

CTST Bullying and Harassment Policy

Policy Statement

CTST, as part of its responsibility as an employer for providing a safe and healthy working environment for all its employees, is committed to:

- Developing a working environment free from harassment of any type;
- Promoting a climate of confidence to challenge harassment; and
- Putting in place appropriate procedures to enable incidents of harassment to be dealt with quickly and effectively.

This policy comprises 3 parts:

- Part 1 – CTST’s Statement
- Part 2 - General Statement
- Part 3 – CTST’s Procedure for dealing with Harassment Complaints

Part 1 - CTST has adopted the following statement of policy on harassment:

- As stated in CTST’s Equal Opportunities Policy, CTST supports the rights and opportunities of all people to seek, obtain and hold employment without discrimination in any form.
- CTST will not tolerate bullying or harassment at work from any source, including members of the Board of Trustees, all employees, volunteers, service-users, and contractors and acknowledges that such behaviour may be unlawful.
- CTST recognises and accepts its responsibility as an employer to protect its employees from harassment at work.
- Employees who are found responsible for bullying or harassment at work may be dealt with under CTST’s Disciplinary Procedures and may be subject to disciplinary sanction.
- CTST may impose sanctions on all third parties, e.g. services users, partners or contractors, who are found responsible for bullying or harassing employees of CTST.
- CTST will not tolerate victimisation of any employee who has complained of bullying or harassment or who has provided information about such bullying or harassment. Employees who are found responsible for such action may also be dealt with under CTST’s disciplinary procedures, and sanctions may be imposed on third parties.
- CTST will ensure that support and training is provided to trustees and employees on the application of this policy.
- CTST will ensure that advice and support is provided for employees who may have been subjected to bullying or harassment at work.

Board of Trustee Responsibilities

Members of the Board of Trustees will:

- Ensure that there is an effective policy and procedure in place to enable incidents of bullying or harassment to be dealt with quickly and effectively.
- Periodically review the effectiveness of the policy and ensure that any necessary changes are made to the policy through the Executive Lead
- Be aware of their own behaviour and the effect it may have on other people and ensure that their behaviour does not contribute to incidents of bullying or harassment.

Employee Responsibilities

All employees are required to comply with this policy and are encouraged to take appropriate measures to ensure that bullying or harassment does not occur, including:

- Being aware of their own behaviour and the effect it may have on other people and ensuring that their behaviour does not contribute to incidents of harassment.
- Being aware of the problems which harassment can cause.
- Bringing to the attention of colleagues and volunteers that certain conduct or behaviour is causing concern or offence to themselves.
- Providing support to a colleague who is being bullied or harassed

Part 2 - General Statement

Definition of Harassment

Harassment, or bullying as it is often referred to, has been defined in various ways and there is no simple definition. This behaviour takes many forms and occurs on a variety of grounds, but essentially involves unwanted and unwarranted behaviour which the recipient finds intimidating, humiliating, embarrassing and offensive.

It is not just the intention of the perpetrator but the behaviour itself and the impact on the recipient which may influence whether a claim for harassment is likely to be justified.

Types of Harassment

People can be subjected to harassment on a wide variety of grounds for example:

- Race, ethnic origin, nationality, skin colour;
- Sex, sexual orientation;
- Health, physical characteristics, personality.
- Personal beliefs, including religious or political convictions;
- Willingness to challenge harassment, leading to victimisation;
- Disabilities;
- Age

This list is not exhaustive. Anyone who is perceived as vulnerable, different or lacks power, may be harassed or bullied.

Forms of Harassment

Harassment may take many forms and may include:

- Physical contact ranging from touching to serious assault;
- Verbal and written harassment, through jokes, comments, offensive language, gossip, letters;
- Visual display of posters, graffiti, obscene gestures;
- Isolation or non co-operation at work;
- Coercion ranging from pressure for sexual favours to pressure to participate in political/religious groups;
- Intrusion by pestering;
- Withholding information, resources or training;
- Setting impossible work objectives.

Harassment in certain circumstances may constitute a criminal offence.

Effects of Harassment

Harassment leads to an unpleasant, intimidating and hostile working environment, which has a direct impact on organisational effectiveness.

Harassed employees may suffer from stress, anxiety and fear. This may lead to increased absenteeism, an apparent lack of commitment, poor performance, and even resignations.

The damage, tension and conflict which harassment causes within the workplace should not be underestimated. Low morale, high staff turnover, reduced productivity, lower efficiency and divided teams may result.

In addition appropriate training and guidance will be issued to staff to enable them to deal with complaints of harassment effectively.

Review

This policy will undergo an annual review by the Board of Trustees in order to monitor its effectiveness and to determine whether further measures are necessary.

Part 3 - Procedure for dealing with Harassment Complaints / Bullying at Work.

Seeking Advice

Employees may seek advice and assistance about their complaint from the following people. Who they contact is their decision and may depend upon the nature of the problem and who they feel most comfortable in approaching.

- Project Lead
- Executive Lead
- A member of the Board of Trustees

Informal Action

The initial action to be taken when an employee believes that they are being bullied or harassed will depend upon the seriousness of the situation and whether they feel able to deal with it.

