



Bullying and Harassment Policy

Applicability Statement:

This policy applies equally to all those undertaking work on behalf of both Sussex Cricket Limited and the wholly owned subsidiaries, the Sussex Cricket Foundation and Sussex Cricket Estates Limited, hereafter jointly referred to as the 'Organisation'.

Policy Statement

Bullying and harassment of any kind is a serious issue that can affect a person's health, work performance, promotion, job prospects and learning and achievement. All employees have the right to work in an environment where they are shown respect and consideration and in which the dignity of each and every individual is respected and free from harassment and bullying. The Organisation is committed to eliminating intimidation of any form.

Purpose and Scope

The Organisation is committed to the development and promotion of a positive workplace culture that is free from harassment and bullying and aims to ensure that any allegation of harassment or bullying at work is taken seriously, is properly investigated, and is dealt with effectively.

This policy applies to all bullying and harassment on the grounds of any of the protected characteristics with regard to age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity¹.

This policy applies to anybody who is in breach of the ECB's Anti-Discrimination Code: https://resources.ecb.co.uk/ecb/document/2022/03/17/36918e2a-b649-489a-9295-ea3bb6b5d433/ECB_Anti-Discrimination_Code_2022_v5-1-.pdf

This policy applies to all employees and other workers (including casual and agency workers, temporary workers, work placement students, volunteers and contractors) who use the Organisation's infrastructure and are granted access on the above grounds.

Harassment breaches the Organisation's Equality, Diversity and Inclusion Policy and it is classified as a serious offence which may result in summary dismissal under the disciplinary procedure.

¹ Equality Act 2010

Policy Details

Definition of Bullying & Harassment

Harassment as defined by The Equality Act 2010 is “*unwanted conduct related to a relevant protected 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.*”

Bullying may be described as “*offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.*”

Sexual harassment is defined as “*any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, undertaken with the intention of effecting or violating the dignity of a person. This is particularly prevalent when done with the purpose of creating an intimidating, hostile, degrading, humiliating or offensive environment.*”

Examples of sexual harassment are:

- Requests for sexual favours, including implied or overt promises of preferential treatment or threats concerning present or future employment status;
- Offensive gestures or comments;
- Sexually-orientated jibes, innuendo or jokes;
- Unwanted physical contact;
- The display of sexually offensive visual material such as calendars, photographs, books or videos.
- Sexual harassment may be experienced by men or women as a result of the conduct of men or women. It applies equally regardless of grade or level of job and may also occur when dealing with external clients and/or members of the public.

Racial or sectarian harassment is any unwelcome or hostile act, series of acts of a racist or a sectarian nature carried out by a person wholly or partly because of the racial origin, religious beliefs or political stance of the targeted individual or group, which is perceived by the recipients to be offensive.

Disability harassment is unwanted conduct based on or around a perception of an individual’s disability or learning difficulty that affects their dignity, confidence levels or opportunities in or around their place of work.

Harassment or bullying may include:

- **Physical:** actual assault; threatening gesture or other aggressive or offensive behaviour

- **Verbal:** spoken, shouted, textual or pictorial words or images which are threatening; defamatory, humiliating, intimidating, abusive, patronising, sexually suggestive or racially offensive, including malicious gossip, discriminatory comments, jokes or banter; preventing individuals progressing by intentionally blocking promotion or training opportunities
- **Non-verbal:** isolation; exclusion or segregation; abuse of power; removal of responsibility; overbearing supervision; deliberately undermining a competent worker by overloading and constant criticism; behaviour which undermines confidence; or unfair sanctions
- Bullying and harassment are not necessarily face-to-face: they may also occur in written communications: emails; by phone and cyber bullying (using the internet/ social media)

Harassment may be repetitive or an isolated occurrence against one or more individuals. It may equally be part of a pre-meditated campaign of some of the behaviour described above. It is not the intention of the perpetrator of the bullying or harassment that is of primary concern; but rather the conduct itself and its impact on the recipients which constitutes bullying or harassment.

Procedures

The procedures for dealing with bullying and/or harassment are detailed below (p4)

Responsibilities

Every employee has a personal responsibility **NOT** to harass or bully other members of staff.

The Leadership Team are also responsible for ensuring that:

- All staff are made aware of this policy and incorporating this policy into the induction process;
- Employees consistently apply the procedure and for addressing all allegations/ instances of bullying or harassment;
- All instances/ allegations of bullying or harassment, received either informally or formally, are dealt with promptly, sensitively, fairly, objectively, confidentially and seriously, through the established grievance procedure.

Breaches of Policy

- Where there is evidence that bullying and/or harassment has occurred, prompt and corrective action will be taken, including disciplinary action where appropriate. Harassment is a serious offence which may result in summary dismissal
- Disciplinary action may be taken against employees for breaches of this policy, whether that breach occurs inside or outside the workplace

Process for Dealing with Bullying and Harassment

If you feel you are being subjected to bullying or harassment you should normally aim to deal with this informally, unless the issue is of a serious nature.

Options for informal action:

- Talk to the person about the behaviour causing distress and ask for it to stop;
- Discuss with a colleague, or manager, trade union representative, or People Director before deciding appropriate action (you may decide to take no further action);
- Ask a fellow employee or trade union representative to go with you to speak to the person;
- Write to the person against whom you have a complaint; (research has shown this to be very effective)
- Ask a member of the Leadership Team to take the matter up on your behalf (options managers will consider include: speaking to the person to explain complaint and giving them the opportunity to respond; obtaining agreement that the behaviour has caused offence and will stop; meeting of both parties; monitoring situation; consulting with any witnesses to clarify the situation; mediation through the People Director, if both parties agree). **NB:** Where the person complained against is external to the Organisation, the matter will be taken up with the person or with an appropriate senior manager.

In some cases victims of harassment or bullying may not be sufficiently confident to tell the harasser that his or her behaviour is unacceptable SC emphasises that staff **are not required** to approach the harasser in an attempt to resolve the problem informally, and are entitled to report the matter immediately if they so wish.

If informal action has been unsuccessful or if the issue is of a serious nature you may decide to make a formal complaint.

Your formal complaint should be made in writing in the same way that you would lodge a formal grievance. You will be advised of timescale and next steps.

The person against whom the complaint is made will be given a copy of the complaint and the Bullying and Harassment Policy as soon as possible, and will be given the opportunity to seek advice from the People Director and respond (verbally or in writing). You will be shown a copy of any written response.

The Manager has the following options, taking account of the seriousness of the allegations:

- Discussion with both parties separately, to try to agree resolution;
- A joint meeting to try to resolve the issue;
- Following initial discussions with both parties, and with agreement, mediation through the Head of People to try to resolve;
- Arrange a disciplinary investigation.

It may be appropriate for several of these options to be worked through, before satisfactory resolution can be achieved.

Possible outcomes:

- Commitment that the action will not be repeated;
- Resolution e.g. through mediation;
- Formal disciplinary action (serious bullying and harassment will be treated as gross misconduct);
- Misunderstandings may be clarified and resolved.

NB: Where the person complained against is external to the Organisation, the matter will be taken up with the person or with an appropriate senior manager (either internal / external).

