Dignity at Work Policy (incorporating Bullying & Harassment at Work)

Introduction

This policy is designed to give guidance to all staff on the behaviour expected to ensure a working environment where everyone is treated with dignity and respect in line with the Trust Values. It also provides information about the support available to staff and the processes to be followed for dealing with unacceptable behaviour.
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<tr>
<th>Date of Version</th>
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<td>1</td>
<td>Director of Workforce and Organisational Development</td>
<td>Scheduled review</td>
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1. **Introduction**

All employees have the right to be treated with consideration, dignity and respect, and we all have a responsibility to set a positive example by treating others with respect and to act in a way which is in line with the Trust’s Values.

University Hospitals Bristol NHS Foundation Trust is committed to work towards a more inclusive and supportive working environment for all of our staff. This includes providing an environment free from harassment, bullying, discrimination or abuse from colleagues or service users.

The Trust will not tolerate bullying, harassment or discrimination in any form. It recognises that it has legal responsibilities to prevent harassment related to age, disability, caring responsibilities, pregnancy, marital status, race, colour, ethnic or national origin, sex, sexual orientation and gender identity.

2. **Purpose**

This policy has been developed to ensure that everyone knows:

- the sort of behaviour we expect to see to ensure dignity at work for all
- the sort of behaviour which is not acceptable
- what support is available to staff who feel bullied, harassed or discriminated against
- what steps you can take if you feel you are not being treated with dignity and respect, including how to make an informal or formal complaint
- what will happen during these processes

3. **Scope**

This policy applies to all employees of University Hospitals Bristol NHS Foundation Trust. It also applies to agency workers, students, trainees, holders of honorary contracts, volunteers and contractors who may not be directly employed by the Trust but are carrying out work on behalf of the Trust. Employees, contractors and agency workers will be referred to as “staff” for ease throughout the policy.

4. **Definitions**

4.1 **Positive Behaviours - Trust Values**

**Respecting Everyone**
We treat everyone with respect and as an individual
We put patients first and will deliver the best care possible
We are always helpful and polite
We have a can do attitude in everything we do

**Embracing Change**
We will encourage all change that helps us make the best use of our resources
We learn from our experiences and research new ideas
We look to constantly improve everything we do
Recognising Success
We say thank you and recognise everyone’s contribution
We take pride in delivering the best quality in everything we do
We share and learn from each other
We encourage new ideas that help us be the best we can

Working Together
We work together to achieve what is best for patients
We support each other across the whole trust
We listen to everyone
We work in partnership inside and outside the organisation

4.2 Unacceptable Behaviour
The Trust defines unacceptable behaviour as any form of conduct or behaviour of a physical, verbal or non-verbal kind which has some or all of the following elements:
- is unwanted, unsolicited, unreasonable and personally offensive to the recipient(s) (irrespective of the intentions):
- creates an intimidating, hostile or humiliating work environment for the recipient(s) affecting their dignity whilst at work:
- fails to both respect the rights and recognise the impact that such behaviour may have on others:
- threatens job security or disadvantages the recipient(s) in some way.

4.3 Harassment
Harassment is defined in the Equality Act 2010 as 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.

It is regarded as any conduct related to sex, race, colour, ethnic or national origin, disability, age, sexual orientation, gender reassignment, religion or belief or any other personal characteristic that is unwanted by the recipient.

4.4 Bullying
ACAS defines bullying as offensive, intimidating, malicious or insulting behaviour which make the recipient feel upset, threatened, humiliated or vulnerable and which undermines self-confidence and may cause suffering and stress.

More information about what is bullying and harassment is in Appendix B.

4.5 Discrimination
There are several types of discrimination defined under the Equality Act 2010. The most straightforward is Direct Discrimination. This means treating someone less favourably than someone else because of age, disability, gender reassignment, marital status, race, religion or belief, sex, sexual orientation or pregnancy and maternity.

Further information about different types of discrimination is included in the ACAS booklet Equality-and-discrimination-understand-the-basics

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4.6  **Cyber-bullying**

Cyber-bullying can be defined as: “Bullying, harassment and victimisation conducted through social media such as blogs or social networking.”

Examples of cyber-bullying include:

- posting offensive or threatening comments directed at a member of staff, patient, relative, carer or visitor
- posting inappropriate photographs, or the posting of sensitive personal information of or about a member of staff, patient, relative, carer or visitor
- pressuring staff, patients, relatives, carers or visitors to join online groups

More information about cyber-bullying is included in the Trust’s [Social Media (for Personal Use) Policy](#).

