

COMPANY NAME:

Hillcrest

POLICY NUMBER:

HR01

POLICY TITLE:

Bullying and Harassment Policy and Procedure

This document can be produced in different formats, for example, in larger print or audio-format, and in other languages, as appropriate. We promote equality through seeking to eliminate unlawful and unfair treatment on the ground of any protected characteristic, as appropriate.

Policy: Underpinning and Supporting Documents

This policy should be read in conjunction with the following documents:

Other Policies:

- G13 Whistleblowing Policy
- G08 Equality and Diversity Policy
- HR 21 Staff Code of Conduct Policy
- HR 04 Grievance Policy
- HR 34 Mediation Policy
- HR 03 Disciplinary Policy

Compliance:

- N/A

Legislation:

- Equality Act 2010
- Worker Protection Act 2024
- Health & Safety at Work Act 1974
- Employment Rights Act 1996
- Protection from Harassment Act 1997

Best Practice:

- ACAS: Bullying and harassment at work guide

1. Policy: Statement

Hillcrest is committed to creating a workplace culture that is inclusive, respectful, and free from bullying and harassment. This commitment reflects both our legal and moral duty to protect all employees from inappropriate behaviour, including sexual harassment.

We adopt a zero-tolerance approach to bullying and harassment. All complaints will be taken seriously and investigated promptly. Where appropriate, disciplinary action will be taken, up to and including summary dismissal.

Hillcrest acknowledges its proactive duty under the **Worker Protection Act 2024** to take reasonable steps to prevent sexual harassment in the workplace. This includes conducting regular sexual harassment risk assessments, implementing appropriate controls, and monitoring their effectiveness.

Bullying and harassment undermine a productive working environment and can negatively affect the health, confidence, morale, and performance of those directly or indirectly impacted. Hillcrest is committed to ensuring that all employees feel safe, supported, and respected at work.

2. Policy: Principles

This policy applies to:

- **All individuals working on behalf of Hillcrest**, including:
 - Employees (permanent, temporary, and fixed term)
 - Contractors
 - Agency workers
 - Work Experience
 - Volunteers
- **All work environments and operational settings**, including:
 - Tenant homes and housing schemes
 - Social care environments (e.g. supported living, domiciliary care)

- Maintenance and repair settings (e.g. void properties, communal areas)
- Office-based, remote, and home working arrangements
- Digital and virtual workspaces
- Work related travel and social events

Bullying

Bullying refers to repeated, unwelcome behaviour that is offensive, intimidating, or malicious, which undermines an individual's dignity, confidence, or wellbeing. It may be verbal, physical, or psychological in nature. *Please refer to **Appendix 1** for examples of bullying behaviour.*

Harassment

Harassment is any unwanted conduct related to a protected characteristic such as

- Race
- Disability
- Sex
- Religion
- Age that violates a person's dignity or creates an intimidating, hostile, degrading, or offensive environment.

*Please refer to **Appendix 1** for examples of harassment behaviour.*

Sexual Harassment

Sexual harassment involves unwanted behaviour of a sexual nature. This can include, but is not limited to:

- Uninvited touching, staring, or physical advances
- Sexual jokes or comments, including those made during tenant or client interactions
- Lewd messages, images, or digital communications
- Pressure for sexual favours in exchange for services or repairs

Sexual harassment can occur between colleagues, from a line manager, or be perpetrated by third parties such as tenants, clients, or visitors. Hillcrest takes all forms of sexual harassment seriously and is committed to protecting employees from such behaviour. Please refer to Appendix 2 for examples of Sexual Harassment behaviour.

Preventing Sexual Harassment at Work:

We want everyone to feel safe and respected at work. Some jobs carry a higher risk of sexual harassment, and we take the necessary steps to protect our employees in those roles.

