DIGNITY AT WORK – ANTI-BULLYING AND HARASSMENT POLICY

1. POLICY STATEMENT

1.1 The College’s policy on Dignity at Work is set out below, together with accompanying guidance and procedures for making and responding to complaints under this policy. This policy defines and prohibits bullying and harassment. It explains the need for everyone to contribute proactively to the creation of a culture of mutual respect and an environment in which everyone is treated with dignity.

1.2 This policy has been developed with reference to the ACAS Guidance on Bullying and Harassment at Work. http://www.acas.org.uk/media/pdf/d/l/Bullying-and-harassment-atwork-a-guide-for-employees.pdf

1.3 All members of the College have a responsibility to ensure an environment that is free from harassment, bullying, unlawful discrimination and victimisation. This policy promotes the respectful treatment of employees within the College and the protection of employees from bullying and harassment at work.

1.4 This policy sets standards for expected conduct for all those employed by the College. All employees have a personal responsibility for their own behaviour and for reporting any incidents of bullying and harassment of which they are aware, either to their line manager or
to the HR department. Details on how to report incidents of bullying and harassment can be found at: https://www.royalholloway.ac.uk/restricted/contensis/humanresources/HRcontacts.aspx
Other sources of support can be obtained from trade unions as well as others outlined in appendix 1.

1.5 **Any form of bullying and harassment will not be tolerated** and any allegations of bullying or harassment will be treated seriously regardless of the seniority of those involved. Anyone found to have behaved unacceptably may be subject to disciplinary action up to and including dismissal.

1.6 Staff experiencing bullying and harassment are encouraged to raise concerns and seek advice at the earliest opportunity, without fear of repercussion, in order for the situation to be resolved.

2. **SCOPE**

2.1 This policy relates to all employees of the College. It also applies to any other individuals who may not be directly employed by the College but work on campus, visitors to the campus and those who interact with our employees through the course of their work. All visitors to the College, including contractors and agency staff, are expected to abide by this policy and those responsible for their presence on campus are expected to take reasonable steps to ensure they do so.

2.2 This policy covers dignity in the workplace and in any work related setting outside the workplace, for example business trips and work-related social events.

2.3 There is a separate Code of Practice on Personal Harassment for Students available at: https://www.royalholloway.ac.uk/iquad/collegepolicies/documents/pdf/equalopportunities/harassment.pdf

3. **RESPONSIBILITIES & MEASURES TO PREVENT AND ADDRESS BULLYING AND HARASSMENT**

3.1 The Director of Human Resources is responsible for ensuring that this policy is implemented and monitored. The Council of the College is accountable for ensuring that the College complies with all legislative requirements.

3.2 All members of the College community are expected:
   - to treat everyone with respect and dignity;
   - not to discriminate or incite others to behave in discriminatory ways;
   - not to harass, abuse or intimidate others;
   - not to victimise or attempt to victimise anyone who has made a complaint(s) of bullying or harassment or provided information on bullying or harassment;
   - to act as soon as they become aware of any instance of bullying or harassment.

3.3 The College is committed to developing a positive working environment through the provision and promotion of:
• a range of training for employees to provide a better understanding of dignity in the workplace and to raise awareness of the effects of bullying and harassment on individuals and on the working environment;
• a climate in which people feel able to raise complaints of harassment or bullying without fear of victimisation
• clear guidance on appropriate behaviour and conduct to support an inclusive culture;
• ensuring there are clear processes in place through which employees can communicate with senior management;
• appropriate mechanisms to address concerns about behaviour which may breach this policy.

All managers have a duty of care to their employees and must take effective, sensitive and rapid action when incidents of bullying or harassment are brought to their attention. Managers have a duty to eliminate harassment of which they are, or should be, aware of. Failure to deal with a complaint of bullying or harassment can itself amount to misconduct.

3.4 Monitoring is an important way of finding out whether the measures taken by the College to prevent bullying and harassment and to promote inclusivity are effective. Information of the prevalence and distribution of bullying and harassment will be collected by the Human Resources department via staff surveys, exit interviews and formal disciplinary and grievance cases. Anonymous statistical data will be collected and reported to the Equality Steering Group. The recognised trade unions will also encourage staff to complete monitoring data to enable effective measures to be put in place.

