



BBC Bullying and Harassment Policy

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What is the purpose of the policy?

In line with our **BBC Values** we strive to offer an environment where everyone is treated with dignity and respect. We do not tolerate bullying or harassment.

We have a duty of care to protect you so we make it our priority to support you if you experience problems with bullying or harassment. If you have a problem with bullying or harassment we encourage you to use the support available to try to resolve it as early as possible, ideally in an informal way. We will investigate any complaint that you bring to our attention in a fair, independent and confidential way and, after considering all the facts, we will take prompt and appropriate action.

This Policy explains the support available and how you can informally or formally address issues with bullying or harassment. The accompanying [Guide to Dealing with Bullying and Harassment](#) (referred to as the Guide) offers links to external support and detailed information on bullying and harassment using examples and case studies. It also gives guidance on examples of acceptable and unacceptable behaviour.

Who does the policy apply to?

We expect everyone to familiarise themselves with and adhere to the principles of the [Guide to Dealing with Bullying and Harassment](#). In particular, you must behave respectfully towards others and never act in a way that could be regarded as bullying or harassment. A non-exhaustive list of examples of acceptable and unacceptable behaviour is found in the Guide. Acts of bullying or harassment are regarded as a serious disciplinary matter and could place your continued employment or engagement with the BBC at risk.

These principles extend to everyone working for or with the BBC including freelancers (contributors and presenters), sub-contractors, agency workers, those taking part in our programmes, visitors and guests.

BBC employees are expected to comply with the full terms of the Bullying and Harassment Policy and process.

Freelancers (PAYE or gross paid) who wish to make a complaint should contact their manager or the [Bullying and Harassment Helpline](#). The same principles of fairness and objectivity will be applied.

We will mirror the formal process set out in this Policy with flexibility, in exceptional circumstance, to take into account the short term nature of some freelance engagements.

Sub-contractors and agency workers should send any complaint to their relevant local manager. Visitors and guests should contact **BBC Complaints**.

This policy can be used if you experience bullying or harassment either at work or work-related events, for example BBC social functions or business trips.

Our approach

We will not victimise, unfairly treat or discipline you if you make a genuine informal or formal bullying or harassment complaint.

We will respect and maintain your confidentiality. We will also remind anyone involved in your complaint about their responsibilities to maintain confidentiality. As we have a duty to protect you and your colleagues, there may be times we decide to act on your complaint independently. In these situations, we will encourage you to use our support services and will inform you of the outcome of our investigations if you wish to know.

You can use our informal or formal processes to resolve your complaint although where possible, we encourage you to try to resolve any problems informally in the first instance. There are a number of [internal](#) and external support services (found in the Guide) available to help you get the advice you need.

What is bullying and harassment?

Bullying or harassment can take place face-to-face, behind your back, by telephone, email, text, social media or any other form of communication.

The Guide that supplements this Policy is designed to help you better understand bullying and harassment by providing examples and case studies of what is acceptable and unacceptable behaviour.

Bullying

There is no statutory definition of bullying. The Advisory, Conciliation and Arbitration Service ([‘ACAS’](#)) defines bullying as offensive, malicious or insulting behaviour. It is an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure you. Bullying tactics can include hostile verbal or nonverbal communication, sabotage, exclusion, manipulation, and psychological or physical abuse. The BBC also considers intimidating behaviour to be included in the above definition of bullying.

According to the Trade Union Congress ([‘TUC’](#)) guide *‘Bullied at Work?’*, bullying behaviour can include:

- competent staff being constantly criticised, having responsibilities removed or being given trivial tasks to do
- shouting at staff
- persistently picking on people in front of others or in private
- blocking promotion
- regularly and deliberately ignoring or excluding individuals from work activities
- setting a person up to fail by overloading them with work or setting impossible deadlines
- consistently attacking a member of staff in terms of their professional or personal standing
- regularly making the same person the butt of jokes

Please note there are many actions and behaviours that do not amount to bullying. For example:

- fair and reasonable criticism of your performance or behaviour
- constructive feedback
- not being invited to meeting where you are not required
- being placed on a performance procedure where your performance is not of an appropriate standard

Harassment

Harassment is defined by the [Equality Act 2010](#), as unwanted conduct related to your 'protected characteristics' that has the purpose or effect of violating your dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for you. Harassment is also unwanted conduct of a sexual nature which has that same purpose or effect.

