

# Anti-Bullying and Harassment Policy

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## 1. Introduction

- 1.1 Unlimit Health (formerly known as “**SCI Foundation**”) is an international organisation working to end parasitic disease. We partner with ministries of health to develop country-owned solutions that eliminate preventable infections. This work strengthens health systems, so people can live healthy lives, free from limiting disease.
- 1.2 We are:
- **Equitable:** We challenge inequity and strive towards a fair distribution of power and resources globally. We understand that ill health is rooted in social and economic inequity and injustice.
  - **Inclusive:** We respect people’s differences, recognising the importance of different perspectives and experiences, applying the principles of compassion and dignity. We understand that having varied perspectives and experiences is essential to achieving our mission.
  - **Transparent:** We are transparent in our decision making and our actions and ensure that decisions are informed by credible evidence. We acknowledge the fundamental role of transparency in engendering trust, collaboration, and accountability.
- 1.3 As part of its overall commitment to equality of opportunity and valuing diversity, Unlimit Health is committed to promoting and ensuring a working environment where individuals are treated with respect. Harassment, bullying and/or victimisation detracts from a productive working environment and can affect the health, confidence, morale and performance of those affected by it, including anyone who witnesses, or has knowledge of, the unwanted behaviour.
- 1.4 Harassment or victimisation on the grounds of race, colour, nationality, ethnic or national origin, sex, marital status or civil partnership, gender reassignment, of actual or perceived sexual orientation, religious belief, disability, age, pregnancy or maternity/paternity is unacceptable.

## 2. Purpose

- 2.1 Unlimit Health has a duty to protect its members of staff. This policy emphasises that harassment, which includes sexual harassment bullying, and victimisation is unacceptable, whether in the workplace or outside of the workplace where it involves or affects Unlimit Health in any way. Such conduct must not be ignored. All employees must comply with and demonstrate active commitment to this policy and actively discourage harassment, bullying, sexual harassment and / or victimisation by making it clear that this behaviour is unacceptable and by supporting colleagues who suffer such treatments.



- 2.2 Unlimit Health deplores all forms of personal harassment and bullying and seeks to ensure that the working environment is sympathetic to all our employees. We have published these procedures to inform employees of the type of behaviour that is unacceptable and provide employees who are the victims of harassment with a means of redress.
- 2.3 Unlimit Health recognises that we have a duty to implement this policy, and all employees are expected to comply with it. Unlimit Health also has a responsibility to ensure that its employees are not subjected to unacceptable behaviour by contractors and service providers.
- 2.4 Unlimit Health will operate a zero-tolerance policy for any form of bullying or harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of harassment or bullying. Any person found to have harassed or bullied another will face disciplinary action under our Disciplinary Procedure. All complaints will be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint.

### 3. Responsibility for this Policy

- 3.1 Our Board of Trustees has overall responsibility for the effective operation of this policy but has delegated day-to-day responsibility for overseeing its implementation to the Chief Executive Officer.
- 3.2 All managers have a responsibility to follow and implement this policy. They must ensure all staff understand and follow the policy and take appropriate action when the policy is breached.
- 3.3 All staff are encouraged to report any instances of bullying or harassment and to support colleagues who have encountered bullying or harassment. Reports can be made to a member of the Leadership Team (LT), to the Chief Executive Officer or, if grievances relate to the CEO, to the Chair of the Board.
- 3.4 Victimisation is when someone who reports harassment is treated badly by their employer or other employees, and it is unlawful. Unlimit Health takes victimisation as seriously as harassment and will discipline anyone found to have engaged in it.
- 3.5 Any questions about this policy, requests for further information or training should be made to the Head of Legal.
- 3.6 Staff are invited to provide feedback on this policy by contacting the Head of Legal, and through the organisation's regular survey.

### 4. Definitions and Examples of Harassment, including Sexual Harassment and bullying

- 4.1 Harassment
- 4.1.1 Harassment is any unwanted physical, verbal or non-verbal **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.
- 4.1.2 Unlawful harassment may involve **conduct**:
- **related to a protected characteristic** of 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;
  - of a sexual nature (**sexual harassment**); or



- of **treating someone less favourably because they have submitted, or refused to yield to, sexual harassment or harassment related to sex or gender reassignment.**

4.1.3 Harassment is unacceptable even if it does not fall within any of these categories.

4.1.4 Harassment takes many forms and employees may not always realise that their behaviour constitutes harassment. Harassment is unwanted behaviour by one employee towards another and examples of harassment include, but are not limited to:

- insensitive jokes and pranks;
- lewd or abusive comments about appearance;
- deliberate exclusion from conversations;
- displaying abusive or offensive writing or material;
- unwelcome touching; and
- abusive, threatening or insulting words or behaviour.

