OAKWORTH MANOR CARE HOME LTD.	Issue Date: April 2019	Reviewed November 2026
	Next Review: 11/29	
BULLYING & HARASSMENT POLICY		

Oakworth Manor will not tolerate bullying, harassment, sexual harassment, discrimination or victimisation.

This policy is underpinned by the Home's legal responsibilities under the Equality Act 2010 and other relevant legislation. All employees, residents and visitors are entitled to an environment free from harassment, bullying or discrimination, as set out in law.

The purpose of this policy is to inform employees and visitors of the type of behaviour that is totally unacceptable and to explain what solutions there are to employees who may suffer harassment or bullying.

Oakworth Manor is committed to promoting equality, diversity and an inclusive and supportive environment for its staff and others closely associated with its work and affirms the rights of individuals to be treated fairly and with respect.

Sexual, racist and other forms of personal harassment and bullying can seriously harm working and social conditions for staff. Any incidents of harassment will be regarded extremely seriously by the Home and can be grounds for disciplinary action which may include dismissal.

This Home believes that all residents, staff and visitors, should be able to visit or reside in the Home without fear of humiliation, intimidation, sexual or racial harassment, oppression or any form of bullying. It is the responsibility of the staff and management that the atmosphere of the Home is caring, happy, relaxed and protective.

This policy applies to all staff, agency workers, contractors, volunteers, residents, relatives and visitors. It applies not only in the Home, but also in work related settings outside the Home, such as training events, work trips or social occasions connected with employment.

PREVENTION OF HARASSMENT

Oakworth Manor is committed to taking all reasonable steps to prevent sexual harassment in the workplace, in accordance with the Equality Act 2010, as amended by the Employment Rights Act 2025.

The Home recognises its responsibility to prevent harassment by employees and third parties, including residents, relatives, visitors, contractors and others who may come into contact with staff during their employment.

To fulfil this responsibility, the Home will:

- Assess the risks of harassment, including sexual harassment, and take appropriate preventative measures.
- Ensure that employees understand what constitutes unacceptable behaviour and how to report concerns.
- Provide appropriate information and training to employees and managers.

- Take all complaints seriously and investigate them promptly, fairly and sensitively.
- Take appropriate action to protect employees from harassment by colleagues or third parties.
- Review incidents, identified risks and preventative measures regularly to ensure they remain effective.

All employees are encouraged to report incidents or concerns, whether they have personally experienced or witnessed harassment. The Home will not tolerate victimisation or retaliation against anyone who raises a concern in good faith.

Concerns will be handled fairly, sensitively and as confidentially as possible.

EXPECTED BEHAVIOUR

Everyone working at Oakworth Manor is expected to:

• Treat others with dignity and respect
• Behave professionally and appropriately
• Avoid behaviour that may humiliate, intimidate, offend or distress others
• Challenge or report inappropriate behaviour where appropriate
• Support colleagues who raise genuine concerns.

WHAT IS HARASSMENT?

Harassment includes unwanted conduct related to a relevant protected characteristic, or unwanted conduct of a sexual nature, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Harassment may occur even where no offence was intended. In determining whether behaviour constitutes harassment, consideration will be given to the individual's perception, the circumstances of the incident and whether it was reasonable for the behaviour to have that effect.

Harassment may involve a single serious incident or a pattern of behaviour. It can occur in person, in writing, electronically or through social media.

If you are not sure, ask for help anyway

Any behaviour which shows lack of respect and which creates an atmosphere in which people feel uncomfortable and unwelcome can constitute harassment.

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SEXUAL HARASSMENT – could include:

Sexual harassment is unwanted behaviour of a sexual nature that causes offence, humiliation, intimidation or distress.

Examples include:

- Any behaviour which patronises, intimidates or offends, e.g.' remarks' looks, jokes or offensive language.
- Any behaviour which makes people feel viewed as sexual objects and which causes offence, even if unintended.
- Provocative suggestions, propositioning people
- The display of pornographic, semi-pornographic or suggestive material, both digital or paper
- Deliberate, potentially objectionable physical contact to which the person has not consented to or had the opportunity to object to, or promises of success or other rewards in exchange for sexual favours
- Although this most often involves women being harassed by men, this policy lies equally to harassment occurring between people of the same gender, or of men by women

Sexual harassment can affect anyone.