4.7  **Speaking Out (Whistleblowing)**

Speaking Out, or whistleblowing, is when you speak out about something you are concerned about at work because you believe it needs bringing out into the open for the public good.

If you see something at work that you believe is negligent, improper or illegal, then you should report this to the relevant people. The Speaking Out (Whistleblowing) Policy tells you what type of concerns are covered and the process to follow. You can find out more on the Speaking Out/Whistleblowing page on HR Web.

5.  **Duties, Roles and Responsibilities**

5.1  **All Staff**

Each member of staff is responsible for their own behaviour and for ensuring their conduct is in line with the standards set out in this policy, and with the Trust Values. **We** are expected to:

- Set a positive example by treating others with respect
- Not accept behaviour that may be offensive to us or to others, and take positive action to make sure that we speak up about unacceptable behaviour or report it
- Be supportive of colleagues who may be subject to bullying, harassment or abuse
- Be aware of this policy and comply with it

All members of staff are encouraged to report incidents of bullying, harassment or abuse to a senior manager, even if they are not the victim.

Members of staff with line management responsibilities have a particular responsibility to challenge and prevent bullying and harassment and to deal with issues and complaints as they arise.

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5.2  **Trust Board, Senior Leaders and all Managers**

All managers have a responsibility to implement this policy and to bring it to the attention of staff in their work area, in order to establish and maintain a work environment which protects and promotes dignity at work and is free from harassment, bullying, discrimination or abuse. They are expected to:

- Set a positive example by treating others with respect and setting standards of acceptable behaviour
- Protect the dignity of all our employees and other individuals
- Provide advice, information and support that protects the dignity of our workers
- Promote a working environment where harassment, bullying and abuse is unacceptable and not tolerated
- Tackle and, where possible, resolve incidents of harassment, bullying or abuse
- Treat each complaint seriously and sympathetically and with an open mind, and deal with it promptly and confidentially, giving the individual and the alleged perpetrator full support during the whole process
- Consult with Employee Services or Divisional HR Business Partner at any time for advice and support, and follow the processes set down in this policy
- Where included in their job roles, review all policies and procedures so that they are consistent with the principles of justice, fairness and respect for employees and the organisation

5.3  **Human Resources**

Employee Services and Divisional HR Business Partners have a responsibility to ensure that the policy is followed fairly and consistently. Their duties include:

- Advising and providing support for staff and managers who are involved in incidents of harassment, bullying or abuse in the course of their employment
- Advising and supporting managers in the application of the policy
- Ensuring the effective implementation of the policy
- Monitoring incidences of bullying and harassment and initiating appropriate action
- Reviewing and amending this policy as necessary, in partnership with Staff Side

5.4  **Staff Side**

Staff Side colleagues provide advice and support for individuals who feel that they are being harassed or bullied or subject to unacceptable behaviour in the course of their employment, or are the subject of a complaint against them. Please contact the Joint Union office (0117 34 20826) or email Unions@UHBrstol.nhs.uk for more details.
6. **Policy Statement and Provisions**

6.1 **Dignity and Respect**

All staff are entitled to work in an environment where they are treated with dignity and respect. Pressures at work or outside of work are not an acceptable reason for treating others without respect.

The Trust’s commitment is to:

- ensure the dignity at work of all employees
- respect and value differences
- make full use of the talents of our workforce
- show our commitment to equal opportunities for all
- prevent acts of discrimination, exclusion, unfair treatment and other unacceptable behaviours
- be open and constructive in our communications
- be fair and just in our dealings
- promote positive behaviours throughout the Trust

6.2 **Unacceptable Behaviour**

The Trust will not tolerate the unacceptable behaviours described in the Definitions on page 5. Although sometimes it is very clear when someone’s words or actions are not acceptable, it is important to remember that if an individual feels that behaviour is offensive to them it could be bullying or harassment – even if it was not intended to cause offense.

6.3 **Bullying and Harassment**

Bullying or harassment can have a devastating effect on people at work, often causing anxiety and loss of confidence which can result in ill health and absence from work. It can also have a damaging effect on the working environment, creating tensions in the workplace which can lead to poor quality work, low morale and high turnover.