We will conduct regular risk assessments for sexual harassment in roles identified as high-risk, particularly those involving the following tasks:

- Working alone
- Going into unfamiliar or unsafe homes
- Employees providing personal care to clients
- Working in emergency situations or during anti-social behaviour visits

Assessments will consider:

- Past incident reports
- Environmental factors (e.g. lighting, remote locations)
- Protective equipment and support systems

Reasonable Steps We Will Take to keep you safe

- Lone worker protections, including panic alarms, check-ins, and buddy systems
- Clear procedures for dealing with inappropriate behaviour from tenants or service users
- Enhanced training for front-line and managerial staff
- Supportive culture, encouraging early reporting without fear of retaliation

Training and Awareness

- Mandatory training on recognising, preventing, and responding to bullying and harassment
- Role-specific modules for front-line teams (e.g. housing officers, carers, maintenance teams)
- Manager training on appropriate interventions and supporting victims

Reporting and Monitoring

- We encourage early reporting and offer multiple reporting channels (i.e. line manager, HR anonymous reporting)
- All allegations are logged and reviewed for patterns or systemic issues.
- We recognise that individuals may wish to raise concerns or report unacceptable behaviour without revealing their identity.

If you wish to remain anonymous when raising a concern or reporting unacceptable behaviour, you can do so by following the Whistleblowing Policy.
All reports will be treated with the utmost confidentiality, and appropriate steps will

be taken to protect the identity of the whistleblower wherever possible. Anonymous concerns will be investigated to the extent that the information provided allows.

3. Policy: Responsibilities

Respect and Responsibilities in the workplace

Everyone working within Hillcrest, regardless of role or status, is expected to treat colleagues with dignity, integrity and that the Hillcrest Values of Inclusion, Respect Excellence and Innovation are demonstrated.

Leadership Accountability

The Executive Leadership Team are responsible for ensuring robust systems are in place to support compliance with this policy.

- **Senior Managers** must:
 - Promote a respectful, harassment-free working environment.
 - Lead by example in treating all staff with dignity.
 - Ensure consistent application of this policy by managers.
 - Review HR reports to monitor policy effectiveness.

Managerial Responsibilities

- **Line Managers** must:
 - Model respectful behaviour.
 - Communicate this policy to their teams.
 - Ensure employees understand their responsibilities.
 - Address complaints promptly, seriously, and confidentially.
 - Provide appropriate support to those affected by bullying or harassment.

Employee Responsibilities

- Understand and follow all relevant policies.
- Treat others respectfully and avoid offensive behaviour.
- Speak up if behaviour is unacceptable.
- Report incidents of bullying or harassment, whether experienced or witnessed.
- Maintain confidentiality in all related matters.

HR Responsibilities

- Regularly review the policy's effectiveness.
- Report bi-annually on complaints raised.
- Advise and support managers and staff on policy application.
- Attend formal meetings as required.

Support and Advice

Hillcrest is committed to achieving resolution of complaints relating to bullying and harassment wherever possible.

In line with this approach, a series of options have been put into place to enable staff to be supported. Further support can be provided by:

- **Counselling** - Hillcrest provides a confidential external service for its staff (Employee Assistance Programme (EAP)).
- **Occupational Health Service** – *Referral for recommendations how best we can support you in the workplace.*
- **Mediation** – we can provide an internal or when deemed suitable an external mediator
- **Work Adjustment:** *Temporary adjustments to working arrangements or buddying on visits*
- *Safeguarding referral and risk management if service users are involved*

Policy Document Governance and Management

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Procedure Contents

1. Informal Procedure	9
2. Stage 2 - Formal Procedure	10
3. Suspension.....	10
4. Investigation Outcomes	11
5. Appeal.....	12
Procedure Document Governance and Management.....	18

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1. Informal Procedure

In some cases it may be possible to rectify matters informally. Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease. It may be that the individual will choose to do this themselves, or they may need support from a manager, colleague or member of the HR team.

Every effort will be made to resolve the issue informally if that is the wish of the complainant. It should be the aim to resolve matters at the lowest possible level, where possible. This will minimise any further distress and limit time and resources into initiating the formal procedure.

