


Policy

Title: Anti Bullying Policy

Document No.	Version	Status	Effective Date
POL-10	02	Approved	01/09/2020

Document Approvals

	Print Name	Signature	Date
Approver	Fran Crowell		01/09/2020

1.0 Objective

The purpose of this anti bullying policy is to provide guidance for staff with regards to bullying and harassment within Remember Us

2.0 Scope

The scope of the document applies to all Staff of Remember Us.

3.0 Responsibilities

It is the responsibility of Remember Us to have a policy in place to provide guidance for staff with regards to bullying and harassment within Remember Us.

It is the responsibility of Remember Us staff and to ensure they have read and understand the policy herein.

4.0 Policy

Remember Us is committed to the promotion and implementation of all necessary measures to protect the dignity of employees and to encourage respect in the workplace. This will be done by creating a work environment, free from harassment, sexual harassment; bullying and disrespectful behaviour through implementation of effective procedures to deal with any complaints of such conduct as may arise.

Harassment, sexual harassment, bullying or disrespectful behaviour takes many forms and can be of a verbal, physical or visual nature. It can be described as unwanted behaviour, which a person finds intimidating, upsetting, embarrassing, humiliating or offensive.

Policy

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Document No.	Version	Status	Effective Date
POL-10	02	Approved	01/09/2020

It is essential to remember that it is not the intention of the person responsible for the behaviour which is most important in deciding whether harassment, sexual harassment, or bullying has occurred, but whether the incidents are acceptable by normal standards of behaviour.

4.1 Harassment, Sexual Harassment and Bullying

4.1.1 Harassment

“Harassment is any form of unwanted conduct related to any of the discriminatory grounds.”

In particular, employees cannot and should not comment to or about, harass, or discriminate against each other on any of the following nine grounds:

- Gender
- Marital status
- Family status
- Sexual orientation
- Religious belief or lack of religious belief
- Age
- Disability, lack of disability or the nature of disability
- Race, colour, nationality or ethnic or national origins
- Membership or non-membership of the traveller community

Harassment may consist of a single incident or repeated inappropriate behaviour. The following are examples of inappropriate behaviour, which may constitute harassment. These examples are illustrative but not exhaustive:

- Verbal harassment, e.g., jokes, derogatory comments, ridicule, or song
- Written harassment, e.g., faxes, text messages, social media, e-mails, or notices
- Physical harassment, e.g., jostling or shoving.
- Intimidatory harassment, e.g., gestures or threatening poses
- Visual displays, e.g., posters, emblems, or badges
- Persistent negative body language
- Ostracising or exclusion of a person
- Inappropriate use of social media to harass someone.

An act of harassment may occur outside the work premises or normal working hours provided the perpetrator was acting in the course of employment, for example, at a training course, conference, or work-related social event.

Policy

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Document No.	Version	Status	Effective Date
POL-10	02	Approved	01/09/2020

4.1.2 Sexual Harassment

“Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, being conduct which in either case has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Without prejudice to the generality of the above, such unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.”

Sexual harassment may consist of a single incident or repeated inappropriate behaviour. The examples of types of inappropriate behaviour contained in the section on harassment apply in the case of sexual harassment also.

4.1.3 Bullying

Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual’s right to dignity at work.

The following are examples of bullying behaviour:

- Undermining an individual's right to dignity at work
- Humiliation
- Intimidation
- Verbal abuse
- Victimisation
- Exclusion and isolation
- Intrusion by pestering, spying and stalking.
- Repeated unreasonable assignments to duties that are obviously unfavourable to one individual.
- Repeated requests giving impossible deadlines or impossible tasks.
- Implied threats
- Gestures

The above list is representative only, not exhaustive, and should be used as guidance.

- An isolated incident of the behaviour described in this definition may be an affront to dignity at work, but, as a once off incident, is not considered to be bullying.
- Complaints relating to instructions issued by a member of the management team, assignment of duties, terms and conditions of

Policy

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employment or other matters, which are appropriate for referral under other normal grievance procedures, do not constitute bullying.