4. DEFINITIONS OF BULLYING AND HARASSMENT

4.1 Bullying and harassment are defined as unwanted and unwarranted behaviours that cause a detrimental effect. Under the ACAS code, bullying is characterised as:
‘Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.’

Harassment is defined in the Equality Act 2010 as:
‘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 the individual.

4.2 Examples of bullying may include:
• abuse of power or authority;
• verbal, written and/or physical intimidation such as threats or derisory remarks;
• persistent unjustified criticism;
• public humiliation;
• the setting of impossible deadlines or intolerable workload burdens;
• isolation and exclusions from team meetings and work and social events;
• deliberately withholding information or other resources an individual needs to do their job;
• removing, unnecessarily, areas of work from a person so reducing their job to tasks well below their skill and capabilities.

4.3 Harassment that is targeted at an individual or group of individuals in the case of legally protected categories may occur on the grounds of:

• a person’s actual personal characteristics – for example in relation to disability, a person may be harassed because they have a disability;
• a person’s perceived personal characteristics – for example a person may be harassed because they are considered to have a disability;
• a person’s link to one of the personal characteristics via someone else – for example, a person may be harassed because they have a relative with a disability.

4.4 Where employees, including managers, are carrying out their job in line with the standards expected and in adherence within College policies, this does not constitute bullying or harassment.

4.5 There are many forms of harassment including harassment due to:

a) Age
This is unwanted behaviour based on known or presumed age. Such behaviour may include comments that are patronising or objectionable such as name-calling, stereotyping, derogatory comments, inappropriate reference to age, refusal to carry out management instructions because of a manager’s age and exclusion of an individual(s) from social events or meetings because of their age.

b) Disability
This is unwanted behaviour based on disability, impairment or additional need. Such behaviour may include comments that are patronising or offensive to the recipient or which creates an intimidating or hostile environment for an employee with a disability. Disability harassment includes inappropriate references to disability, refusal to work with and exclusion of people with disabilities from social events or meetings.

c) Race
This is unwanted behaviour based on race, ethnic or national origin, nationality (including citizenship) or colour. It includes written or verbal threats or insults, ridicule based on cultural grounds, derogatory name-calling, racist jokes, the display of offensive graffiti or insignia and incitement of others to commit any of the above.

d) Religion
This is unwanted behaviour based on religious beliefs or practices, including non-belief. This may take many forms including ridiculing items worn for religious reasons, belittling cultural customs and dismissive treatment of requests for holidays for religious or cultural festivals, or derisory comments against an individual’s beliefs or non-belief. It includes the incitement or persistent pressure through forms of evangelism and religious propaganda that suggests the answer “No” is unacceptable to the person trying to spread their ideas on religion or recruiting to their particular group. Regardless of an individual’s cultural/religious beliefs about different lifestyle choices (e.g. pertaining to gender, sexual orientation, dress),
such beliefs must not manifest themselves in breach of the College’s equal opportunities policies or legislation.

e) **Sex**

This is unwanted behaviour of a sexual nature. It includes unwanted attention of a sexual nature that denigrates or ridicules or is intimidating. This may be physical including invasion of personal space or verbal including unwanted personal comments, sexual slurs, innuendo and compromising invitations. Sexual harassment can also result from inappropriate attempts to initiate or sustain a personal or sexual relationship. Examples of non-verbal sexual harassment include explicit gestures, sending sexually explicit emails or the display of pornographic material on College equipment or premises.

f) **Sexual orientation**

This is unwanted behaviour based on known or presumed sexual orientation. Such behaviour may include name-calling, stereotyping, abuse, actual or threatened unwanted disclosure of sexual orientation, derogatory comments, excluding same-sex partners from social events or intrusive questioning about a person’s domestic circumstances.

g) **Gender**

This is unwanted behaviour directed at women or men, who are known or assumed to have undergone gender reassignment treatment or are living in a different gender than their birth gender. This could include breaching the confidentiality of someone who has undergone gender reassignment treatment, inappropriate exclusion of a transgender man or woman from toilet facilities for their acquired gender, derogatory comments or intrusive questioning.

