

NORTH WEST COMMUNITY SERVICES TRAINING LTD

ANTI-BULLYING POLICY

(Policy specific to ESFA/LCR funded activity)

NWCS Training Ltd also works in accordance with the following legislation and guidance:

- Keeping Children Safe in Education (DfE September 2021)
- Sexual Offences Act (2003)
- General Data Protection Regulations 2018 (GDPR)
- Preventing and Tackling Bullying (DfE, 2017),
- Female Genital Mutilation Act 2003 (S. 74 - Serious Crime Act 2015)
- Sexual violence and sexual harassment between children in schools and colleges (DfE, 2017)
- Voyeurism (Offences) Act 2019
- UK Council for Internet Safety – UKCIS2020
- <https://www.nwcstraining.co.uk/remote-education-offer/>
- <https://www.nwcstraining.co.uk/delivery-intent-statement/>
- Other departmental specific policies

Ultimate responsibility – This policy is specific to that of NWCS Training Ltd and has been ratified by Operational Manager Paul Sheron – 29/09/2021



29/09/2021

Introduction

NWCS Training Ltd is committed to providing a working environment that is free of harassment and bullying, and where everyone is treated, and treats others, with dignity and respect. NWCS Training Ltd will not permit or condone any form of bullying or harassment.

This policy covers bullying or harassment of or by anyone engaged to work with NWCS Training Ltd and also by third parties such as learners. The policy encompasses bullying or harassment that occurs in the workplace, and also out of the workplace, such as work placements.

This policy does not form part of your contract of employment, and we may amend it at any time.

What is bullying?

Bullying is a sustained form of psychological abuse. It is defined as offensive, intimidating, malicious or insulting behaviour, involving the abuse or misuse of power, which has the purpose or effect of belittling, humiliating or threatening the recipient. Workplace bullying usually takes one of three forms: physical, verbal or indirect. It can range from extreme forms such as violence and intimidation, to less obvious actions, such as professional or social exclusion.

Examples of bullying may include (but are not limited to) the following:

- Shouting or swearing at people in public or private;
- Spreading malicious rumours;
- Inappropriate derogatory remarks about someone's performance;
- Physical or psychological threats;
- Constantly undervaluing effort;
- Rages, often over trivial matters;
- Ignoring or deliberately excluding people;
- Overbearing and intimidating levels of supervision;
- Deliberately sabotaging or impeding work performance.

Please note that managers are duty-bound to give their team members feedback and to generally manage their performance. Legitimate, reasonable and constructive criticism of a team member's performance or behaviour, or reasonable instructions given to an employee in the course of their employment, will not amount to bullying on their own.

What to do if you are being harassed or bullied

Informal approach

You may be able to sort out matters informally. The person may not know that their behaviour is unwelcome or upsetting, so an informal discussion may help them to understand the effects of their behaviour and agree to change it.

If you feel able to, tell the person what behaviour you find offensive and unwelcome, and say that you would like it to stop immediately. You should keep a note of the date and what was said and done. This will be useful if the unacceptable behaviour continues and you wish to make a formal complaint.

If this is too difficult for you, then please talk to your manager, or a trusted colleague, for advice and assistance. They may for example speak to the person concerned on your behalf, or accompany you when you speak to them.

If the informal approach is not appropriate, or has not been successful, you should raise a formal grievance.

Formal procedure

When a team member feels that they need to deal with an issue of harassment or bullying formally, they should do so according to the NWCS Training Ltd grievance procedure.

We will investigate complaints in a timely, confidential and sensitive manner. The investigation will be conducted where possible by someone with appropriate seniority and experience, and no prior involvement in the complaint. Details of the investigation, and the names of the people involved, will only be disclosed on a 'need to know' basis. We will consider whether any steps are necessary to manage the ongoing working relationship between you and the person accused during the investigation.

Once the investigation is complete, we will inform both parties (separately) of our decision. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Consequences of a breach of this policy

If after due investigation we consider that a team member has been harassed or bullied by an employee the matter will be dealt with under the disciplinary procedure as a case of possible misconduct or gross misconduct. The person concerned may be suspended on full pay during the disciplinary investigation until any eventual disciplinary proceedings have been concluded. If the complaint of bullying or harassment is upheld, a disciplinary penalty may be imposed up to and including dismissal, depending on the seriousness of the offence and all relevant circumstances.

Some bullying or harassment will constitute unlawful discrimination if it relates to any of the Protected Characteristics as detailed above and in the Equal Opportunities policy. Such behaviour could constitute a criminal offence, punishable by a fine and/or imprisonment.

Where it is found that an employee has been harassed by a third party, such as a customer, supplier or independent contractor, the Company will take such steps as are reasonably practicable to prevent any recurrence.

If someone makes a complaint which is not upheld, and the Company has good grounds for believing that the complaint was not made in good faith, the Company will take disciplinary action against the person making the false complaint.

Protection and support for those involved

Team members who make complaints in good faith, or who participate in any investigation must not suffer any form of retaliation or victimisation as a result. Any employee engaged in retaliation will be subject to disciplinary action.

Record-keeping

Information about a complaint by or about an employee may be placed on either party's personnel file, along with a record of the outcome and any other notes or documents compiled during the process. These will be processed in accordance with our Data Protection policy.

How we can all help to stop bullying and harassment

We all have a shared responsibility to help create and maintain a working environment free of bullying and harassment. You can do this by:

- Considering how your own behaviour may affect others, and changing it;
- Being receptive, rather than defensive, if asked to change your behaviour;
- Treating your colleagues with dignity and respect;
- Taking a stand if you think inappropriate jokes or comments are being made;
- Making it clear to others when you find their behaviour unacceptable;
- Intervening, if possible, to stop harassment or bullying, and giving support to victims;
- Reporting harassment or bullying to your manager or another appropriate officer of the Company;
- Being open, honest and objective in any investigation of complaints.

Managers have a particular responsibility to:

- Set a good example by their own behaviour;
- Ensure that there is a supportive working environment in their team;
- Communicate to team members what standards of behaviour are expected from them;
- Intervene to stop bullying or harassment;
- Report promptly to HR or senior management any complaint of bullying or harassment.

ANTI-BULLYING STATEMENT

Bullying is regarded as a serious offence and firm action is always taken against it. We encourage all learners to work against it and to report any incidents of bullying whether to themselves or others.

Bullying can be physical, verbal or emotional by a single person or a group.

Incidents of bullying can include:

- Name calling
- Malicious gossip
- Damaging or stealing property
- Forcing people into acts they do not wish to do
- Violence and assault
- Teasing
- Intimidation
- Extortion
- Continually ignoring or excluding an individual
- Using abusive language
- Undermining somebody's ability to do their job
- Making somebody's job more difficult by denying them access to information that is necessary for them to do their duties effectively

What we do if bullying is reported

- Investigate recognising that there are differences between bullying and boisterous behaviour.
- Record all incidents on the complaints form
- Take appropriate action
- Involve appropriate external agencies if necessary
- Re-locate or re-organise work/sessions if necessary
- Give support to both the victim and the bully
- Offer counselling if required
- Follow up to prevent re-occurrence

NWCS Training Ltd will take all reported instances seriously and ensure to follow up on any reported incidents as deemed necessary. Proven instances of bullying could result upon subsequent removal from learning programmes and referral to the relevant authorities.

Review

The effectiveness of this policy and associated arrangements will be reviewed annually under the direct supervision of Paul Sheron, Operational Manager.