



Phoenix Community Care Ltd Policy & Procedure

Harassment and Bullying

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Phoenix Community Care Ltd Policy & Procedure

Harassment and Bullying

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Harassment and Bullying

1.0 Introduction

The DOH document ‘ No secrets ‘ gives clearly defined outlines of the risks the vulnerable adult is open to with regards to harassment and bullying. The document can be found online or at the back of PCC policy and procedures folder along with The act of parliament Protection from harassment act 1997.

This policy is based on the DOH document ‘No secrets ‘ and the Protection from harassment act 1997 and PCC’s policy and procedure on anti – bullying.

Oxford dictionary defines harassment - ‘*To trouble, to torment or confuse by continual persistent attacks, questions*’

Word net defines harassment - ‘*Feeling of intense annoyance caused by being tormented ‘ so great was his harassment that he wanted to destroy his tormentors’.*
The act of tormenting by continued persistent attacks and criticism.

The protection from harassment act 1997 states prohibition of harassment

- 1 A person must not pursue a course of conduct – which
[a] amounts to harassment of another and
[b] he knows or ought to know amounts to harassment of the other.
- 2it amounts to harassment of another if a reasonable person in possession of the same information would think that course of conduct amounted to harassment of the other.....

Offence of harassment

- 1 A person who pursues a course of conduct in break of section 1 is guilty of an offence
.....
- 2 is liable on summary conviction of imprisonment.

Oxford dictionary defines bullying - ‘ A person who hurts, persecutes or intimidates weaker people.

Word net defines harassment - ‘the act of intentionally causing harm to others, through verbal [harassment](#), physical [assault](#), or other more subtle methods of [coercion](#) such as [manipulation](#).’

- Harassment and bullying in the workplace is dealt with in the policy and procedure Diversity. I t covers sexual harassment, sexual orientation, race and religion.
- This procedural arrangement is effective immediately and requires full co – operation from staff, management, service users and others working for or on its behalf of PCC.

- PCC has a duty of care to its staff, management, service users and any others working on its behalf to implement procedural arrangements as and when it is identified a problem has occurred.

2.0 What constitutes Harassment / Bullying.

Forms of harassment and bullying are similar to those of 'Abuse'. Harassment is more likely to take the form of suggestion causing torment and confusion over a period of time, leading to a person having feelings, thoughts and emotions of inadequacy and stripping away their right to be a 'whole person' 'their self'. Bullying often is a stronger more forceful form of harassment and involves aggression with intention to hurt another person.

Harassment and bullying can take different forms

- **Emotional** – being unfriendly, excluding, tormenting or using threatening gestures.
- **Physical** – pushing, kicking, hitting, punching or any use of violence.
- **Racist** – racial taunts, graffiti, gestures
- **Sexual** – unwanted physical contact or sexually abusive comments
- **Homophobic** – because of , or focussing on the issue of sexuality.
- **Verbal** – name – calling, sarcasm, spreading rumours, teasing.
- **Financial** – stealing monies, fraudulent claims,

What are the particular hazards and risks for the vulnerable adult.

Any of these types of behaviour may be perpetuated as a result of deliberate intent, negligence or ignorance.

The policy put in place by PCC should prevent harassment and bullying within the vulnerable adult group but have a procedure to deal with any incidents that may occur.

Incidents of harassment and bullying may be multiple, either to one person in a continuing relationship or service context or to more than one person at a time. This makes it important to look beyond the single incident or breach of standards to underlying dynamics and patterns of behaviour. Some incidents of harassment and bullying will constitute a criminal offence. In this respect vulnerable adults are entitled to the protection of the law in the same way as any other member of the public. When complaints about alleged harassment and bullying suggest that a criminal offence may have been committed it is imperative that reference should be made to the police as a matter of urgency. Criminal investigation by police takes priority over all other lines of enquiry. Neglect and poor professional practice also need to be taken into account. Repeated instances of poor care may be an indication of more serious problems.

Who may be the harasser or bully.

Vulnerable adults may be harassed or bullied by a wide range of people including relatives and family members, professional staff, paid care workers, volunteers, other service users, neighbours and associates, people who deliberately exploit vulnerable people and strangers.

In what circumstances may harassment and bullying occur

- A member of staff, proprietor or service manager
- Member of recognised professional group
- A volunteer or member of a community group such as a place of worship or social club
- Another service user
- A spouse, relative or member of the person's social network a carer
- Neighbour, member of the public or stranger, or a person who deliberately targets vulnerable people in order to exploit them

Patterns of harassment and bullying

Harassment and bullying can take place in any context. It may occur if the vulnerable adult lives alone or with a relative; it may occur in care settings, places of education and learning, in hospitals, custodial situations support services into people's own homes, and other places previously assumed safe, or public places.