6.4 **Good working relationships**

Good working relationships are important to creating a culture of dignity and respect. The Trust is committed to encouraging good, honest, open communication at all levels in work teams and recognises the need to provide support for staff who work in isolation. Poor working relationships can contribute to workplace stress. You can find more information about the support available to staff suffering from workplace stress on the [Work Related Stress] page on Connect.

6.5 **Speak up and speak out**

It is up to all of us to speak up and speak out against bullying, harassment, discrimination and any unacceptable behaviour. If we all speak up when we see this sort of behaviour we can make it clear that it is not acceptable and will not be tolerated.

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Everybody who works for the NHS has a duty to raise genuine concerns if they think that something is happening at work which is wrong or illegal and affects other people including patients, members of the public, or staff. The Trust has a Speaking Out (Whistleblowing) Policy and a detailed Speaking Out Procedure which takes you through the steps to follow if you have a concern.

6.6 Support for Staff

Anyone who is concerned about harassment or bullying can ask for support from their line manager or a senior colleague. If you would prefer to talk to someone outside your team, you can get help and advice from:

The Trust’s confidential Harassment and Bullying Advisors’ Service. Phone (0117 34) 23406 or email (BHAdvisors@UHBristol.nhs.uk) at any time. Leave a message and your contact details and an Advisor will call or email you back.

The Joint Union Office – phone (0117 34) 20826 or email Unions@UHBristol.nhs.uk

The Employee Services team – (0117 34) 25000, option 3

The Staff Counselling Team – (0117 34) 20611 or 20612

The Occupational Health Department (0117 34) 23400

This support is available if you think that you are experiencing harassment or bullying at work or believe you have seen this happen to someone else, and if you have been accused of bullying or harassment.

The Freedom to Speak Up Guardian and Advocates will give independent and impartial advice and support on how to raise a concern. Phone (0117 34) 21577 or email raisingconcerns@uhbristol.nhs.uk.

7. Seeking Resolution

7.1 Informal Approach

Informal methods of dealing with unacceptable behaviour are often the quickest and most effective. If you think that someone is bullying you or behaving in another way which is not acceptable and you feel that you can talk to them about it, explain to them how they are making you feel and ask them to stop. (Sometimes individuals don’t realise the effect their behaviour is having on other people, so this direct approach might make them stop and think.)

If this does not work, or you feel that you cannot approach the individual directly, ask your line manager, their manager, or a senior colleague for help.

7.2 Discussion with a manager

Tell your line manager (or appropriate manager or senior colleague) what has been happening, and ask to have a meeting with them and the individual whose behaviour is causing the problem. (This meeting should be arranged at the earliest opportunity.)

At this meeting the issues should be discussed and, if possible, resolution reached.
7.3 Facilitated Meeting

If you don’t feel able to discuss the matter with your manager or if you are not satisfied with your manager’s response, you can contact Employee Services to ask for a facilitated meeting.

This is a meeting between the person who feels they have been the subject of unacceptable behaviour and the person they are complaining about, with an appropriate person there to facilitate (make it easier). The appropriate person might be an independent manager or a member of the HR or Employee Services Team. They will make sure that the issues are discussed in a safe, confidential, and supported way with the aim of reaching a resolution.

If a facilitated meeting is appropriate, a member of the Employee Services Team will contact an appropriate person to request the meeting and let you know that they have done so. If the meeting is not set up within a reasonable time, let the Employee Services Team know and they will follow this up with the person who was contacted.

At this meeting the issues should be discussed and, if possible, resolution reached. If necessary, more than one facilitated meeting can take place to resolve the issue. (This might be with a different appropriate person facilitating the meeting.)

Where at all possible this would be the preferred way of resolving the matter in the most timely way and with the least distress and disruption to those involved.

7.4 Mediation

If it has not been possible to reach a resolution through a facilitated meeting (or meetings), then the more structured Mediation process might be appropriate. Please note that this is an optional stage in the process.

Mediation is a completely voluntary and confidential form of alternative dispute resolution. It involves an independent, impartial person (usually one who has been trained as a mediator) helping two or more individuals or groups to reach a solution that is acceptable to everyone.

Mediation can be used at any stage in a dispute but is most effective before positions become entrenched.

The overriding aim of workplace mediation is to restore and maintain the working relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past.

If it is decided that mediation is appropriate and should be arranged, the mediator will contact the individuals involved to explain the process.

