

References

- A. [gov.uk - Workplace bullying and harassment](#)
- B. [ACAS - Bullying at work](#)
- C. [ACAS - Discrimination & the Law - Harassment](#)

Introduction

1. Lewtay Training Ltd (Lewtay) is committed to providing a working environment free from bullying and harassment for its staff and its learners. We aim to ensure that both staff and learners are treated, and treat others, with dignity and respect. We will not bully them, discriminate unlawfully against them or harass them and expect all staff to do likewise.
2. References A - C provide relevant information and guidance which Lewtay, its staff and learners are to follow.
3. This policy applies to all Lewtay staff and learners and covers bullying or harassment which occurs at work and out of the workplace, including on work trips or at work-related events or social functions. All Lewtay staff are to comply with this policy. Learners should follow their company's policy and procedures which should adhere to the requirement of the references.

What is bullying?

4. Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying can include the use of personal strength or the power to coerce through fear or intimidation, not necessarily from someone in a position of authority.
5. Bullying may be physical, verbal or non-verbal. It can include conduct that is not face-to-face, including via text message, email and social media.
6. Examples of bullying include:
 - physical or psychological threats;
 - overbearing and intimidating levels of supervision;
 - inappropriate derogatory remarks about a person or their performance;
 - shouting at staff;
 - persistently picking on people in front of others or in private;
 - blocking promotion and training opportunities;
 - regularly and deliberately ignoring or excluding staff from work activities or work related social events;
 - setting a person up to fail by overloading them with work or setting impossible deadlines;

- regularly making the same person the butt of jokes.

7. Legitimate and reasonable criticism of a staff member's performance or behaviour, or reasonable management instructions, does not amount to bullying.

What is harassment?

8. Harassment is any unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. A person may be harassed even if they were not the intended "target". Harassment also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

9. It is unlawful under the Equality Act 2010 to harass a person because of their age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (the 9 protected characteristics). It also includes conduct of a sexual nature (sexual harassment). Harassment is unacceptable even if it does not fall within any of these categories.

10. Examples of harassment include, but are not limited to:

- unwanted physical conduct including touching, pinching, pushing and grabbing;
- unwelcome sexual advances or suggestive behaviour;
- offensive e-mails, text messages or social media content or the display of offensive materials;
- unwanted jokes, banter, mocking, mimicking or belittling a person.

Implications of bullying and harassment

11. Bullying and harassment can damage the health, confidence, morale and performance of people who are affected by it. Quite apart from any legal implications, both bullying and harassment are contrary to the standards of behaviour that we, Lewtay expect of our employees and our learners. Both types of behaviour are unacceptable in our workplace and are not permitted or condoned.

Lewtay's responsibilities

12. As Lewtay staff have a right to work in a good and harmonious environment, that is free from bullying and harassment and to complain about such behaviour should it occur, we have established an internal grievance procedure to deal with such complaints and we would encourage aggrieved staff to use it. All complaints will be dealt with seriously, promptly and confidentially.

13. To implement this policy, we will:

- provide all staff, learners and their employers with a copy of this policy and explain it to them.
- provide appropriate staff training.
- ensure that all complaints of bullying and harassment are dealt with promptly, seriously and confidentially and in accordance with our internal grievance procedure.
- set a good example by treating employees and learners with fairness, dignity and respect.
- be alert to unacceptable behaviour and take appropriate action to stop it.
- monitor all incidents of harassment and bullying and review the effectiveness of this policy periodically.

Lewtay staff responsibilities

14. All staff are responsible for enforcing this policy on a day-to-day basis, especially in setting a good example for others to follow and to intervene where necessary, to protect and support colleagues and learners. They are to treat everyone with dignity and respect. They must not themselves commit any acts of bullying and harassment against any person, such as their co-workers and learners. Such behaviour will not be permitted or condoned and we will treat it as misconduct, which may warrant dismissal from employment.

15. All staff should discourage bullying and harassment by making it clear that they find such behaviour unacceptable and by supporting co-workers and learners who suffer such treatment. Any staff member who is aware of any incidence of bullying and harassment should alert the Centre Manager to enable suitable action to be taken.

If you believe you are being Bullied or Harassed

16. **Lewtay staff.** If you believe you are being bullied or harassed, you may wish to raise the problem informally with the person responsible. Explain the situation and how it has made you feel. It can be helpful to describe the event so the other person is clear about your concerns. Use the opportunity to ask the person to change or stop their behaviour.

17. Alternatively, you can speak to the Centre Manager who can provide confidential advice and assistance in resolving the issue informally or formally.

18. If you do not feel that informal steps are appropriate, or they have been unsuccessful, you should raise the matter formally under our Grievance Procedure. All complaints will be investigated in accordance with this procedure. If we consider that there is sufficient evidence to suggest you have been harassed or we will consider the appropriate action to take. If the person accused is bullying a colleague or learner, this may include invoking our disciplinary procedure. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

19. Our internal grievance procedure does not replace the right of aggrieved employees to also pursue complaints to an Industrial Tribunal or to the courts. Those who wish to consider that option may obtain advice from the organisations listed in the final paragraph.

20. **Learners.** Learners, they should contact their manager and follow their employer's policy and procedures for reporting bullying and harassment. However, as Lewtay has a duty of care for our learners, they should also inform their tutor/coach or Lewtay's Centre Manager about their situation. Once made aware of the situation, the tutor/coach will consult with the Centre Manager as to the best course of action to take to support the learner.

Breaches of this Policy

21. Breaches of this policy by staff will be dealt with in accordance with Lewtay's disciplinary procedure. Serious cases of bullying or harassment may amount to gross misconduct resulting in dismissal.

22. Staff who make complaints and others who give evidence or information in any investigation in connection with such complaints, will not suffer any form of retaliation or victimisation as a result. Victimisation is also discrimination contrary to the equality laws and this policy and we will treat such actions as misconduct.

23. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our disciplinary procedure. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our disciplinary procedure.

Details of information and support

24. Information and support is available from:

- a. The National Bullying Helpline: <https://www.nationalbullyinghelpline.co.uk/> 0845 22 55 787
- b. The gov.uk website: <https://www.gov.uk/workplace-bullying-and-harassment>
- c. Advisory, Conciliation and Arbitration Service: <https://www.acas.org.uk/dealing-with-workplace-problems> Helpline 0300 123 1100

If you have a hearing or speech impairment, you can contact us using Relay UK (this used to be called the 'text relay' service): 18001 0300 123 1100.

- d. Equality and Human Rights Commission: <https://www.equalityhumanrights.com/guidance/individuals>
- e. Equality Advisory and Support Service: <https://www.equalityadvisoryservice.com/> 0808 800 0082
- f. Your Trade Union should you be a member of one.

Bullying & Harassment Policy



25. If you have any queries about the contents of this policy, please contact the Centre Manager directly on 01733 552 475 or email: trish@lewtay.co.uk

Trish Allen-Janes

Trish Allen-Janes
Managing Director/Centre Manager

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