

**Bullying and Harassment Policy**

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<b>Approved by</b>	OneCall24 Policy Team

**Purpose**

OneCall24 Limited is committed to providing a caring, friendly and safe environment for all of its workers, ensuring that they are treated with dignity and respect so they can work in a relaxed and secure atmosphere. Bullying of any kind is unacceptable and, if bullying does occur, all incidents will be dealt with promptly and effectively.

**Objectives**

- To ensure a working atmosphere free from bullying or harassment of any kind.
- To ensure that all members of staff are treated with dignity and respect, regardless of any Protected Characteristics.
- To ensure that all staff members are aware that OneCall24 Limited takes all allegations of bullying and/or harassment seriously and will not hesitate to invoke the Discipline Policy and
- Procedure against the perpetrator should the allegations be found to be true.

**Policy**

OneCall24 Limited is committed to having a workplace which is free from harassment and bullying and one that ensures that all employees, contractors and others who come into contact with OneCall24 Limited, in the course of their work, are treated with dignity and respect regardless of any Protected Characteristics.

OneCall24 Limited will not tolerate bullying or harassment whether it is a one-off act or repeated, and whether it is done purposefully or not. Neither will OneCall24 Limited tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of

harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may, in appropriate circumstances, lead to dismissal.

Bullying and harassment are considered acts of misconduct. When these are deemed to be sufficiently serious, they will be considered gross misconduct which may lead to the dismissal of the perpetrator. Onecall24 Limited will consider each case on its own facts.

This policy applies to all employees, workers, officers, consultants, contractors, volunteers, casual workers and agency workers.

Bullying, harassment and discrimination are personal grievances and are not covered by whistleblowing law, unless the particular case is in the public interest.

The Compliance Manager has day-to-day responsibility for this policy and you should refer any questions about this policy to them in the first instance. Staff should disclose any instances of harassment or bullying of which they become aware to their line manager. If the allegations of harassment or bullying relate to their line manager then they should disclose any instances to the Compliance Manager.

This policy does not form part of the employee's contract of employment and may be amended at any time.

### **Procedure: Informal Process**

Initially, the affected member of staff may feel that it is possible to address the issue informally with the perpetrator, with a view to resolving matters.

Sometimes it may be the case that the perpetrator is unaware that their conduct is having such an effect and may be genuinely upset that they have caused offence. The affected member of staff should explain to the perpetrator that their conduct is unwelcome, makes them uncomfortable and ask that they avoid such behaviour in the future. Notes should be taken of any conversation.

In the event that addressing the issue informally does not resolve it or the employee considers the actions to be too serious to try to resolve it informally, the employee should raise these concerns formally.

The affected member of staff should submit it in writing to their line manager or main point of contact (if self-employed). If the matter concerns their line manager or main point of contact, they should submit it to the Compliance Manager or HR Department (where applicable).

The written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

As a general principle, the decision whether to progress a complaint is up to the affected member of staff. However, Onecall24 Limited has a duty to protect all staff and may pursue the matter independently if, in all the circumstances, it considers it appropriate to do so.

### **Procedure: Formal Process**

Following receipt of a formal complaint, the member of staff's line manager or another nominated person with appropriate experience and no prior involvement (where possible) will undertake an impartial and objective investigation into the allegations raised.

Onecall24 Limited may arrange a meeting with the affected member of staff, usually within one week of receiving the formal complaint, so that they can give their account of events. The affected employee will be allowed to bring a colleague or a trade union representative to the meeting with them.

Onecall24 Limited will ensure that any necessary steps are taken to manage the relationship between the employee making the accusation and the individual the allegations are made about. Any details of the investigation, including the names of individuals involved, will only be disclosed on a need-to-know basis. Onecall24 Limited will maintain the utmost confidentiality where possible.

