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## **Foundation for Healthcare Innovation and Development (FHIND)**

### **Anti-bullying and harassment policy**

#### **1. Purpose and scope**

FHIND has a zero-tolerance approach to bullying and harassment. We aim to provide an environment where everyone is treated with dignity and respect and can work and receive our services without fear of bullying or harassment. It aims to ensure that individuals we employ and those we support feel confident to bring complaints, or to challenge behaviour, without fear of ridicule or reprisal. This policy includes procedures and processes for staff, individuals, their family, and carers to follow if they feel they are being subjected to any form of bullying or harassment, and action to be taken by the organisation in response.

Bullying and harassment can cause lasting damage to those individually affected and to the Organisation as a whole. We expect staff to behave with dignity and respect towards one another, and to address and eliminate any behaviour which is contrary to this. We ensure that we work with individuals, their family/carers, and friends to establish a code of behaviour within our services where bullying as a behaviour is understood but not tolerated. We will treat seriously any allegation of harassment or bullying, particularly those relating to age, gender, pregnancy, marital status, religion or belief, sexual orientation, gender reassignment, disability, or race as these are forms of discrimination and unlawful. All allegations of bullying or harassment will be viewed as grounds for potential disciplinary action for staff and persistent or gross harassment or bullying may lead to dismissal.

This Policy applies to employees, agency workers, temporary workers, volunteers, contractors, and individuals. It covers complaints of bullying or harassment committed by staff employed by the Organisation and complaints about the conduct of third parties, i.e., people not employed by FHIND but working in some capacity alongside or with staff or otherwise at our services. It covers behaviours by individuals and the support available in raising a complaint and dealing with the situation.

#### **2. Policy statement**

FHIND will address bullying or harassment behaviour whether it occurs during employment, on or off work premises, including at work social events (whether organised by the Organisation or not) or at formal or informal events involving our staff, service users or other work- related contacts. Within our services, we will address bullying or harassment behaviour whether it is reported directly from the individuals, if it is observational behaviour made by staff, if it is between individuals, individuals and staff member or any other relational dynamic present when the individual is within our services.

It is an individual's right to raise a complaint and have it heard without fear of reprisal. The Policy is available to all employees. Any questions about the Policy should be directed to your manager or the HR department.

### **3. Action to support and inform staff and individuals on harassment issues**

The organisation will:

- treat sensitively any complaints of behaviour which is causing distress;
- respect the need for confidentiality as far as possible to ensure a fair investigation;
- liaise with external providers who could provide positive support outside our services i.e., schools, other voluntary/community organisations/advocates;
- liaise and signpost to advocacy services if required;
- provide awareness training on bullying and harassment issues;
- make staff aware of this policy and their responsibilities at induction and generally;
- monitor and record reported instances of harassment or bullying and identify trends so that corrective action can be taken;
- Raise awareness of bullying and harassment and the negative impact on individuals, supporting national or local campaigns.

### **4. Responsibilities**

Every member of staff, individuals, family/carer has a duty to:

- take responsibility for their own behaviour and change it, if necessary, as harassment or bullying is not acceptable. This means not ignoring a complaint from anyone who claims they find your behaviour harassing or bullying, even if such behaviour would not have been offensive to you and you did not intend to offend anyone. Failure to take complaints seriously or to change behaviour may lead to disciplinary action;
- speak out if they witness or are aware of bullying, vindictiveness, verbal, or physical aggression – and not assume that it is someone else's responsibility;
- question their own fears, prejudices, and assumptions;

- familiarise themselves with the responsibilities placed on them by this policy. Certain individuals have additional responsibilities under this policy, as set out below: the Trustees are responsible for developing and reviewing this policy
- the Executive Director has overall responsibility for overseeing operation of this policy;
- the Head of Human Resources monitors implementation of the procedures, advises the Senior Management Team (SMT) on action needed, reviews the policy and procedures prior to consideration by Trustees, and reports to the ED/Trustees
- the SMT and Head of Human Resources are responsible, in line with their specific roles, for recording complaints of harassment or bullying raised by staff/others, for reviewing outcomes and trends, and for keeping a watching brief on anybody who has been a victim of harassment or bullying or who may be vulnerable to it, so that they are not exposed to inappropriate treatment;
- Line Managers should ensure that they and their staff understand the policy and deal swiftly with any instances of perceived or reported harassment or bullying in line with the procedures below;
- Where appropriate, service providers/contractors working on the premises must ensure that they and their staff understand the policy and their responsibilities.

