



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.

The Organisation aims to create an environment in which no individual, group or organisation experiences discrimination or acts in a discriminatory manner on the basis of a Protected Characteristic (as defined in the Equality Act 2010 from time to time – which at the time of writing are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation). This policy applies to anybody who is in breach of the ECB's Anti-Discrimination Code [Microsoft Word - Anti-Discrimination Code 2024 - vF \(ecb.co.uk\)](https://www.ecb.co.uk/microsites/anti-discrimination-code-2024-vf)

It will be a breach of this Code for any Participant to:

1. discriminate against any person or persons based upon any relevant Protected Characteristic, whether by act or omission, directly or indirectly, unless permitted by law;
2. engage in conduct related to a relevant Protected Characteristic which has the purpose or effect of violating another's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person or persons; and/or
3. subject another person to a detriment because that person has made (or the Participant believes that person has or might make) an allegation or complaint in good faith about any conduct described in paragraphs 1 and/or 2 or has otherwise participated in good faith in any process designed to establish whether such conduct has occurred.

In deciding whether the conduct has the effect referred to in paragraph 2 above, the following shall be taken into account, namely:

- the perception of the relevant person or persons,
- the circumstances of the case, and
- whether it is reasonable for the conduct to have that effect.

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.

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."*

Conduct 'of a sexual nature' includes a wide range of behaviour, such as:

- Sexually-orientated jibes, innuendo or jokes
- displaying sexually graphic pictures, posters or photographs
- suggestive looks, staring or leering
- propositions and sexual advances
- Requests for sexual favours, including implied or overt promises of preferential treatment or threats concerning present or future employment status
- sexual gestures
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwelcome touching, hugging, massaging or kissing
- Offensive gestures or comments;

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.

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;

Breaches of Policy & Reporting

- Please report any inappropriate behaviour of bullying or harassment to either your line manager and/or Sam Holder, People Director (sam.holder@sussexcricket.co.uk). 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
- 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.

Confidentiality and anonymity

We hope you will feel able to voice concerns openly under this policy.

There is a significant difference between wanting to keep your concerns confidential and making a complaint anonymously. We actively discourage anonymous complaints. Concerns raised anonymously are very difficult, and sometimes impossible, to investigate. We cannot properly establish whether allegations are credible without being able to ask you for more details or for clarification, and this makes it hard to reach an informed decision. This is why we urge you not to report matters anonymously.

If you do not feel comfortable in reporting your concern openly, tell us and we will do all we can to protect your identity. We may want to disclose your identity to people involved in the investigation, but we will always discuss this with you first.

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).