



Harassment and bullying procedure

Procedure Summary

This procedure supports our commitment to provide a work environment that is free from inappropriate/offensive behaviour, intimidation, threats, discrimination, bullying or harassment. Bullying or harassment will not be tolerated under any circumstances.

Policy Overview

Extract from HR Policy framework

7.5 Harassment and bullying

The British Red Cross does not tolerate any form of harassment and bullying including abuse or misuse of power and is committed to providing a work environment that is free from inappropriate and offensive behaviour, intimidation, threats, discrimination, bullying or harassment. All employees, delegates and volunteers have the right to be treated with dignity and respect.

The British Red Cross will do all that it can to prevent bullying or harassment occurring and will ensure that every employee, delegate and volunteer feels safe to air their concerns should this occur, with the confidence that the matter will be treated seriously.

Employees, delegates and volunteers should make it clear that bullying and harassment is unacceptable and should report any incidents they may witness or experience.

Owner	Executive Director of People and Learning
Procedure lead	Workforce Policy Advisor
Formally endorsed by	Executive Leadership Team
First endorsed	May 2018
Next review	Oct 2018
Audience	All staff, delegates and volunteers
Related to policy	HR Policy Framework section 7.5

1 Introduction

- 1.1 As a member of the International Red Cross and Red Crescent Movement, the British Red Cross is committed to, and bound by, its Fundamental Principles.
- 1.2 This procedure has been produced in line with, and should be interpreted in the light of, our organisational values: compassionate, courageous, inclusive and dynamic.
- 1.3 We all have a responsibility to try to ensure the prevention of bullying or harassment in the work environment, encourage incidents to be reported, respond promptly and ensure our policies and procedures are followed correctly. Legally, employers have a common law duty of care and responsibilities under health and safety and equality legislation.
- 1.4 We will not tolerate any type of bullying or harassment 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.
- 1.5 Bullying and harassment is unacceptable and we encourage our staff and volunteers to report any incidents they may witness or experience so that we can take appropriate action in response.
- 1.6 Managers have a responsibility to take appropriate action in following up any report of harassment and bullying. In cases where appropriate action was not taken managers may be subject to disciplinary action.
- 1.7 The Red Cross affirms that all employees/volunteers have the right to be treated with dignity and respect. All employees/volunteers have a responsibility to ensure that their colleagues are treated with respect and dignity, and to comply with the bullying and harassment procedure.
- 1.8 This procedure is intended to encourage any employee/volunteer who feels either bullied or harassed, knows of others being bullied or harassed, or knows of others who are bullying or harassing other individuals, to raise his/her concerns in confidence. Any issues raised under this procedure will be dealt with taking into account any request for confidentiality. We have a responsibility to ensure that the procedure is being applied and our commitment to you is that we will do all that we can to provide a safe working environment.
- 1.9 **Effects of bullying or harassment**
- 1.10 Bullying or harassment can have an adverse effect on a person's working life and general health, which can result in reduced productivity, lower efficiency, increased absence, divided teams and increased labour turnover.
- 1.11 It is important for everyone to remember that harassment does not need to be intentional and that we all need to bear in mind the ways in which unintentional conduct could upset or offend other individuals.

2 Definitions: forms of bullying or harassment

2.1 Bullying or harassment may take many forms, and is always unacceptable and inappropriate in the workplace. Whatever the form of bullying or harassment, it will be “unwanted behaviour that is both unwelcome and unpleasant”.

2.2 **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.

2.3 **Forms of bullying may include:**

Overt bullying	Covert bullying
Shouting at employees/volunteers in public or private	Setting impossible deadlines
Issuing threats	Altering deadlines for no good reason
Personal insults/name calling	Assigning inappropriately menial tasks
Public humiliation or criticism	Persistent and undue criticism
Sadistic or aggressive behaviour over a period of time	Turning down reasonable leave requests
	Blocking advancement
	Ignoring or excluding an individual

The above lists are not exclusive or exhaustive. Harassment can be intentional or unintentional.

2.4 **Harassment** is defined as unwanted conduct, including an abuse or misuse of power that has the purpose or effect of violating a person’s dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Forms of harassment may include:

- > Physical contact, ranging from touching to serious physical assault
- > Verbal or written harassment in the form of jokes, inappropriate banter, offensive language, gossip, slander, sectarian songs, letters, racist remarks
- > Isolation or non-cooperation in the workplace, exclusion from social activities
- > Coercion, ranging from pressure for sexual favours to pressure to participate in political/religious groups
- > Intrusion by pestering or following.

