



ANTI-HARASSMENT AND BULLYING POLICY

FOR MEMBERS





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1. POLICY STATEMENT

- 1.1 The purpose of this policy is to ensure that all ITI members¹, staff, former staff and Board Members of ITI are treated and treat others with dignity and respect, free from harassment and bullying. All members should take the time to ensure they understand what types of behaviour are unacceptable under this policy.
- 1.2 Members must treat each other and the Institute² with dignity and respect, and should always consider whether their words or conduct could be offensive. Even unintentional harassment or bullying is unacceptable. In turn members must be treated with such dignity and respect by the Institute.
- 1.3 ITI has a zero tolerance policy towards harassment and bullying and will take all allegations, whether formal or informal, seriously, investigate them vigorously and address them promptly and confidentially. Any member who is found to have committed an act of harassment or bullying will be subject to disciplinary proceedings and, ultimately, disciplinary action, in accordance with ITI's Code of Professional Conduct. (Any allegation of harassment or bullying by the Institute will be dealt with in accordance with internal procedures.)
- 1.4 This policy has been approved by the Board of ITI.

2. WHO IS COVERED BY THIS POLICY?

- 2.1 This policy covers harassment or bullying of members by the Institute², harassment or bullying of the Institute by members and harassment or bullying of members by other members. In addition this policy covers the treatment by members, any external service users, trainers, consultants, visitors, suppliers etc. ("Relevant Third Parties").
- 2.2 All such harassment or bullying is covered by this policy regardless of where or how this occurs, for example, by correspondence, verbally, or by way of conduct - for example at meetings, conferences or at events.

3. WHAT THE LAW SAYS

In addition to obligations imposed by human rights and health and safety legislation, the following specific pieces of legislation deal with bullying and harassment:

- 3.1 The Equality Act 2010 prohibits harassment related to 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. The legal definition of harassment is set out at 4.1 below. For more information see our Equality and Diversity Policy for Members;

¹ The term "member" includes current members, former members & applicants for membership of ITI

² The term "the Institute" refers to all staff, former staff and Members of the Board of ITI



3.2 The Protection from Harassment Act 1997 also makes it unlawful to pursue a course of conduct which you know, or ought to know, would be harassment, which includes causing someone alarm or distress;

3.3 Under the Criminal Justice and Public Order Act 1994, people who intentionally harass may be guilty of an offence and may face criminal charges.

4. WHAT IS HARASSMENT?

4.1 Harassment may be defined as any conduct which is:

- unwanted by the recipient;
- is considered objectionable;
- causes humiliation, offence, distress or other detrimental effect.

4.2 Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. 'Purpose or effect' means that the intention of the person is irrelevant; it is how the person receiving the treatment perceives it. A single incident can amount to harassment.

4.3 It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

4.4 Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to 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. Harassment is unacceptable even if it does not fall within any of these categories.

4.5 Harassment may be an isolated occurrence or repetitive; it may occur against one or more individuals. Harassment may be, but is not limited to:

- physical contact – ranging from touching to serious assault, gestures, intimidation, aggressive behaviour;
- verbal – unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language;
- non-verbal – offensive literature or pictures, graffiti and computer imagery, isolation or non-cooperation and exclusion or isolation from social activities.

4.6 Examples of harassment include:

- (a) unwanted physical conduct or "horseplay", including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space and more serious forms of physical or sexual assault;



- (b) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless), and suggestions that sexual favours may further a career or that a refusal may hinder it;
- (c) continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- (d) sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- (e) unwelcome, offensive or intimidating comments or gestures, or insensitive jokes or pranks;
- (f) mocking, mimicking or belittling a person's disability;
- (g) racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- (h) outing or threatening to out someone as gay or lesbian or transgender; or
- (i) ignoring or shunning someone, for example, by deliberately excluding them from a conversation or a social event.

4.7 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 they create an offensive environment for him or her.

5. WHAT IS BULLYING?

5.1 Bullying is unlikely to be a single or isolated instance. It is usually, but not exclusively repeated and persistent behaviour which is offensive, abusive, intimidating, malicious or insulting. Bullying includes but is not limited to:

- conduct which is intimidating, physically abusive or threatening;
- conduct that denigrates, ridicules or humiliates an individual, especially in front of colleagues;
- humiliating an individual in front of colleagues;
- picking on one person when there is a common problem;
- shouting at an individual to get things done;
- consistently undermining someone and their ability to do the job;
- setting unrealistic targets or excessive workloads;
- "cyber bullying" i.e. bullying via e-mail or social media;
- setting an individual up to fail e.g. by giving inadequate instructions or unreasonable deadlines.