Where agreement is reached and the mediator and all parties have a reasonable belief that the matter has been satisfactorily resolved, no further formal action will be taken.
7.5  **Formal Process**

If a resolution cannot be reached through the informal steps or mediation, or if the allegations are more serious than can be addressed by the informal process, or if an informal approach is inappropriate, these are the steps of the formal process.

7.6  **Raising a Formal Complaint**

Ask for advice from the Employee Services Team, your Divisional HR Business Partner or Staff Side representative about raising a formal complaint of harassment, bullying or unacceptable behaviour.

You will need to make it clear that you are raising the complaint formally, and explain any informal steps which have already been tried. You should include the name of the person or people the complaint is about, the nature of the behaviour and any other information you have (for example, dates/times and details of any witnesses). There is a form on page 23 which may help you.

If you belong to a Trade Union or professional body, you may wish to ask their advice.

The written complaint should be sent to an appropriate manager, who should acknowledge receipt in writing within 5 working days.

The line manager or other appropriate senior manager or Employee Services will arrange for the complaint to be formally investigated by an appropriate manager in a timely manner and, wherever possible, make these arrangements within 15 working days of receipt of your written complaint.

7.7  **Investigation**

The appropriate manager, with advice from Employee Services or the HR Business Partner will also consider whether any other steps should be taken to support everyone involved. (For example, while the investigation is being carried out and depending on the circumstances, member(s) of staff may be temporarily moved as a supportive measure.)

All parties will be advised that this is a formal investigation into a complaint of harassment, bullying or unacceptable behaviour. If you do not receive details of the next steps, please contact Employee Services. The investigating officer will carry out the investigation with support from Human Resources.

The investigating officer will meet separately with the complainant and the person against whom the complaint has been made. Where there are witnesses to the alleged behaviour, they will also be interviewed and/or asked to make statements.

The investigating officer will undertake the investigation and provide a written report of findings to an appropriate Senior Manager. This should be done within a maximum of two months of receipt of the complaint and within 28 days where possible.

The report will make recommendations about how to resolve the situation and/or that there is evidence to warrant proceeding to a disciplinary hearing under the terms of the Trust’s Disciplinary Policy and Procedure.
7.8 Outcomes

The decision about the next steps will be made by the appropriate Senior Manager to whom the report has been given. This Senior Manager will consider the report and reach a decision that either:

- the investigation has established that there is sufficient evidence for the matter to be considered at a disciplinary hearing

The complainant should be written to by the Senior Manager within 5 working days to confirm this outcome. The procedure in the Disciplinary Policy will then be followed. (Please note that the outcome of the disciplinary hearing might not be shared with the complainant for reasons of confidentiality.)

Or

- the investigation has established that there is not enough evidence to be considered at a disciplinary hearing, but there are concerns which need to be addressed and the recommendations made in the report to resolve the situation should be followed.

If it is decided that the matter will not go to a disciplinary hearing, separate meetings should be arranged with the person who has made the complaint and the person about whom the complaint has been made. (The investigating officer, with advice from Human Resources, will make the arrangements for these meetings, which should happen as soon as possible after a decision has been reached.) These meetings are to explain the findings of the report and the recommendations which have been made, and must be followed by a letter which includes the recommendations.

The follow-up letter should include agreed actions, who is responsible for them, and when they should be completed.

Staff who take part in investigations/hearings in good faith must not suffer any retaliation or victimisation as a result. Anybody who is found to have victimised another member of staff in this way will be subject to a disciplinary process.

Anybody found to be making vexatious or malicious complaints will be investigated under the disciplinary policy.

7.9 Appeal

If you raise a complaint of harassment, bullying or unacceptable behaviour which is investigated, and you are dissatisfied or disagree with the outcome of the investigation, you can request a further management review of the case by an independent and more senior manager. Your request should be submitted in writing, within 10 working days of the written outcome being received, stating why you disagree with the decision. The independent manager will review the case, seeking clarification from the investigating manager where necessary, and will confirm the final decision within 15 days of receiving the written request for a review (where possible). Once the review has been carried out there will be no further right to a review or to an appeal.

Please note that there is a key difference between the right of appeal under the Dignity at Work Policy and the Disciplinary Policy. This is summarised below:

- If you raise a complaint of harassment, bullying or unacceptable behaviour which is investigated, and you disagree with the outcome, you have a right to ask for an independent management review of the case. This review will be considered outside of the Appeals Policy.
• If the outcome of the investigation is that the matter goes to a formal disciplinary hearing, and you disagree with the decision of this hearing, you do not have a right of appeal against it.

