

TRUEBLUE NURSES - Harassment Policy and Procedure

Purpose

To comply with the following:

Equality Act 2010

Best Employment Practice

Scope

All employees

Policy

Trueblue Nurses deplores all forms of harassment, including sexual or facial harassment and harassment based on disability, age, gender, gender reassignment, religion or belief and sexuality and seeks to ensure that the working environment is conducive to all its employees.

The following procedure informs employees of the type of behaviour that is unacceptable and provides employees who are the victims of any form of harassment with a means of redress.

Implementation of the policy is the duty of all staff, particularly managers and supervisors. All employees must comply with this policy.

Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidatin, hostile, degrading, humiliating or offensive environment for that individual. (Equality Act 2010).

The relevant protected characteristics are:

Race, including colour, nationality, ethnic or national origin

Sex

Disability

Age

Religion or belief

Sexual orientation

Gender re-assignment

Procedure

If an employee believes he or she has been the subject of harassment they should act promptly. Write down a brief description of the unwanted behaviour or keep a diary of incidents as they occur.

Informal remedy

Employees who believe they have been subjected to harassment are advised, if appropriate and safe, to speak informally to the person whom the employee thinks is responsible for the behaviour to make it clear this behaviour is unacceptable and must stop.

The employee should make notes summarising the date and content of the discussion. If an employee is unable to do this verbally then a written request explaining the distress the behaviour is causing should be handed to the harasser.

Formal Procedure

Where informal methods fail and behaviour persists, the employee must report the matter to the Registered Manager.

If the Registered Manager is the perpetrator, the member of staff should report the matter to another manager.

A formal grievance should be raised and the employee is advised to seek assistance. The complaint should be made in writing stating the name of the perpetrator, the nature of the harassment, date, times of harassment, names of witnesses to any incidents of harassment, any action already taken by the complainant to stop the harassment. This complaint/grievance should be sent to Trueblue Nurses.

Immediately after a complaint of harassment has been received, action will be taken to separate the harasser from the complainant, this may involve temporary transfer of the alleged harasser to another assignment or suspension until the complaint has been resolved.

A thorough investigation by Trueblue Nurses will be carried out maintaining confidentiality at all times. All employees involved will be expected to maintain this confidentiality and failure to do so will be considered a disciplinary offence.

Copies of statements made by witnesses will be made available to both the alleged perpetrator/harasser and the complainant.

The complainant may be supported throughout the procedure by a work colleague or by certified Trade Union Representation.

The employee accused of harassment will also have the equivalent right to be accompanied at the hearing.

The severity of the penalty imposed upon an employee against whom an allegation of harassment has been proven will be consistent with those detailed in the disciplinary procedure.

Where a lesser penalty is appropriate, this may be coupled with action to ensure that the victim is able to continue working without embarrassment or anxiety. The result of the hearing will be confirmed in writing to both employees.

If the complainant is not satisfied about the way their complaint has been handled, they may ask for it be reconsidered by Trueblue Nurses under the relevant stage of the grievance procedure.

Requests for reconsideration should be made within 5 working days of the first hearing.

The decision of this second hearing will be sent in writing to both parties and will be final. An employee who brings a complaint of harassment will not suffer victimisation for having brought the complaint. However if the complaint is found to be vexatious, frivolous and untrue and has been made in bad faith then disciplinary action may be taken against the complainant.

For further details refer to Trueblue Nurses Disciplinary and Grievance Procedures.

Update September 2013