

OAKWORTH MANOR CARE HOME LTD.	Issue Date: April 2019	Reviewed September 2026
	Next Review: 09/29	
<u>BULLYING & HARASSMENT POLICY</u>		

[This policy is linked to our Dignity at Work Policy. To read this policy, click here.](#)

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

Everyone has the right to be treated with dignity and respect. The Home will take appropriate steps to prevent unacceptable behaviour and will act promptly when concerns are raised.

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

WHAT IS HARASSMENT?

Harassment is unwanted behaviour that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

Harassment may relate to age, disability, race, religion or belief, sex, sexual orientation or gender reassignment.

It may happen face to face, in writing, by telephone, email, social media or messaging apps.

People who are being harassed often feel isolated and stressed, and this can affect their work. It is therefore important to seek help as soon as possible, if you feel you are being harassed.

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.

SEXUAL HARASSMENT – could include:

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

Examples include:

- Sexual comments, jokes or gestures
- Unwanted touching or physical contact
- Comments about someone's body, appearance or sex life
- Sexual messages, images or material
- Repeated unwanted requests for dates
- Sexual propositions
- Offering benefits or favourable treatment in return for sexual conduct
- Treating someone unfairly because they rejected sexual advances.

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, electronic mail or information published through the internet
- Verbal abuse and threats of physical attack

OTHER FORMS OF HARASSMENT

Harassment may include:

- Insulting or offensive comments about a person's age, disability, race, religion, sex, sexual orientation or other protected characteristic
- Mocking someone's disability, culture, religion, accent or appearance
- Offensive jokes, names, messages or images
- Deliberately excluding or humiliating someone
- Inappropriate comments on social media or messaging apps
- Practical jokes or behaviour which causes distress.

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:

1. Ensure that there is a procedure to follow if there is an incident of bullying, i.e. grievance procedures.
2. Ensure that victims are given support.
3. 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.
4. Assign an appropriate person to whom anyone can talk to in confidence - this may be the manager.
5. Give reassurance that something will be done and that the incident will be handled in a sensitive manner.
6. Ensure that other people watch over the victim at all times, if they are at risk.
7. Encourage staff to be trained in observing for danger signs, and to pass on any worries they may have about someone.
8. 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.
9. 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.

Safeguarding procedures will be followed where there is a risk of abuse or harm.

Procedure

If appropriate, the person affected may tell the individual that their behaviour is unacceptable and ask them to stop. They do not have to do this before reporting the matter.

Concerns may be raised with the Home Manager or another senior manager. If the complaint involves the Home Manager, it should be reported to the Nominated Individual.

Serious concerns should be reported immediately.

Staff are encouraged to keep details of incidents, including dates, times, witnesses and relevant messages where possible.

When or if the informal approach fails or if you believe that the harassment or bullying is of a very serious nature you must bring the matter to the attention of the Home manager. If possible, you should keep notes of the harassment or bullying so that the formal complaint can be investigated, including the date, time and whereabouts of the act.

Formal complaints will be investigated promptly, fairly and confidentially.

Both parties will have the opportunity to provide information and evidence.

Temporary arrangements may be made to protect those involved while the investigation takes place. This does not mean that a decision has already been made.

The person raising the complaint will be informed of the outcome where appropriate.

Where a complaint is upheld, appropriate action will be taken under the Home's Disciplinary Procedure.

No employee will be treated unfairly for raising a genuine concern, supporting another person or taking part in an investigation.

A complaint will not be treated as malicious simply because it is not upheld. Disciplinary action will only be considered where there is evidence that an allegation was knowingly false or deliberately malicious.

Any appeal will be dealt with under the Home's Grievance Procedure.