Protected characteristics are: Age
 Disability
 Gender reassignment
 Marriage and civil partnership
 Pregnancy and maternity
 Race
 Religion or belief
 Sex
 Sexual orientation

Examples of bullying and harassment behaviours include when someone:

- puts you down or deliberately embarrasses you
- makes insulting or offensive comments or jokes
- scares you, makes threats or shouts at you
- uses insulting words or threatening body language
- ignores you or unreasonably keeps you out of meetings or events
- stops or blocks you from doing your job
- threatens you or commits physical violence
- leaves offensive items around your work area

Examples of sexual harassment include when someone:

- makes unwelcome sexual advances or touches you in an intrusive way
- makes sexual jokes
- displays pornographic photographs or drawings around your work area
- sends you emails with material of a sexual nature

Detailed information on bullying and harassment, and examples and case studies of acceptable and unacceptable behaviour can be found in the accompanying [Guide](#). Information and support about harassment and stalking are available on the [myRisks](#) website.

What support and guidance is available?

We have internal support services available to everyone working for the BBC.

The Guide offers information on external support services that anyone can access. Other sources of support are found on the [Help & Support](#) page on Gateway.

Trying to resolve problems using informal processes

Everyone working for the BBC can use the informal process. Where possible and appropriate, we encourage you to try to resolve problems with bullying or harassment

informally before using the formal process. You can do this with the support of any of the services detailed in the Guide, or with the help of your trade union representative or manager, or if the complaint is about your manager, the next level of management...

We advise you to try to resolve your complaint as early as possible, to reduce stress and worry for you and possibly the other person involved. It is important to remember that the other person may be unaware of their behaviour and the impact it has on you. Your informal feedback will give the person a better understanding and opportunity to change or stop their behaviour.

In the first instance it is best to speak to the other person to explain the situation and how it has made you feel. It can be helpful to describe the day, place, meeting or event that took place so the other person is clear about your concerns. You should use the opportunity to ask the person to change or stop their behaviour. If you feel unable to speak to the person yourself, you can approach your trade union representative or manager, or if the complaint is about your manager, the next level of management to help you.

How to resolve a problem using the mediation service

[Mediation](#) is another way you can resolve issues with bullying or harassment informally. Everyone working for the BBC can use the mediation service. It is a confidential, facilitated meeting between you, the other person involved, and an independent and impartial mediator.

Mediators are BBC employees, including HR and trade union representatives, who have voluntarily applied and been trained to become mediators. Your mediator will be allocated from outside your division. You will also have the option of an external mediator.

Mediation involves individual and joint meetings to help identify the root cause of a problem. At the joint meeting, the mediator will clarify how the meeting will be run. You and the other person will each have an opportunity to speak. The mediator will help you identify areas that you agree on, but you and the other person will ultimately agree the final outcome.

Mediation can be successful if you and the other person are willing to participate fully in the process and genuinely want to repair the working relationship. Mediation is a voluntary process, so you and the other person have a choice about whether you want to participate. It is entirely acceptable for either of you to decide not to participate in mediation and your decision will not impact on any formal process.

Mediation is not suitable in certain cases for example, harassment related to any of your '[protected characteristics](#)' (see p.3), where the formal process should be followed straightaway.

For information, advice or access to the mediation service please contact mediation@bbc.co.uk.

