

**Bullying, Harassment and Discrimination policy**

## About this policy

### Purpose

RNIB is committed to providing an environment free from bullying, harassment and discrimination, where everyone is treated fairly, with dignity and respect. The aim is to resolve any complaints or issues that occur, as early as possible, and informally where possible. All complaints of bullying, harassment or discrimination will be taken seriously.

### Benefits of policy being in place

A bullying, harassment and discrimination policy is a clear statement by RNIB that bullying, harassment and discrimination will not be tolerated by any of its employees, contractors, workers, or volunteers. The benefits are numerous and include a psychologically safe workplace, higher employee and volunteer engagement and retention, positive working relationships, greater collaboration, and better decision making.

### Embedding this policy

The People team is responsible for ensuring that the correct process is followed, supporting, and advising employees, volunteers or customers raising concerns. Concerns raised will be investigated under the Grievance policy for employees and the Volunteer Problem Solving Procedure for Volunteers. Bullying, harassment, and discrimination allegations may constitute misconduct and will be dealt with under the Disciplinary policy or the Volunteer Problem Solving Procedure. Risks and Implications

The risk of not complying with this policy could result in unsuitable individuals working or volunteering at RNIB. Failure to comply with this policy may also expose RNIB to potential legal action with legal, financial, or reputational consequences.

### Scope

#### Who does this policy apply to?

This policy applies to RNIB volunteers and employees of all levels on both fixed-term and permanent contracts. It also applies to agency workers, contractors, and casual workers, and RNIB will involve the agency or external contractor to resolve any issues. It does not form part of an employee’s contract of employment.

For bullying, harassment and discrimination complaints relating to volunteers, please follow the ‘Volunteer Problem Solving Procedure for Volunteers.’

For bullying, harassment and discrimination complaints relating to customers, please either refer to the Customer feedback policy or the Violence and aggression in the workplace policy.

### Exceptions to this policy

Exceptions to this policy may be made by the owner of this policy, and in exceptional circumstances only, where there is a significant risk to RNIB and its’ people.

##

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## Roles and responsibilities

### Volunteers

Volunteers are expected to:

* Familiarise themselves and follow the RNIB Bullying and Harassment Policy
* Behave according to our Volunteering Commitment, RNIB’s values and Professional Code of Behaviour
* Provide their time and skills in a fair and reasonable way
* Make sure their own conduct does not cause offence or misunderstanding
* Discourage bullying or harassment, by making it clear that they find such behaviour unacceptable
* Report any observations of bullying, harassment, or discrimination to the People team.

### Employees

Employees are expected to:

* Familiarise themselves and follow the RNIB Bullying, Harassment and Anti-Discrimination Policy
* Behave according to RNIB’s values and the Professional Code of Behaviour
* Provide services in a fair and reasonable way
* Ensure their own conduct does not cause offence or misunderstanding
* Discourage and actively call out bullying, harassment, or discriminatory behaviour by making it clear that such behaviour is unacceptable
* Support colleagues who may be subjected to bullying, harassment or discrimination
* Report any observations of bullying, harassment, or discrimination to the People team.

### Managers

Managers are responsible for:

* Setting appropriate workplace standards within their teams
* Ensuring they have regular performance reviews (at least monthly) with employees in their team. This will enable any issues or concerns to be addressed at an early stage
* Ensuring the working environment is safe and is free from bullying, harassment, discrimination, and victimisation
* Treating all employees, workers, and volunteers fairly and with respect, and role modelling RNIB’s professional behaviours
* Challenging bullying, harassment, discrimination, and victimisation behaviours without delay
* Examining their own behaviour and be aware of circumstances where people may feel bullied, even if this was unintended
* Taking complaints of bullying, harassment, discrimination, and victimisation seriously; dealing with them promptly under the relevant policy
* Encouraging employees to contact the Employee Volunteer Assistance Provider (EVAP) for additional support, where necessary
* Contact the People team about any concerns they may have or that have been reported to them by another person

### People Team

The People team is responsible for:

* Supporting and advising appointed managers in the application of the relevant policy Ensuring that the correct process is followed
* Ensuring that allegations are thoroughly investigated by the Investigating manager before any action is considered
* Attending formal meetings which may result in action being taken against an employee
* Ensuring that any action is fair, appropriate, and proportionate Reporting any concerns to the Chief People Officer where a Bullying, Harassment or Discrimination allegation results in the application of the Disciplinary policy.
* Keeping accurate records and supporting managers to keep to the timescales
* Ensuring that any records are held in a confidential manner and in accordance with the principles contained within the General Data Protection Regulations (2016/679 EU) and the Data Protection Act 2018.

