

BULLYING AND HARASSMENT POLICY

POLICY STATEMENT

The Scottish Canoe Association has a continuing responsibility to maintain, as far as reasonably practical, the health, safety and welfare of all employees/volunteers and volunteers whilst working for the SCA. In accordance with this, the SCA seeks to ensure that employees/volunteers are treated with dignity and respect during the course of their duties. This includes providing a work place that is free from bullying and harassment. Employees/volunteers must also note that harassing or bullying behaviour outside working hours at social events or events connected to work and the workplace will not be tolerated. Legally, it is possible to define work related social functions as an extension of employment.

The following procedures are designed to inform employees/volunteers of the types of behaviour which the SCA deems unacceptable and provide them with a recognised, structured means of resolving the problem should they be involved in bullying or harassment.

DEFINITION OF BULLYING AND HARASSMENT

Bullying can be defined as:

Persistent, offensive, abusive, intimidating, malicious or insulting behaviour, which makes the recipient feel upset, threatened, humiliated or vulnerable, undermines their self-confidence and may cause them to suffer stress.

Examples of bullying behaviour, which the SCA considers to be unacceptable, are listed below. However, please note that bullying has many forms and this list is not exhaustive.

- Shouting at a colleague
- Persistent negative attacks on a colleague's personal or professional performance
- Belittling or unprofessional criticism of a colleague in front of others
- Spreading malicious rumours or allegations
- Threatening behaviour or attack, both verbal and physical
- Isolating staff by treating them as non-existent
- Undervaluing a colleague's work, withholding significant information, constantly changing work targets or setting unattainable targets in order to cause a colleague to fail
- Imposing unfair sanctions or intrusively monitoring a colleague's work
- Deliberately blocking a colleague's training or promotion opportunities

Harassment can be defined as:

Any behaviour or conduct, which is inappropriate or unsolicited, unwanted and unacceptable to the recipient making them feel upset, embarrassed, offended, isolated, threatened or humiliated.

Forms of harassment can range from the use of offensive language to extreme violence. In whatever form, it is unwanted, unwelcome and unpleasant. People can be subjected to harassment on a variety of grounds including:

- Race, ethnic origin, nationality or skin colour
- Gender or sexual orientation
- Religious, political or personal beliefs and convictions

- Physical characteristics
- Willingness to challenge harassment (may lead to victimisation)
- Membership, or non-membership, of a trade union
- Disabilities, sensory impairments or learning difficulties
- Ex-offenders
- Age
- Real or suspected infection with AIDS/HIV and other diseases

It is important to note, that it is not the intention of the perpetrator but the behaviour or actions and their impact upon the recipient, that constitutes harassment. Examples of harassment include:

- Unwelcome physical contact, ranging from touching to serious assault
- Inappropriate jokes or gossip, offensive language or e-mails, slander or sectarian songs (in verbal or written form)
- Display of offensive posters, emblems or graffiti; obscene gestures
- Isolation or non-cooperation at work
- Exclusion from social activities otherwise open to all in a work group
- Coercion for sexual favours or pressure to participate in political/religious groups
- Intrusion by pestering, spying, stalking

CONSEQUENCES OF BULLYING AND HARASSMENT

Anyone can be a victim of bullying or harassment and it can occur at any level within the organisational hierarchy. Although the bully or harasser may hold a position of power or authority, bullying or harassment can also happen at peer group level or be instigated by subordinates or external customers and partners. Bullying and harassment are not only unacceptable on moral grounds but may, if unchecked or badly handled, cause serious problems for both employers and employees/volunteers. Consequences may include:

For the individual:

- Loss of confidence and self-esteem
- Demotivation
- Poor work quality and reduced output
- Stress or anxiety related ill-health
- Stress and strain in personal or family life
- Resignation from work

For the organisation:

- Increased absenteeism
- Increased staff turnover
- Decline in staff relations, loss of team spirit or possible industrial unrest
- Lack of motivation within the workforce
- Decline in productivity or profit
- Damage to the organisation's reputation as an employer
- Potential tribunal or court cases

Achieving high levels of performance from people at work is essential for an organisation to be successful and employees/volunteers cannot contribute their best or work well when under fear

of harassment, bullying or abuse. The SCA will not tolerate such behaviour and accordingly encourages an open and trusting culture where employees/volunteers have the confidence to report bullying or harassment without fear of the consequences.

PROCEDURE

The SCA will communicate these procedures to all staff via a team meeting and provide a copy of the policy to all staff and any volunteer who requests one. New employees will also be informed of the policy during formal induction training (it is the responsibility of the CEO to ascertain whether the employee is familiar with these guidelines). In return, the SCA expects all employees/volunteers to be responsible for their behaviour and have knowledge of, and adhere to, this policy at all times.

To allow line managers to minimise bullying and/or harassment in the work place, the SCA will ensure that appropriate training programmes are available. These will focus on management and supervisory skills, teambuilding and working relationships. In addition, support is available to all staff through independent counselling. For further information, staff should contact the CEO.

Where an individual believes that they have been bullied or harassed there are a number of options available to them dependent upon the circumstances of their situation. These options are listed below.

- Accessing a confidential contact
- Informal stage
- Formal stage

ACCESSING A CONFIDENTIAL CONTACT

The SCA recognises the sensitive nature of complaints involving bullying or harassment. Consequently, employees/volunteers who wish to discuss such complaints in confidence should contact the CEO, or if the CEO is either unavailable or involved then the employee should contact the President of the SCA.

The CEO will:

- Listen sympathetically to your concerns
- Explain or clarify the SCA policy or other concerns regarding this matter
- Advise you on the courses of action available to you

INFORMAL STAGE

The SCA recognises that it is preferable for all concerned if complaints of bullying or harassment are dealt with informally wherever possible. It is hoped that this approach will produce speedy and effective solutions and therefore minimise stress.