The person against whom the complaint is made does not usually have a right of appeal against the outcome of an investigation, but does have a right to appeal against the decision of a formal disciplinary hearing. Once an appeal has been heard, under the terms of the Trust’s Appeals policy, there will be no further right of appeal.

7.10 Representation

At all formal stages of the process, the person making the complaint and the person the complaint is about has a right to be accompanied by a colleague, trade union or professional association representative, or a friend not acting in a legal capacity.

8. Monitoring and Assurance

Incidents of harassment, bullying or unacceptable behaviour brought to the attention of Human Resources will be recorded on the Trust’s Case Management System. Data relating to cases that have been reported will be shared on an anonymised basis quarterly with staff side via the Trust Partnership Forum. Data will also be published in line with statutory requirements.

Data will be analysed and, together with review of feedback from the Annual Staff Survey and Workforce Race Equality Standard, used to identify trends and interventions needed to address any problem areas.

The effectiveness of this policy and procedures will be monitored by the Trust’s Equality & Diversity Group quarterly, and included in a six-monthly Report to the Trust’s Workforce & OD Group.

9. References

Equality Act 2010
ACAS (Advisory, Conciliation & Arbitration Service - help and advice for employers and employees)
CIPD (Chartered Institute of Personnel and Development)

10. Associated Documentation

This policy should be read in conjunction with other Trust policies and procedures including:-
Staff Conduct Policy
Social Media for Personal Use Policy
Speaking Out (Whistleblowing) Policy
Disciplinary Policy & Procedure
Appeals Policy & Procedure
Equality, Diversity & Human Rights Policy

All policies can be accessed on HR web or via the Employee Services Team.

Resources

The Bullying & Harassment pages on HR Web.
The Speaking Out/Whistleblowing page on HR Web.
The Equality & Diversity pages on HR Web

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11. Appendix A - Seeking Resolution Process Flowchart

**Individual feels they are not being treated with dignity and respect**

**Informal Process – Direct approach.** Talk to the individual about the effect of their behaviour and ask them to stop.

- No further action.
- Yes → Situation is resolved? → No

**Informal Process – Discussion with a manager.** Ask to have a meeting with them and the individual to discuss the issues.

- No further action
- Yes → Situation is resolved? → No

**Informal Process – Facilitated Meeting.** Contact Employee Services. An appropriate manager will be asked to set up a meeting with both parties to discuss the issues. This step may be repeated.

- No further action
- Yes → Situation is resolved? → No

**Informal Process (OPTIONAL) – Mediation.** Contact Employee Services or staff side. A mediator will explain and arrange the process.

- No further formal action
- Yes → Situation is resolved? → No. Proceed to Formal Process

**Formal Process**

If at any stage of the informal process or mediation a resolution cannot be reached, or if the allegations are more serious than can be addressed by the informal process, or if an informal approach is inappropriate, it is possible to go the formal process.
**Formal Process** - Formal written complaint is raised in accordance with advice received from Employee Services, HR Business Partner, or Staff Side. Arrangements made within 15 working days where possible to investigate the complaint formally.

- Decision to proceed to a disciplinary hearing
- Follow procedure in Disciplinary Policy
- Subject of complaint disagrees with decision of disciplinary hearing

- Investigation report submitted to identified senior manager within 28 days (and a maximum of 2 months). Senior manager reaches decision based on findings and recommendations of the report. *All parties written to confirming outcome of investigation (as appropriate) within 5 working days of decision.*

- Decision not to proceed to a disciplinary hearing, but concerns to be addressed according to recommendations for resolution.
- Separate meetings with individuals concerned to explain findings and recommendations. **Followed up in writing.**

- Complainant disagrees with investigation findings.
- Right of appeal using the Appeal Policy

- Any further actions arising from recommendations for resolution.
12. **Appendix B – Examples of Unacceptable Behaviour**

(This information is taken from the ACAS booklet: Bullying and Harassment at Work)

There are many definitions of bullying and harassment.

Acas characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. The impact on the individual can be the same as harassment and the words bullying and harassment are often used interchangeably in the workplace.

Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the ‘grey’ areas that cause most problems. Examples of what is unacceptable behaviour in organisations may include:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone – picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment is not necessarily face to face, it may occur through written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), email, phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all workers.

**Harassment**

The Equality Act 2010 uses a single definition of harassment to cover the relevant protected characteristics. Employees can complain of behaviour that they find offensive even if it is not directed at them. 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.

