

Bullying & Harassment Policy

Scope

Osborne Training Services (OTS) are committed to providing a training environment free from bullying and harassment. We aim to ensure that all tutors and students are treated, and treat others, with dignity and respect.

What is Harassment?

Harassment is any unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. A person may be harassed even if they were not the intended "target". Harassment also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

It is unlawful under the Equality Act 2010 to harass a person because of their 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. It also includes conduct of a sexual nature (sexual harassment). Harassment is unacceptable even if it does not fall within any of these categories.

Examples of harassment include, but are not limited to:

- Unwanted physical conduct including touching, pinching, pushing, and grabbing
- Unwelcome sexual advances or suggestive behaviour
- Offensive e-mails, text messages or social media content or the display of offensive materials
- Unwanted jokes, banter, mocking, mimicking, or belittling a person

It is important to note that harassment occurs even if the harasser perceives his/her behaviour as being harmless and without malice, or 'just a bit of fun'. What matters is how the behaviour makes the recipient feel, and not what the perpetrator's intentions were. Also, a person may be harassed even if they were not the intended 'target' of the behaviour.

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate, or injure the recipient. Bullying can include the use of personal strength or the power to coerce through fear or intimidation, not necessarily from someone in a position of authority.

Bullying may be physical, verbal, or non-verbal. It can include conduct that is not face-to-face, including via text message, email, and social media. Examples of bullying include:

- Shouting at tutors/students
- Persistently picking on people in front of others or in private
- Setting a person up to fail by overloading them with work or setting impossible deadlines
- Regularly making the same person the subject of jokes

What to do if you are being harassed or bullied

Informal Approach

You may be able to sort out matters informally. The person may not know that their behaviour is unwelcome or upsetting, so an informal discussion may help them to understand the effects of their behaviour and agree to change it.

If you feel able to, tell the person what behaviour you find offensive and unwelcome, and say that you would like it to stop immediately. You should keep a note of the date and what was said and done. This will be useful if the unacceptable behaviour continues, and you wish to make a formal complaint.

If this is too difficult for you, then please talk to the Training and Administration Coordinator, a trusted colleague or HR, for advice and assistance. They may for example speak to the person concerned on your behalf or accompany you when you speak to them.

If the informal approach is not appropriate, or has not been successful, you should raise a formal grievance.

Formal Procedure

When a tutor/student feels that they need to deal with an issue of harassment or bullying formally, they should do so according to the Company's grievance procedure.

We will investigate complaints in a timely, confidential, and sensitive manner. The investigation will be conducted where possible by someone with appropriate seniority and experience, and no prior involvement in the complaint. Details of the investigation, and the names of the people involved, will only be disclosed on a 'need to know' basis. We will consider whether any steps are necessary to manage the ongoing working relationship between you and the person accused during the investigation.

Once the investigation is complete, we will inform both parties (separately) of our decision. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Breach of this Policy

Bullying and harassment are not tolerated in our workplace and all staff are required to treat each other, along with our customers, suppliers, and visitors, with dignity and respect.

Breaches of this policy will be dealt with in accordance with our disciplinary procedure. Serious cases of bullying or harassment may amount to gross misconduct resulting in dismissal.

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our disciplinary procedure. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our disciplinary procedure.