



**A STRONGER
VOICE
TOGETHER
FOR CHILDREN
AND YOUNG
PEOPLE**

THIRD PARTY BULLYING AND HARASSMENT POLICY

INTRODUCTION

LAYC aims to provide a working environment that respects the rights of each individual employee, volunteer, Member Group, partner and contractor where colleagues treat each other with the utmost respect. Any behaviour that undermines this aim is totally unacceptable.

Harassment or victimisation on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation is unacceptable.

LAYC will not tolerate harassment or bullying of any person and may lead to disciplinary action up to and including dismissal, expulsion from Membership or withdrawal from partnership.

While implementing and upholding the policy is the duty of LAYC Board of Trustees, all employees, volunteers, Member Groups and partners have a responsibility to ensure that bullying and harassment have no place in LAYC.

PRINCIPLES AND PROCEDURE

The following procedure has been designed to inform third parties (Member Groups and partners) about the type of behaviour that is unacceptable and provides those engaged with LAYC who are the victims of harassment and bullying with a means of redress.

Harassment or victimisation may lead to expulsion from Membership or withdrawal from partnership if it is committed:

- in a work situation
- during any situation related to work such as at a social event with colleagues
- against a colleague or other person connected to the employer outside of a work situation, including on social media
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role

Aggravating factors such as the abuse of power over someone you deem to be a more junior will be taken into account when deciding what disciplinary action to take.

As already stated LAYC will not tolerate harassment from Member Groups or partner agencies and will take appropriate action to deal with all instances which are reported.

DEFINITION OF HARASSMENT

Harassment is unwanted conduct that intentionally or unintentionally violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating, or offensive working environment for them. Harassment at work is not only despicable and demeaning, but may also be unlawful under the Equality Act 2010.

Each person has the right to decide what behaviour is either acceptable or unacceptable; if an individual finds certain behaviour unacceptable and they feel damaged by it, then that individual has every right to say so, and their right to do so will be respected. It is irrelevant whether the person who perpetrated the behaviour intended to cause offence.

People can be subjected to harassment on a wide variety of grounds.

These include:

- sex or gender — see the next section on sexual harassment
- sexual orientation
- transgender status
- marital or civil partnership status
- pregnancy or maternity leave
- race, nationality, ethnic origin, national origin or skin colour
- disability
- age
- employment status, eg part-time, fixed-term, permanent, self-employed, agency worker, contractor, subcontractor, etc
- membership or non-membership of a trade union
- the carrying out of health and safety duties
- religious or political beliefs
- deeply held personal beliefs
- criminal record
- health, eg AIDS/HIV sufferers, etc
- physical characteristics
- willingness to challenge harassment — being ridiculed or victimised for raising a complaint

As harassment can occur on a variety of grounds, anyone perceived to be different from the majority is at particular risk.

Harassment is normally characterised by more than one incident of unacceptable behaviour, particularly if it recurs once it has been made clear that it is regarded by the victim as offensive. However, a single incident may constitute harassment if it is sufficiently serious.

Should LAYC fail to take steps to prevent harassment or investigate complaints, may be held liable for unlawful actions and be required to pay compensation to the victim, as may the person who has committed the act of harassment.

There is no limit to the compensation that can be awarded in employment tribunals for acts of harassment.

Harassment on any grounds may also be a criminal offence under the:

- Criminal Justice and Public Order Act 1994
- Protection from Harassment Act 1997
- Crime and Disorder Act 1998
- Criminal Justice and Police Act 2001
- Anti-terrorism, Crime and Security Act 2001 (which cites religiously aggravated harassment as a criminal offence)

These Acts mean that if LAYC employees experience harassment from third parties (such as Member Groups or partners), or if third parties experience harassment from LAYC employees, they have the right to involve the police. Individuals found guilty may face fines and/or imprisonment of up to two years.

EXAMPLES OF HARASSMENT

Harassment takes many forms — from relatively mild banter to physical violence. Associates from Member Groups and Partners may not always realise that their behaviour constitutes harassment, but they must recognise that what is acceptable to one person may not be acceptable to another; determining what is acceptable is an individual right that must be respected.

Examples of harassment include (but not restricted to):

- verbal harassment — examples include crude language, offensive jokes, suggestive or offensive remarks, innuendoes, rude or vulgar comments, malicious gossip and offensive songs related to any of the protected characteristics (eg sex, race, religion, etc)
- non-verbal harassment — examples include wolf-whistles, obscene gestures, sexually suggestive posters/calendars, pornographic material (both paper-based and generated on a computer, including offensive screensavers), graffiti, offensive letters, offensive e-mails, text messages on mobile phones and offensive objects
- physical harassment — examples include unnecessary and unwanted touching, patting, pinching, or brushing against another employee's body, assault and physical coercion
- pressure for sexual favours (eg to get a job or promotion) or victimisation on account of the rejection of such pressure
- isolation or non-co-operation and exclusion from social activities for a reason related to sex, race, religion, etc.

DEFINITION OF BULLYING

Bullying is a sustained form of psychological abuse that aims to make a person feel demeaned and inadequate. Bullying is defined as:

“offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, which has the purpose, or effect of, intimidating, belittling and humiliating the recipient, leading to loss of self-esteem for the victim and ultimately the self-questioning of their worth, both in the workplace and society as a whole”.