4.6 The College recognises that bullying and harassment can also take place through electronic communication (such as emails and text messages) and social networking (such as Facebook and Twitter). Indecent, threatening or offensive emails or phone calls may constitute bullying or harassment and therefore potentially a matter for disciplinary action. They may also breach the College’s Email Guidelines. [www.royalholloway.ac.uk/it/tos/emailguidelines.aspx](http://www.royalholloway.ac.uk/it/tos/emailguidelines.aspx)

5. **PROCEDURES FOR DEALING WITH BULLYING AND HARASSMENT**

5.1 Complaints made by employees under this policy will be handled as grievances. These procedures are therefore designed to be consistent with the College’s Grievance Policy and Procedures but are designed to be more practical and user-friendly. This document does not replace or alter the information or procedures set out in the College’s Grievance Policy and Procedures.

5.2 The College is committed to protecting members of staff from discrimination, harassment and bullying in the workplace and recognises that employees who feel they are subject to such behaviour may need additional support and advice in relation to raising concerns or grievances about these matters. For additional sources of advice and support see Appendix 1: Sources of Advice and Support.

5.3 Challenging bullying and harassment can be difficult and distressing, and is not undertaken lightly. Any person raising a complaint about bullying or harassment or having a complaint made against them, or being involved as a witness or adviser, will be treated fairly. Victimisation by
treating someone less fairly because they have been involved in any way in a complaint of bullying or harassment is a disciplinary offence.

5.4 It is important to note that the person who makes a complaint is usually the recipient of the behaviour complained of, but that may not always be the case. The complainant can also be someone who has direct or sufficient knowledge of the behaviour to enable a complaint to be raised. For example, if they have overheard racist or sexist language which, while not directed at them, caused them offence and distress.

5.5 If an employee witnesses behaviour which may constitute discrimination, bullying or harassment it is helpful if they:

- encourage the person or people affected to seek appropriate support and assistance;
- offer appropriate assistance yourself – for example by offering to provide a statement about what has been witnessed.
- report the issue to the appropriate manager regardless of whether the affected individual wishes to report the incident. In the event that it is perceived that the manager has contributed to the behaviour the matter should be drawn to the attention of the next person higher in the management structure, such as a Vice Principal or the Director of Human Resources.

5.6 In cases where allegations of bullying or harassment are substantiated, whether raised informally or formally, it may be appropriate to consider these under the College’s Disciplinary Policy and Procedures. Bullying and harassment are serious and, therefore, if a complaint is upheld could lead to dismissal.

5.7 Whilst physical attacks may fall under the scope of the College’s Disciplinary Policy and Procedure, consideration should be given to reporting the attack to the police. A copy of the College’s Verbal and Physical Abuse (Violence) Policy and Procedure is available here: https://www.royalholloway.ac.uk/iquad/documents/pdf/healthandsafety/verbalandphysicalabusepolicy.pdf

5.8 As far as possible the College will not move the person who has complained of bullying or harassment, unless it is at their request. If it is felt advisable to separate the two parties, consideration will be given to appropriate action that provides a safe working environment for all concerned.

5.9 The College takes seriously malicious complaints or false accusations of bullying and harassment. If an individual brings a complaint that is found during the course of the investigation to be false, mischievous or malicious, then appropriate action will be taken. This may include disciplinary action. The mere fact that a complaint is not found to be justified does not mean it is false or has been made in bad faith.

5.10 If an employee feels that they have been, or are being, subjected to harassment, bullying or victimisation they may feel able to take action on their own to make the other person aware of the effect of their behaviour. In many situations this can be the most effective way to raise concerns. If an employee chooses to contact the person
they might want to seek advice or support beforehand from a colleague, their HR Manager, their manager or their trade union representative. However, employees should not feel pressured to raise concerns in this way and should also be aware of the other options open to them, namely raising an informal or formal complaint as outlined below.

