



Association of Salmon Fishery Boards

Bullying & Harassment Statement

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| Implementation date | 21 June 2011 |
| Responsibility for monitoring and review of policy | Operations Director |

1. Purpose:

This statement sets out the commitment of the Association of Salmon Fishery Boards (ASFB) to ensure employees are aware of our expectations and their responsibilities in relation to bullying and harassment. It sets out what employees should do if they are experiencing bullying and harassment and the support options available. It applies to ASFB as an unincorporated association governed by constitution.

This is achieved by:

- Having effective and fair procedures which promote the dignity of employees and deal with unacceptable behaviour.
- Providing advice, information and support to ensure we treat employees with dignity and respect.
- Telling employees about their personal responsibilities to ensure they respect the dignity of their colleagues.
- Making sure employees have the confidence to make a complaint without fear of ridicule or reprisal.

2. Statement of commitment

We commit to having a workplace free from bullying and harassment. We recognise the serious consequences of this to employees and to ASFB. This will not be tolerated or condoned within work or outside work if it has an impact on working relationships. We will not accept any form of bullying, harassment, victimisation, intimidation or behaviour which causes an employee distress, for example because of their:

age; colour; criminal record; disability; ethnic or national background; race; religion; sex; marital status; sexuality; their membership or non-membership of a trade union.

This supports our Equal Opportunities Policy where we commit to providing equality of opportunity and to creating a workplace where all employees are treated fairly and with dignity and respect.

3. What is workplace bullying and harassment?

We define this as unwanted and unwelcomed behaviour which makes the recipient feel unpleasant or uncomfortable. It can take many forms, for example:

- Physical contact ranging from touching to serious assault, including that of a sexual nature.
- Verbal and written harassment through jokes, offensive language, gossip, slander or sectarian songs.
- Visual displays of posters, graffiti or obscene gestures.
- Displaying or circulating offensive material or comments by email, mobile phone or social networking sites.
- Isolation or non co-operation at work and exclusion from social events.
- Intrusion by pestering, spying or following another employee.

4. Definition of bullying

We define bullying as unwarranted offensive, intimidating, malicious or insulting behaviour towards an individual or group of employees. It is an abuse or misuse of power intended to undermine, humiliate, insult or injure the recipient. It is usually persistent and repetitive behaviour however; some bullying can be serious enough to be recognised even if the behaviour was a one off incident. It can range from extreme forms such as violence and intimidation to less obvious actions, such as deliberately ignoring someone.

5. Definition of harassment

We define harassment as unwanted conduct affecting the dignity of others. Unlike bullying, it is related specifically to age, sex, gender, race, religion or belief, sexual orientation, disability or any personal characteristic of an individual. It is unwanted conduct that:

Violates another person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person.

It takes many forms including physical, verbal or non-verbal conduct. It can include comments, actions, jokes or suggestions that may be viewed as demeaning and unacceptable to the recipient. It may be an isolated incident or repeated actions that may create a stressful working environment.

6. Definition of victimisation

We define victimisation as less favourable treatment of an individual because they:

- Have made a complaint or intend to make a complaint about being bullied or harassed.
- Have or intend to act as a witness or give evidence in support of another person's complaint about being bullied or harassed.

7. What is not workplace bullying and harassment?

7.1 Effective management

We expect our managers to lead and manage employees. This involves setting and making sure employees understand performance standards. It also involves dealing in a respectful and constructive way with employees who fall below the standards.

7.2 Organisational change

Organisational change is sometimes essential and inevitable. We recognise that changes can at times result in employees feeling apprehensive, upset, and resistant to change. Organisational change is never intended to undermine or humiliate employees but will always be aimed at improving the way we work. Organisational change does not amount to bullying or harassment.

8. Legal context

It is against the law to subject a person to harassment on the grounds of:

Age; disability; gender reassignment; sexual orientation; religion or belief; sex; race.

If an employee is subjected to this they could claim victimisation. As well as discrimination claims, acts of harassment could also lead to criminal claims for assault or civil claims for harassment or negligence. Claims for breach of contract could also be made for example where an employee resigns because of harassment and then claims constructive dismissal.

9. What we expect from employees

Employees have a duty to understand how their behaviour affects others. They have a role to play in creating a climate where bullying and harassment is unacceptable. They can achieve this by having an awareness and sensitivity towards the issues of bullying and harassment and by making sure that their standards of conduct do not cause offence.

