

HUMAN RESOURCES

HARASSMENT & BULLYING POLICY (STAFFING)

User-group:	All Staff
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1. Introduction & Policy Statement

- 1.1. Bradford College is committed to the elimination of harassment and bullying and to a working environment that is free from discrimination and intimidation and in which the dignity of employees is paramount. All employees have the right to work in an environment that is free from any form of harassment and bullying.
- 1.2. It is the College's policy that the harassment or bullying of any of its employees in any form is unacceptable behaviour. Anyone found to be in breach of this policy may be liable to disciplinary action which could result in their dismissal.
- 1.3. The purpose of this policy is to assist in developing a working environment in which;
 - harassment and bullying is considered to constitute conduct that is unacceptable;

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- employees have the confidence to complain about harassment or bullying should it arise;
- employees have the confidence that any concerns they may have will be dealt with fairly and appropriately in a confidential and timely manner.

2. Scope This policy applies to all employees, personnel, contractors and visitors to the College's premises. For the purposes of this policy, all such personnel are referred to as 'employees'.

3. What is it?

3.1. Harassment/bullying takes many forms, occurs on a variety of different grounds and can be directed at one person or many people. It covers an individual's perception or their association with someone with a relevant protected characteristic and also harassment from a third party such as a customer or contractor. An essential characteristic is that it is unwanted by the recipient and that the recipient finds the conduct offensive or unacceptable. Conduct usually becomes harassment if it continues once it has been made clear that it is regarded by the recipient as offensive, although a single incident may amount to harassment if sufficiently serious. It is the unwanted nature of the conduct that distinguishes harassment from friendly behaviour which is welcome and mutual. Bullying is persistent, offensive, abuse, intimidating or insulting behaviour.

3.2. Harassment/bullying can be based on:

- race, ethnic or national origins, nationality or skin colour;
- gender re-assignment or perceived or actual sexual orientation;
- power or hierarchy;
- willingness to challenge harassment (leading to victimisation);
- membership, or non-membership, of a trade union and associated activity;
- disabilities, sensory impairments or learning difficulties;
- age;
- possible links to Aids/HIV;
- status as an ex-offender;
- health;
- physical characteristics;
- perceived or actual religion or belief.

3.3. Whilst not an exhaustive list, forms of harassment/bullying include:

- physical contact;
- jokes, offensive language, gossip, slander, offensive or sectarian songs and letters;

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- posters, graffiti, obscene gestures, emblems;
- offensive email, screen savers, text messages;
- isolation or non co-operation and exclusion;
- coercion for sexual favours;
- pressure to participate in political/religious groups;
- intrusion by pestering, spying and stalking.

3.4. Harassment/bullying is unlawful in many cases and individuals may be legally held liable for their actions.

4. Procedure

4.1. Due to the seriousness with which the College views harassment/bullying, informal and formal reporting procedures have been introduced which are separate from the grievance procedure as a mechanism for dealing with complaints of harassment/bullying. However, employees may choose to use the Grievance Policy as an alternative.

4.2. All allegations will be dealt with seriously, promptly and in confidence. Employees who feel they have been subject to harassment or bullying must not hesitate in using this procedure nor fear victimisation. Retaliation against an employee who brings a complaint is a serious disciplinary offence which may constitute gross misconduct.

4.3. The Personnel Department will provide, in confidence, advice and assistance to employees subjected to harassment/bullying and assist in the resolution of any problems, whether through informal or formal means.

4.4. Informal Procedure

4.4.1. If an incident happens which you think may be harassment/bullying and you do not wish it to happen again, you may prefer initially to attempt to resolve the problem informally. In some cases it may be possible and sufficient to explain clearly to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends you or makes you uncomfortable and that it interferes with your work. You should make it clear that you want the behaviour to stop.

4.4.2. In circumstances where this is too difficult or embarrassing for you to do on your own you should seek support from a colleague, your HR Advisor or a trade union representative.

4.4.3. If you are in any doubt as to whether an incident or series of incidents which have occurred constitute harassment/bullying, then in the first instance you should approach your HR Advisor on an informal basis. A HR Advisor will be available to offer advice within 24 hours of a request being made. He/she will be able to advise you as to whether the complaint necessitates further action, in which case the matter will be dealt with formally/informally as appropriate.

4.4.4. If the conduct continues or if it is not appropriate to resolve the problem informally, it should be raised through the formal procedure.

4.5. Formal Procedure

- 4.5.1. Where informal methods fail or are not appropriate you should complain formally in writing to your HR Advisor.
- 4.5.2. Consideration, where necessary, will be given by a member of Executive to the immediate separation of the complainant and the alleged harasser/bully. In serious cases the alleged harasser/bully may be suspended.
- 4.5.3. You and the HR Advisor will agree a suitably impartial manager to conduct the investigation. You will then be interviewed by the manager handling the complaint along with a representative from the Personnel Department, to establish full details of what happened. He/she will then carry out a thorough, impartial and objective investigation. Those carrying out the investigation will not be connected with the allegation in any way. An investigation will be carried out quickly, sensitively and with due respect for the rights of both you and the alleged harasser/bully.
- 4.5.4. Strict confidentiality will be maintained throughout the investigation which will involve interviews with the person against whom you are making the complaint and any witnesses. The alleged harasser/bully will be given full details of the nature of the complaint and will be given the opportunity to respond.
- 4.5.5. You and the alleged harasser/bully will have the right to be accompanied by a colleague or union representative at any interviews. You will not be asked to provide details of the allegations repeatedly unless this is essential for the investigation.
- 4.5.6. The investigation will normally be completed within ten working days of the complaint being received. On occasions it will not be possible to keep within this timescale. In such cases all parties involved will be kept informed of the need for an extension and the likely timescale for completion.
- 4.5.7. When the investigation has been completed you will be informed whether or not your allegation is considered to be well founded.
- 4.5.8. If the allegation is well founded disciplinary action may be taken against the person alleged to have committed the behaviour you are complaining about and, depending on the circumstances and the seriousness of the complaint, may result in the dismissal of that person.
- 4.5.9. The College takes these matters very seriously as complaints can have serious and detrimental affect upon colleagues. If the allegation is not well founded, consideration will be given to whether it is necessary to transfer or reschedule the work of both or either party in cases where it would not be appropriate for either of you to continue to work in close proximity to each other.
- 4.5.10. Where an allegation is not well founded the employee claiming harassment or bullying will be protected from victimisation and/or disciplinary action where they make the allegation in good faith.

5. Responsibility

- 5.1. Managers must ensure this policy is effectively applied and that harassment/bullying does not occur.
- 5.2. It is the duty of all employees to take responsibility for their behaviour and modify it if necessary, as harassment/bullying is not acceptable under any circumstances.
- 5.3. All employees must help to create a climate that discourages harassment/bullying. Making it clear that they find such behaviour unacceptable.

6. Monitoring The Personnel Department will monitor complaints reporting on them periodically.

7. Further Information For further information on this policy contact the Personnel Department.

RELATED POLICIES: Equality & Diversity Policy
Grievance Policy
Disciplinary Policy
I.T. & Telephony Acceptable Use Policy

APPENDICES: Allegation of Harassment/Bullying Form
Harassment/Bullying Investigation Notes Form