The employee being bullied/harassed should contact the alleged bully or harasser (either verbally or in writing) advising them that their behaviour is found to be offensive, the reasons why and to ask them to stop using such behaviours.

The employee/volunteer should record any informal action including dates, witnesses and relevant comments made by those involved.

In the event that the individual being bullied or harassed feels incapable of taking these steps, they can request the presence of the confidential contact, work colleague or trade union representative. If they feel that even this support is insufficient, they may request that one of these appropriate people contact the alleged bully/harasser on their behalf.

It may be that the perpetrator has been unaware of, or is insensitive to, the impact of their behaviour on the bullied/harassed employee/volunteer and so hopefully this informal approach will put an end to the situation. However, if it does not, the individual may decide to progress with a formal complaint.

FORMAL STAGE

The SCA is aware that formal procedures will be necessary where the informal stage proves ineffective, for more serious instances of bullying or harassment, or where an individual prefers to use the formal procedure.

Initially, complaints should be raised with the employee's direct line manager. If the complaint is against this individual the employee should submit a formal letter of complaint to the CEO. This letter should include:

- The name of the harasser
- The nature of the harassment
- Dates and times when harassment occurred
- The names of any witnesses to the harassment
- Any action taken by the complainant to stop the harassment

INVESTIGATION

Upon receipt of a complaint, the CEO will be responsible for conducting a thorough investigation as quickly as possible, usually within seven working days.

The alleged bully or harasser will be informed in writing that an allegation has been made and the nature of the allegation. Where the alleged bullying or harassment is serious, (e.g. serious verbal intimidation or physical attack) the alleged bully or harasser may be suspended on full pay in accordance with the provisions of the SCA's Disciplinary Procedure.

The complainant, alleged bully or harasser and any witnesses will be interviewed to ascertain the facts of the case. Where possible, written statements will be taken to eliminate repetition of interviews, thereby reducing stress for all the involved parties.

All matters relating to the Investigating process will be kept confidential. A breach of confidentiality will be viewed seriously and will be dealt with in accordance with the SCA's Disciplinary Procedures.

After taking into consideration all the information available, the CEO will decide whether or not to proceed with any disciplinary action.

Where it is concluded that the allegation of bullying or harassment is unjustified or that evidence is insufficient or inconclusive, the complainant shall be informed in writing that no formal

disciplinary action will be taken. All paperwork relating to the investigation will then be destroyed.

Where a disciplinary hearing is not considered appropriate, the CEO may wish to consider counselling for the bully/harasser and/or complainant.

DISCIPLINARY HEARING

Where the CEO, in conjunction with the President, deems a disciplinary hearing appropriate, the matter will proceed as per the SCA Disciplinary Procedure. Specifically the alleged bully or harasser will be given:

- Five days written notice of the date and time of the disciplinary hearing
- The right to be accompanied by a trade union representative or work colleague of their choice
- Every opportunity to defend or explain their actions

DECISION

Both the complainant and the alleged bully or harasser will be notified of the outcome of the hearing, in writing, within five working days and with due regard to the confidentiality of both parties.

FORMAL ACTION

Where disciplinary action is taken against an employee/volunteer guilty of bullying or harassment, the severity of the action will be consistent with those detailed in the SCA's Disciplinary Procedures, up to and including dismissal for serious offences, which are deemed to be gross misconduct.

Where disciplinary action is taken, the employee/volunteer will be advised of their right of appeal and other details as per the SCA's Disciplinary Procedures.

In cases where action short of dismissal is considered appropriate, relocation of the bully or harasser should be arranged as soon as practically possible. If, however, it is the wish of the person who has suffered harassment to be relocated, this should be looked upon favourably and arranged as soon as practically possible.

VICTIMISATION

Victimisation occurs when an individual is harassed for making a complaint or giving evidence in regards to bullying or harassment. The SCA recognises that this is a serious matter and will be dealt with according to Disciplinary Procedures.

APPEALS

If the complainant or the alleged bully/harasser is not satisfied with the way their complaint has been handled, the individual may ask for it to be considered by the Board of Management as per the SCA's Grievance or Disciplinary Procedure. Such requests should be made to the CEO, with a copy sent to the President of the SCA, within ten working days of the individual's written notification.

BULLYING AND HARASSMENT BY NON-SCA PERSONNEL

The SCA recognises that employees/volunteers have the right to complain if bullied or harassed by external personnel. These may include members of the general public, Board Members, representatives of local authorities, governing bodies and other associated organisations.

If an employee is bullied or harassed in the course of carrying out their duties the following procedure should be adopted.

INFORMAL STAGE

If an employee feels able to do so they should inform the alleged bully or harasser that they find their behaviour to be unacceptable and ask them to stop. If unable to do this then the employee should inform their line manager as soon as practically possible.

It will be the responsibility of the line manager involved to discuss the action taken to date and what should be done in future if any further incidents occur. A file note should be kept detailing this information.

FORMAL STAGE

The line manager must consider the following prior to taking any action and making their decision:

- The degree to which the incident undermines the relationship between parties
- If any previous incidents have occurred and the severity of these
- The effects of the incident on the employee

If the incident is serious, or a repetition of a previous incident(s) for which informal action has been taken, then the alleged bully or harasser should be written to officially by the relevant manager informing them:

- That their behaviour is not acceptable
- That further incidents will not be tolerated
- Further incidents may result in the withdrawal of services

MONITORING

Responsibility for monitoring the application of this policy will rest with the CEO. This policy will be reviewed on a regular basis with amendments being made as appropriate following consideration of staff, staff representation, volunteers and management.