



Bullying and Harassment Policy

Introduction

As part of its overall commitment to equality of opportunity, The Root Of It is dedicated to promoting a safe, collaborative and mutually respectful working environment in which everyone is free from bullying, discrimination, victimisation and harassment of all forms, and where everyone is accountable for preventing and ensuring that these behaviours are not tolerated. The organisation will take reasonable steps to prevent bullying and harassment both in the workplace and at work-related events. All employees are expected to comply with the policy, and to assist in the promotion of a good working environment free from any form of bullying and harassment.

The organisation aims to create a workplace where everyone is treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, disability or any other personal factor or quality.

The organisation strives to be a workplace where every individual can realise their full potential. As such, the Company is committed to promoting equality of opportunity in all our policies, practices and procedures. This policy should be read in conjunction with our, Diversity and Equal Opportunities Policy, Disciplinary and Grievance Policy, Whistleblowing Policy and Code of Conduct.

Bullying and harassment is not acceptable behaviour and as such is a form of misconduct. Any employee found to be bullying other employees, clients or suppliers will face disciplinary action up to and including dismissal.

Further to this, the organisation will not tolerate bullying or harassment in the workplace, in any form and as such has developed this policy to go alongside the above-mentioned policies. Bullying and harassment is considered a serious violation of our core values and principles and everyone involved with the organisation is encouraged to challenge inappropriate behaviour and take action if they or a colleague are being harassed. Every allegation will be investigated properly and in accordance with this policy.

The organisation expects that those staff and non-staff members in prominent positions respect their position and should not abuse their authority in any way. Any individual who uses actual or perceived power and status disparities to bully or harass another individual will be sanctioned accordingly. Furthermore The Root Of It believes everyone in our workplace should be protected from bullying and harassment, regardless of whether or not they are an employee or working in any other capacity.

Any employee who witnesses bullying or harassment is obligated to report it to a senior manager immediately. Failure to report bullying and harassment or being a passive bystander to such behaviour will be viewed as misconduct in its own right.

Complaints relating to incidents of bullying or harassment will be dealt with fairly and confidentially and with sensitivity. If an employee feels bullied or harassed, they should raise a formal grievance in line with the grievance policy. At all stages of the procedure, confidentiality will be paramount.

Scope

The organisation seeks to provide a working environment free from harassment, bullying and intimidation. This policy covers all forms of harassment, bullying or victimisation in the following contexts:

- anywhere on the organisation's premises;
- anywhere off the organisation's premises during work-related social events, business events or business trips in the UK or abroad;
- anywhere off the organisation's premises where an incident involves two or more individuals, where all parties are directly employed or involved with the organisation in some capacity (trustees, donors, volunteers, contractors etc.) and at least one of the parties is directly employed by the organisation.

This policy applies to employees, contractors, apprentices, consultants, officers, interns, volunteers, job applicants, temporary, agency and casual workers, Trustees, agents, speakers, alumni, programme facilitators, donors, security agencies and any other person, representatives or bodies involved with the organisation. If you are an employee, this policy does not form part of your contract of employment. We reserve the right to amend it at any time.

What is Bullying, Harassment and Victimisation

Bullying

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse of power or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Physical, verbal and non-verbal conduct can all amount to bullying. It can take various forms, from extreme behaviour involving violence and intimidation, through to subtle actions such as deliberate exclusion.

Harassment

Harassment is unwanted conduct affecting the dignity of employees in the workplace. It may be related to sex, age, gender reassignment, sexual orientation, race, disability, religion, nationality or any other protected characteristic in accordance with the Equality Act 2010 of an individual and may be persistent or an isolated incident. It is important to note that the actions or comments are viewed as demeaning and unacceptable to the recipient. Name calling, lewd comments, excluding colleagues, making insensitive jokes, displaying pornographic material are all examples of harassment. Physical, verbal and non-verbal conduct can all amount to harassment including things you say or do online, especially on social media. Often harassment is targeted at a particular individual. However, a prevailing workplace or learning culture where, for example, the telling of racist jokes or homophobic comments is tolerated, can also constitute harassment.

Bullying or harassment may be by an individual against an individual or involve groups of people. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Victimisation

Victimisation is the act of subjecting an individual to a detriment or treating them badly because they, in good faith, complained (formally or informally) that someone was bullying/harassing them or someone else. Victimisation can also occur to an individual when they opt to support someone who has made a complaint, or they give evidence in relation to the complaint. An example would be a manager imposing an unreasonably heavy workload on an individual who is giving evidence in a hearing against them.

Discrimination

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

- disability;
- sex;
- gender reassignment;
- marital or civil partnership status;
- race;
- religion or belief;
- sexual orientation;
- age; and
- pregnancy or maternity.