Where possible, and in less serious cases, if they feel able and comfortable in doing so, the employee should approach the harasser, make it clear that the behaviour is unwelcome and ask the harasser to stop. They can do this either in person or in writing.

Following discussions between the employee and person to whom they have taken their complaint, the matter may also be informally resolved where this is considered to be an appropriate action.

A record of all informal approaches should be kept by all parties.

In some cases it may be considered that an informal approach is not sufficient or may not work with the behaviour in question continuing. In these circumstances the formal action detailed below should be taken.

Formal Action

In cases where an employee wishes to pursue a complaint on a formal basis, in order to ensure that complaints of harassment are dealt with in a way that is appropriate to the circumstances of that particular case, it is essential that the following elements are incorporated in the way that it is dealt with:

Registration of Complaint

A detailed written statement of the complaint, using the standard form (below) should be sent to the Executive Lead of CTST who will maintain a register of all complaints.

Timescale

All complaints will be dealt with as sensitively and as quickly as possible. A timescale for dealing with the complaint will be agreed between the parties involved, where practicable.

Investigation

Complaints will be investigated thoroughly by an appropriate representative within CTST. A report will be prepared and a copy will be sent to the Executive Lead for registration and consultative purposes.

In cases of alleged sexual harassment the investigation will be carried out jointly by a male and a female at an appropriate level of seniority. If the alleged harasser is an employee of CTST, consideration should be given to whether the alleged harasser should be suspended from duty to facilitate a full and fair investigation. This will depend upon the circumstances and seriousness of the complaint. In cases where the alleged harasser is not an employee of CTST consideration should be given to any action which needs to be taken to allow a full and fair investigation to take place.

Care must be taken to ensure that the conduct of the investigation does not cause unnecessary stress to either party.

Employees of CTST

In cases where the alleged harasser is the Executive Lead, the matter should be reported to the Chairperson. In cases where the alleged harasser is an employee of CTST, the matter should be reported to the Executive Lead.

Criminal Offences

Where it appears that a criminal offence may have been committed (e.g. physical assault, criminal harassment, indecent assault) the Executive Lead will discuss the matter with the Board of Trustees.

The matter will be referred to the police for investigation, in accordance with CTST's Disciplinary Procedure.

Communication

Unless there are exceptional circumstances, which would make it inappropriate, the alleged harasser should be advised that a complaint has been made about their behaviour and that an investigation is being undertaken.

Meeting the parties involved.

A panel, appointed by the Trustees, will meet with the complainant and the alleged harasser separately. Both the complainant and the alleged harasser have the right to be accompanied by someone at any meetings connected with the complaint, which they are asked to attend. Detailed written statements will be taken, which the relevant parties should sign and date, confirming that they agree with the statements collected. Both parties should be given the opportunity to nominate witnesses whom they wish to be interviewed.

All parties should be kept informed of progress made and action taken

Meeting with witnesses

The panel will meet anyone else who was present or who has information which is relevant to the issue. Notes of this meeting will also be taken and the individuals called will be able to be accompanied by someone of their choice.

Consideration of Information

The panel will, on completion of the investigation, review the material collected and decide whether the complaint is substantiated.

In some cases, there will not be any witnesses and it will be one person's word against another's. In these cases, the panel will consider whether on the balance of probabilities, the incidents / actions occurred.

Confidentiality

Confidentiality will be maintained in so far as it is consistent with this policy and procedure.

Conclusions

The complainant will be advised of the findings of the investigation. A copy of the report, or extracts, as appropriate, will be given to the complainant. The investigator's decision regarding the action they have taken, including the reasons for it, will be confirmed in writing to the

complainant. The alleged harasser will also be advised of the findings of the investigation and will be given a copy of the report or extracts as appropriate. The outcome of the investigation, including any action taken, will also be confirmed in writing to the alleged harasser. The Executive Lead will also confirm what action has been taken to the Board of Trustees.

Final Stage

If the complainant remains aggrieved they should advise the Executive Lead in writing within 10 working days of receiving confirmation of the decision. The complaint shall be reviewed by the Board of Trustees. This will be the final decision of CTST. The complainant will be advised of this decision within 10 working days.

Sanctions

If it is concluded that harassment has taken place, then appropriate action will be taken. This will depend on the circumstances and seriousness of the case.

In the case of employees the matter may be dealt with under the disciplinary procedures.

Outcomes might include a formal disciplinary sanction or counselling. In respect of members of the Board of Trustees, the sanctions applied will reflect those open to CTST and the requirements of the relevant Codes of Conduct which apply to members of the Board of Trustees.

In the case of third parties, e.g. service users, volunteers, partners or contractors; the following are examples of action which will be considered: exclusion from premises, withdrawal of services, termination of contract.

This policy was approved by Trustees on

Review Date:

Signed by

Harassment at Work – Formal Complaint (to be completed by Complainant)

Employee Details

Name:	
Job/Designation:	

Project:	Contact Number:
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Details of Complaint

Please explain what happened. Give as much detail as possible and include the following information:

- Date, time of incidents, was anybody else present and how you felt.
- Describe any attempts you have made to deal with the problem.
- Any correspondence relating to the incidents and subsequent complaints.
- Outcome – outline what action you want to be taken.

Please continue on the reverse if necessary

Signed:	Date:
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