as appropriate or to take no further action or to take any other appropriate management action – for example the provision of training or counselling.

Having made a decision on the most appropriate course of action, this will be communicated in writing to both the person who has complained and the person about whom the complaint was made.

After the Investigation is Complete

Where the complaint has been upheld, the complainant may wish to avoid further contact with the harasser or bully. Should the harasser or bully remain in employment with CoSS and where it is agreed that further contact between individuals concerned would be unacceptable, every effort will be made to facilitate this. Consideration should also be given to rearranging working patterns to avoid meetings. Where a new working pattern occurs for the complainant it should not lead to any disadvantage to them.

Where the complaint is not upheld or, for example, where evidence is inconclusive, consideration should still be given, where practicable, to changing working patterns to avoid meetings. The manager should meet or contact the individual who has alleged harassment or bullying on a regular basis to offer support. This action will be undertaken even where the complaint has not been upheld.

The manager of the harasser or bully will be responsible for ensuring that they are made fully aware of CoSS's policy on equal opportunities and harassment, and the law relating to these matters.

Appendix A

Definition of harassment

Harassment means unwanted conduct which has the purpose or the effect of violating the other's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment is covered by Section 26 of the Equality Act 2010 and relates to 'protected characteristics' such as religion or disability.

Examples of harassment (this list is not exhaustive) include verbal or written harassment in the form of jokes, inappropriate banter, offensive language, gossip, slander, letters, racist, sexist, homophobic remarks, isolation or non-cooperation in the workplace, exclusion from social activities, coercion for sexual favours, to pressure to participate in political/religious groups, unwanted physical contact including patting, pinching, stroking, kissing, hugging, or inappropriate touching, punching, hitting, slapping. Harassment can also be non-verbal or physical for example harassment can be leering, display of sexually explicit or suggestive material, obscene/crude/suggestive gestures, and whistling.

In very serious cases (e.g. sexual assault or physical threats) harassment might also be a crime.

Definition of bullying

Bullying is defined as persistent, offensive, abusive, intimidating or insulting behaviour, an abuse or misuse of power or unfair sanctions which make the recipient feel upset, threatened, humiliated or vulnerable, which undermines their self-confidence and which may cause them to suffer stress.

Examples of bullying (this list is not exhaustive) include aggressive yelling or shouting, unwarranted physical contact or threatening gestures, making repeated negative comments about a person's appearance, lifestyle, family, or culture, regularly inappropriately teasing or making someone the brunt of pranks or practical jokes, circulating inappropriate or embarrassing photos or videos via email or social media, unnecessarily interrupting or disrupting someone's work, inappropriately interfering with a person's personal property or work equipment, repeatedly discounting a person's statements in group meetings, unfavourably comparing one person to others, blaming a person for problems they did not cause, taking credit for another's contributions, spreading misinformation or malicious rumours, purposefully inappropriately excluding, isolating, or marginalizing a person from normal work activities, assigning tasks that are beyond a person's skill level, excessively monitoring an employee's work, giving feedback in an insincere or disrespectful manner.

Cyberspace

Bully and harassment can happen face-to-face or through cyberspace. It is important to bear in mind that some types of harassing or threatening behaviour – or communications – could be a criminal offence in law.

Appendix B

Contact details of Co-chairs and Chair of HR Committee

Co-chairs: Craig Barnett (craig.barnett@sheffield.cityofsanctuary.org)

Tina Ball (tina.ball@sheffield.cityofsanctuary.org.)

Chair of HR Committee: Tina Ball (tina.ball@sheffield.cityofsanctuary.org)

Details correct as of September 2020.