Discrimination can be intentional or unintentional and may occur directly, indirectly, by association, or by perception.

There are also two specific types of discrimination that apply only to disability: “discrimination arising from disability” and “failing to make reasonable adjustments”.

Discrimination is not always obvious and can be subtle and unconscious. This stems from a person's general assumptions about the abilities, interests and characteristics of a particular group that influences how they treat those people (known as “unconscious bias”). Such assumptions or prejudices may cause them to apply requirements or conditions that put those in particular groups at a disadvantage.

Examples include:

- steering employees into particular types of work on the basis of stereotypical assumptions without considering the particular attributes and abilities of individuals;
- recruiting or promoting individuals into particular roles because of assumptions about the reactions or preferences of other employees or clients; and
- using different standards for different groups of employees to judge performance.

Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature and the conduct results in the violation of the other's dignity, or their actions create an intimidating, degrading, humiliating or offensive environment for the recipient. Workplace sexual harassment deteriorates what would be an environment of positivity, mutual respect and growth.

It is important to note that sexual harassment is different to sex-based harassment. While sexual harassment relates to unwanted conduct of a sexual nature, sex-based harassment will be behaviour that is linked in some way to gender and causes offence to an individual. An example could be where an employee is constantly telling derogatory or demeaning jokes about women generally and a particular individual (regardless of gender) finds this unwelcome and offensive.

One single incident can amount to harassment if it is sufficiently serious. It is important to note that a person's behaviour may be perceived as harassment regardless of whether or not the individual intended to offend. This is simply because there are differences in what people deem as acceptable behaviour and everyone has the right to decide what behaviour they consider acceptable themselves. However, conduct or behaviour which any reasonable person would likely be offended by will always constitute harassment without the need for the affected individual having to state that it was unacceptable, for example, sexual assault. Other forms of conduct may not always be so obvious, such as office banter and jokes.

Office banter of a sexual nature is never acceptable. In these cases, the behaviour will constitute harassment if the conduct continues after the employee has made it clear, by words or by their conduct, that such behaviour is unacceptable to them, these are serious contraventions and should not be seen as harmless.

As mentioned, sexual harassment is about how our actions and/or words are perceived by others and how they make them feel. Many would not consider behaviour like flirting or sexual comments to be sexual harassment in the first instance, thinking they are too innocent to be labelled in that way, however, if something makes you or your colleagues uncomfortable, or makes you feel unsafe, then it must stop.

Sexual harassment isn't limited to verbal or physical actions, it can also occur through social media platforms, email or text. Please refer to our policies on Social Media and Information Systems for further information. Examples of sexual harassment in the workplace include when someone:

- Insinuates, proposes or demands sexual favours of any kind;
- Invades another person's personal space (e.g. inappropriate touching);
- Stalks, intimidates, coerces or threatens another person to get them to engage in sexual acts;
- Written or verbal comments of a sexual nature, such as remarks about an employee's appearance, questions about their sex life, offensive jokes or requesting inappropriate levels of intimacy;
- Sends or displays sexually explicit objects, pictures, photos, posters or messages;
- Comments on someone's looks, dress, sexuality or gender in a derogatory or objectifying manner or a manner that makes them uncomfortable;
- Makes obscene comments, jokes or gestures that humiliate or offend someone;
- Spreads sexual rumours about another person;
- Pursues or flirts with another person persistently without the other person's willing participation. Also, flirting with someone at an inappropriate time (e.g. in a team meeting) is considered sexual harassment, even when these advances would have been welcome in a different setting. This is because such actions can harm a person's professional reputation and expose them to further harassment;
- Indecent exposure;
- Sexually assaults another person.

Please note the above list is not exhaustive.

Cases of sexual harassment may be treated as a criminal matter as well as an employment matter, dependent on the circumstances. If a complaint is reported to police, or criminal court proceedings are being pursued, we will still investigate the complaint fully and it will be dealt with accordingly.

This organisation recognises that sexual harassment can be male on female, female on male, male on male or female on female. Equally, those individuals who do not identify with the above genders can be victims or perpetrators of sexual harassment.

Procedure

Informal approaches

If you believe you have been subject to bullying or harassment, in some cases, it may be possible to rectify matters informally. In certain circumstances, someone may not be aware that their behaviour is unwelcome, and an informal discussion can lead to a greater understanding and an agreement that the behaviour will cease. It may be that this informal approach can be made with no involvement from others, or you may seek advice and support from your manager or a senior manager.

Formal complaint

If the conduct continues despite an informal approach or if it is not appropriate to solve this matter informally, you should report the matter to your manager or a senior manager as a formal complaint/grievance.