Once Onecall24 Limited has completed its investigation, the employee will be informed of the outcome of the investigation. If the harasser or bully is a fellow employee, Onecall24 Limited will look to deal with the potential misconduct or gross misconduct offence under the Discipline Policy and Procedure. As per usual practice, the outcome of the disciplinary process is at the determination of Onecall24 Limited and the affected employee cannot dictate what action is to be taken.

Onecall24 Limited may explore, in certain cases, the feasibility of mediation between the harasser and the aggrieved. This may be accompanied by additional training for the harasser, either internally or externally. All staff are encouraged to consider engaging in mediation where it is offered as a solution, although Onecall24 Limited recognises that mediation will not always be appropriate. Where the unwanted behaviour has stemmed from a third party, Onecall24 Limited will look to clarify the behaviour expected of their representatives or, in very serious cases, ban them from the premises and/or terminate the contract with them.

Where the unwanted behaviour has stemmed from a Client, the member of staff should bring this to the attention of their line manager as soon as possible. Onecall24 Limited will investigate this and where the line manager considers an offence has occurred, they will then take appropriate action to resolve the issue.

Whether or not the employee's complaint is upheld, Onecall24 Limited will consider how best to manage any ongoing working relationship between the employee and the person

concerned.

### **Appeals**

If the affected employee is not happy with the outcome of the investigation, they may appeal to Compliance Manager or the Board of Directors (where applicable) within seven days. The letter must state the full reasons for the appeal.

OneCall24 Limited will arrange an appeal meeting with the affected employee usually within seven days of receiving the appeal letter. The appeal will be carried out by a manager who has not previously been involved with the investigation.

The affected employee will be allowed to bring another employee or a trade union representative to the meeting with them.

Following the meeting, OneCall24 Limited will write to the affected employee with their decision. This will usually be within seven days. There will be no further right of appeal after this decision.

Please note that any employee who deliberately provides false information or acts in bad faith as part of the investigation process will be subject to action under the Discipline Policy and Procedure at OneCall24 Limited.

OneCall24 Limited may keep information about a complaint by or about an employee on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

### **Definitions**

#### Harassment

- Harassment is defined as any unwanted physical, verbal or non-verbal conduct which has the effect of violating another member of staff's dignity or creating a hostile, intimidating, degrading, humiliating or offensive environment for them
- This only needs to be a single incident and does not have to be on the grounds of a Protected Characteristic (specifically race, religion, age, sex, sexual orientation, marriage, gender (including gender reassignment), pregnancy and maternity or disability), for example, unwanted conduct directed at a member of staff because of their weight would amount to harassment
- The focus is on the effect that the unwanted treatment has on the member of staff, as opposed to whether the conduct was intentional or not, although intention can be taken into account when deciding how serious the matter is

#### Whistleblowing

- You are a whistleblower if you are a worker and you report certain types of

wrongdoing. This will usually be something you have seen at work - though not always

- The wrongdoing you disclose must be in the public interest. This means it must affect others, e.g. the general public
- As a whistleblower you are protected by law - you should not be treated unfairly or lose your job because you 'blow the whistle'. The law is the Public Interest Disclosure Act 1998

#### Protected Characteristic

- The Equality Act 2010 is concerned with discrimination and harassment in respect of nine protected characteristics
- These characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation

#### Gross Misconduct

- Misconduct that is sufficiently serious to warrant dismissal of an employee without notice

#### Bullying

- Bullying is categorised as offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can leave an employee feeling vulnerable, upset, humiliated, undermined or threatened. Bullying can be:
  - Emotional - being unfriendly, excluding and ignoring, tormenting (e.g. hiding or interfering with belongings, threatening gestures, threatening language)
  - Physical - pushing, kicking, hitting, punching or any use of violence
  - Verbal - name-calling, criticising in public, sarcasm, spreading rumours, teasing
  - Mobile - threats by text messaging and calls, misuse of associated technology, i.e. camera and video facilities

#### Misconduct

- Conduct by an employee which is serious but is not sufficient on its own to warrant dismissal either with or without notice