Any complaint should be discussed in the first instance with the employee's line manager.

The line manager will undertake to attempt to resolve the matter without unreasonable delay or by a process and timescale agreed with the employee. This will ideally be within 7 calendar days.

Should the employee's complaint concern his/her immediate line manager the complaint should be raised directly in writing with the next appropriate manager. In a limited number of circumstances, the appropriate Governing Body member may hear a complaint or appeal.

If the matter cannot be resolved satisfactorily or matters are of a serious nature, the following procedure will apply.

2. Stage 2 - Formal Procedure

1. Complaints in relation to bullying and harassment should be raised with the line manager in writing using Appendix 2. This written statement will form the basis of the subsequent hearing and any investigations, so it is important that the nature of the complaint is set out clearly. If the complaint is unclear, the employee may be asked to clarify the complaint before any meeting takes place.
2. The complainant's Line Manager will promptly consider and investigate the complaint. Complaints against an employee's Line Manager will be dealt with by someone Senior to the line manager. If the complaint is against the Senior Manager or Director, then it will be investigated by the Deputy Chief Executive or Chief Executive. In a limited amount of circumstances, it may be appropriate to appoint an alternative manager to investigate complaints. An HR Advisor/HR Business Partner will be in attendance for HR Support, to ensure fairness and advise on procedure and employment law.
3. In the event of complaints about Executive Team members, it may be appropriate to appoint an external professional to investigate a complaint. This may result in adjustments to timeframes specified and will be communicated and agreed by all parties in advance. A Senior member of the HR Team will always be in attendance in these matters.
4. The investigating officer will meet with the person to discuss the complaint. If they wish, they may be assisted by a colleague or Trade Union representative.
5. After meeting with both parties it may be necessary to meet with others who may have witnessed the alleged incident(s).

3. Suspension

Hillcrest reserves the right to suspend or temporarily redeploy either the employee suspected of bullying or harassment or the employee raising a complaint of bullying or harassment

during the investigations, if it is considered in the interests of the individual(s) or the organisation to do so. Suspension in these circumstances does not constitute disciplinary action and will be on full pay.

4. Investigation Outcomes

Following a thorough investigation, the Manager will make a decision whether to uphold the complaint or not.

Possible Outcomes:

No action required – the allegation has not been substantiated.

Mediation – A mediator can sometimes help to resolve issues. It must be noted that mediation is a voluntary process and is not appropriate in all situations. The mediation policy can be found on the Intranet:-

- HR34 Mediation Policy

Informal Action - To take management action other than to initiate the organisation's Disciplinary Procedure, for example ensuring individual recognises inappropriate behaviour and arranges to monitor future behaviour.

Disciplinary Action - Where an informal resolution is not possible, it is appropriate to deal with the issues formally at the appropriate level of the disciplinary procedure. The manager responsible for investigating the claim of bullying or harassment will provide a report to the manager responsible for considering disciplinary action. Full details of this process can be found under the disciplinary procedure:-

- HR03 Disciplinary Policy

Following completion of the investigation, the decision will be made known in writing within seven calendar days and sent to the complainant and any persons alleged to have bullied or harassed others within the workplace. Where appropriate, the communication should set out what action the manager intends to take to resolve matters.

5. Appeal

Your appeal should be made in writing to the appropriate manager as listed in the outcome letter. You should complete appendix 3 and clearly state the grounds of your appeal, for example, the basis on which you say that the result of the complaint was wrong or that the action taken as a result was inappropriate. This should be done within seven calendar days of the written notification of the outcome of the complaint. An appeal meeting will be arranged following the submission of your formal appeal. Your letter of appeal will be acknowledged within seven calendar days.

Following the appeal meeting, you will be informed of the outcome within seven calendar days, wherever possible. Should it not be possible to inform you of the outcome within this time frame you will be notified of this and an explanation given in relation to the delay.

The decision reached at Appeal Stage of the procedure shall be final.

