

2 HARASSMENT AND BULLYING POLICY

2.1 Responsibilities

Everyone has a responsibility not to behave in a way that is offensive to others. Lack of awareness is often the problem. Being aware of and sensitive towards this problem will help to avoid causing offence. If employees are aware of others causing offence they have a duty to do something about it.

- **Harassment may also be an unlawful act of direct discrimination and a breach of the European Union's Code of Practice Protecting and Dignity of Women and Men at Work. Under the Sex Discrimination, the Race Relations and the Disability Acts the Board may have responsibility for unlawful discrimination committed by its personnel.**

All those in a managerial/supervisory role have responsibility for:-

- Implementing this Policy
- Ensuring that all personnel under their direct supervision are aware of this Policy and the standards of behaviour required of them
- Dealing with all allegations/occurrences of harassment/bullying as quickly as possible.

** Employees (especially Managers) do not have to wait to see if individuals are aggrieved by the actions or comments of others, which they may personally witness. If they feel that conduct is contrary to brigade policy, or to peoples dignity whilst at work, they have a responsibility to take action.*

2.2 Definition of Harassment

Harassment is unwanted conduct affecting the dignity of men and women at work , which can lead to an intimidating hostile or humiliating work environment for the recipient. Such conduct is unacceptable.

Harassment includes unwelcome physical, verbal or non-verbal conduct. People can be subjected to harassment by a range of activities, perhaps because they are perceived as being different or belong to a minority group. Some such common groups may include race, gender, ethnic origin, nationality, sexual orientation, religious or political beliefs, disability and age.

Harassment can occur between people of the same sex or of the opposite sex. What is most important are the feelings and perceptions of the victim. It is no excuse to say it was only a joke. Unwanted behaviour is never a joke.

2.3 Forms of Harassment

Harassment can take many forms but all have the common features of being unwanted, unwarranted and cause the discomfort, humiliation and the undermining of confidence. Some examples of behaviour which can be categorised as harassment are outlined below. The list is by no means exhaustive, but illustrates the range of behaviours which can constitute harassment.

2.3.1 Sexual Harassment

This takes the form of attention which (is either gender or orientation based), physical or verbal, of a sexual nature, which make the recipient uncomfortable. Sexual harassment can be experienced by either men or women and can include:-

- Sexual contact - from unwelcome touching to assault.
- Compromising invitations or presents.
- Unwanted requests or demands for sexual encounters.
- Suggestive remarks, jokes or conversations.
- Derogatory or degrading gender-related remarks eg on dress or appearance.
- Display of pornographic material, (including on computer screens).
- Any comments which imply that gender or sexual orientation impairs the person's ability.
- Denial of access to training and development on grounds of gender.

2.3.2 Pornography in the Workplace

The Brigade is committed to eradicating all conduct which could adversely affect the dignity of women and men in the workplace consequently this Policy imposes a total ban on the displaying of pornographic material which will include:-

- Pornographic video and cinematography film;
- Pornographic cable and satellite channels, terrestrial TV programmes whether by subscription or not;
- Electronically stored images including the use of computer equipment;

- Pornographic magazines;
- Publications which display images or articles of a derogatory or sexually explicit nature of either sex;
- Any other form of potentially offensive material such as posters, calendars, photographs etc.

The Brigade has a duty to control the possession and display of such material on its premises and as such, can exercise a wide discretion in deciding what may constitute offensive material.

All employees are required to exercise this control on behalf of the Brigade. If any material causes an individual to question whether it **could** cause offence to a reasonable person then he/she shall not permit its continued presence or display in the workplace.

In making such a judgement it is appropriate to consider whether or not the material is such that it complies with the Brigade's desired corporate image as an employer which promotes equality of opportunity and dignity in the treatment of its employees.

All employees shall be aware of, and be sympathetic to, people's feelings and the need to ensure that everyone is treated with dignity and respect in the workplace.

2.3.3 Racial Harassment

This involves behaviour aimed at undermining racial, national or cultural difference and can include:-

- Physical assault
- Threats or verbal abuse of a racial or national nature eg name calling.
- Ignoring and isolating individuals due to their race or nationality.
- Unfair distribution of work based on race or nationality.
- Teasing and pranks.
- Displaying of racial graffiti.

2.3.4 Harassment On Religious or Political Grounds

This has been defined as “Unwanted conduct based on Religious belief or political opinion affecting the rights of people at work.” Many forms of behaviour can constitute this type of harassment. It can range from extreme forms such as violence and bullying to less obvious actions like ignoring someone at work. The following, though not an exhaustive list, may constitute such harassment:-

- Physical Harassment – ranging from gestures to serious assault.
- Verbal Harassment – deliberate articulation of sectarian jokes, banter, offensive language, gossip, sectarian songs and/or threats.
- Written Harassment – circulation of sectarian notes, letters, other written materials containing offensive language.
- Visual Display of Offensive Materials – posters, graffiti, flags, bunting, emblems, e-mails and computer screen communications.
- Offensive Behaviour – isolation, non-co-operation at work, exclusion from social activities, interference with job performance and/or pressure to join a religious/political group.

Such actions and behaviours could constitute sectarian harassment if they are viewed by the recipient as unwanted. It is therefore the impact of these behaviours on the recipient which gives rise to sectarian harassment rather than the intention of the perpetrator.

