

Bullying and Harassment Policy

| | |
|-----------------------|-------------------------|
| Policy Name | Bullying and Harassment |
| Executive Owner | Chief Financial Officer |
| Approval body | ELT |
| Frequency of approval | 3 years |
| Date approved | February 2025 |
| Date next approved | February 2028 |

Policy Statement

At Fight for Sight, we want to provide a safe and supportive working environment for all our colleagues, free from bullying and harassment. This policy explains:

- how we expect our colleagues to behave
- what to do if you see or experience inappropriate behaviour
- how we can all help to create a respectful working environment

This policy applies to all colleagues, as well as volunteers, trustees, agency workers, contractors and other visitors to our premises.

Principles

We have a zero-tolerance approach to any forms of bullying or harassment towards colleagues and will take any allegations very seriously.

If we find that someone has bullied or harassed someone, made false allegations, or treated a colleague badly because they've raised a legitimate concern we may deal with this under our Disciplinary policy.

We all have a responsibility to create a culture where bullying and harassment doesn't happen in our workplace, and challenging it or reporting it if we see it happening.

Bullying

Bullying is behaviour that is offensive, intimidating, malicious or insulting toward someone else. It could also be an abuse or misuse of power which undermines, humiliates, puts down or hurts another person.

Bullying can take many different forms, including;

- physical, verbal or mental
- aggressive (such as threatening or intimidating someone) or passive (such as ignoring someone)
- carried out in an obvious and public way, or be subtle so only you and the bully know it's going on
- in person or by phone, email, text, or via social networking sites
- ongoing or a serious one-off incident
- between two individuals or involve a group of people targeting one person

Bullying can also be related to work, for example:

- singling out someone for trivial tasks or unpleasant jobs
- not passing on messages or giving wrong or unclear information on purpose
- making inappropriate comments or threats about someone losing their job

Harassment

Harassment is legally defined as unwanted behaviour in relation to a protected characteristic that violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them. Protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Sexual harassment

By law, employers have to take reasonable steps to prevent sexual harassment of their employees taking place. We have a zero-tolerance approach to any form of bullying, harassment, or discrimination and this includes sexual harassment.

We know that sexual harassment at work can have a damaging effect on our colleagues' mental and physical health and a negative impact on our workplace culture.

We will always take any allegations seriously and handle them fairly, sensitively, and promptly. There are no time constraints around reporting an incident of sexual harassment as we know that it can take colleagues time to feel comfortable to come forward, but we would encourage colleagues to come forward as soon as they can, so we have the best chance of investigating and resolving the situation.

We all have a responsibility to create a culture where sexual harassment doesn't happen, and challenge it or report it if we see it happening.

So it's clear, if we find that you've sexually harassed someone or have victimised a colleague because they have raised a legitimate concern, we regard this as potential misconduct and disciplinary action may be taken against you up to and including dismissal. An employee who receives a formal warning or is dismissed for sexual harassment/victimisation may appeal using our disciplinary appeals process. Aggravating factors such as an abuse of power over a more junior colleague will be taken into account when deciding what disciplinary action should be taken.

Sexual harassment is against the law. Sexual harassment is 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 for them.

Sexual harassment is also treating someone less favourably because they have either submitted a complaint of sexual harassment or have rejected such behaviour.

Unwanted means the same as unwelcome or uninvited. It means it's unwanted by the person who is being sexually harassed. It's important to note that sexual conduct which has in the past been wanted can become unwanted and the person receiving the behaviour decides if it's unwanted; not the person doing it.

Even if there's no intention to cause distress, it can still have the effect of violating someone's dignity or creating an intimidating environment. A person can be affected by sexual harassment even if the conduct is not aimed at them.

Sexual harassment can be a one-off incident or ongoing and can occur in many forms including in person, in writing and online through social media, WhatsApp and email and can take place at work or outside of work. It can occur during any situation related to work such as at a social event with colleagues or after work drinks.

Whilst this is not an exhaustive list, examples of sexual harassment include:

- sexual comments or jokes
- displaying sexually graphic pictures, posters or photographs
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwelcome touching, hugging, massaging, kissing, patting, pinching, grabbing, or groping
- unwanted physical sexual activity such as attempted and actual rape or sexual assault
- using a position of power/seniority to make unwanted sexual advances to another colleague
- describing people's physical appearance in a sexual manner
- using terms such as babe or dear without consent
- indecent exposure, voyeurism, or stalking

Banter

Experiences of harassment can often be dismissed as 'banter' or teasing or joking and can show up in many ways at work. It doesn't matter if others think 'it's okay' or 'it's just banter' or it's just 'having a laugh' or is commonplace at work. It is still harassment if the behaviour is unwanted and it violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.