Patterns of harassment and bullying vary and reflect different dynamics, these include:

- Serial harassment and bullying in which the perpetrator seeks out and grooms the vulnerable individuals. Sexual harassment and bullying usually falls into this pattern as do some forms of financial harassment and bullying.
- Long term harassment and bullying in the context of an on going family relationship such as domestic violence between spouse, partners and generations.
- Opportunistic harassment and bullying such as theft occurring because possessions have been left around
- Situational harassment and bullying which arises because pressures have built up and / or because of difficult or challenging behaviour
- Neglect of a person's needs because those around him or her are not able to be responsible for their care, for example if the carer has difficulties attributable to such issues as debt, alcohol or mental health problems
- Institutional harassment and bullying which features poor standards, lack of positive response to complex needs, rigid routines, inadequate staffing and an insufficient knowledge base within the service



- Unacceptable ‘ treatments’ or programmes which include sanctions or punishment such as withholding of food and drink, seclusion or unnecessary and unauthorised use of control and restraint or over medication
- Failure of agencies to ensure staff receive appropriate guidance on anti – racist and anti – discriminatory practice
- Misappropriation of benefits and / or use of the person’s money by other members of the household
- Fraud or intimidation in connection with wills, property or assets.

What justifies intervention

The seriousness or extent of the harassment or bullying is often not clear when anxiety is first expressed. It is important, therefore, when considering the appropriateness of intervention, to approach reports of incidents or allegations with an open mind. In making any assessment of seriousness the following factors need to be considered;

- The vulnerability of the individual
- The nature and extent of the harassment or bullying
- The length of time it has been occurring
- The risk of repeated or increasingly serious acts involving this or other vulnerable adults

Ultimately harassment and bullying leads to a person being hurt. No one deserves to be a victim of harassment or bullying. Everyone has the right to be treated with respect. Staff, or service users who harass or bully need to learn to learn different ways of behaving.

- All staff, volunteers and service users should have an understanding of what harassment and bullying is and that it should be reported immediately.
- All staff, should know what to do if harassment or bullying is taking place within the PCC services
- All staff, should know that they will be supported when harassment or bullying is reported and that PCC policy is that harassment and bullying will not be tolerated

Procedure for reporting harassment and bullying

1. Whoever receives a complaint or observes behaviour which could be construed as harassment or bullying, needs to fill in an incident form APPENDIX 1
2. The incident should be reported to the service manager. If necessary and appropriate, the police will be contacted.
3. Incidents less serious should be dealt with in house as quickly as possible. Witness statements will need to be collected and a meeting set to discuss and try and resolve the problem. The perpetrator needs to understand their actions are unacceptable and



their behaviour needs to change and this will be monitored by their key worker / manager. On occasions the perpetrator may be asked to apologise so reconciliation can take place.

4. If it is found the perpetrator is a member of staff or volunteer then a full investigation will take place using PCC policy and procedure for disciplinary, suspension and dismissal. In some cases it may be necessary to immediately suspend the member of staff whilst the incident is investigated.
5. The key worker or person reporting the incident should advise that the victim fill in a form of complaint. The complaints procedure for PCC can then be followed. Appendix 2



APPENDIX 1

ACCIDENT/INCIDENT REPORT FORM (008)

To be completed by the client's Key Worker

Client's Full Name _____

Date of Birth _____

Incident/accident involved who _____

Date of accident/incident _____

Where did the accident/incident occur? _____

Please give a full account of what happened



What was the outcome _____

Was anyone physically harmed as a result of the accident/incident? Please give details of any medical treatment administered and by whom?

Was the key worker present? YES NO

Please give the date that the key worker became informed of the accident/incident _____

Were any of the emergency services involved? (Police, fire or ambulance). If so, please give details of who and what action was taken.

Any further notes, please use the reverse side of this form.



ACCIDENT/INCIDENT REPORT FORM (008)

To be completed by the client's Key Worker

Incident:

Outcome:



Recommendations:

Report by: Date:

Name:



APPENDIX 2

COMPLAINTS FORM (009)

In the event of a complaint please fill in the information below as accurately as possible. Please use a separate piece of paper where necessary.

NAME OF PERSON MAKING COMPLAINT _____

ADDRESS _____

If you are filling in this form on behalf of the complainant then please state you name and relationship to them.

NAME _____ RELATIONSHIP _____

Please describe in as much detail as possible the complaint stating names of any individuals that may be involved. Please use the other side of this paper if necessary.



Copies of PCC's complaints procedures can be obtained from our offices. Once completed please return your form to PCC and we will endeavor to send you a written acknowledgment of this form within 21 days.

Your signature _____ Date ____/____/____

Office use only

Signature of recipient representing PCC _____ Date ____/____/____