### Volunteering Team

The Assistant Volunteering Manager supporting the case is responsible for:

* Following the correct procedure as set out in the Volunteer Problem-Solving Procedure
* Supporting the volunteer who has raised the allegation through the procedure
* Ensuring allegations are thoroughly investigated before any action is considered
* Ensuring the investigation is documented and the findings, if any, are supported by reliable evidence
* Ensuring that any recommended action is appropriate and proportionate to the situation
* Ensuring that any records are held in a confidential manner and in accordance with the principles contained within the General Data Protection Regulations (2016/679 EU) and the Data Protection Act 2018.

## Definitions

### Bullying

According to ACAS, bullying can be defined as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate, or injure the recipient. It may happen in public or in private.

Where the complaint relates to a volunteer’s activities or employee’s work assigned by a manager, it is important to be clear about the difference between reasonable instruction and supervision given to improve performance and ‘bullying behaviour.’

Examples of reasonable instruction/supervision are:

* setting realistic deadlines
* making constructive criticisms as part of an appraisal or day-to-day working
* progressing, chasing/monitoring of work with realistic timescales
* setting out standards of acceptable behaviour and work performance
* giving feedback on behaviours which are not appropriate
* issuing and asking employees to comply with a reasonable instruction
* invoking the Capability policy
* invoking the Disciplinary policy

Examples of bullying and harassment can be found in Appendix 1.

### Harassment

The Equality Act 2010 defines harassment as an ‘unwanted conduct related to a protective characteristic which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.’

Harassment can also occur when an individual conducts themselves in a manner which is unwelcome, unwarranted and causes a detrimental effect on the recipient. In Northern Ireland, the respective legislation is the Northern Ireland Act which promotes good relations between different groups of people, and the Disability Discrimination Act 2005.

The ‘protected characteristics’ under the Equality Act 2010 are:

* age
* disability
* gender identity
* marriage or civil partnership
* pregnancy and maternity
* race
* religion or belief
* sex
* sexual orientation

Harassment is unlawful and may be the subject of criminal or civil proceedings. It is still unlawful even if the person being harassed does not ask for it to stop.

The law on harassment also applies to:

* a person being harassed because they are thought to have a certain protected characteristic when they do not (harassment by perception)
* a person being harassed because they are linked to someone with a certain protected characteristic (harassment by association)
* a person who witnesses harassment because of a protected characteristic and is upset by it, even though it is not directed at them.

### Discrimination

Discrimination can be direct or indirect. Discrimination means treating someone 'less favourably' than someone else, because of a protected characteristic (Equality Act 2010). In Northern Ireland, the respective legislation is the Northern Ireland Act which promotes good relations between different groups of people, and the Disability Discrimination Act 2005.

The protected characteristics as per the Equality Act 2010 are:

* age
* disability
* gender identity
* marriage and civil partnership
* pregnancy and maternity
* race
* religion or belief
* sex
* sexual orientation

#### 3.3.1 Direct Discrimination

Direct discrimination is when someone is put at a disadvantage or treated less favourable because of a protected characteristic.

Less favourable treatment can be anything that puts someone with a protected characteristic at a disadvantage, compared to someone who does not have that characteristic.

There is no legal definition of 'disadvantage'. But it might include excluding someone from opportunities, causing them distress, or making it harder to do their job.

There are three types of direct discrimination. These are when it happens to a person who:

* has a protected characteristic – sometimes called ‘ordinary’ direct discrimination
* has a connection with someone with a protected characteristic – called ‘discrimination by association’
* is thought to have a protected characteristic when they not – called ‘discrimination by perception’

#### 3.3.2 Indirect Discrimination

Indirect discrimination is when a working practice, policy or rule is the same for everyone but has worse effect on someone because of a protected characteristic.