## **5. What is bullying?**

Bullying is persistent offensive, abusive, intimidating, malicious or insulting behaviour, abuse of power, or unfair treatment that is meant to or does undermine, threaten and/or humiliate the recipient. The effect is usually to undermine the recipient, their self-confidence, reputation, and ability to perform. Bullying tends to be an accumulation of many small incidents over a period. Each incident of bullying tends to be trivial and, on its own and out of context, may not constitute an offence or grounds for disciplinary or grievance action.

FHIND considers the following as examples of bullying behaviour:

- belittling the recipient's opinion, humiliating them publicly or privately;
- name-calling, insults, unreciprocated or unwanted teasing;
- preventing access to opportunities such as training, withholding information, exclusion from meetings or activities;
- undue pressure to complete a task, impossible deadlines, unnecessary disruptions, or
- changing goals without reason;
- failure to give credit where it is due, allocating meaningless tasks, removing responsibility or
- taking work away completely or replacing it with menial tasks
- singling out or treating an individual less favourably without justification;

- gossiping about another individual with intent to damage their reputation;
- frequent fault-finding of a trivial nature;
- persistently refusing to acknowledge an individual's contributions and achievements;
- insulting someone on the grounds of a protected characteristic, whether or not they have that characteristic, for example you're so gay/autistic;
- humiliating, shouting at or threatening an individual;
- increasing responsibility but removing authority;
- disciplining an individual for trivial or fabricated reasons, without proper investigation.
- Sometimes several individuals may gang up to undermine someone through rumour, innuendo, intimidation, humiliation, discrediting, and isolation. Fear of becoming a target may motivate some to side with the bully, to stay out of anything that occurs in the workplace or service or copy bullying behaviour because it is seen as a way of surviving or progressing.

## **6. What is harassment?**

Harassment is unwanted conduct that violates an individual's dignity, or that creates an intimidating, hostile, degrading, humiliating, or offensive environment for the recipient. It may be related to age, sex, disability, religion, sexual orientation, nationality, or any personal characteristic of the individual, and may be persistent or an isolated incident. The key issue is that the actions or comments are viewed as demeaning and unacceptable by the recipient.

FHIND considers the following as examples of harassment:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying memos that are critical about someone to others who do not need to know;
- ridiculing or demeaning someone, picking on them or setting them up to fail;
- exclusion or victimisation;
- unfair treatment;
- misuse of power or position;
- unwelcome sexual advances, touching, standing too close, display of offensive materials,
- asking for sexual favours; making threats or comments about personal circumstances that may cause anxiety without foundation;
- deliberately undermining an individual by overloading and constant criticism;
- intentionally blocking promotion or training opportunities.

As with bullying, harassment is not necessarily face-to-face, it may occur through written communications, visual images, email, phone, and other.

## **7. What is the difference between bullying and harassment?**

Both bullying and harassment cover physical, verbal, and non-verbal conduct. They may involve inappropriate physical contact, actions (or omissions), behaviour, comments, or emails. The difference is that harassment may involve a single incident or persistent behaviour that extends over a period of time, whereas bullying is only the latter. Both can occur even if someone did not mean to cause offence.

If the behaviour is based on the recipient's age, gender, pregnancy, marital status, religion, or belief, sexual orientation, gender reassignment, disability, or race (the protected characteristics), it is likely to be considered harassment and therefore likely to be unlawful under the Equality Act.

### **8. Effect of bullying and harassment on health**

Bullying and harassment can cause some or all the symptoms below:

- shattered self-confidence or low self-esteem or depression;
- obsession, not being able to stop thinking about the experience in all its detail;
- hyper-vigilance (feels like, but is not, paranoia), being constantly on edge;
- uncharacteristic hypersensitivity, isolation, withdrawal, irritability, or angry outbursts;
- tearfulness, sweating, shaking, palpitations, panic attacks;
- bad or intermittently functioning memory or general forgetfulness; poor concentration;
- worsening irritable bowel syndrome or skin problems such as eczema or psoriasis;
- constant fatigue, sleeplessness, waking early or more tired than when you went to bed;
- headaches and migraines;
- aches and pains in the joints and muscles with no obvious cause;
- frequent illness such as viral infections.
- Exacerbated instances of challenging behaviour.

### **9. Raising complaints of bullying or harassment**

Bullying and harassment are different to other forms of complaint and so the grievance procedure is unsuitable for raising complaints about it. Incidents of bullying or harassment may be complex in nature. This procedure aims to stop the undesirable conduct and prevent a recurrence.