What to do if you cannot resolve a problem informally

If you are a BBC employee and you do not feel the informal process is an option for you, you may decide to follow the formal process straightaway. Equally, you might have already tried to resolve the matter informally and the problem has continued. The formal process will be mirrored for freelance complaints whilst retaining flexibility, in exceptional circumstances, to take into account the short term nature of some freelance engagements.

In any of these cases you should contact either, your manager, or if the complaint is about your manager, the next level of management, the [Bullying and Harassment](#)

[Helpline](#), or your trade union representative to explain the situation and get advice on possible next steps.

The formal process

This formal process can be used if you are a BBC employee who wants to make a formal bullying or harassment complaint. This policy cannot be used for collective complaints. In certain circumstances we may decide that it is more appropriate for your complaint to be investigated and dealt with under the **BBC Disciplinary Procedure**. In either case, you will not be able to make a separate complaint using the **BBC Grievance Policy**, which should be used for any complaint about a management action, or intended action, against an individual employee.

The formal process will be mirrored for freelance complaints whilst retaining flexibility, in exceptional circumstance, to take into account the short term nature of some freelance engagements.

If you are unsure about which Policy you should follow for making your formal complaint, please contact your manager, or if the complaint is about your manager, the next level of management, the [Bullying and Harassment Helpline](#), or your trade union representative.

If you have not already considered mediation, where appropriate, you will be encouraged to use one of the BBC's trained mediators or an external mediator to seek resolution of the issue informally. You will not be obliged to pursue mediation before progressing a formal complaint.

We recognise a decision to make a formal complaint is not easy so we encourage you to use the [internal](#) and external services for support (found in the **Guide**). If you need to make a formal bullying or harassment complaint (and we do not believe that it can be more appropriately dealt with under the **BBC Disciplinary Policy**), then we will follow the 3-step process below.

Step 1: Making your formal complaint

We ask you to put your formal complaint in writing and send it to your manager, as soon as possible after the time of the incident. If your complaint is against your manager you should send it to the next level of management or your HR Business Partner. This will provide the best opportunity to fairly and reasonably investigate your complaint while details of what took place can readily be remembered by anyone involved. We understand this may not be possible in all cases and will investigate any complaint made in good faith.

We ask you to include full details of your complaint including a detailed account of the incident, the date it took place, who was involved including any witnesses, and any action you may have taken. A **Bullying and Harassment Grievance submission form** is available to assist you with this, but it is not mandatory for you to use it.

Once a formal grievance has been submitted the manager will send the employee written acknowledgement of the complaint and pass it to Manager Advice. Manager Advice will contact the Support at Work team and the following individuals will be assigned to your case:

Hearing Manager: sole decision-maker following investigation (outside the division)
HR Case Manager : assigned to provide support, policy guidance and assist with investigating your case

You will be notified of a named HR Support Lead for your case.

Step 2: The meeting

We aim to investigate a bullying or harassment complaint in 30 days. For complex cases, (defined as those with: multiple grievers, witnesses geographically dispersed, a counter grievance or where another HR process is ongoing e.g. sickness absence), we aim to complete investigations in 60 days. This will require you and all other parties involved in the investigation to make best efforts to ensure that you/they are available to attend any meetings that will be set up as quickly as possible and that adequate time is provided in diaries to ensure any issues can be resolved as quickly as possible. It is likely that a more complex case will require more time. We will handle your complaint in an objective and fair way.

We aim to offer you a date for the first meeting within 10 days of the letter acknowledging your formal grievance. We will handle your complaint in an objective and fair way. A HR Case Manager will be assigned to support and investigate your case. The hearing manager assigned to your case will meet with you to discuss your complaint, and may interview witnesses as required. The hearing manager assigned to your case will be more senior than the other person involved in your complaint. In rare cases where this is not possible, the manager will, by agreement, be at least the same seniority as the other person involved.

Sometimes extra meetings may be needed and it is important that you attend all that you are invited to. You are entitled to reasonable paid time off to attend formal meetings and should notify your manager as soon as you know about dates, so that adequate cover can be arranged during your absence.