RACIAL HARASSMENT – could include:

- Any behaviour which causes discomfort, intimidates or offends or which incites others to do so – derogatory names, insults, racist jokes or ridiculing cultural difference
- The display or circulation of offensive material, including racist graffiti, email, social media posts or information published through the internet
- Verbal abuse and threats of physical attack

PERSONAL HARASSMENT – could include:

- Behaviour which makes direct or indirect reference to disability or impairment – and thus causes discomfort, patronises, insults or offends people with a physical, sensory or mental disability
- Behaviour which makes direct or indirect reference to religion or culture thereby causing discomfort or offence
- Repeated gibes in reference to personal traits, appearance of sexual orientation
- Invasion of privacy or practical jokes causing physical, or psychological distress
- Pressure to become involved in antisocial or criminal behaviour
- Messages to or about a person, including emails and social media posts that are offensive, insulting or cause discomfort

THIRD PARTY HARASSMENT

The Home recognises its duty to take all reasonable steps to prevent harassment of employees by third parties, including residents, relatives, visitors and contractors.

Employees who experience harassment from a third party should report the incident to their line manager, or the management team.

Behaviour does not have to be intended to offend to amount to harassment. What one person sees as joking or “banter” may still be unacceptable.

Please remember the test is that the behaviour is **UNWELCOME, UNINVITED AND UNRECIPROCATED.**

Bullying is also difficult to define. Obvious examples are:

- Verbal and or physical intimidation – threats, shouting, derisory remarks, often in front of others
- Ostracism, or conversely, excessive supervision
- Undermining of the individual's position by changing work objectives/guidelines without consultation, taking credit for the target's work, deriding the target's work to supervisors, etc.
- Removing areas of responsibility and giving people menial or trivial tasks to do instead
- Withholding important information
- Spreading malicious rumours
- Persistent criticism
- Messages including electronic mail that are threatening, derisory or defamatory

To achieve this we will do the following:

- Ensure that there is a procedure to follow if there is an incident of bullying, i.e. grievance procedures.
- Ensure that victims are given support.
- Inform affected staff and other appropriate people of the action being taken, why it is being taken and what they can do to reinforce and support that action.
- Assign an appropriate person to whom anyone can talk to in confidence - this may be the manager.
- Give reassurance that something will be done and that the incident will be handled in a sensitive manner.
- Ensure that other people watch over the victim at all times, if they are at risk.
- Encourage staff to be trained in observing for danger signs, and to pass on any worries they may have about someone.
- Ensure everyone, especially staff, know that we will not accept bullying in any form and that they will be supported in their efforts to stop this practice.

- Inform friends, relatives, and staff of the signs of distress to look for if someone is being bullied, although this can be difficult to spot in the Home setting due to the mixed signs that clients may present.

Reasonable management action, such as giving instructions, managing performance or addressing poor conduct, is not bullying when carried out fairly and professionally.

Residents, relatives and visitors

Staff are not expected to tolerate bullying or harassment from residents, relatives, visitors or contractors.

Incidents must be reported to the Manager or senior person on duty.

Where the behaviour involves a resident, their needs, mental capacity, health conditions and possible triggers will be considered. Risk assessments and care plans will be reviewed where required.

The Safeguarding Adults Policy will be followed where there is a risk of abuse or harm.

Anyone who experiences or witnesses bullying, harassment, discrimination, sexual harassment or victimisation should report the matter.

PROCEDURE

Employees who experience or witness harassment or bullying are encouraged to report their concerns as soon as possible.

Where appropriate and where the employee feels comfortable doing so, concerns may be addressed informally by explaining to the individual that their behaviour is unacceptable. However, employees are not required to confront the alleged harasser or bully before raising a formal complaint.

Concerns should be reported to the Home Manager. Where the complaint involves the Home Manager, or where the employee does not feel comfortable reporting to them, the matter may be raised directly with the Operations Manager or Director.

Anonymous concerns can be raised using our Whistleblowing function by clicking here. These concerns go directly to the Nominated Individual and Director. Key dates, times, locations and detailed information will help us to complete a thorough investigation into the concerns raised.

Employees are encouraged to keep a record of incidents, including dates, times, locations, witnesses and details of what occurred, where possible. However, the absence of written evidence will not prevent a complaint from being considered.

Formal complaints will be investigated promptly, fairly and sensitively, with appropriate measures taken to protect those involved. The Home will consider appropriate temporary arrangements during an investigation without unfairly disadvantaging the complainant.

You will be informed of the findings of the investigations and will be given an opportunity to comment.

If the report concludes that the allegation is well founded, the harasser or bully will be subject to disciplinary action, up to and including dismissal, in accordance with our disciplinary procedure.

If you bring a complaint of harassment or bullying you will not be victimised for having brought the complaint. All complaints will be treated as confidentially as reasonably possible and only shared with those directly involved in investigating and resolving the matter. Retaliation or further harassment of anyone raising a concern will be treated as a disciplinary matter.

Where an investigation establishes that a complaint was deliberately false or made maliciously, disciplinary action may be considered in accordance with the Home's disciplinary procedure. However, a complaint that is not upheld will not, in itself, be treated as malicious or result in disciplinary action against the complainant.

The Home’s appeal procedure applies to appeals against decisions made under the equal opportunities and discrimination policy.