# Anti Harassment Policy

# Purpose of this policy

We have a duty to protect the welfare and safety of our staff. This policy means we can manage unacceptable customer behaviour consistently and fairly. It sets out clearly what we consider to be unacceptable and the steps we may take to deal with such behaviour. It applies to everyone who accesses our services to help us protect staff from abuse and harm.

# Principles

You can expect that our employees will always:

* provide a fair, open, proportionate, and accessible service
* listen and understand
* treat everyone who contacts us with respect, empathy, and dignity

We expect people accessing our services to:

* be courteous
* engage with us in a way that does not hamper our ability to carry out our work effectively and efficiently for the benefit of all

# Safeguarding and disclosures

If, in the course of our work, an individual threatens to harm themselves or others, we will consider disclosing this to a relevant health professional. We may also contact the police if others are threatened with harm.

# Definition of unacceptable behaviour

Unacceptable behaviour means acting in a way that is unreasonable, regardless of the level of someone’s stress, frustration or anger. It may involve acts, words or physical gestures that could cause another person distress or discomfort.

# Aggressive or abusive behaviour

This is behaviour or language (written or spoken) that could cause our staff to feel afraid, threatened or abused. This includes threatening emails, telephone calls, in person communication and comments on social media or elsewhere.

For example:

* insulting or degrading language, including inappropriate banter, innuendo or malicious allegations.
* any form of physical violence or threats of physical violence.
* derogatory racist, sexist, ageist, or homophobic remarks.
* acts, words or physical gestures that could cause another person distress or discomfort.
* comments relating to disability, perceived gender, religion, belief, or any other personal characteristic.

# Unreasonable demands and vexatious complaints

Customers might make requests that we cannot reasonably accommodate. This may include but is not limited to:

* the amount of information they seek
* the nature and scale of service they expect
* the volume of correspondence they generate
* a remedy or outcome that cannot be achieved

We accept that someone who is persistent is not necessarily guilty of unacceptable behaviour. What is seen as an unreasonable demand will depend on the circumstances of each case. We will always consider each complaint on its own merits.

However, the behaviour of someone who persistently contacts us about the same issue, when that issue has been dealt with in line with Little Pickles usual processes, can, in some circumstances, amount to unreasonable demand. Such behaviour takes up a disproportionate amount of our time and resources and can affect our ability to provide a service to others.

Examples of behaviour which we consider as unreasonable demands and vexatious complaints include but are not limited to:

* refusing to follow our complaints procedure
* persistently pursuing a complaint where Little Pickles complaints procedure has been fully and properly implemented and exhausted.
* contacting us repeatedly and frequently without giving us enough time to respond to previous correspondence.
* insisting on seeing or speaking to a particular member of staff when a suitable alternative has been offered.
* visiting our offices without an appointment.
* focusing disproportionately on a matter in relation to its significance and continuing to focus on this point despite receiving proportionate responses addressing the matter.
* adopting a ‘scatter gun’ approach: pursuing parallel complaints about the same issue with different members of staff.
* threatening or using actual physical violence towards staff or their associates.
* being personally abusive or verbally aggressive towards staff dealing with their issue or their associates.
* recording meetings or conversations (whether face-to-face or on the telephone) without the prior knowledge or consent of other people involved.

# How we will respond to incidents of unacceptable behaviour

We do not expect our employees to tolerate unacceptable behaviour when communicating with our customers. When this happens, our employees have the right to:

* no reply or ask the person leaves the grounds of the setting.
* end the call.
* not reply to an abusive email or letter - we will only review these communications to ensure no new issues have been raised.

Before taking such action, we will always warn customers that they are behaving in an unacceptable way to give them the chance to change their behaviour. However, a warning will not be given in extreme cases to protect our staff, for example, when a physical threat is made.

Where these circumstances arise, we will take the following steps:

* we’ll ask customers to modify their behaviour and explain why.
* if the behaviour continues to be unacceptable, our employees will remove themselves from the situation. If the communication is by telephone, the caller will be told that the call will be ended.
* the employee will inform their manager who will keep a record of the incident. In all cases a manager will investigate the situation and decide what action to take. This could include exclusion from use of our service. The customer will be told in writing why a decision has been made, what the alternative arrangements will be and the length of time that these restrictions will be in place.
* we’ll refer the matter to the police where a criminal offence has been threatened or committed.

# Review

We will regularly review any decision to restrict communications and when appropriate we may lift some or all restrictions.

# How we will take account of our duties under the Equality Act 2010

We make sure that we meet the requirements of the [Equality Act 2010](https://www.gov.uk/guidance/equality-act-2010-guidance) and the [Public Sector Equality Duty](https://www.gov.uk/government/publications/public-sector-equality-duty). This includes making sure we consider adjustments for people with protected characteristics.

Some people may have difficulty expressing themselves or communicating clearly and/or appropriately. We will always consider the needs and circumstances that we have been made are aware of, before deciding how best to manage the situation. This will include making reasonable adjustments. However, this does not mean we will tolerate abusive language, shouting, or other unacceptable behaviour or actions.

If an individual with a protected characteristic becomes the subject of a restriction under this policy, we will consider whether the restriction may affect them more than someone without that characteristic. If this is the case, we may make different arrangements so they can still access the service.

Harassment within the team

This policy also applies to bullying and harassment in the workplace, and outside the workplace in a work-related context, such as work-related social events or online / social media.

We will take all reasonable steps to ensure that our employees have received training and understand their responsibilities regarding this procedure. You should note that employees can be held personally liable for harassment at work and employers have a defence to claims in the event that, they can demonstrate that all reasonable steps were taken by the employer to ensure that harassment did not occur. We are committed to taking all such reasonable steps.

Examples of behaviours but not limited to:

* physical contact ranging from touching to serious assault;
* verbal and written harassment through jokes, racist remarks, offensive language, gossip and slander, sectarian songs, threats and letters;
* isolation or non co-operation at work or exclusion from social activities
* intrusion by pestering, spying, following etc.
* Contacting management and trustees repeatedly and frequently without giving us enough time to respond to previous correspondence.
* being personally abusive or verbally aggressive towards staff.
* recording meetings or conversations (whether face-to-face or on the telephone) without the prior knowledge or consent of other people involved.

You should note that it is the impact of the behaviour which is relevant and not the motive or intent behind it. It is not a defence to say that you did not intend to cause offence.

Actions we will take in the event of harassment within the team.

We recognise the right of employees to complain about harassment should they believe they have been subjected to such behaviour. All complaints will be dealt with seriously, promptly and confidentially. Every effort will be made to ensure that employees making complaints and others, who give evidence or information in connection with the complaint, will not be victimised.

Employees who feel that they have been harassed should raise the matter with their manager or to the chair of trustees, in accordance with the grievance procedure.

Branston Little Pickles Pre-School- EY563538

Charities commissions: 1176959

This policy has been adopted by Branston Little Pickles Pre-School

Signed on the behalf of the setting:

Holly Murphy (Chairperson) Date:………………February 2023……………….

Jodie Cook (Manager) Date…………February 2023……………………………………………..

Review Date ………………………February 2024……………………………………………………..