**Example:** Paul is disabled and is claiming harassment against his line manager after she frequently teased and humiliated him about his disability. Claire shares an office with Paul and she too is claiming harassment, even though she is not disabled, as the manager’s behaviour has also created an offensive environment for her.
In addition, the complainant need not possess the relevant characteristic themselves and can be because of their association with a person who has a protected characteristic, or because they are wrongly perceived to have one, or are treated as if they do. Harassment applies to all protected characteristics except for pregnancy and maternity where any unfavourable treatment may be considered discrimination, and marriage and civil partnership where there is no significant evidence that it is needed.

Example:
Steve is continually being called gay and other related names by a group of employees at his work. Derogatory homophobic comments have been posted on the staff noticeboard about him by people from this group. Steve was recently physically pushed to the floor by one member of the group but is too scared to take action. Steve is not gay but heterosexual; furthermore the group know he isn’t gay. This is harassment related to sexual orientation.

Harassment at work by others
An employee can make a complaint against their employer where they are harassed by someone who doesn’t work for that employer such as a customer, client or passenger. As an employer, once you are aware of this unwanted behaviour you should take reasonable and proportionate action to address the issues.

Example:
Chris manages a Council Benefits Office. One of her staff, Raj, is a Sikh. Raj mentions to Chris that he is feeling unhappy after a claimant made derogatory remarks regarding his faith in his hearing. Chris is concerned and monitors the situation. Within a few days the claimant makes further offensive remarks. Chris reacts by having a word with the claimant, pointing out that this behaviour is unacceptable. She considers following it up with a letter to him pointing out that she will ban him if this happens again. Chris keeps Raj in the picture with the actions she is taking and believes she is taking reasonable steps to protect Raj from harassment.
13. **Appendix C – What is/is not Bullying?**

Sometimes behaviours and actions which cause us to feel distressed are not examples of bullying, even though they are unpleasant and often require action by an employer or manager. There are some common situations that can be confused with bullying:

**The difference between fair, firm management and bullying**
The differences between a manager who is firm and fair and a manager who is bullying and harassing staff can sometimes seem ambiguous. The table below offers examples of the types of behaviour which distinguish both styles:

<table>
<thead>
<tr>
<th>Firm and fair management</th>
<th>Bullying or harassment of staff</th>
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<tbody>
<tr>
<td>Consistent and fair</td>
<td>Aggressive, inconsistent and unfair</td>
</tr>
<tr>
<td>Determined to achieve the best results but is reasonable and flexible</td>
<td>Determined to achieve the best results but unreasonable and inflexible</td>
</tr>
<tr>
<td>Knows their own mind and is clear about their own ideas, but is willing to consult with colleagues and staff before drawing up proposals</td>
<td>Believes that they are always right, has fixed opinions, believes they know best and not prepared to value other people’s opinions</td>
</tr>
<tr>
<td>Insists on high standards of service in quality of work and behaviour in the team</td>
<td>Insists on high standards of service and behaviour, but blames others if things go wrong</td>
</tr>
<tr>
<td>Will discuss in private any perceived deterioration before forming views or taking action and does not apportion blame to others when things go wrong</td>
<td>Loses temper, degrades people in front of others, threatens official warnings without listening to any explanation</td>
</tr>
<tr>
<td>Asks for people’s views, listens and assimilates feedback</td>
<td>Tells people what is happening, does not listen</td>
</tr>
<tr>
<td>Shares credit appropriately.</td>
<td>Plagiarises, takes credit for other people’s work/ideas.</td>
</tr>
<tr>
<td>Respectful and considerate</td>
<td>Disrespectful and inconsiderate</td>
</tr>
<tr>
<td>Demonstrably values others and their contributions.</td>
<td>Devalues or ignores the contribution of others.</td>
</tr>
</tbody>
</table>

**Reasonable management action**
It is important to differentiate between bullying and an employer’s legitimate authority to direct and control the way work is done. It is reasonable for employers to allocate work, and for managers and supervisors to give fair and reasonable feedback on a worker’s performance.