Examples of bullying

Examples of bullying include (but not restricted to):

- shouting or swearing at someone
- ignoring or deliberately excluding a person
- persecution through threats and instilling fear
- spreading malicious rumours
- constantly undervaluing effort
- dispensing disciplinary action which is totally unjustified
- spontaneous rages, often over trivial matters

Examples of less obvious bullying include (but not restricted to):

- deliberately withholding information or supplying incorrect information
- deliberately sabotaging or impeding work performance
- constantly changing targets without good reason
- setting an individual up to fail by imposing impossible deadlines
- removing areas of responsibility and imposing menial tasks
- blocking applications for holiday, promotion, or training

These examples listed are not exhaustive. As with harassment, it is the perception of the recipient that determines whether any particular behaviour can reasonably be viewed as bullying.

CYBERBULLYING

Cyberbullying can be defined as the use of information and communication technologies to support deliberate, repeated and hostile behaviour by an individual or group that is intended to harm others.

Typically cyberbullying involves the use of the Internet, email or mobile phones to send or post text or images intended to hurt or embarrass another person. In many cases, the spreading of offensive jokes or shocking or sexual material through phone or email may also constitute cyber-harassment.

Anyone found to be using technology to bully or harass a colleague will be subject to the disciplinary procedure.

Where technology is being used by a third party (Member Group or partner) to bully or harass a colleague could be subject to expulsion from Membership or removal from partnership

SEXUAL HARASSMENT

Sexual harassment is unlawful and will not be tolerated by LAYC.

LAYC has a separate policy on Sexual Harassment which informs employees, volunteers, Member Groups and Partners about the type of behaviour that is unacceptable and provides those engaged with LAYC who are the victims of sexual harassment with a means of redress.

THE IMPACT OF BULLYING AND HARASSMENT

Bullying and harassment can extract a high price on people and organisations alike. Individuals can be subject to fear, stress, and anxiety, which can put great strains on personal and family life. Harassment and bullying can lead to illness, absenteeism, an apparent lack of commitment, poor performance, reduced productivity and resignation.

ENFORCEMENT

The examples of harassment and bullying provided in this policy are not exhaustive. Any harassment or bullying will be classed as unprofessional and inappropriate, in the case of Member Groups and partners this may result in expulsion from Membership or removal from partnership

All complaints of harassment will be treated very seriously.

LAYC expects all Member Groups and partners to ensure that this policy and procedure is adhered to at all times and expects all individuals to respect the dignity of colleagues. The policy will be regularly monitored by the LAYC Director and Board of Trustees to ensure that it is achieving its aims, and there is confidence in its application.

TRAINING, COMMUNICATION AND AWARENESS

Prominent and regular communication, training, and awareness are important to ensure that all Member Groups and partners:

- understand LAYC's commitment to prevent harassment
- understand their responsibilities and role in the process
- know where to seek advice and guidance
- know how to make complaints and are confident that they will be handled effectively

PROCEDURE FOR DEALING WITH BULLYING AND HARASSMENT

Advice

LAYC recognises the sensitive nature of bullying and harassment. Associates from a Member Group or another stakeholder who believes they are being bullied or harassed in the course of their work with LAYC may wish to discuss their particular situation before deciding what action to take.

LAYC operates an open-door policy to discuss workplace problems and associates from Member Groups or stakeholders can fully discuss the matter with LAYC Director in the first instance on an informal basis, if the matter relates to LAYC Director the LAYC Board of Trustees can be approached.

Anyone giving advice will:

- ensure the conversation remains confidential as far as possible
- listen sympathetically
- help individuals consider objectively what has happened

- discuss what outcome the individual would wish to see
- draw attention to available procedures and options
- inform the individual of the legal liabilities involved
- help weigh up the alternatives, but without pressure to adopt any particular course
- assist the individual in dealing with the situation (if the individual asks for help)

Confidentiality will be maintained as far as possible within LAYC. However, if an associate from a Member Group or another stakeholder decides not to take any action to deal with the matter and the circumstances described are very serious, LAYC reserves the right to investigate the situation — as it has an overall duty of care to ensure the safety of all employees, volunteers, Member Groups and stakeholders using LAYC services who may be adversely affected by the alleged harasser's/bully's behaviour.

Procedures for third party bullying and harassment

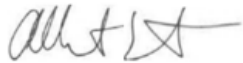
Formal complaint

To raise a formal complaint please see LAYC's Complaints Policy and Procedures

WHAT TO DO IF YOU WITNESS BULLYING OR HARASSMENT

If bullying or harassment is witnessed during engagement with LAYC, appropriate action is encouraged to address it and prevent the matter continuing. However, action should not be taken if it may put anyone at risk of further bullying or harassment or other harm. If direct intervention is not possible, other actions may include offering support to the person who has been bullied or harassed and encouraging them to report the incident or reporting the incident yourself.

Please also see LAYC's Whistleblowing Policy for support and guidance in this instance.



Signed:

Date: 25th February 2026

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