It is in the best interests of all the parties that a complaint of bullying or harassment is reported as promptly as possible so that the facts of the matter can be accurately established, normally within four weeks of the last alleged incident. However, the nature of bullying or harassment may mean that

it can take several incidents before the individual affected is able to realise or identify what is happening.

Whether you choose to address any allegation of bullying formally or informally, you may wish to keep a record of all incidents, how they made you feel, how you changed as a result, any action you have taken to try and stop the bullying, and any witnesses

#### **10. Informal procedure**

If you believe that you, or others, have been bullied and you wish to address the matter informally, you should first speak to the manager, a member of staff you trust who can take the complaint forward on your behalf, or a member of the HR team. They will discuss the situation with you. Without a formal investigation, no conclusion will be made as to whether the bullying has taken place, but the manager or HR may be able to advise on other steps you could take, with or without their help, before you get to the stage of a formal complaint. Options at the informal stage include:

- Approach the person directly
- If you feel able to, speak to the person causing the problem directly and explain the behaviour that you find upsetting, and to ask them to stop. This meeting could be one you arrange and/or attend by yourself, or someone else could go with you, e.g., a trusted staff member.
- Approach the person indirectly. If you feel unable to speak to them, you could: -
- Explain in writing to the person(s) causing the problem, the behaviour you are concerned about and its effect on you; or
- Ask a friend or colleague to speak to the person(s) on your behalf; or
- Ask that an informal approach be made to the person(s) causing the offence by your manager or HR

#### **11. Formal procedure**

The formal procedure may be more appropriate in instances of serious complaint or where an attempt at informal resolution has not been successful.

#### **Raising the complaint**

If you believe that you have been subjected to bullying, you should put your complaint in writing to the Manager. If the matter concerns the Manager or you do not feel comfortable raising a complaint of this nature with them, you should put your complaint in writing to the Head of HR or another member of SMT. If you prefer, however, you may see the Manager, HR Manager, or member of SMT in person to explain the nature of the complaint and s/he will then make a brief record of the issues and ask you to sign it as a correct record of your formal complaint.

Your complaint should include all relevant details, including full details of the alleged bullying, identity of the person(s) concerned, any documentary evidence, details of any witnesses and any action that has been taken to date.

Note: If, at any point, you decide to withdraw the complaint you must inform the manager in writing.

### **Investigating your complaint**

The manager or the HR Manager will act to:

Raise the matter formally and in person with the person whose behaviour is causing the problem. This will be done sensitively bearing in mind the need to protect both your rights as the complainant and those of the person about whom you are complaining – both parties are entitled to a full and fair opportunity to put their version of events.

- Ensure that the issue is investigated appropriately, confidentially, and as soon as possible.
- Ensure that where possible someone without prior involvement will investigate your complaint.
- Ensure that once an investigation is complete, a report on the findings and recommendations is prepared and that the Manager, HR Manager has been consulted before any further meeting with you or the person whose behaviour is at issue
- Ensure that you, and the person against whom the complaint has been made are told in writing:

- Whether the complaint has been substantiated;

- Whether the complaint is to be investigated further;

- What action will be taken as a result of the complaint, by whom and in what timeframe (though as said above, if disciplinary action against the alleged bully or harasser is one of the actions to be taken this would be confidential and thus not disclosed to you);

- That you may appeal.

Monitor the situation for an appropriate period afterwards, to ensure that things have been resolved or that further problems are addressed.

### **Appeals**

Anybody who is dissatisfied with the outcome of the formal procedure may appeal in writing within 5 working days of being advised of the outcome. Staff should notify their manager or HR in writing within this timescale, setting out the grounds of your appeal.

Wherever possible a manager not previously involved in your complaint will arrange an appeal hearing. However, the small size and flat management structure of the Organisation, as well as considerations of confidentiality, may mean that this is not always possible to arrange. You are entitled to be accompanied by a trusted member of staff, friend, advocate, work colleague or trade union representative.

At the appeal hearing, you will have the opportunity to discuss the grounds of your appeal. The person hearing your appeal may investigate the matter further, may overturn the conclusion and require it to be reinvestigated, may reach an alternative conclusion if appropriate, or may uphold the original outcome. You will be notified of the outcome of the appeal within five (5) working days of the appeal meeting or as soon as reasonably practicable. If the outcome changes, as far as possible, you will be told of any action that the Organisation intends to take. However, if this involves disciplinary action against the alleged bully or harasser, you would not normally be involved in this process, as any disciplinary proceedings involving another member of staff are confidential to that member of staff.

This is the final stage of the formal procedure.