5.2 Bullying can take the form of physical, verbal and non-verbal conduct. Examples of bullying include:

- (a) shouting at, being sarcastic towards, ridiculing or demeaning others;
- (b) physical or psychological threats;
- (c) overbearing and intimidating levels of supervision;
- (d) inappropriate and/or derogatory remarks about someone's performance;



- (e) abuse of authority or power by those in positions of seniority;
- (f) deliberately excluding someone from meetings, events or communications without good reason;
- (g) sending rude and/or abusive emails or other communications to other members or the Institute; or
- (h) continuing to send emails or other communications when the recipient has asked the sender not to.

HARASSMENT AND BULLYING MAY BE SUMMARISED AS ANY BEHAVIOUR THAT IS UNWANTED BY THE PERSON TO WHOM IT IS DIRECTED. IT IS THE IMPACT OF THE BEHAVIOUR RATHER THAN THE INTENT OF THE PERPETRATOR THAT IS THE DETERMINANT AS TO WHETHER HARASSMENT OR BULLYING HAS OCCURRED.

6. RAISING A FORMAL COMPLAINT

- 6.1 If you wish to make a formal complaint about bullying or harassment, you should submit it, in writing, to the Chair of the Professional Conduct Committee at Suite 141, Milton Keynes Business Centre, Foxhunter Drive, Linford Wood, Milton Keynes MK14 6GD or pcc@iti.org.uk.
- 6.2 Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.
- 6.3 Following receipt of a complaint the matter will be investigated. You may be invited to attend a meeting. If, following the investigation your complaint is upheld, prompt action will be taken to address the harassment or bullying conduct.
- 6.4 As a general principle, the decision whether to progress a complaint is up to you. However, ITI has a duty to protect all members and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.
- 6.5 Members, who raise complaints under this policy in good faith, will not be victimised or treated less favourably as a result. However, any member who raises false complaints, which are found to have been made in bad faith, will be subject to disciplinary proceedings and, ultimately, disciplinary action, in accordance with ITI's Code of Professional Conduct.

7. CONFIDENTIALITY AND DATA PROTECTION

- 7.1 All matters relating to the investigation of complaints or harassment or bullying will be treated in strict confidence. Any breach of confidentiality in this regard may render those responsible to disciplinary proceedings. However, it will be necessary that any alleged perpetrator is made aware of the allegations against them and the name(s) of those making the allegations together with the name(s) of any witnesses.



- 7.2 Confidentiality is an important part of the procedures provided under this policy. Everyone involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required. 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.
- 7.3 Information about a complaint by or about a member may be placed on their membership file, along with a record of the outcome and any notes or other documents compiled during the process. These will be processed in accordance with Data Protection Legislation.
- 7.4 Breach of confidentiality by members may give rise to disciplinary proceedings and, ultimately, disciplinary action, in accordance with ITI's Code of Professional Conduct.

8. WHO IS RESPONSIBLE FOR THIS POLICY?

- 8.1 The ITI Board has overall responsibility for the effective operation of this policy.
- 8.2 Members should disclose any instances of harassment or bullying of which they become aware to the Chair of the Professional Conduct Committee.

9. MONITORING AND REVIEW OF THE POLICY

- 9.1 This policy will be reviewed periodically giving due consideration to any legislative changes.
- 9.2 Following a formal investigation under this policy, the Professional Conduct Committee should consider whether this policy has been effective in addressing the issues and report any problems or suggestions for improvement to the Board.
- 9.3 ITI will continue to review the effectiveness of this policy to ensure it is achieving its objectives. As part of this process ITI monitors the composition of membership applicants and ITI's membership. This information will be recorded against the membership/staff record but the information will only be used for the purposes of monitoring equality and diversity and the effectiveness of this policy. Information will be used and stored in line with Data Protection Legislation.
- 9.4 Members are invited to comment on this policy and suggest ways in which it might be improved by contacting the Operations Manager at operationsmanager@iti.org.uk.

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