2.3.5 Examples of other types of Harassment

Harassment in relation to:-

- Age
- Political beliefs
- Trade Union Membership
- Ex-offenders
- Health. ie HIV
- Physical eg size, baldness, speech defect etc.
- Sexual orientation

2.4 Effects of Harassment

The effects of harassment on the victim can be physical eg disturbed sleep, loss of energy, feeling sick or emotional eg anxiety, loss of confidence, reduced self-esteem and depression.

If an individual believes that he/she is being harassed at work and is experienced any of these symptoms they should report it to their Line Manager, Equalities Unit or other appropriate person. If such symptoms persist over time they may result in conditions which require medical treatment.

Delete the above para ? Include the action to take elsewhere?

Harassment can also affect the Brigade's ability to deliver its service to the public, as it can cause problems of poor work performance, absenteeism and low morale.

2.5 Definition of Bullying

Bullying is a vindictive, cruel behaviour which humiliates and undermines confidence or is intended to undermine confidence – an abuse of power against a person or persons who are in some way vulnerable. It may be thought that bullying is most common from a supervisor to a subordinate, but it can occur from a subordinate, or group of subordinates to a supervisor and between colleagues of equal standing.

2.6 Bullying Profile

It is not helpful to try to draw up a stereotype of a bully or of a bullied person. Bullying behaviour may occur for many reasons and anyone may become a target of bullying. However, certain personality characteristics of the bully, such as aggressiveness, sarcasm, anger and maliciousness may come to the fore in certain work circumstances.

Bullies may lack confidence or feel insecure in their position. They may see every suggestion from someone else or every disagreement with their opinion, as a challenge to their authority. They may be envious of other people's abilities, success and popularity. They may take a completely irrational dislike to some aspect of a person's personality, appearance or way of doing things. Their bullying behaviour may be rooted in childhood experiences of being bullied, or of always having their own way.

2.7 Effects on the Organisation

Bullying affects not only the individuals involved but also the organisation as a whole, since people working in a climate of fear and resentment do not give their best. Where bullying occurs and is not dealt with, sickness absence will increase, staff turnover will increase and morale and performance levels will fall. The organisation will suffer increased sickness and retraining costs, damage to its public image, as well as the potential or exposure through cases being taken to Court and Employment Tribunals.

2.8 Organisational Factors

What is increasingly clear is that organisational factors play an important part in whether or not bullying takes place at work. The sorts of workplaces where bullying is more likely to occur are those where there is/are:-

- An extremely competitive environment
- Fear of redundancy
- Fear for one's position
- A culture of promoting oneself by putting colleagues down
- Envy among colleagues
- An authoritarian style of management and supervision
- Organisational change and uncertainty
- Little participation
- Lack of training
- De-skilling
- No respect for others and their point of view
- Poor work relationships generally
- No clear codes of acceptable conduct
- Excessive workloads and demands on people
- Impossible targets or deadlines
- No procedures for resolving problems

Bullying may be part of the culture of an organisation. It may be seen as strong management, the effective way of getting things done, so it is often condoned and sometimes even encouraged.

2.9 Forms of Bullying

- Picking on people – unreasonably criticising performance
- Unreasonable withdrawing of authority or responsibility
- Imposing impossible objectives and deadlines
- Unfair changing of objectives
- Isolation or non co-operation, or ignoring individuals
- Any aggressive or threatening behaviour eg derogatory remarks of a personal rather than professional nature.
- Criticising or humiliating individuals in public
- Over-reacting to minor incidents in an intimidating manner
- Actual physical assault
- Abusive or intimidating written communication (includes use of e-mail).
- Effects on the Individual

People who are constantly bullied lose their self-confidence, their self-esteem and are at increased risk of suffering stress.

Physiological effects

- Headaches/migraine
- Sweating/shaking
- Feeling/being sick
- Irritable bowel
- Raised blood pressure
- Inability to sleep
- Loss of appetite

Psychological effects

- Anxiety
- Panic attacks
- Depression / tearfulness
- Feeling of dread

Behavioural effects

- Becoming irritable
- Becoming withdrawn
- Becoming aggressive
- Increased consumption of tobacco/alcohol etc
- Obsessive dwelling on the bully, and seeking justice or revenge.

If people are exposed to intolerable pressures and nothing is done to alleviate the stress they are suffering, the long term effects on their health can be serious, with the worst outcomes including nervous breakdown, heart attack and suicide.

2.10 The Penalties for Harassment/Bullying

The penalties for the harassment or bullying of one employee or group of employees by either employee or group of employees could lead to disciplinary action up to and including dismissal. However, every opportunity will be taken to resolve these matters on a less formal basis.

Uniformed and support staff members of the Brigade are covered by separate disciplinary codes/procedures but these treat harassment and bullying with the same degree of seriousness.

Under the various Acts of Parliament which prohibit discrimination, eg the Sex Discrimination Act 1975, the Race Relations Act 1976 etc the Board may be held responsible for the actions of employees regardless if information and training are provided to make employees aware of their responsibilities under these Acts.

In the event that an employee, or group of employees were to seek a remedy, for being harassed or bullied, by another employee, or group of employees through an Employment Tribunal, the Board may still be vicariously liable.

If harassment or bullying were to result in an actual physical assault this may be a criminal offence, which shall be reported by the victim directly to the Police. A report shall also be submitted to the relevant head of department.

Make cross reference to How to deal.