



WORK PLACE BULLYING & HARASSMENT POLICY

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1. Introduction to the Policy

This policy sets out the framework, principles, and procedures that **Byram House** follows to prevent and respond to workplace bullying and harassment. The policy applies to all employees, agency workers, volunteers, contractors, and anyone working on behalf of Byram House, whether at 62 Deighton Road, 66 Deighton Road, or elsewhere, including off-site work events and online interactions.

The Home is Byram House, which comprises the two residences at 62 Deighton Road and 66 Deighton Road. This policy applies equally across both residences.

Byram House has a strong commitment to equality of opportunity and will not tolerate the harassment or bullying of any individual by any other employee, manager, or third-party contractor. We believe that every individual has a right to be treated with dignity and respect and to work in an environment which encourages harmonious relationships.

This policy does not form part of an employee's contract of employment. The Company reserves the right to amend it at any time. It is the responsibility of line managers and employees to ensure that they and staff members are aware of and understand this policy and any subsequent revisions.

The objectives of this policy are to:

- Develop a working environment and culture where everyone is treated with dignity and respect and where bullying and harassment are unacceptable.
- Ensure individuals have the confidence to complain about harassment, bullying, or victimisation in the knowledge that their concerns will be dealt with appropriately, fairly, and confidentially.
- Comply with all relevant legislation, including the **Equality Act 2010**, the **Protection from Harassment Act 1997**, the **Employment Rights Act 1996** (as amended), the **Employment Rights Act 2025** (effective April 2026), and the **Working Together to Safeguard Children 2026**.

2. How this Policy Benefits the Home

This Workplace Bullying and Harassment Policy benefits Byram House in the following ways:

- **Legal Compliance** – It ensures the home meets its duties under the **Equality Act 2010** (protection from harassment related to protected characteristics), the **Protection from Harassment Act 1997** (criminal offence of harassment), the **Employment Rights Act 1996** (constructive dismissal), and the **Employment Rights Act 2025** (new duty to prevent sexual harassment at work, effective 6 April 2026).
- **Clear Definitions** – It provides clear, legally informed definitions of bullying, harassment (including perceptible and associative harassment), and victimisation, helping staff recognise unacceptable behaviour.
- **Complaint Procedure** – It sets out a staged procedure (informal resolution, formal grievance, appeal) with practical guidance on keeping records, raising concerns, and protecting confidentiality.
- **Employee Protection** – It guarantees that individuals who raise a concern in good faith will not be victimised, and that victimisation itself will be treated as a disciplinary matter.
- **Training Framework** – It requires annual training for all staff on bullying, harassment, and the new sexual harassment prevention duty (from 2026).
- **Inspection Readiness** – The **Social Care Common Inspection Framework (SCCIF) 2026** expects a positive workplace culture. This policy demonstrates the home's commitment to a respectful working environment.
- **Liability Management** – By taking proactive steps (policy, training, robust procedures), the home reduces its exposure to employment tribunal claims and vicarious liability for employee misconduct.

3. Definitions & Legislation

3.1 Definitions

Term	Definition
Home	Byram House, the children’s home registered with Ofsted, comprising two residences at 62 Deighton Road and 66 Deighton Road.
Company	IMS Care LTD, the registered provider and legal entity responsible for operating Byram House.
Byram House	The name used throughout this policy to refer to the home and its staff.
Bullying	Offensive, malicious, intimidating, or insulting behaviour, and/or the exercise of power over another person through negative acts that undermine them personally or professionally.
Harassment	Unwanted conduct related to a protected characteristic (age, disability, gender reassignment, race, religion, sex, sexual orientation, etc.) that has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment.
Sexual Harassment	Unwanted conduct of a sexual nature (verbal, non-verbal, physical) that has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment.
Victimisation	Subjecting a person to detrimental treatment because they have (in good faith) made a complaint about bullying or harassment, supported someone else’s complaint, or given evidence in relation to a complaint.

Protected Characteristic	Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation (Equality Act 2010).
Perceptive Harassment	Harassment based on a mistaken perception that a person has a protected characteristic (e.g., assuming someone is gay when they are not, and harassing them on that basis).
Associative Harassment	Harassment because a person associates with someone who has a protected characteristic (e.g., harassing someone because they have a disabled child).
Third-Party Harassment	Harassment of an employee by someone who is not an employee of the home (e.g., a visitor, contractor, or supplier).

