



Anti-Harassment Policy

Policy statement

Dandelions Pre-School and Out of School Club seeks to provide a work environment in which all employees are treated with respect and dignity and that is free of harassment based upon an employee's race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation, age, marital status or disability.

Employees must not harass or intimidate other employees on these grounds. Such harassment not only contravenes Dandelions policy, but it may also constitute unlawful discrimination. Such behaviour will be treated as potential gross misconduct under Dandelions disciplinary procedure and could render the employee liable to summary dismissal.

All employees are responsible for conducting themselves in accordance with this policy and Dandelions will not condone any form of harassment, whether engaged in by employees or by outside third parties who do business with Dandelions.

Employees should draw the attention of their line manager to suspected cases of harassment. They must not victimise or retaliate against an employee who has made allegations or complaints of harassment or who has provided information about such harassment. Such behaviour will be treated as potential gross misconduct under Dandelions disciplinary procedure. Employees should support colleagues who suffer such treatment and are making a complaint.

Sexual harassment and harassment on the grounds of sexual orientation

It is against Dandelions policy for any employee, male or female, to sexually harass another employee or to harass him or her on the grounds of his or her actual or perceived sexual orientation or gender reassignment. Harassment occurs where a person engages in unwanted conduct which has the purpose or effect of violating the other's dignity at work, or creating an intimidating, hostile, degrading, humiliating or offensive work environment for the other person. Sexual harassment includes, but is not limited to, unwelcome sexual advances,

requests for sexual favours, engaging in other unwelcome verbal, non-verbal or physical conduct of a sexual nature, subjection to obscene or other suggestive comments, and sexual jokes or pictures.

It is for the complainant to decide for him or herself what they regard as offensive.

Racial harassment and harassment on the grounds of religion or belief

It is against Dandelions policy for any employee to harass another employee on the grounds of his or her race, colour, ethnic origin, nationality, national origin or religion or belief. Harassment occurs where a person engages in unwanted conduct which has the purpose or effect of violating the other's dignity at work, or creating an intimidating, hostile, degrading, humiliating or offensive work environment for the other person. Racial harassment includes, but is not limited to, engaging in unwelcome verbal, non-verbal or physical conduct of a racial nature, subjection to racist comments, and racist jokes or pictures. Racial harassment and harassment on the grounds of religion or belief may comprise intentional bullying which is obvious or violent, but it can also be unintentional or subtle, such as the use of nicknames or teasing.

It is for the complainant to decide for him or herself what they regard as offensive.

Harassment on the grounds of disability or age

Finally, it is against Dandelions policy for any employee to harass another employee on the grounds of his or her disability or age. The principles set out above apply equally to harassment on the grounds of disability or age.

Reporting and investigation of complaints

All allegations of harassment will be dealt with seriously, confidentially and speedily. Dandelions will not ignore or treat lightly grievances or complaints of harassment from members of a particular sex, sexual orientation, religion or racial group or from employees who are disabled.

While Dandelions encourages employees, who believe they are being harassed to notify the offender (by words or by conduct) that his or her behaviour is unwelcome, Dandelions also recognises that actual or perceived power and status disparities may make such confrontation impractical.

In the event of such informal, direct communication between employees is either ineffective or impractical, the following steps should be followed in reporting a complaint of harassment:

1. Any employee who believes he or she has been or is being harassed in violation of this policy, or who wishes to report an incident of harassment, should report the situation to the manager. If the employee does not wish to speak to their manager, they can instead speak to the Committee.
2. Such reports should be made promptly so that investigation may proceed, and any action taken expeditiously.
3. All allegations of harassment will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, the employee will be interviewed and asked to provide a written witness statement setting out the nature and details of the incident or complaint and the basis for it. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, to effectively investigate an allegation, Dandelions must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation.
4. Dandelions will also invite the employee to attend at least one meeting at a reasonable time and place at which his or her complaint can be discussed, and the employee must take all reasonable steps to attend that meeting. The employee has the right to be accompanied at that meeting by either a trade union official or a fellow employee of their choice.
5. Once the investigation has been completed and after the meeting with the employee has taken place, the employee will be informed in writing of the outcome and Dandelions conclusions and decision as soon as possible. The employee will also be notified in writing of his or her right to appeal against Dandelions decision if he or she is not satisfied with it. Dandelions are committed to taking appropriate action with respect to all complaints of harassment which are upheld.
6. If the employee wishes to appeal against Dandelions decision, he or she must appeal in writing to a more senior manager or to the Chair of the Committee within five working days of Dandelions decision. On receipt of such a request, a more senior manager or a Committee member (who may not be the person to whom the employee addressed their appeal) shall make arrangements to hear the appeal at an appeal meeting and at that meeting the employee may again, if they wish, be accompanied by either a trade union official or a fellow employee of their choice. The employee must take all reasonable steps to attend that meeting. Following the meeting, the relevant manager or Committee member will inform the employee in writing of Dandelions final decision on the employee's appeal.
7. Employees will not be penalised for raising a complaint, even if it is not upheld, unless the complaint was both untrue and made in bad faith.

Alternatively, the employee may use Dandelions grievance procedure to make a complaint. The grievance procedure is similar to this procedure. Please see Dandelions Recruitment, Staffing & Employment Policy for Dandelions disciplinary & grievance procedures.

Disciplinary action

Any employee of Dandelions who is found to have harassed another employee in violation of this policy will be subject to appropriate disciplinary action under Dandelions disciplinary procedure. Such behaviour may be treated as potential gross misconduct and could render the employee liable to summary dismissal.

In addition, line managers who had knowledge that such harassment had occurred in their departments but who had taken no action to eliminate it will also be subject to disciplinary action under Dandelions disciplinary procedure.

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