A timely and confidential investigation (including witness statements, where deemed appropriate) will be conducted so that all parties will be given a fair and impartial hearing. The person against whom the complaint has been made will be given full details of the complaint at an appropriate time before any formal meeting.

If the complaint appears well founded, the company will decide what sanction will be applied to the individual in accordance with its disciplinary policy. It is possible that one serious incident could constitute gross misconduct for which an employee could be summarily dismissed.

The company shall endeavour to protect all employees from intimidation, victimisation or discrimination resulting from filing a complaint or assisting an employee for complaining about harassment or bullying. At its discretion, the company may appoint outside experts or arbitrators to assist in any investigation into a complaint of harassment or bullying.

Right to Report

Everyone either employed directly by or associated with the organisation has the right to complain if they feel they are or have been harassed or bullied. Reports of harassment or bullying by those not directly employed by the organisation will be treated with the exact same merit and investigated fully.

In addition to complaints about the behaviour of staff, individuals have the right to complain if they believe that they have been harassed or bullied by a third party. Please see the Third-Party Harassment section below for more details.

We understand that this may be difficult, but you will be supported throughout should you wish to report it. The Root Of It recognises that there can be perceived or actual status disparities in the workplace. However, the organisation will not tolerate any individual using their position to harass or bully another.

All individuals also have a responsibility and are encouraged to report any incidents of harassment or bullying that they experience or witness so that the organisation can investigate and resolve the matter. Each complaint will be taken seriously, and the individual will be protected and will not be penalised or victimised in any way. Furthermore, if you fail to report incidences which you have witnessed without good reason, and this is later discovered, you may face sanctions.

Reporting harassment, sexual harassment, bullying, discrimination or victimisation will ultimately help the person who has experienced it and also hold the person perpetrating it responsible for their actions. Left unreported, those individuals that are harassing others can fall into a pattern of repeated and accepted behaviour, and the overall workplace atmosphere degenerates.

How to Make a Complaint

Complaints of harassment or bullying by employees should be made in line with the Organisation's Grievance Policy. Non-employees should report any incident of harassment or bullying to the CEO

The organisation has a duty to protect all employees, workers, volunteers etc. If the incident of alleged harassment or bullying is sufficiently serious, the organisation may not require a complaint from the victim to instigate an investigation or disciplinary action. This is to ensure the safety of everyone in the workplace and the prevention of future potential incidents. However, the victim will be informed and supported

throughout these processes. Also, if you change your mind after reporting, even informally or in confidence, the organisation may also choose to investigate anyway for the same reasons as mentioned above. We will, however, not do so without talking to you first.

In very serious cases, a criminal offence may have been committed and the employee may wish to report matters to the police. The management can arrange for someone to accompany the employee to make a complaint to the police. The organisation will continue to conduct its own separate investigation if this is the case.

It is imperative that any reports of harassment or bullying are made promptly so that it can be investigated quickly. The longer the delay the greater the risk of lack of corroboration either because of evidence or witnesses.

How the Complaint Will be Handled

Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, the organisation must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation(s). For example, the identity of the complainant and the nature of the allegations must be revealed to the accused so that they are able to fairly respond to the allegations. The organisation reserves the right to arrange for another manager to conduct the investigation other than the manager with whom the employee raised the matter.

Depending on the circumstances, the decision may be made to suspend the accused. It is important to note, that a decision to invoke such measures will not be taken lightly and does not imply guilt. It is simply a safeguarding measure for all parties involved, including the accused, whilst the investigation is being conducted.

Once the investigation has been completed, the individual will be informed in writing of the outcome and the organisation's conclusions and decision as soon as possible.

If an individual's complaint is upheld and the harasser remains in the organisation's employment, the organisation will take all reasonable steps to ensure that the individual does not have to continue to work alongside harasser if they do not wish to do so. However, this may not be possible in all circumstances. The organisation will discuss the options with the individual.

If an employee's complaint is not upheld, arrangements will be made for the employee and the alleged harasser to continue or resume working and to repair working relationships.

It is important to highlight that an individual will not be penalised if their complaint is not upheld. However, allegations that are found to be deliberately false or malicious in nature will be considered a disciplinary offence and will be dealt with in accordance with the Organisation's Disciplinary Policy.

Responsibility of Senior Management and Line Management

Senior Management and Line Management who receive a complaint of harassment or bullying have a duty to report and/or investigate the matter promptly, in line with this policy. The role of investigator will be determined on a case-by-case basis, depending on the nature of the complaint and those involved. In some cases, for example, the complaint may be deemed sufficiently serious that the Line Manager refers it to Senior Management for investigation. The external HR will assist all management in dealing with complaints and all incidents of harassment and bullying should, in any event, be reported to the external HR by management.