Indirect discrimination can be less obvious than direct discrimination and might not always be someone's intention to discriminate.

###  Victimisation

Victimisation can occur where an employee raises a concern or complaint under the Equality Act and, because of doing so, is treated less favourably, or subjected to detrimental treatment, irrespective of whether the complaint was upheld. Victimisation can also occur where someone supporting a person making a complaint under the Act is treated less favourably.

## Statements of the Policy

RNIB is committed to creating an inclusive and fair culture where bullying, harassment and discrimination will not be tolerated. This policy sets out the position of RNIB in respect of dealing with complaints, concerns, and behaviours under this policy.

Everyone has the right to be treated with dignity, fairness, and respect, and is expected to behave in a way that reflects that. A professional and supportive working environment is essential to ensuring that everyone behaves and works in an appropriate way towards one another.

Bullying, harassment and discrimination is unlawful and will not be tolerated. This includes victimisation of individuals who make complaints relating to bullying, harassment, and discrimination or those associated with anyone who makes a complaint.

Complaints raised will be investigated and dealt with under the Grievance policy or the Volunteer Problem Solving Procedure. Any grievances that are upheld based on bullying, harassment and discrimination will be dealt with under the Disciplinary policy or the Volunteer Problem Solving Procedure.

Malicious or vexatious allegations of bullying, harassment and discrimination will be dealt with under the Disciplinary policy or the Volunteer Problem Solving Procedure.

### Principles

RNIB is applying the following principles under this policy:

* All complaints will be reviewed by the People team and considered under the Grievance policy or the Volunteer Problem Solving Procedure.
* Any grievance upheld will be considered under the Disciplinary action, as bullying, harassment and discrimination are considered misconduct.
* Confidentiality will be maintained by everyone involved in the case. Discussions about a case must only occur between the investigation manager, line manager, people team and other relevant senior managers who are providing guidance and recommendations based on their role within RNIB.
* Discussions may occur between the employee who is subject to allegations of bullying, harassment or discrimination and their trade union representative or work colleague who is supporting them.
* All written records will be treated as confidential and kept no longer than is necessary in line with the General Data Protection Regulations (2016/679 EU) and the Data Protection Act 2018. Any confidentiality breaches may lead to disciplinary action. More information can be found on the Information Governance pages on RNIB Policies.
* Employees and Volunteers have the right to be accompanied at all formal meetings by a work colleague or a trade union representative.
* Any reasonable adjustments required, for all parties, will be considered at all stages.
* Although every effort will be made to comply with the set timescales, there may be times where they are extended due to the nature or circumstances of the case.

Employees and Volunteers are encouraged to raise any concerns /complaints in a timely manner where possible, and within 3 months of the alleged incident(s) or actions. Where a formal complaint relates to an incident(s) that occurred a significant amount of time before it being raised, RNIB reserves the right to not consider the complaint. This is because gathering evidence may not be possible. This will be considered on a case-by-case basis.

The recording of meetings is not allowed, except in circumstances where this has been previously agreed as a part of a reasonable adjustment process, and any covert recording may constitute a disciplinary offence.

### Raising a complaint

Complaints of bullying or harassment should be raised with the employee’s manager or with their manager’s immediate manager where the complaint involves their manager. Alternatively, the complaint can be raised with their People Business Partner.

The Volunteer Problem Solving procedure should be followed for any complaint or concern about a volunteer.

### Informal resolution

Every effort will be made to resolve the matter by informal discussions to best maintain good working relationships. Managers should meet regularly with employees and be in regular contact with volunteers, to give them the opportunity to openly discuss any concerns that they may have and to support the employee to come to a resolution.

The following voluntary informal actions may be considered, and the manager will inform the employee or volunteer raising the complaint of what actions will be taken. The People Business Partner or a manager in the Volunteering team will be consulted before any action is taken.

#### 4.3.1 Individual action

The employee or volunteer raising the complaint should arrange to meet privately with the person the complaint is against. They should clearly explain the behaviour that is causing concern and provide examples, making it clear that it caused offence and that it should stop.