Victimisation

Victimisation is against the law. It means treating someone less favourably because they have made or may make, or it's suspected that they may make a complaint about harassment or have helped someone make a complaint or an allegation about harassment. We will not tolerate any form of victimisation.

What to do if you are subject to bullying or harassment

Resolving things informally

Sometimes an informal approach may be enough to make the harassment stop; especially where it is unintended, and the person is not aware that their behaviour is unwelcome. In these instances, an informal conversation may lead to greater understanding and an agreement by that person that their behaviour will change.

If you feel comfortable speaking to the person responsible about how their actions are making you feel and asking them to stop, we encourage you to do so. You shouldn't do anything which may put you at risk of further harassment or other harm.

If you don't feel comfortable to speak to the person but would still like to try and resolve the matter informally, talk to your manager, or another manager, who can speak to them on your behalf should you wish.

We understand there may be times when you don't feel that you can speak to your manager or your complaint is about them. In this situation we would encourage you to speak to another manager who you feel comfortable speaking to.

You can also speak to HR or a member of ELT. They will need some limited information from you including your name and the name of the perpetrator.

It is important to be clear that engaging in informal resolution initially does not prevent you from raising a formal complaint at a later time.

Raising things formally

If you don't feel comfortable raising informally, or it's not appropriate to resolve things informally due to the seriousness of the action, or you have raised things informally and they haven't resolved the issue, you can make a formal complaint. You should do this by raising a grievance. You'll need to put your grievance in writing and send it to your manager, or another manager.

Please see the Grievance policy for more information on how your complaint will be handled.

We know it's not an easy thing to do to speak up about these things, so we'll investigate this as quickly as possible. If we find evidence, we'll take appropriate action against those involved.

Support and protection

We operate on the understanding that concerns are raised in good faith. A colleague will not be subjected to negative treatment if they raise a concern in good faith, even if the complaint is not ultimately upheld.

If a complaint is found to be false and made in bad faith this will be treated in line with our disciplinary policy.

Witnessing an incident

If you witness harassment, we encourage you to speak up.

If you are comfortable to do so we encourage you to intervene at the time of the incident, encourage the victim to seek appropriate support and guidance. You won't be treated unfavourably for speaking up. You shouldn't do anything which may put you at risk of harassment or other harm.

If you raise a complaint but then ask us not to take the matter any further, we will keep the situation under review. If we believe we must take formal action, we will explain this and put measures in place to support you.

Criminal Offence

Some acts of harassment may amount to a criminal offence. We will support you if you wish to report a crime to the police. We won't pressure you to make any particular decision but, in some situations, we may decide we have to tell the police for example if we believe there is an ongoing risk to your or others' safety. If we do report it, we will talk to you before we do and let you know when we have told them.

If you have been accused

We understand that it is distressing to be accused of harassment. We will carry out a fair and thorough investigation and not make assumptions ahead of the outcome of the investigation. If we find the allegations are untrue, we won't allow you to suffer negative treatment in your employment because of it and will give you support if you need it.

Third party harassment and reporting

Colleagues may experience harassment by someone they come into contact with through work, for example a customer, member of the public, donor, supplier, contractor or visitor to our premises. This is called third party harassment.

As an employer we have a duty to take reasonable steps to prevent third party harassment. If you experience it or witness it, it's important that you don't feel that you have to put up with it.

If you experience harassment by a third party, report this to your manager and we will make sure correct support and advice is given to you.

To be clear, we also do not tolerate harassment by any member of our workforce against a third party.

Confidentiality

Confidentiality is an important part of the procedures provided under this policy.

Details of the investigation and the names of the person making the complaint, and the person accused must only be disclosed on a "need to know" basis.

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

Breach of confidentiality may give rise to disciplinary action under our Disciplinary policy.

Performance Management

Bullying isn't the same as managing someone's performance. If your manager is giving you work to do or managing your performance using an informal or formal process, and they're doing that in a professional and supportive way, this won't be considered bullying.