Informal Complaint

5.11 If an employee does not wish to make the other person aware of the effect of their behaviour or to make a formal complaint on their own, or they have brought the behaviour to the individual’s attention but the behaviour has continued, they can make an informal complaint. The complaint should be raised with the line manager of the person against whom the complaint is being made, and that line manager will then be responsible for taking the matter forward in accordance with the informal stage of the College’s Grievance Policy and Procedures. Where the complaint involves the employee’s line manager, the employee should contact the Human Resources department for advice.

5.12 If, in the first instance, an employee does not feel comfortable speaking to the person’s line manager about the issue they may instead speak to a representative of the HR Department. Normally, under these circumstances, HR will liaise with the manager to discuss what should happen next. It will remain the responsibility of the person’s manager to take the matter forward with HR acting in an advisory capacity.

5.13 Even though the complaint is informal, it can be helpful for anyone making an informal complaint to:

- identify clearly the name of the person/people about whom the complaint is made;
- be clear about the nature of the behaviour about which the complaint is made;
- provide an indication of the impact that this behaviour has had;
- provide examples, where available, of the behaviour or conduct considered inappropriate, including information about the times and locations of any incidents, where possible;
- provide an indication of whether anyone else might have observed the behaviour in question;
- describe any action that has already been taken to challenge or stop the behaviour.

5.14 Initial remedial action will, wherever possible, focus on enabling working relationships to continue in a positive and acceptable environment. All allegations will be taken seriously and action taken will be appropriate to the circumstance.

Formal Complaint

5.15 If a complaint is not resolved at the informal stage, or where an employee considers an informal complaint to be inappropriate, the employee may raise a formal complaint in writing to the line manager of the person concerned. This should be copied to the Director of Human Resources. Where possible, the formal complaint should:
• identify clearly the name of the person/people about whom the complaint is made;
• be clear about the nature of the behaviour about which the complaint is made;
• provide an indication of the impact that this behaviour has had;
• provide examples, where available, of the behaviour or conduct considered inappropriate, including information about the times and locations of any incidents, where possible;
• provide an indication of whether anyone else might have observed the behaviour in question;
• describe any action that has already been taken to challenge or stop the behaviour and the outcome of any such action;
• sign and date the written formal complaint.

5.16 A formal complaint will be handled as a grievance and in accordance with the formal stage of the College's Grievance Policy and Procedures.

5.17 The line manager with whom the formal complaint was raised may arrange for an investigation and if necessary a formal grievance hearing to be undertaken as detailed in the College's Grievance Policy and Procedure.

6. COMPLAINTS from or against those who are not employees but working at the College or working with College employees

6.1 In situations in which workers who are not employees of the College experience behaviour that they consider to be bullying or harassment, they should normally follow the complaints procedure of their own employer. The subsequent process for the College to investigate or respond to the complaint will then depend upon the circumstances of the individual case. Complaints in these cases should be raised with the appropriate Royal Holloway Head of Service.

6.2 Where an employee experiences behaviour from a worker who is not an employee of the college, for example an agency worker, contractor or consultant, the employee should raise a complaint with their immediate line manager who will be responsible for taking the matter forward with the appropriate Royal Holloway supervisor. The subsequent process of investigating or responding to the complaint will then depend upon the circumstances of the individual case.

7. CONFIDENTIALITY

7.1 As far as reasonably practicable, confidentiality will be maintained throughout the process. However, there may be a need to directly involve others, e.g. witnesses. Where it is necessary to involve others the importance of confidentiality within the procedure will be emphasised. It will also be explained to the others involved that any breach of confidentiality may lead to disciplinary action.

7.2 Where a complaint of bullying and harassment has been brought against an individual member of staff, that member of staff will be informed and provided with details of the complaint.
7.3 In exceptional circumstances it may be difficult for confidentiality to be maintained, for instance where a possible criminal offence has been disclosed.