#### 4.3.2 Facilitated meeting

A meeting could be held with the support of the line manager/volunteer relationship manager (or another manager if the allegation is against the line manager) or the People Business Partner/Volunteering team manager. The facilitating manager should arrange a suitable time and place to meet, where a conversation can be held informally with both parties privately and without interruption. The supporting manager should facilitate a conversation between both parties with the aim of resolving the issue. Both parties will be given the opportunity to respond and suggest ways they feel the concerns can be resolved.

#### 4.3.3 Mediation

Mediation is a structured resolution process in which an independent, trained mediator assists individuals or groups to resolve their dispute and arrive at an agreeable outcome.

Where an independent internal mediator is not available, a suitable external mediator may be appointed. It is recommended that mediation is used at the informal stage, however, it can be used at any stage of the process.

All employees or volunteers involved need to agree to using mediation prior to it being organised. Mediation can be organised by speaking to the People Business Partner.

If concerns raised are of a more serious nature, that the informal approaches are unlikely to resolve, moving straight to the formal process under the Grievance policy or Volunteer Problem Solving Procedure, may be more appropriate.

### Employee Volunteer Assistance Programme (EVAP)

The Employee Volunteer Assistance Programme is a useful source of support for employees facing difficulties. It is a free, confidential service, available 24 hours a day, 7 days a week to all RNIB employees, volunteers, and their immediate family members (living in the same household).

It provides unlimited access to support, information, professional guidance and, where appropriate, short-term counselling on any work or personal issue which may be causing concern.

RNIB employees and volunteers can call any time of the day or night on 0800 030 5182 or +44 1506 700107 from outside the UK. More information is available on the intranet.

Useful information can also be sought from the website [www.healthassuredeap.co.uk](http://www.healthassuredeap.co.uk) . The username is “RNIB,” and the password is “RNIB.”

## Formal process

If after exploring or using informal approaches, the employee or volunteer is still dissatisfied or the concerns continue, the formal process under the Grievance policy or Volunteer Problem Solving Procedure should be invoked.

Should an employee or volunteer display inappropriate behaviour under this policy, and no individual raises concerns or a grievance, RNIB will proceed to investigate the matter under the Disciplinary policy or Volunteer Problem Solving Procedure, considering that Bullying, Harassment and Discrimination are cases of misconduct.

RNIB will not tolerate Bullying, Harassment or Discrimination.

## Compliance

Non-compliance with this policy may result in disciplinary action.

## Review

This policy is due for review every 3 years or following any significant organisational changes.

Next review date: 01 November 2026

Policy review / update process:

Policies will be reviewed by the HR Business Partnering team. After appropriate consultation, the final draft of the policy will be approved by the Chief People Officer.

## Document Owner and Approval

Document owner: People Directorate

Final policy sign off by: Chief People Officer

## Associated Policies, Procedures, Standards and Guidelines

All policies are available on [YourRNIB](https://rnib.sharepoint.com/sites/DocumentControl/Shared%20Documents/Forms/AllItems.aspx?xsdata=MDV8MDF8fDY5MmZjMmZlZWI4NzQwOWJiYzQ2MDhkYjU2ZDIzYTI0fDVkNDUzMzdjZDE5MjQzZmNhYTU4MDU1NTdjOTE3MWJjfDB8MHw2MzgxOTkyMzMxMjE2NjQwNzB8VW5rbm93bnxWR1ZoYlhOVFpXTjFjbWwwZVZObGNuWnBZMlY4ZXlKV0lqb2lNQzR3TGpBd01EQWlMQ0pRSWpvaVYybHVNeklpTENKQlRpSTZJazkwYUdWeUlpd2lWMVFpT2pFeGZRPT18MXxMMk5vWVhSekx6RTVPbTFsWlhScGJtZGZXVmRaZDA1VVdUUk5lbWQwV2tSRmVsbDVNREJPTWxFd1RGZEdhRTlIVFhST2JVbDVXVlJPYVZsVWJHeGFWRTVvUUhSb2NtVmhaQzUyTWk5dFpYTnpZV2RsY3k4eE5qZzBNekkyTlRFd05qQTJ8NTZkMDAwZGQxNTJjNGYyYzU5ZWEwOGRiNTZkMjNhMjJ8MmM4YmNhNzFiZWY4NDI3YThlMjI1OTY2MGNmNzZmYTQ%3D&sdata=RzVLMVpRVFAzZjl0cTVreElITnRDMVBoMnpVRFpGWmRWd2lHMVBxZnVEZz0%3D&ovuser=5d45337c%2Dd192%2D43fc%2Daa58%2D05557c9171bc%2CAndrea%2EVogel%40rnib%2Eorg%2Euk&OR=Teams%2DHL&CT=1684326515697&clickparams=eyJBcHBOYW1lIjoiVGVhbXMtRGVza3RvcCIsIkFwcFZlcnNpb24iOiIyNy8yMzA0MDIwMjcwNSIsIkhhc0ZlZGVyYXRlZFVzZXIiOmZhbHNlfQ%3D%3D)