3.2 Key Legislation and Statutory Guidance

Legislation / Guidance	Key Provisions	Relevance to this Policy
Equality Act 2010	Defines protected characteristics and makes harassment related to those characteristics unlawful. Holds employers vicariously liable for acts of their employees unless they can show they took all reasonable steps to prevent harassment.	Byram House must take all reasonable steps (policy, training, effective complaints procedure) to prevent harassment. This policy is a key part of that defence.
Protection from Harassment Act 1997	Makes harassment (a course of conduct causing alarm or distress) a criminal offence and gives victims a right to claim damages.	Bullying and harassment that is persistent may amount to a criminal offence. The home will take

		disciplinary action and may involve the police if appropriate.
Employment Rights Act 1996	Protects employees from being dismissed or subjected to detriment for asserting their statutory rights, including the right not to be harassed. Unfair dismissal includes constructive dismissal where an employer breaches mutual trust and confidence.	Failure to deal with bullying or harassment may lead to constructive dismissal claims. This policy ensures the home has fair procedures.
Employment Rights Act 2025	Effective 6 April 2026. Amends the Equality Act 2010 to introduce a new duty on employers to take “all reasonable steps” to prevent sexual harassment of employees. Also introduces protection from third-party sexual harassment (where the employer knows of previous such harassment).	Byram House must implement proactive measures to prevent sexual harassment, including risk assessments, clear policies, and staff training, before the April 2026 deadline. This policy will be updated accordingly.
Worker Protection (Amendment of Equality Act 2010) Act 2023	Introduced a duty on employers to take reasonable steps to prevent sexual harassment (superseded and strengthened by the 2025 Act).	Reinforces the expectation that the home must be proactive, not merely reactive, in addressing harassment.
Data Protection Act 2018 & UK GDPR	Governs the processing of personal data, including sensitive information about complaints and investigations.	Confidentiality must be maintained, and investigation records must be stored securely.

Working Together to Safeguard Children 2026	Published March 2026. Emphasises safe workplaces and cultures where staff feel able to speak up without fear.	Bullying and harassment undermine safeguarding culture. The home must ensure staff are supported to report concerns.
Social Care Common Inspection Framework (SCCIF) for Children's Homes 2026	Effective 1 April 2026. Focuses on the quality of leadership, culture, and staff wellbeing.	Inspectors will evaluate whether staff feel safe from bullying and harassment and whether concerns are dealt with effectively.
Criminal Justice and Courts Act 2015	Made it a criminal offence to commit a "basic assault" or other offence motivated by hostility related to a protected characteristic.	Severe bullying may be a hate crime; the home will report such incidents to the police.

4. The Policy

4.1 Purpose and Scope

The purpose of this policy is to assist in developing a working environment and culture where everyone is treated with dignity and respect and in which harassment and bullying are unacceptable. Individuals should also have the confidence to complain about harassment, bullying or victimisation should it arise, in the knowledge that their concerns will be dealt with appropriately and fairly.

This policy applies to all employees (including agency workers, volunteers, and contractors) and to the conduct of third-party contractors, suppliers, visitors, or any other person working with or visiting Byram House.

This policy is applied to all staff irrespective of age, ethnicity, gender, marital or civil partnership status, nationality, offending history, race, disability, religion or belief, sexual orientation, social status, trade union membership, or working patterns.

Management action will be fair and consistent and in keeping with the Equality and Diversity Policy and practices.

4.2 Responsibilities

Byram House (the employer) will:

- Ensure that all allegations of harassment and bullying are treated very seriously, which could result in disciplinary action up to and including dismissal.
- Comply with its legal obligation under the Equality Act 2010 to ensure that harassment on the grounds of a protected characteristic does not take place in the workplace.
- Ensure that any individual raising a concern under this policy is not victimised as a result.

Managers are responsible for:

- Making sure that their team members are aware of and understand the context of this policy.
- Taking all reasonable steps to prevent bullying and harassment within their teams.
- Responding promptly and fairly to any complaint.
- Where disciplinary action may be justified, referring the matter to HR (or a Director) for formal proceedings.

All employees are responsible for:

- Their own behaviour – ensuring their conduct is in line with the standards set out in this policy.
- Reporting incidents of bullying or harassment (whether experienced or witnessed) to a manager or the Responsible Individual.
- Cooperating with any investigation into a complaint.

Every individual has personal liability under the Equality Act 2010 and the Protection from Harassment Act 1997.

4.3 Bullying

Definition: Bullying is offensive, malicious, intimidating, or insulting behaviour and/or the exercise of power over another person through negative acts that undermine them personally and/or professionally.

Examples include (but are not limited to):

- Repeatedly ignoring a colleague or excluding them from social events.
- Intimidating or humiliating a colleague.
- Physical threats or violence.
- Cyber bullying (abusive emails, messages, social media posts).
- Spreading malicious rumours.
- Unfairly criticising or picking on someone.
- Undermining a person's ability to do their job by withholding information or resources.