**Conflict with colleagues at work**
People are bound to have occasional differences of opinion and these are a normal part of working life. Disagreements can leave people feeling upset but they should not be confused with bullying behaviour. However, these should not be ignored - if left unresolved, conflict may develop into a bullying situation.
14. Appendix D – Formal Notification of Complaint

<table>
<thead>
<tr>
<th>Name of employee</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Title</td>
<td></td>
</tr>
<tr>
<td>Department &amp; Location</td>
<td></td>
</tr>
<tr>
<td>Name of manager</td>
<td></td>
</tr>
<tr>
<td>Name of Trade Union or professional body representative</td>
<td></td>
</tr>
<tr>
<td>Email address of representative if you wish them to be included in correspondence relating to this complaint</td>
<td></td>
</tr>
</tbody>
</table>

Please say what your complaint is about. (If you need more space, please continue on another page and make sure you send any relevant information with this form.)

<table>
<thead>
<tr>
<th>What action(s) do you think would resolve your complaint?</th>
<th></th>
</tr>
</thead>
</table>
If the complaint has been considered formally before, please provide details:

Please tell us about the informal steps that have been taken to seek resolution, who has been involved in this process, and the dates of any meetings you have had.

Employee’s signature:  

Date:  

If you are not sure which manager to send this complaint to, please contact Employee Services on (1007 34) 25000, option 3 or email EmployeeServices@UHBristol.nhs.uk

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15. Appendix E – Monitoring Table for this Policy

The following table sets out the monitoring provisions associated with this Policy.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Evidence</th>
<th>Frequency</th>
<th>Responsible</th>
<th>Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify any trends and interventions necessary</td>
<td>Reports showing breakdown of Bullying &amp; Harassment cases logged on the Case Management system by Division; Staff Group; Age Group; Ethnic Group; Disability</td>
<td>Quarterly</td>
<td>Equality &amp; Diversity Officer</td>
<td>Equality &amp; Diversity Group Trust Partnership Forum</td>
</tr>
<tr>
<td>Identify any measurable changes in staff experience</td>
<td>National NHS Staff Survey Results.</td>
<td>Annual</td>
<td>OD Facilitator – Staff Engagement &amp; Experience</td>
<td>Improving Staff Experience Group Workforce &amp; Organisational Group Senior Leadership Team</td>
</tr>
<tr>
<td></td>
<td>Workforce Race Equality Standard report</td>
<td>Annual</td>
<td>Equality &amp; Diversity Officer</td>
<td></td>
</tr>
</tbody>
</table>

16. Appendix F – Dissemination, Implementation and Training Plan

The following table sets out the dissemination, implementation and training provisions associated with this Policy.

<table>
<thead>
<tr>
<th>Plan Elements</th>
<th>Plan Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Dissemination Lead is:</td>
<td>Equality &amp; Diversity Officer &amp; Employee Services</td>
</tr>
<tr>
<td>This document replaces existing documentation:</td>
<td>Yes</td>
</tr>
<tr>
<td>Existing documentation will be replace by:</td>
<td>This policy will replace the existing Tackling Bullying &amp; Harassment at Work Policy.</td>
</tr>
<tr>
<td>This document is to be disseminated to:</td>
<td>All staff and will be available on HR Web.</td>
</tr>
<tr>
<td>Method of dissemination:</td>
<td>HR Web</td>
</tr>
<tr>
<td>Training is required:</td>
<td>Yes</td>
</tr>
<tr>
<td>The Training Lead is:</td>
<td>Equality &amp; Diversity Officer &amp; Employee Services</td>
</tr>
</tbody>
</table>

Additional Comments

Existing Bullying & Harassment training will be reviewed and updated to reflect the refreshed approach in this policy.

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17. **Appendix G – Document Checklist**

The checklist set out in the following table confirms the status of ‘diligence actions’ required of the ‘Document Owner’ to meet the standards required of University Hospitals Bristol NHS Foundation Trust Procedural Documents. The ‘Approval Authority’ will refer to this checklist, and the Equality Impact Assessment, when considering the draft Procedural Document for approval. All criteria must be met.