Failure by Senior Management or Line Management to act on any incidents of harassment or bullying they become aware of will be treated as a disciplinary offence.

Those investigating must handle the matter thoroughly and objectively, whilst maintaining confidentiality to the maximum extent at all times and normally investigations will only require disclosure on a limited, need to know basis. The importance of confidentiality must be stressed to witnesses when conducting the investigation. Senior Management, or Line Management should be responsive, sensitive and supportive towards any employee who raises a complaint and be mindful of any unconscious bias that may affect their judgement.

Furthermore, all managers have a duty to always promote and foster an environment that is safe, collaborative and mutually respectful.

What Happens if I am accused of Harassment?

If someone approaches you on an informal basis about your conduct/behaviour, do not disregard what they have said. There are occasions where actions or comments are not intended to offend, but harassment and bullying is about how they are perceived by the recipient. You may have offended someone without intending to and if that is the case an apology from you with an assurance that you will be more mindful in the future, may resolve the issue.

If a formal complaint is made against you, then the matter will be properly investigated in line with this policy. Harassment and bullying are considered serious misconduct, so if the complaint is upheld the organisation may issue disciplinary sanction up to and including dismissal. The organisation will follow its disciplinary procedure, and you will have the rights as set out in it. You will have the right to be informed of all the allegations against you and to respond to these allegations. You also have the right to be accompanied to meetings by a trade union official or fellow worker.

Wherever possible, the organisation will try to ensure that you and the complainant are not required to work together while the complaint is under investigation. You may be suspended during the investigation and, if a disciplinary hearing is to be called, until disciplinary proceedings have been concluded.

If the complaint against you is upheld, a disciplinary sanction up to and including dismissal could be issued. If the complaint is upheld, but you are not dismissed, the organisation could decide to transfer you to another post.

If a complaint is made against you and found not to be in good faith, the organisation will investigate the matter promptly and the appropriate sanctions will be issued. The organisation considers making false accusations of harassment and bullying a disciplinary offence and the individual could be liable for disciplinary action up to and including dismissal.

Victimisation is a serious offence and if you are found to have victimised any individual involved in the complaint against you, you will be liable for a disciplinary sanction up to and including dismissal.

If the complaint against you is not upheld but there is no evidence to suggest it was done in bad faith, arrangements will be made for you and the complainant to continue or resume working and to repair working relationships.

It is important to note that harassment may constitute unlawful discrimination and allegations may give rise to the possibility of other civil claims or criminal proceedings against you, which would proceed independently of the organisation's own proceedings, disciplinary or otherwise. You could be personally

liable for any compensation to a complainant if a successful claim in the employment tribunal or other courts is brought against you. Criminal proceedings could lead to conviction and criminal penalties.

Disciplinary Action

Where the findings of an investigation into harassment or bullying conclude that disciplinary action should be taken, the organisation's disciplinary procedure will be followed.

The organisation regards all forms of harassment and bullying as serious misconduct and in some cases, harassment/bullying may amount to an act of gross misconduct.

Therefore, employees who the organisation reasonably believes to have harassed or bullied another employee, contractor, volunteer agency worker etc. may be liable for disciplinary action up to and including dismissal for gross misconduct.

Third-party Harassment

Harassment of an employee by third parties, including but not limited to donors, contractors, volunteers, clients, suppliers as well as any other person who will be in contact with any individual employed by The Root Of It during the course of their employment. etc. The Root Of It is responsible for ensuring that reasonable steps have been taken to protect individuals from third party harassment. If for example, an employee complains to the organisation that a particular person has been making sexist remarks to them, the organisation will take steps to protect the employee from such third-party harassment, such as banning the alleged perpetrator from the premises or from attending events arranged by the organisation.

In addition to complaints about the behaviour of staff, individuals have the right to complain if they believe that they have been harassed by a third party.

Similarly, if a business or individual rents space from the organisation or occupies space within the same building or premises as the organisation and is accused of harassing an individual, appropriate steps will be taken to ensure any act(s) cease immediately. The organisation may request to see copies of all appropriate policies including harassment and bullying policies by that third party and will ensure, as much as reasonably practicable that they are being adhered to.

In the event, that the third party is not willing to co-operate, any serious incidents may be reported to the police and the organisation will ensure appropriate safety measures are in place which may include not leaving the perpetrator and the individual alone at any given time. The organisation will investigate any complaints of harassment by third parties in the usual way and in accordance with this policy to ensure, as far as reasonably practicable that any act(s) that it could have reasonably foreseen are reduced or prevented.