We understand that at times employees may not realise the effect of their behaviour on colleagues. That is why it is important all employees familiarise themselves with this policy and realise the possible effects of their conduct on others. This should ensure that employees:

- Treat fellow workers with dignity and respect.
- Think about their behaviour and actions, and how these may impact on others.
- Meet the requirements of ASFB policy to ensure equal opportunity and non-discrimination.
- Do not bully, harass, or victimise colleagues or any other person on any grounds.
- Do not display behaviour or actions that are unwelcome or undermine fellow employees or any other person.
- Report suspected acts of unacceptable behaviour or practices that go against the bullying and harassment policy.
- Do not make false accusations with a deliberate attempt to damage another person's reputation, dignity and character.

10. Additional responsibilities expected of managers

Managers have a responsibility to uphold and promote the bullying and harassment policy. They should treat employees fairly and with dignity and respect and make sure the working environment is free from bullying, harassment and victimisation. They should:

- Encourage an atmosphere of tolerance and respect.
- Lead by example through a fair and open management style.
- Make sure that all employees they are responsible for are aware of, and understand the bullying and harassment policy.
- Be aware of their team member's behaviours and take steps to address any action which may cause offence or distress.
- Be supportive of employees who come to them with concerns about unacceptable behaviour.
- Stop unacceptable behaviour and deal with any complaints they receive.

11. Dealing with bullying and harassment

It is preferable that complaints are dealt with informally where appropriate. The aim is to produce solutions quickly to resolve issues and reduce the impact on all involved. The informal procedure should not be used to discourage employees from using formal procedures where they prefer that option.

12. Seek support and advice

Employees affected by bullying and harassment should not ignore the issue. There are 2 options available to resolve any issue.

12.1 Informal procedure

Acts of bullying and harassment are not always intentional. Sometimes the person might not understand the impact of their behaviour on someone else. That is why dealing with the matter informally may be appropriate. By making the person aware of the impact of their behaviour it might resolve the matter.

The employee can, if they wish and are comfortable to do so, talk to the person directly about their behaviour, explain how it has affected them and ask them to stop behaving in that way. If they find it too difficult to do this on their own they can ask a colleague or their line manager to do this for them. If the person is their line manager they can ask a member of the ASFB Executive Committee to talk to them. If the complaint is not resolved informally or if the employee wishes they may progress to the formal approach.

12.2 Formal procedure - making a complaint

The employee should provide details of the complaint and what or whether attempts they have taken to resolve the matter informally. They should then pass this to their line manager. If however the complaint is about their line manager they should pass this to a member of the ASFB Executive Committee.

The line manager or Executive Committee member will independently and impartially review the information provided. They will determine if the behaviours fall under the definitions of bullying and harassment and decide if any further investigation is required.

13. False accusations

If in good faith an employee makes an accusation which following investigation is not confirmed as bullying and harassment, ASFB will not take any action against the employee. If however an employee makes a malicious complaint which does not have grounds, substance or evidence and was made to deliberately cause upset and distress we may take action in line with our Disciplinary and Appeals Procedure.

14. Investigation process

The investigator will complete a through impartial investigation to find out if bullying and harassment has taken place and decide what action needs to be taken. They will keep an open mind, looking at all the information and evidence which supports the complaint and evidence against it.

Anyone involved in the process at any stage has the right to representation by a trade union representative, line manager or colleague of their choice. This person must not have an active role in the investigation process, for example as a witness.

Initially the investigator will advise everyone involved of the planned approach to dealing with the complaint, proposed timescales and how they will confirm the outcome. They will interview the complainant to clarify full details of the complaint, followed by the respondent and any witnesses in order to gather all relevant evidence. They will then review the information to establish the facts of the case and prepare a report summarising their findings and conclusions. The report will confirm whether they have upheld or rejected the complaint and detail recommendations of appropriate action for management to take.

Investigation outcome - The investigator will advise management, the complainant and the respondent of the outcome. They will advise whether or not the complaint has been upheld or rejected:

Upheld – It is believed that the bullying and harassment took place.

Rejected - It is believed that the bullying and harassment did not take place.

Appeals procedure for complainant - If the complaint is rejected, the complainant has a right to appeal this decision. They should do this in writing detailing the reasons for the appeal within seven working days of receiving the letter confirming the outcome. Dissatisfaction with the outcome of the investigation is not valid grounds for an appeal to be made. Where possible the appeal review process will usually be arranged within 10 working days of receipt of the appeal. The decision of the appeal review is final.

15. Compliance

All employees should know about and comply with this policy. This will support ASFB to stop and prevent all forms of bullying and harassment. We will consider incidents of bullying and harassment as misconduct. Where we established that there is a case to answer disciplinary action may be taken against employees. This could include dismissal for serious offences.

16. Responsibilities

The Directors and Executive Committee members have a responsibility to promote and enforce the bullying and harassment policy.

ASFB

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