4.1.5 These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of personal harassment.

4.1.6 Sexual harassment does not need to be sexually motivated; it only needs to be sexual in nature and may include (this is a non-exhaustive list):

- unwanted physical conduct, including touching, pinching, pushing and grabbing;
- continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- intrusive questions about a person's private or sex life or a person discussing their own sex life; or
- sending sexually explicit e-mails or text messages or sexual posts/contact on social media.

4.1.7 A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment; or sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

## 4.2 Bullying

4.2.1 Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.

4.2.2 Bullying is persistent behaviour, directed against an individual or group that creates a threatening or intimidating work environment which undermines the confidence and self-esteem of the recipient. Examples include, but not limited to:

- Verbal abuse e.g. shouting, swearing at colleagues;
- Threats or insults;
- Abuse of power or unfair sanctions;
- Practical jokes, initiation ceremonies;
- Physical abuse;
- Rifling through, hiding or damaging personal property;
- Ostracising or excluding colleagues from work or social events.



4.2.3 However, legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

#### 4.3 Victimization

4.3.1 Victimization includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

- Bringing proceedings under the Equality Act 2010.
- Giving evidence or information in connection with proceedings under the Equality Act 2010.
- Doing any other thing for the purposes of or in connection with the Equality Act 2010.
- Alleging that a person has contravened the Equality Act 2010.

4.3.2 Victimization may include (this is a non-exhaustive list):

- Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment/sexual harassment.
- Excluding someone because they have raised a grievance about harassment/sexual harassment.
- Failing to promote someone because they accompanied another staff member to a grievance meeting.
- Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.

#### 4.4 **Harassment/sexual harassment and victimisation are unlawful and will not be tolerated.**

4.4.1 They may lead to disciplinary action up to and including dismissal without notice if they are committed:

- In a work situation.
- During any situation related to work, such as at a social event with colleagues.
- Against a colleague or other person connected to us outside of a work situation, including on social media.
- Against anyone outside of a work situation where the incident is relevant to the individual's suitability to carry out their role.

4.4.2 Unlimit Health will consider any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

4.4.3 If any harassment/sexual harassment or victimisation of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.

#### 4.5 **Third-party harassment**

4.5.1 Third-party harassment occurs where a person is harassed/sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, derogatory comments about a person's age, disability, pregnancy, colour, religion or belief, sex or sexual orientation, or unwelcome sexual advances, from a third party visiting the employer's premises, or where a person is visiting a client, customer or supplier's premises or other location in the course of their employment.

4.5.2 Third-party harassment can result in legal liability and will not be tolerated. All staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy. Any harassment by a member of staff against a third-party may lead to disciplinary action up to and including dismissal.



- 4.5.3 We will take active steps to try to prevent third-party harassment of staff. Action may include: warning notices to third parties or recorded messages at the beginning of calls; information in contracts; providing regular training for managers and staff to raise awareness of rights related to sexual harassment and of this policy; provide specific training for managers to support them in dealing with complaints; take steps to minimise occasions where staff work alone; where possible ensure that lone workers have additional support; carry out a risk assessment when planning events attended by third parties. If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include warning the harasser about their behaviour, banning them from our premises and reporting any criminal acts to the police.

## 5. Complaining about Harassment/Sexual Harassment, Bullying or Victimisation

### 5.1 Informal complaint

- 5.1.1 Unlimit Health recognises that complaints of personal harassment or bullying, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a member of the LT or the Chief Executive Officer (whether or not that person has a direct supervisory responsibility for you) as a confidential helper. This person cannot be the person who will be responsible for investigating the matter if it becomes a formal complaint.
- 5.1.2 If you are being harassed/sexually harassed/victimised/bullied, consider whether you feel able to raise the problem informally with the person responsible. You could explain clearly to them that their behaviour is not welcome or makes you uncomfortable and ask that they stop and make a note of the time and place of the meeting and who was present. If this is too difficult or embarrassing, you should speak to your line manager (or another manager where it concerns them) who can provide confidential advice and assistance in resolving the issue informally or formally.
- 5.1.3 Depending on the nature of your informal complaint it may be appropriate for the matter to be dealt with by way of mediation. This involves the appointment of a third-party mediator, who will discuss the issues raised by your informal complaint with those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

### 5.2 Formal complaint- Grievance Procedure

#### Step 1: reporting the complaint

- 5.2.1 Where the informal approach fails or if the behaviour is more serious, you should raise the matter formally under our **Grievance Procedure** to the attention of either your line manager, a member of the LT, or the Chief Executive Officer, as a formal written complaint and again your confidential helper can assist you in this. If possible, you should keep notes of the behaviour that you find offensive so that the written complaint can include:
- the name of the alleged perpetrator;
  - the nature of the alleged behaviour;
  - the dates and times when the alleged behaviour occurred;
  - the names of any witnesses; and
  - any action already taken by you to stop the alleged behaviour.

