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Bullying and Harassment Policy

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Purpose and definitions

The purpose of this policy is to provide guidance for staff and assurance to patients that Probus Surgery & Surgical Centre is committed to continually providing high quality healthcare for all patients and supporting the staff who provide this care. The aim of the policy is to provide information for staff about the practice approach to the issue of bullying and harassment.

All patients regardless of age, gender, ethnic background, culture, cognitive function, or sexual orientation have the right to have their privacy and dignity respected.

Definitions

Harassment is unwanted conduct that damages or that is done with an aim of damaging a person's dignity or of creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person. Harassment is unlawful under the equality laws that are, in particular, against women, ethnic minorities, age, disability, gender, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion/belief, or sexual orientation.

Bullying is similar to harassment in the sense that it too is offensive, hostile, or oppressive behaviour. The main difference is that bullying behaviour need not be related to the equality grounds but may be done for other reasons, such as jealousy/personal dislike.

All complaints will be dealt with seriously, promptly, and confidentially. Employees who make complaints and others who give evidence or information in connection with such complaints will not be victimised, that is, they will not be discriminated against, harassed, or bullied in retaliation for their actions. Victimisation is also contrary to the equality laws and this policy. We will treat victimisation as misconduct that will result in disciplinary action and may result in summary dismissal under the Disciplinary Procedure.

Every employee has a personal responsibility NOT to harass or bully other members of staff.

An employee who becomes aware of harassment or bullying occurring should bring the matter to the attention of their line manager or practice manager.

Scope

This policy applies to all employees of Probus Surgery & Surgical Centre, contractors, seconded staff, placements, and agency staff.

Roles, rights, and responsibilities

All staff

All staff should understand their rights and responsibilities relating to the practice approach to bullying and harassment.

Practice manager

To update the policy, ensure that it is aligned with national guidelines, distribute appropriately, and ensure that staff are trained at induction and at regular intervals so that they are aware of the practice approach to bullying and harassment and the content of the practice policy.

Principles of this policy

This policy adheres to local and national guidance and policy including the Employment Act 2008, Equality Act 2010 and the Worker Protection (Amendment of Equality Act 2010) Act 2023.

We understand that we have a legal duty to take reasonable steps to stop sexual harassment at work. We therefore will actively work to prevent sexual harassment.

An employee who feels that they are being subjected to harassment or bullying may attempt to resolve the matter informally in the first instance. In some cases, it may be possible and sufficient to explain clearly to the person engaged in the unwanted activities that the behaviour is

unwelcome, that it offends and makes them feel uncomfortable. The practice emphasises, however, that staff are not required to approach the harasser in an attempt to resolve the problem informally and are entitled to report the matter immediately to their line manager, or more senior manager.

The manager will discuss the matter with the complainant and agree a course of action. The complainant may be accompanied by a representative or work colleague at these meetings. The alleged harasser will also have the right to state their version of events to the manager and to also be accompanied by a representative or colleague.

The complainant will not be discriminated against or victimised for raising the complaint.

Confidentiality will be observed throughout and the need for any disclosure of the details of the case will be discussed and agreed.

If the situation cannot be resolved informally then the complainant has the right to pursue their complaint formally via the practice's Grievance Procedure.

Where management consider that there may be evidence of harassment, they may consider it appropriate to undertake a full investigation of the circumstances. In this case a manager not connected with the case will undertake the investigation. Witnesses to the alleged harassment will be asked to provide statements.

Where there is evidence that the harassment has occurred, prompt and corrective action will be taken including disciplinary action where appropriate. Harassment is a serious offence that may result in summary dismissal.

Communication

All staff will be informed of the Bullying and Harassment Policy and Procedure and should be assured regarding:

- Fear that others will consider the behaviour trivial and not take complaints of harassment seriously.
- Fear that no action will be taken against a person guilty of harassment.
- Fear of retaliation or victimisation in registering a complaint either informally or formally through the Grievance Procedure.

Distribution

Employees will be made aware of this policy via TeamNet.

Training

All staff will be given training relating to bullying and harassment at induction and at regular intervals thereafter, when relevant.

Any training requirements will be identified within an individual's Personal Development Reviews. Training is available in the Training module within TeamNet.

Equality and Diversity Impact Assessment

In developing this policy, an equalities impact assessment has been undertaken. An adverse impact is unlikely, and on the contrary the policy has the clear potential to have a positive impact by reducing and removing barriers and inequalities that currently exist.

If, at any time, this policy is considered to be discriminatory in any way, the author of the policy should be contacted immediately to discuss these concerns.

Monitoring and reporting

Monitoring and reporting in relation to this policy are the responsibility of the practice manager.

The following sources will be used to provide evidence of any issues raised:

- Complaints.
- Significant and learning events.

Any incidents relating to bullying and harassment will be monitored via incident reporting.

Summary of NHS legal and mandatory documentation

Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

Employment Act 2008 <http://www.legislation.gov.uk/ukpga/2008/24/contents>

Versions

Document review history

Version number	Author/reviewer	Summary of amendments	Issue date
1.0	Spencer Casey	Policy written	19.5.2021
2.0	Spencer Casey	Reviewed and Amended	04/08/2021
3.0	Spencer Casey	Annual Review	24/02/2023
4.0	Spencer Casey	Updated to include Worker Protection (Amendment of Equality Act 201) Act 2023	09/09/2024
5.0			
6.0			
7.0			

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