Reasonable adjustments will be made to these processes for anyone covered by one of the protected characteristics of the Equality Act 2010

Appendix 1

EXAMPLES OF BULLYING, HARASSMENT AND SEXUAL HARASSMENT BEHAVIOUR

Examples of workplace bullying unacceptable behaviour

Examples of workplace bullying behaviours, whether intentional or unintentional, that may be considered to be workplace bullying if they are repeated, unreasonable and create a risk to health and safety include:

- abusive, insulting or offensive language or comments
- unjustified criticism or complaints
- continuously and deliberately excluding someone from workplace activities
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines • setting tasks that are unreasonably below or beyond a person's skill level
- denying access to information, supervision, consultation or resources such that it has a detriment to the worker
- spreading misinformation or malicious rumours
- excessive scrutiny at work
- changing work arrangements, such as rosters or leave if it is done to deliberately inconvenience a particular worker or workers.

These behaviours may be considered to be workplace bullying and may be communicated, face to face, in writing, or via electronic media, including:

- emails
- text messages
- instant messages
- blogging
- social media, such as Facebook, Twitter, or Instagram, Tik Tok, Snap Chat
- Intrusion by pestering, spying, following, stalking, staring and leering; unwelcome advances, attention, invitations or propositions; sexual innuendo, coercion, including promises of rewards in exchange for sexual or other favours

Examples of workplace Harassment unacceptable behaviour.

(This list is not exhaustive)

- Spreading malicious rumours, or insulting someone by word or behaviour

- Discriminating against someone for a reason relating for example to race, sex, disability, age, religion or belief, sexual orientation
- Unlawful violence such as physical blows
- Exclusion or victimisation
- Overbearing supervision or other misuse of power or position

Examples of workplace Sexual Harassment unacceptable behaviour

Sexual harassment can take many forms. The following examples illustrate behaviours that are considered unacceptable and will not be tolerated:

Verbal Harassment

- Making sexual jokes or comments during work-related visits or interactions.
- Persistently asking colleagues or service users on dates after being declined.
- Making inappropriate remarks about someone's appearance in a sexual manner.
- Asking intrusive or personal questions about someone's sex life during service delivery.

Non-Verbal Harassment

- Sending sexually explicit messages via text, email, or other platforms to colleagues or service users or tenants.
- Displaying inappropriate images or content in shared or private workspaces.
- Using sexual gestures or suggestive facial expressions during professional interactions.

Physical Harassment

- Unwanted physical contact such as touching, hugging, or brushing against others while performing duties.
- Using care-related tasks as a pretext for unnecessary physical contact.
- Attempting to kiss or touch someone in a sexual way.

Quid Pro Quo Harassment ("This-for-That")

- Offering faster service or preferential treatment in exchange for sexual attention or favours.
- Threatening to withhold care, housing, or work opportunities unless romantic or sexual advances are accepted.

(The above examples of Bullying, Harassment and Sexual Harassment is not an exhaustive list)

Actions and Behaviours that do not amount to bullying and/or harassment:

- Fair and reasonable discussion about performance or behaviour
- A rejected request for flexible working and/or time off
- Constructive feedback
- Appropriate performance management, disciplinary investigation or grievance matter
- Lack of success at internal interview when due process was followed

Appendix 2

APPENDIX 2		Stage 2 - Formal	
Name		Date	
Work Base		Job Title	
Please describe in as much detail as possible the bullying and harassment incident (s) including the names of the parties involved, any witnesses and location, dates and times that you can, please use an additional page if required. Please attach any supporting documentation such as emails, notes or photos that you have.			
What would your desired outcome to resolve your complaint			
Signed		Print Name	
Received by		Date	
Response			
I am happy with this outcome and confirm this matter has been resolved			
Signed		Date	

APPENDIX 3

APPENDIX 3		Appeal	
Name		Date	
Work Base		Job Title	
I/We wish to appeal the decision for the following reasons			
Signed		Print Name	
Received by		Date	
Response			

Procedure Document Governance and Management

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