- 2.5 **Racial harassment** can take many forms. It is generally considered to be behaviour that is perceived to be offensive, embarrassing, insulting, or intimidating to the victim. It may include unwanted non-verbal, verbal, or physical abuse that is racially derogatory and potentially offensive. Examples can include: offensive and insensitive quips or jokes related to a person's race, colour or ethnic origin; the exclusion or isolation of an individual on the basis of their race, religion, colour or ethnic origin; threatening or insulting words or behaviour, the display of abusive writing or pictures.
- 2.6 **Sexual harassment** primarily and generally consists of unwanted conduct of a sexual nature. It may include verbal, non-verbal or physical conduct of a sexual nature that causes offence to the victim. Such conduct may include unwanted physical contact of a sexual nature; inappropriate, suggestive or uninvited comments; displays of sexual literature and pictures; unwelcome sexual propositions or repeated unwelcome invitations, lewd or insensitive jokes. It is potentially more serious when the person against whom the allegation is made is in a more senior or powerful position to the individual making the complaint.
- 2.7 **Disability harassment** consists of offensive or intimidating behaviour relating to a person's disability, including any impediment of movement, touch, vision or hearing. It can include verbal, non-verbal or physical conduct relating to the disability of a nature that causes offence to the victim.
- 2.8 **Religious harassment** consists of offensive or intimidating behaviour relating to a person's religion/faith, or lack of religion/faith. It may include verbal or non-verbal conduct that is religiously derogatory and potentially offensive. Examples can include offensive or insensitive comments or jokes related to a person's religion; the deliberate exclusion or isolation of an individual on the basis of their religion, threatening or insulting words or behaviour.
- 2.9 **Sexual orientation harassment** consists of offensive or intimidating behaviour relating to a person's sexual orientation, or perceived sexual orientation. It can include verbal or non-verbal conduct that is derogatory or potentially offensive to a person's sexual orientation. Examples can include homophobic taunts/remarks; displaying or circulating homophobic or anti-gay materials, unwelcome comments or jokes and gossip and speculation about someone's sexuality.
- 2.10 **Age harassment** can take many forms. It is generally considered to be behaviour that is offensive, embarrassing, insulting, or intimidating to the victim. It may include unwanted non-verbal, verbal, or physical abuse that is derogatory and potentially offensive. Examples can include offensive and insensitive quips or jokes related to a person's age, and the deliberate exclusion or isolation of an individual on the basis of their age.
- 2.11 Behaviour that is acceptable in one context is not necessarily tolerable in another. Similarly, there may be cultural differences that make some forms of behaviour acceptable to one group of people, but another group would regard the same behaviour as unacceptable.

3 Setting out the process

- 3.1 It is recognised that employees and volunteers may simply wish the offending behaviour to stop and that individuals are sometimes not aware of the impact of their behaviour. Employees and volunteers are therefore encouraged, where possible, to make clear to the offender that they wish the offending behaviour to stop.
- 3.2 Alternatively the manager or another colleague can do this on behalf of the individual. Support is also available from the employee assistance programme (EAP) which can also be used by volunteers and SafeCall (see 3.3.2).

3.3 Reporting bullying or harassment

- 3.3.1 Where the issue cannot be resolved informally due to its nature or where the behaviour is repeated, the affected employee /volunteer should bring the matter to the attention of their manager. Individuals may also raise their concerns directly with P&L Advice and Support/International HR if they feel unable to speak to their manager
- 3.3.2 Where an employee or volunteer does not want to use the existing procedures of reporting bullying and harassment, it can be reported externally to **SafeCall**. **Safecall** is an impartial, external ethics hotline service that allows staff and volunteers to report issues related to their working environment in a safe and secure manner. The Safecall service is available 24/7/365 days by contacting **0800 915 1571 (for UK based calls)**. Further information on SafeCall can be found on **Redroom**.
- 3.3.3 The head of internal audit is responsible for reviewing the report provided by Safecall and deciding how the concern should be addressed.
- 3.3.4 Any employee/ volunteer that reports bullying or harassment in good faith will not suffer any detrimental treatment for raising their concerns, even if the allegation is not substantiated
- 3.3.5 In the event that a complaint is found to be malicious or frivolous, it may result in disciplinary action/action under the complaints issues and concerns procedure against the individual concerned. However, the distinction should be made between malicious claims and claims that are not substantiated. In the latter case, no action would be taken against the complainant.
- #### 3.4 Historic events
- 3.4.1 There is no time limit placed on reporting any form bullying or harassment after the event has taken place, and all reports including historical allegations, will be taken seriously and thoroughly investigated.

