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Charity Number 111626 Company Number 5535863

POLICY AGAINST INTIMIDATION, BULLYING AND HARASSMENT

1. Aims of the policy

Activ8 Learning is committed to ensuring that all learners, staff and volunteers within the Company are treated fairly and with consideration and respect. We affirm that intimidation, bullying and harassment are a denial of human rights

Activ8 Learning will not condone any form of offensive, unfair or intimidating behaviour in the affairs of the Company, whether or not such behaviour is unlawful. We aim to promote respectful, open and constructive communication between all those involved in our work.

2. Responsibilities under this policy

All those involved in the work of Activ8 Learning, in whatever capacity, have a responsibility to comply with this policy and to ensure that they do not behave in a way that could be intimidating or offensive to others, nor allow others to do so. Everyone should consider how their behaviour may be perceived by their colleagues and aim to promote an atmosphere which does not tolerate intimidating or offensive behaviour.

Additionally:

(a) The Trustees have a responsibility to:

- establish and promote this policy;
- lead by example in promoting it;
- play a part in any disciplinary proceedings taken as a result of it;
- review the policy at not less than three year intervals.

(b) The Centre Manager has a responsibility to:

- communicate the policy to staff, learners and trainees
- investigate any instances of alleged harassment, discrimination or bullying and seek resolution through appropriate procedures
- promote a working culture free from bullying and harassment
- ensure that the policy is implemented

(c) Assessors, verifiers and tutors have a responsibility to:

- ensure that all learners have access to fair learning and assessment opportunities, which take account of their individual needs
- communicate this policy to learners, and promote it in all work relationships
- report to the Manager any alleged instances of harassment, bullying or discrimination so that action can be taken.

3. Disciplinary Implications

When a formal complaint of intimidation, bullying or harassment is made, it will be investigated according to the Activ8 Learning grievance and disciplinary procedure. Intimidation of another person involved in the work of Activ8 Learning constitutes gross misconduct. If such an act of gross misconduct is found proven, the result will normally be removal from office (for a trustee), dismissal (for an employee) or removal from programmes of learning and assessment (for a learner). Bullying or harassment falling short of intimidation will attract verbal or written warnings, as appropriate, within the disciplinary procedure.

4. Definitions of Bullying, Harassment and Intimidation

Bullying and harassment can be defined as deliberate behaviour, whether physical or verbal or a combination of both, which is threatening, demeaning, abusive, offensive, malicious or insulting. The existence of bullying or harassment is to be identified not so much by the content of behaviour but rather by the effect it has on the victim. Legitimate, constructive and fair criticism of an employee's performance or behaviour, communicated appropriately, is not bullying or harassment. An occasional raised voice in argument is not bullying or harassment. Both criticism and a raised voice can, however, amount to bullying if they are unfair, persistent and directed by a stronger person against a weaker one.

Intimidation occurs when bullying or harassment has a significant effect on the physical, mental or emotional wellbeing and functioning of the victim.

The terms 'bullying' and 'harassment' refer to many forms of unacceptable behaviour.

They can include actions, comments, jokes, suggestions or physical contact. Examples include:

- aggression, including threats, shouting, abuse and obscenities
- humiliation, insults, ridicule or persistent destructive criticism
- unnecessary touching, patting, pinching, brushing against another person's body
- sexual advances, propositions, suggestive remarks, gestures, calls or whistles
- displaying sexually suggestive pin ups, posters etc.
- insults which are related to a person's gender or sexual orientation
- racist abuse including 'jokes', insults or taunts
- displaying racist leaflets, posters, or graffiti
- abuse, ridicule, 'jokes' or name calling relating to a person's disability
- picking on one person for criticism when there is a common problem
- deliberately humiliating someone in front of others
- ostracism, belittling someone's opinion, abuse of power or unfair sanctions
- setting unattainable targets or constantly changing work targets in order to cause someone to fail

This list shows examples of the types of behavior that constitute bullying and harassment. It is not intended to be exhaustive.

5. Dealing with Bullying and Harassment in the Workplace

Activ8 Learning will not tolerate bullying, harassment or intimidation.

We promise to:

- take allegations of bullying or harassment seriously
- deal with them in confidence
- investigate fairly
- support complainants throughout investigation and any resulting disciplinary process
- take effective action to deal with perpetrators and protect victims from further abuse.

Anyone experiencing bullying or harassment should report this as provided in Active8 Learning's grievance procedure. Where an incident involves the person next in line to the complainant, the complaint should go to the next level of management.

Activ8 Learning will not allow the victimisation of anyone for bona fide reporting of such incidents. Victimisation will be treated as a serious disciplinary offence. Equally, unfounded and malicious complaints of bullying or harassment will also be viewed as a serious offence and may lead to disciplinary action, depending on the facts gathered in the investigation. This does not mean that if a complaint of bullying or harassment is made and not upheld, the person making the complaint will be assumed to have made it maliciously. Those who have a genuine complaint should not be deterred from raising it.

6. Date of adoption and review

This policy on dealing with bullying, harassment and intimidation was adopted by the Directors / Trustees of Activ8 Learning on: 20th May, 2014

Signed on behalf of Chair of Trustees:

B Linford

A handwritten signature in black ink, appearing to read 'B Linford', written in a cursive style.

Due date for next review: Sep 2020