- Using aggressive or belittling language.

Note: Constructive criticism about an employee's behaviour or performance from their line manager or colleagues is **not** bullying. It is part of normal employment and management routine and should not be interpreted as anything different. However, criticism must be delivered respectfully and in private where appropriate.

Connection with a protected characteristic is not required to establish a bullying allegation – bullying is unacceptable regardless of motive.

4.4 Harassment

Definition: Harassment is unwanted conduct related to a **protected characteristic** (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, etc.) that has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment.

Examples include (but are not limited to):

- Name calling, lewd comments, or "jokes" about a person's race, gender, or disability.
- Displaying pornographic or racially offensive material (including on screensavers or shared drives).
- Making insensitive remarks about a person's religion or belief.
- Excluding a colleague because of their sexual orientation.
- Making unwanted sexual advances or requests for sexual favours.
- Sending offensive messages online (including on social media) about a colleague.

Isolated incidents can amount to harassment if they are serious enough; a pattern is not required, though persistent behaviour is more likely to be found as harassment.

Non-verbal conduct (gestures, staring, leering) and **verbal conduct** (jokes, comments, questions) can both amount to harassment.

Perceptive harassment – Harassing someone because you **perceive** they have a protected characteristic when they do not (e.g., making homophobic comments to a person you wrongly believe is gay).

Associative harassment – Harassing someone because they **associate with** a person who has a protected characteristic (e.g., making offensive remarks about a colleague because they care for a disabled relative).

Third-party harassment – The home will not tolerate harassment by customers, suppliers, visitors, or other third parties. We reserve the right to prohibit access to our premises and/or terminate business dealings with any supplier where such harassment occurs.

4.5 Victimisation

Definition: Victimisation is subjecting a person to detrimental treatment because they have (in good faith):

- Made a complaint (formally or informally) that someone has been bullying or harassing them or someone else.
- Supported someone to make a complaint.
- Given evidence in relation to a complaint.

Examples include:

- Isolating someone because they made a complaint.
- Giving them a more difficult or increased workload.
- Denying training or promotion opportunities.
- Spreading rumours about the person because they “made trouble”.

Protection: Individuals should never be victimised or treated less favourably if they raise a harassment or bullying complaint. If an employee believes they have been victimised, they must inform their manager as soon as possible. The Company will take appropriate action, which may include disciplinary action against anyone found to have victimised an employee.

4.6 Procedure for Raising a Complaint (Informal and Formal)

Step 0 – Keeping a record

Anyone who believes they have suffered from harassment or bullying should keep details of each incident:

- Date, time, place.
- Name(s) of person(s) involved.
- Description of what happened, including any witnesses.
- How the individual felt at the time and afterwards.
- Any action taken (e.g., telling the offender to stop).
- All correspondence relating to the incident.

Step 1 – Informal resolution

The initial handling of any incident is very important. Every effort should be made to resolve the issue **informally** in the first instance:

- The individual should make it clear to the offender that the behaviour is not welcomed and should stop. Often, the offender may not realise their behaviour is upsetting (e.g., they thought it was “banter”).
- If it is difficult to speak with the perpetrator directly, the individual should talk to their manager informally and in confidence.
- If the issue is with the manager, or the employee prefers not to discuss it with them, they should speak to the **Responsible Individual** or a Director.

If the harassment or bullying continues, or the individual cannot take personal action, they should then contact their Line Manager or HR (or the Responsible Individual) for advice on the next stage.

Note: In exceptional cases, individuals may go directly to the formal stage. However, experience shows that informal resolution can often resolve matters without escalation, unless the behaviour is very serious (e.g., physical assault, sexual harassment, or threats).

Step 2 – Formal complaint (Grievance)

If resolving the issue informally proves impossible, employees are advised to follow the guidance set out in the **Grievance Policy**. The formal complaint should be made in writing to the line manager or Responsible Individual.

The home will:

- Acknowledge the complaint in writing within 2 working days.
- Appoint an investigator (someone not involved in the complaint) where appropriate.
- Conduct a full, impartial investigation, interviewing the complainant, the accused, and any witnesses.
- Provide written findings and any action to be taken (within 28 days, or as soon as reasonably practicable).
- If the complaint is upheld, take appropriate steps to stop it continuing or recurring. This may include disciplinary action against the perpetrator.

Where the complaint cannot be substantiated, the complainant will be given an explanation of why this is the case.

In either outcome, the home will look at ways of addressing the relationship of the involved parties – for example, implementing changes to working patterns, or offering counselling or mediation.

Step 3 – Right to appeal

If the employee is dissatisfied with the outcome of their formal grievance, they have the right to **appeal**. The employee will be informed of who to address the appeal to (e.g., a Director) in the grievance outcome letter.