You have the right to be represented by a recognised trade union representative or BBC colleague (not a practising lawyer) at any formal meeting that you are invited to attend.

While we investigate your complaint, we may arrange for you or the other person involved to be temporarily redeployed. Or we may decide to temporarily change the person you report to. In certain cases, we may decide that it is appropriate to suspend the other person involved.

After your complaint has been fully investigated, the hearing manager will make a decision as to the result of the case and communicate to you their decision and any associated recommendation. The other person involved will also be informed of the decision.

Step 3: Your right to appeal

If you are not content with the result of your bullying or harassment complaint you have the right to appeal, using the **BBC Appeals Policy**.

Once an appeal has been submitted the following individuals will be assigned to your case:

Hearing Manager: joint decision-maker (outside the division)
External Expert: joint decision-maker with casting vote if agreement cannot be reached
HR Case Manager : assigned to provide support, policy guidance and carry out any additional fact-finding and investigation

You will be notified of a named HR Support Lead for your case.

With the exception of the HR Case Manager these roles will not be assigned to individuals involved in the initial grievance. If you wish to use the appeals process we will continue to maintain your confidentiality, but we may need to share records from your investigation with the new manager/expert. We will tell you and any witnesses involved if we need to share your records.

You have the right to be represented by a recognised trade union representative or BBC colleague (not a practising lawyer) at any formal meeting that you are invited to attend.

Possible outcomes following an investigation

There are many outcomes that can follow an investigation into bullying or harassment including mediation, training, coaching, or disciplinary proceedings (which could lead to formal warnings being issued up to and including dismissal, redeployment or demotion).

If the response to your complaint is that there is a case to answer of bullying or harassment then we may use the **BBC Disciplinary Policy** and/or make recommendations.

If an outcome of your complaint is that the person you have complained about is invited to a disciplinary meeting under the **BBC Disciplinary Policy**, you will be informed, on a strictly confidential basis, of the outcome of the disciplinary proceedings once any appeal process has come to an end.

Disciplinary hearings arising from a bullying and/or harassment complaint will be heard by a hearing manager appointed from a different division to the employee's division.

In any case, if inappropriate behaviour is found to have occurred, it will be made clear to the other person involved that the behaviour must stop.

Everyone involved in a bullying or harassment investigation must act with goodwill and honesty. We may take disciplinary action if we find that an employee has made a false or malicious complaint.

For freelancers: your continued engagement may be at risk if we find that you have committed any acts of bullying or harassment.

What to do if you witness bullying or harassment

We all share responsibility for ensuring a safe working environment for ourselves and others. You may not have experienced bullying or harassment directly, but have witnessed someone else being bullied or harassed. If this has occurred, you should raise your concerns in order to protect the safety and wellbeing of the other person.

We understand you may feel worried about getting involved in a situation that does not directly affect you. We will support you in raising your concerns in an informal or formal way, so the bullying or harassment can stop. We will not victimise, unfairly treat or discipline you for raising a genuine concern.

There are a number of [internal](#) and external support services (found in the Guide) that provide confidential advice and guidance on your options. We encourage you to contact either the [Bullying or Harassment Helpline](#), your trade union representative or manager to explain the situation and get advice on possible next steps.

If you decide to raise a formal complaint we ask you to send this in writing to your manager, or if the complaint is about your manager, the next level of management as soon as possible after the time of the incident.

How bullying and harassment is monitored

We handle all bullying and harassment complaints in line with the *Data Protection Act* and the **BBC Data Protection Handbook**.

We use information from the annual staff survey and exit interviews to identify any potential problems with bullying or harassment. We keep anonymised records of all formal bullying and harassment complaints and we publically share information on the number of formal complaints upheld by the BBC. Our Diversity team monitors unlawful harassment complaints using the 'protected characteristics' to make sure everyone is treated fairly.

Our Employee Relations team are responsible for reviewing this policy to make sure that it remains up-to-date.