7.4 Employees should be aware that in some circumstances a demand for confidentiality may make it difficult for the College to deal with the matters raised e.g. anonymous complaints. If confidentiality is a problem, members of staff are advised to discuss this with the Human Resources Department.
Appendix 1

SOURCES OF ADVICE AND SUPPORT

There are a number of sources of advice and support for employees who either feel that they are being bullied or harassed, have witnessed such behaviour or who have had a complaint made about them.

You should be aware that, if any of these sources of support are at any time given details of a potential criminal act, such as physical assault, they will advise you of their limited remit and refer you accordingly to others such as the police.

Employee Assistance Programme (EAP)
The EAP is delivered by Workplace Options, an independent provider of employee support services with specialist staff in fields such as well-being, family matters, relationship issues, debt management, and consumer rights.

The EAP can provide:
- practical information;
- fact sheets and packs;
- resource information on support services in your local area;
- short-term face to face or telephone counselling;
- the EAP website also offers extensive resources including articles, interactive tools and online seminars;

It is a free of charge for you to use the EAP service and it is available 24 hours a day, 7 days a week, 365 days a year. Assistance is accessible by telephone, email and online.

Free phone: 0800 243 458
Email: assistance@workplaceoptions.com
Website: www.workplaceoptions.com
Minicom: +44 (0)20 8987 6574

Human Resources Department
Human Resources are available to provide advice and guidance and may also assist with referrals to other sources of support. Contact details are available on the HR Department's website.

In addition to contacting your HR manager you may also wish to speak with the College’s Equality and Diversity Officer:

Susan Lee
Tel: 01784 414103
Email: susan.lee@rhul.ac.uk

Occupational Health Service (via HR)
Occupational Health services are provided by an external company called Occupational Health Works. Referrals are made following discussion with Human Resources.
Trades Unions
If you are a member of one of the local trade union you may wish to contact them for further support. Contract details are below:

Unite:
http://www.unitetheunion.org/how-we-help/listofregions/southeast/contactus/

UCU:

GMB:
http://www.gmb.org.uk/contact/gmb-regional-offices

Mediation (via HR)
Mediation can be arranged through discussion with Human Resources. Mediation may be used:

• for conflict involving colleagues of a similar job or grade, or between a line manager and their staff;
• at any stage in the conflict as long as any on-going formal procedures are put in abeyance, or where mediation is included as a stage in the procedures themselves;
• to rebuild relationships after a formal dispute has been resolved;
• to address a range of issues, including relationship breakdown, personality clashes, communication problems, bullying and harassment.

Chaplaincy
(The Chaplaincy can provide a means of contact to representatives of all faiths.) Please refer to the link below for further details:
https://www.royalholloway.ac.uk/ecampus/campuslife/faithsupport.aspx

Internal Staff Forums
For additional support you may wish to contact one of the internal staff forums below:

Disability Staff Forum
Black and Minority Ethnic Staff Forum
LGBT Staff Forum
Women’s Forum

External sources

• Equalities and Human Rights Commission www.equalityhumanrights.com
• Health and Safety Executive; www.hse.gov.uk
• Advisory, Conciliation and Arbitration Service (ACAS); www.acas.org.uk
• The Equality and Human Rights Commission; www.equalityhumanrights.com
• Stonewall; www.stonewall.org.uk
• Recourse support; http://www.recourse.org.uk/
FLOWCHART: Overview of the Dignity at Work Procedure

Individual raises an issue with Line Manager

Is the issue formal or informal at this stage?

Formal (Grievance Procedures)

Manager formally investigates

Issue requires further formal action i.e. Disciplinary Procedures

Manager instigates Disciplinary Procedures – please seek advice from HR before proceeding

Disciplinary Procedures completed

Exit Process

NO

Informal

Manager can intervene on behalf of individual if requested

Issue resolved

NO

NO

YES

Issue resolved

YES

Note: Managers should seek advice from HR as required

Note: At any stage an individual can seek advice from HR or a trade union representative

Note: Grievance Procedures. An individual can consider raising a grievance. However, this cannot be instigated if a disciplinary process for the same issue is already being progressed.