<table>
<thead>
<tr>
<th>Checklist Subject</th>
<th>Checklist Requirement</th>
<th>Document Owner’s Confirmation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title</strong></td>
<td>The title is clear and unambiguous:</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>The document type is correct (i.e. Policy, Policy, Protocol, Procedure, etc.):</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Content</strong></td>
<td>The document uses the approved template:</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>The document contains data protected by any legislation (e.g. ‘Personal Data’ as defined in the Data Protection Act 2000):</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>All terms used are explained in the ‘Definitions’ section:</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Acronyms are kept to the minimum possible:</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>The ‘target group’ is clear and unambiguous:</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>The ‘purpose and scope’ of the document is clear:</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Document Owner</strong></td>
<td>The ‘Document Owner’ is identified:</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Consultation</strong></td>
<td>Consultation with stakeholders (including Staff-side) can be evidenced where appropriate:</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>The following were consulted:</td>
<td>Staff Side Employee Services Equality &amp; Diversity Group Improving Staff Experience Group</td>
</tr>
<tr>
<td></td>
<td>Suitable ‘expert advice’ has been sought where necessary:</td>
<td>[DCL - Suitable advice sought]</td>
</tr>
<tr>
<td><strong>Evidence Base</strong></td>
<td>References are cited:</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Trust Objectives</strong></td>
<td>The document relates to the following Strategic or Corporate Objectives:</td>
<td>Equality &amp; Diversity Strategic Objective: “To work towards a more inclusive and supportive working environment for all of our staff”</td>
</tr>
<tr>
<td><strong>Equality</strong></td>
<td>The appropriate ‘Equality Impact Assessment’ or ‘Equality Impact Screen’ has been conducted for this</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Status:** Approved  
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<table>
<thead>
<tr>
<th>Checklist Subject</th>
<th>Checklist Requirement</th>
<th>Document Owner’s Confirmation</th>
</tr>
</thead>
<tbody>
<tr>
<td>document:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monitoring</td>
<td>Monitoring provisions are defined:</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>There is an audit plan to assess compliance with the provisions set out in this procedural document:</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>The frequency of reviews, and the next review date are appropriate for this procedural document:</td>
<td>Yes</td>
</tr>
<tr>
<td>Approval</td>
<td>The correct ‘Approval Authority’ has been selected for this procedural document:</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Additional Comments**

[DCL - Additional Comments]
### 18. Appendix H - Equality Impact Assessment

<table>
<thead>
<tr>
<th>Query</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>What is the aim of the document?</td>
<td>To promote dignity and respect at work thereby improving the working environment, and to provide support and guidance to staff who may experience unacceptable behaviour, giving staff confidence in the process for dealing with this behaviour.</td>
</tr>
<tr>
<td>Who is the target audience of the document (which staff groups)?</td>
<td>All staff groups.</td>
</tr>
<tr>
<td>Who is it likely to impact on and how?</td>
<td>Staff: Ensuring everyone knows what is acceptable and unacceptable behaviour and giving staff confidence in the process for dealing with unacceptable behaviour.</td>
</tr>
<tr>
<td></td>
<td>Patients: Better staff experience has a positive impact on patient and service user experience.</td>
</tr>
<tr>
<td></td>
<td>Visitors: As above</td>
</tr>
<tr>
<td></td>
<td>Carers: As above</td>
</tr>
<tr>
<td></td>
<td>Other: As above</td>
</tr>
<tr>
<td>Does the document affect one group more or less favourably than another based on the ‘protected characteristics’ in the Equality Act 2010:</td>
<td>Age (younger and older people): Should provide additional support and guidance to promote dignity and respect at work for staff from all protected groups.</td>
</tr>
<tr>
<td></td>
<td>Disability (includes physical and sensory impairments, learning disabilities, mental health): As above</td>
</tr>
<tr>
<td></td>
<td>Gender (men or women): As above</td>
</tr>
<tr>
<td></td>
<td>Pregnancy and maternity: As above</td>
</tr>
<tr>
<td></td>
<td>Race (includes ethnicity as well as gypsy travelers): As above</td>
</tr>
<tr>
<td></td>
<td>Religion and belief (includes non-belief): As above</td>
</tr>
<tr>
<td></td>
<td>Sexual Orientation (lesbian, gay and bisexual people): As above</td>
</tr>
<tr>
<td></td>
<td>Transgender people: As above</td>
</tr>
<tr>
<td>Query</td>
<td>Response</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
</tr>
<tr>
<td>What is the aim of the document?</td>
<td>To promote dignity and respect at work thereby improving the working environment, and to provide support and guidance to staff who may experience unacceptable behaviour, giving staff confidence in the process for dealing with this behaviour.</td>
</tr>
<tr>
<td>Group at risk of stigma or social exclusion (e.g. offenders, homeless people)</td>
<td>As above</td>
</tr>
<tr>
<td>Human Rights (particularly rights to privacy, dignity, liberty and non degrading treatment)</td>
<td>As above</td>
</tr>
</tbody>
</table>

*End of Policy*