## Version control

The table has five columns and six rows, first row headings.

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| --- | --- | --- | --- | --- |
| Version | Date | Author & Job Title | Status & Level of Approval | Changes |
| 1.0 | July 2010 | Unknown | Unknown |  |
| 2.0 | August 2017 | Lindsay Pitcher, Diversity, and Inclusion Advisor | Head of HR | Entire policy revised and updated |
| 3.0 | February 2019 | Jo Keller, Volunteering and Resourcing Manager | Head of HR | Volunteers added to the scope of the policy |
| 4.0 | July 2019 | Louise Slattery, HR Business Partner | Head of HR | Outcome meeting removed/Updates to GDPR (General Data Protection Regulations) Legislation/Reference to complainants requesting anonymity |
| 5.0 | July 2020 | Hannah McColgan, HR Project Manager | Approved by Director of People & Organisational Transformation 16 September 2020 (Went to People Committee on this date) | Updated guidance on the right to be accompanied to investigation meetings (section 5.6.2)Section included detailing the responsibilities for the Volunteering and Resourcing teamDefinitions on Harassment and Victimisation enhanced and brought in-line with ACAS guidelinesThe principals of the bullying and harassment policy clarified Reference and links to values and the Professional Code of Behaviour, and removal of the previous ‘RNIB Dignity at Work Values’ |
| 6.0 | November 2023 | Andrea Vogel, Head of People Partnering and Change | Approved by Chief People Officer Fiona Endersby | Added Discrimination to the policy; Removed the entire process as this was duplication and signposted to the appropriate Grievance or Disciplinary process instead. |

## Document control

The table has two columns and nine rows.

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| **Document title** | Bullying and Harassment Policy |
| **Document owner** | Chief People Officer |
| **Originally approved by** | Director of People & Organisational Transformation (also went to People Committee 16 September 2020) |
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| **Planned review date** | 01 November 2026 |
| **Is document published internally or on RNIB public-facing website?** | Internal and external |
| **Version no.** | 6.0 |

## Appendix 1 - Examples of bullying and harassment

The list below is not exhaustive but gives some examples of bullying and harassment:

* Spreading malicious rumours or insulting someone (particularly on the grounds of a protected characteristic. See the Equal Opportunities policy for more information).
* Victimisation or bullying of a whistle-blower.
* Ridiculing or demeaning someone, for example, picking on them or setting them up to fail.
* Making insulting or offensive comments or jokes.
* Isolation or non-cooperation at work, exclusion from social activities or victimisation.
* Copying emails that are critical about someone to others who do not need to know.
* Withholding information that affects a person’s job.
* Overbearing supervision or other misuse of power or position.
* Deliberately undermining a competent worker by overloading and giving constant criticism.
* Preventing individuals progressing by intentionally blocking promotion or training opportunities.
* Making threats or comments about job security without foundation.
* Putting someone down or deliberately embarrassing them.
* Pointing a finger, invading personal space, shoving, blocking, or barring the way.
* Verbal and written harassment through to jokes, offensive remarks, inappropriate comments about dress or appearance, gossip, slander, sectarian songs, threats, and letters.
* Physical conduct, ranging from standing too close through to threatening or committing physical violence/serious assault.
* Leaving offensive items around a person’s work area.
* Coercion, including pressure for sexual favours, to participate in political/religious groups, to isolate other individuals.
* Unwelcome sexual advances, for example touching in an intrusive way or standing too close; making decisions based on sexual advances being accepted or rejected.
* Visual displays, including offensive posters, pornographic pictures, graffiti, obscene gesture(s), flags, bunting, or emblems.

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