Where harassment is found to have been committed by a third party associated with the organisation, and as such a disciplinary sanction cannot be issued, the organisation will take the necessary steps to ensure an equivalent, relevant outcome is delivered. Below are possible sanctions, however, this list is not definitive nor exhaustive and each case will be based on its own merits:

Contractor: Immediate termination of the agreement in place between our organisation and yours.

Volunteer: You will no longer be allowed volunteer for us and be barred from our premises permanently.

Agency staff: the relevant persons at your agency will be informed of our investigation and findings. We will request that you are no longer placed at our organisation for work and you will be barred from our premises.

Training

Education and engagement with everyone to promote our organisation's zero tolerance approach is key to avoid harassment and bullying in the workplace. The organisation is committed to ensuring all its staff and those involved with the organisation are properly trained from induction in order to identify and ultimately prevent work-related harassment or bullying from taking place, and to promote a safe and respectful workplace culture.

Senior Management and all Line Managers will be responsible for ensuring they promote respect, safety and dignity at work. The organisation will ensure that appropriate measures are put in place, such as, training, supervision and instruction to enable Senior Management and Line Managers to identify work related harassment, bullying and sexual harassment and to deal effectively with any incidents that may occur.

What can you do to prevent Harassment?

We want to ensure that we have a workplace that is inclusive, fosters openness and transparency. It is everyone's responsibility in the organisation to create an environment free from harassment and bullying. You can help to prevent harassment and bullying by:

- Making sure you treat everyone you meet with dignity and respect;
- Being aware of your own behaviour and actions and remembering that these have consequences. Remember that 'office banter' and jokes may not be received in the same manner you meant;
- Making a stand against inappropriate workplace banter. Custom and practice doesn't mean that some jokes and behaviour are acceptable;
- Making it clear to others, where possible, when you find their behaviour unacceptable;
- If you see or hear someone being harassed, intervene and report it to your Line Manager or a senior manager.

Making this policy work

The outcome of every case of alleged harassment or bullying will be reviewed to ensure the proper procedures, including this policy have been followed. Where learning and developments are identified, this policy and relevant procedures will be subsequently updated.

The organisation may from time-to-time issue anonymous staff surveys to try to determine if the workplace is free from harassment and bullying.

Helplines

Criminal matters should be reported to the police.

Call 999 if you or someone else is in immediate danger, or if the crime is in progress.

Call 101 to contact the police if the crime is not an emergency.

JWA's Confidential Dina Support Line: 0808 801 0656

Mondays 10am - 12noon; 1pm - 3pm

Tuesdays 1pm - 3pm

Thursdays 10am - 12noon; 1pm - 3pm

For women and girls over the age of 16. It provides support and information on options, rights and services for survivors, professionals and supportive friends and family.

Rights of Women Sexual Harassment at Work Advice Line: 0207 4900152

Monday 6pm – 8pm

Tuesday 5pm – 7pm

More opening times are planned.

Legal advice to women in England and Wales experiencing sexual harassment at work.

London Survivors Gateway: 0808 801 0860

Monday – Friday 10am – 4pm

Open to everyone aged 13 or above regardless of sex, sexual orientation, gender reassignment, disability, language, ethnicity or immigration status. Provides information on what help is available in London for those who have experienced any form of sexual violence. The Gateway is a partnership between the four London Rape Crisis Centres, Galop (the LGBT+ anti-violence charity), SurvivorsUK and the Havens and is run by the Women and Girls Network.

The National Male Survivors helpline is 0808 800 5005

Monday 9am – 5pm

Tuesday 8am – 8pm

Wednesday 9am – 5pm

Thursday 8am – 8pm

Friday 9am – 5pm

Saturday 10am – 2pm

The national umbrella agency for organisation's working with boys and men affected by unwanted sexual attention. Its duty is to ensure a single point of reference exists for male survivors themselves to find national, regional and local support.

Employee Helpline: 01923 866 234

Monday - Friday 9am - 5pm

Open to all employees who wish to speak to an external HR professional about raising a complaint of sexual harassment.

Samaritans: 116 123

24hrs

Providing emotional support to anyone in emotional distress, struggling to cope, or at risk of suicide throughout the United Kingdom and Ireland.

Data Protection

When dealing with complaints of harassment, bullying, discrimination, victimisation or carrying out any reviews/monitoring, the organisation will ensure that all personal data is handled in accordance with Data Protection and GDPR Regulations. Please see our policy on Data Protection for further information.

Review

This policy will be reviewed yearly to ensure its continued compliance with legislation and best practice.

January 2026