- Legitimate management responses to pressurised situations which require an immediate action are not considered to be bullying.
- Constructive and fair criticism of an employee’s conduct or work performance is not bullying.

4.1.4 Lack of Respect

Lack of respect can be shown by direct comments, sarcasm, snide remarks, inappropriate jokes, or banter directed towards a colleague. It can also arise where colleagues are ignored, overlooked, avoided, or shunned without good reason and in a manner likely to be hurtful or disrespectful. Jokes or comments directed at or referring to a colleague could be thought amusing by others but unpleasant, uncomfortable, or hurtful to that colleague.

4.2 Procedures

4.2.1 Informal Procedure

While in no way diminishing the issue or the effects on individuals, an informal approach can often resolve matters. As a general rule therefore, an attempt should be made to address an allegation of bullying as informally as possible by means of an agreed informal procedure. The objective of this approach is to resolve the difficulty with the minimum of conflict and stress for the individuals involved.

- a) Any employee who believes he or she is being bullied should explain clearly to the respondent(s) that the behaviour in question is unacceptable. In circumstances where the complainant finds it difficult to approach the respondent(s) directly, he or she should seek help and advice, on a strictly confidential basis, from a member of the management team.
- b) A complainant may decide, for whatever reason, to bypass the informal procedure. Choosing not to use the informal procedure should not reflect negatively on a complainant in the formal procedure.

4.2.2 Formal Procedure

If an informal approach is inappropriate or if after the informal stage, the bullying persists, the following formal procedures should be invoked:

Policy

Title: Anti Bullying Policy

Document No.	Version	Status	Effective Date
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- The complainant should make a formal complaint in writing to any member(s) of the Board of Directors. The complaint should be confined to precise details of actual incidents of bullying.
- The respondent(s) should be notified in writing that an allegation of bullying has been made against them.
- They should be given a copy of the complainant’s statement and advised that they shall be afforded a fair opportunity to respond to the allegation(s).
- The complaint should be subject to an initial examination by a designated member of the Board of Directors, who can be considered impartial, with a view to determining an appropriate course of action. An appropriate course of action at this stage, for example, could be exploring a mediated solution or a view that the issue can be resolved less formally.
- The option of mediation will always be considered prior to investigation.

Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint should take place with a view to determining the facts and the credibility or otherwise of the allegation(s).

4.2.3 Investigation

- The investigation should be conducted by either a designated member or members of the Board of Directors or, if deemed appropriate, an agreed third party. The investigation should be conducted thoroughly, objectively, with sensitivity, utmost confidentiality, and with due respect for the rights of both the complainant(s) and the respondent(s).
- The investigation should be governed by terms of reference, preferably agreed between the parties in advance.
- The investigator(s) should meet with the complainant and respondent(s) and any witnesses or relevant persons on an individual confidential basis with a view to establishing the facts surrounding the allegation(s). Both the complainant and respondent(s) may be accompanied by a work colleague if so desired.
- Every effort should be made to carry out and complete the investigation as quickly as possible and preferably within an agreed timeframe.
- On completion of the investigation, the investigator(s) should submit a written report to Board of Directors containing the findings of the investigation.

Policy

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Document No.	Version	Status	Effective Date
POL-10	02	Approved	01/09/2020

- The parties will be given the opportunity to comment on the findings before any action is decided upon by Board of Directors.
- The complainant and the respondent(s) should be informed in writing of the findings of the investigation.

4.2.4 Outcome

- Should the Board of Directors decide that the complaint is well founded, the respondent(s) should be given a formal interview to determine an appropriate course of action. Such action could, for example, involve counselling and/or monitoring, or escalating the issue through the disciplinary procedure.
- If any party is unhappy with the outcome of the investigation, the issue may be processed through the normal industrial relations or equality mechanisms.
- Where a complaint is not sustained, no action will be taken against a complainant provided that the complaint was made in good faith.
- In the interest of all employees, any malicious or vexatious complaints will be treated very seriously and may lead to disciplinary action against the complainant.

5.0 References

Not applicable

6.0 Revisions

Version Number	Description of Revision
01	First issuance of Policy for Anti Bullying
02	Review and update of format