- Appeal must be made in writing within **5 working days** of receipt of the outcome.
- An appeal meeting will be held, chaired by a more senior manager than the original investigator.
- The employee will be informed of the final decision, normally within **10 working days**, confirmed in writing.

Internal procedures – The home reserves the right to investigate and take action even if a complainant later changes their mind or withdraws the complaint, where there is evidence of serious misconduct.

4.7 Record Keeping

All records of complaints, investigations, outcomes, and actions taken must be kept confidentially in line with the **Data Protection Act 2018 & UK GDPR**. Access is restricted to those with a legitimate need (e.g., HR, the Registered Manager, the Responsible Individual).

Records will be retained in accordance with the home's data retention schedule (typically 6 years after employment ends for personnel matters).

4.8 Confidentiality

Harassment and bullying allegations can raise strong feelings and are always treated seriously. Both the Company and the complainant have an obligation to maintain confidentiality as far as possible. This applies at every stage, including the investigation and the outcome.

If an employee fails to maintain proper confidentiality during the process (e.g., sharing details with unauthorised colleagues, posting on social media), they may face action under the Disciplinary Procedure, which could lead to dismissal for misconduct or even gross misconduct.

4.9 Further Action and Disciplinary Consequences

The action to be taken depends on the conclusions reached following the investigation.

- **If the allegation has not been substantiated** – the manager will issue a statement to both parties outlining this conclusion. If working relationships have been damaged, consideration should be given to transferring one of the parties (temporarily or permanently) to another service or residence (62/66 Deighton Road), if appropriate and practicable.
- **If the complaint is substantiated but disciplinary action is not justified** – consideration may be given to:
 - Transfer to another residence (temporary or permanent).
 - Monitoring arrangements.
 - Making arrangements for both parties to work as separately as possible.
 - Guidance and/or counselling.
 - Mediation.
- **If the line manager decides that disciplinary action may be justified** – they will refer the matter for a hearing under the Company's **Disciplinary Procedure**, having sought advice from HR.

Serious cases (e.g., physical assault, sexual harassment, persistent victimisation) will be treated as gross misconduct, leading to summary dismissal.

Police involvement – Where criminal behaviour is alleged (e.g., assault, harassment under the Protection from Harassment Act 1997), the home will support the complainant in reporting to the police and will cooperate fully with any investigation.

5. How the Home Trains its Staff About this Policy

Byram House provides structured training to ensure all staff understand and can implement this Workplace Bullying and Harassment Policy effectively.

Training Element	Frequency	Method / Content
Induction	Upon appointment	Face-to-face training covering: definitions (bullying, harassment, victimisation), protected characteristics, perceptive/associative harassment, informal and formal procedures, record keeping, confidentiality, the duty to prevent sexual harassment (from 2026), and the dual-site operation (62 & 66 Deighton Road).
Annual refresher	Every 12 months	Classroom or virtual session covering updates to legislation (Employment Rights Act 2025, SCCIF 2026), case studies, and reminders of the “all reasonable steps” duty.
Sexual harassment prevention training	Annually (from 2026)	Specific training on the new duty to take all reasonable steps to prevent sexual harassment, including risk assessments, reporting protocols, and bystander intervention. To be delivered before the April 2026 deadline.
Unconscious bias training	Biennially	Training on recognising and mitigating biases that may lead to harassment or victimisation.
Investigating complaints	For managers (as needed)	Training on conducting impartial investigations, maintaining confidentiality, and report writing.

Record keeping and data protection	At induction and refresh	Training on storing complaint records securely and complying with UK GDPR.
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Staff are required to:

- Read and sign this policy annually.
- Complete all mandatory training sessions.
- Treat all colleagues with dignity and respect.
- Report any bullying, harassment, or victimisation (experienced or witnessed) immediately.
- Cooperate with any investigation.

6. Related Policies and Guidance

This policy must be read in conjunction with:

- Equality and Diversity Policy
- Grievance Policy
- Disciplinary Policy
- Whistleblowing Policy
- Code of Conduct and Ethics Policy
- Data Protection Policy
- Children's Homes (England) Regulations 2015
- Working Together to Safeguard Children 2026
- Social Care Common Inspection Framework (SCCIF) for Children's Homes 2026
- ACAS guidance on bullying and harassment

7. Policy Approval and Review Details



Policy Name	Work Place Bullying & Harassment Policy	
Home	Byram House	
Reviewed by	Danyaal Iqbal / Mustafa Amin	Deputy Manager / Registered Manager
Approved by	Stacey Wagstaffe	Responsible Individual
Date	May 2026	