#### Step 2: formal investigation and decision



- 5.2.2 The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, usually within five working days of the receipt of your written complaint to discuss the matter and carry out a thorough investigation. You have the right to be accompanied at such a meeting by your confidential helper, another work colleague of your choice or a trade union representative and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.
- 5.2.3 The investigator will arrange a meeting with the alleged perpetrator to respond to the allegations against them. They may also be accompanied by a trade union representative or a colleague.
- 5.2.4 We will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. 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.
- 5.2.5 We will consider whether any steps are necessary to manage any ongoing relationship between you and the person accused during the investigation.
- 5.2.6 Once the investigation is complete, and usually within seven working days of the meeting or as such as reasonably practicable thereafter, we will inform you of our decision. If we consider that there is a case to answer and the harasser or bully is an employee, the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct. An employee who receives a formal warning or who is dismissed for harassment/bullying may appeal by using our disciplinary appeal procedure.
- 5.2.7 The outcome of our investigation may be put on hold while disciplinary action is taken. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

#### Appeal

- 5.2.8 You have the right to appeal against the findings of the investigator in accordance with the appeal provisions of the grievance procedure.
- 5.2.9 You must write to the CEO within 5 working days of the date the decision was provided to you. You should clearly state the full grounds for your appeal.
- 5.2.10 The CEO will either hear the appeal or, appoint another person or panel to hear the appeal. The appeal will be heard by someone who is unconnected with the original complaint. The person hearing the appeal will arrange to meet with you before making a decision. You will have the right to be accompanied at that meeting either by a trade union representative or a work colleague.
- 5.2.11 The outcome of the appeal will be final.

#### Formal grievances against the CEO

- 5.2.12 Grievances against the CEO must be raised in writing to the Chair of the Board who will follow the requirements set out in the ACAS Code of Practice on handling grievances. This includes:
- Meeting with the person raising the grievance
  - Investigating the grievance
  - Allowing the person raising the grievance to be accompanied to any meeting (as set out above)
  - Responding in writing to the person raising the grievance and



- Giving the person raising the grievance a right of appeal

## 6. Protection and Victim Support

- 6.1.1 If you bring a complaint of harassment/bullying, you will not be victimised for having brought the complaint. However, if the report concludes that the complaint is both untrue and has been brought with malicious intent, disciplinary action may be commenced against you.
- 6.1.2 We offer access to an employee assistance programme which is available to any employee. The details are
- Free Phone: 0800 882 4102  
Live chat: Access via the app or portal at [pam-assist.co.uk](http://pam-assist.co.uk)  
Email: [counsellingteam@pamwellbeing.co.uk](mailto:counsellingteam@pamwellbeing.co.uk)
- 6.1.3 The below organisations can also provide advice and support:
- Citizens Advice Bureaux – [citizensadvice.org.uk](http://citizensadvice.org.uk)
  - ACAS – [www.acas.org.uk](http://www.acas.org.uk)
  - Victim Support – [www.victimsupport.org.uk](http://www.victimsupport.org.uk)
  - Rights of Women – [www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk)
  - Equality and Human Rights Commission (EHRC) – [equalityhumanrights.com/en/sexualharassment-workplace](http://equalityhumanrights.com/en/sexualharassment-workplace)

## 7. Confidentiality

- 7.1 Unlimit Health will respect and maintain the confidentiality of matters concerning the staff and volunteers and of any members of the public giving information in harassment cases.
- 7.2 We will continually make good faith efforts to implement this policy. The main responsibility for this will be carried out by line managers, and supervisors will also have a special responsibility for enforcing this policy on a day-to-day basis, especially in setting a good example for other employees to follow and for intervening where necessary to protect and reassure employees.
- 7.3 To implement this policy, we will:
- provide all employees, line managers and supervisors with a copy of this policy and explain it to them;
  - provide appropriate training to line managers and supervisors;
  - ensure that all complaints of harassment and bullying are dealt with promptly, seriously and confidentially and in accordance with our internal grievance procedure;
  - set a good example by treating employees with fairness, dignity and respect;
  - be alert to unacceptable behaviour and will take appropriate action to stop it;
  - monitor all incidents of harassment and bullying and review the effectiveness of this policy periodically.

## 8. Record-keeping

Information about a complaint by or about a staff member may be placed on their personnel 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.



Linked policies and procedures:

Equality, Diversity & Inclusion Policy

*This is a non-contractual policy which will be reviewed from time to time.*