- 3.4.2 The BRC will take all reasonable steps to investigate any complaint of historic abuse. Disciplinary action will be considered if the subject of a substantiated allegation remains a BRC employee or volunteer.
- 3.4.3 Where evidence is produced to indicate that a criminal offence may have occurred this will be handed to the relevant authorities.
- 3.4.4 Counselling or other support will be provided where appropriate.

3.5 Investigation and resolution

- 3.5.1 All reported incidents of bullying or harassment will be dealt with seriously and confidentially and addressed in accordance with the British Red Cross **grievance procedure** (for staff) or the **complaints, issues and concerns procedure** (for volunteers), including the severity of any form of abuse or misuse of power or authority from senior persons within the organisation:
 - > An informal procedure can be used if the individual wishes to take this approach;
 - > All persons involved with the situation will be interviewed on an individual basis along with any possible witnesses;
 - > Employees and volunteers making a complaint will have the right to be accompanied by a colleague, staff association representative or trade union representative (applicable to employees) to all meetings/interviews (including informal discussions).
 - > Anonymity will be maintained where an individual making a complaint requests this.
- 3.5.2 Managers should consult with P&L Advice and Support/ International HR before starting any investigation.
- 3.5.3 If an allegation reported to a manager is found to be ignored, or not investigated properly, disciplinary action will be taken, which could result in a sanction of gross misconduct.
- 3.5.4 Persistent bullying or harassment may not only result in disciplinary action/action, but could also lead to a criminal conviction under the Equality Act 2010 relevant sex, race, disability, religious belief, sexual orientation and age legislation, and the Protection from Harassment Act 1997 - which makes intentional harassment a criminal offence punishable by imprisonment and/or a fine.

4 Key People

- > **Executive Leadership Team** is responsible for approval of the procedure as well as ensuring their teams adhere to its requirements.
- > **Executive Director of People and Learning** is the policy owner and is responsible for ensuring the procedure is reviewed and updated.
- > **Workforce Policy Advisor** is the policy lead and is responsible for monitoring, reviewing, updating and communicating the policy.
- > **Managers:** take appropriate action if any allegation of harassment and bullying within the British Red Cross is brought to their attention.
- > **Employees/volunteers** are responsible for reporting incidents of bullying or harassment.

5 **Laws and regulations**

- > Equality Act 2010 relevant sex, race, disability, religious belief, sexual orientation and age legislation,
- > Protection from Harassment Act 1997

6 **Review and maintenance**

This procedure will be reviewed every three years or as and when required to reflect any legislative change or good practice developments.

7 **Appendices**

Appendix 1: related documents

Appendix 2: document provenance

Appendix 1: related documents

Document title	Relationship to this policy
Fundamental principles of the International Red Cross and Red Crescent Movement	Supporting documents
HR Policy Framework	Overarching Policy
Grievance procedure	Related procedure
Complaints, issues and concerns policy and procedure	Related procedure

Appendix 2: document provenance

Date endorsed	Category	Summarise changes made	Reason for changes	Consulted	Changes endorsed by
August 2007	First endorsement	N/A	N/A	N/A	Executive Leadership Team
December 2017	Interim update	Updated to align with new HR Policy Framework and corporate procedure template	Introduction of new HR Policy framework	Corporate Policy Manager	Head of P&L Expert Services
May 2018	Interim update	Definition of Sexual Harassment Encouraging Staff/Volunteers to report Information on SafeCall for reporting concerns. Allegations against more senior persons potentially more serious due to abuse of power	Actions from on-going PSEA, BOND and Dfid working groups.	Head of International HR, Corporate Policy Manager, ED of P&L	Head of P&L Expert Services

		Disciplinary offense for managers to not investigate allegations.			
June 2018	Minor change	Removed Volunteer support line, as this is no longer in use. Added that volunteers can now use the EAP line.	Change in details	NA	Workforce Policy Advisor