

DIGNITY AT WORK POLICY & PROCEDURE

Policy statement

St Catharine's is committed to the belief that everyone in College has the right to live, work and study in an environment free from bullying behaviour and any form of harassment. The College has a zero tolerance to such behaviour and we expect everyone to treat others with dignity and respect. We expect that all individuals should be considerate and mindful of whether their words or conduct could be offensive as even unintentional bullying or harassment is unacceptable.

This policy applies equally to all employees, Fellows, volunteers, casual workers and third-party suppliers (e.g. contractors) and aims to set out how we expect to deal with such issues if they arise.

This policy is not contractual and may be amended as appropriate to reflect changes in legal requirements or good practice.

Policy Outline

This policy aims to:

- Confirm our zero-tolerance stance on bullying and harassment;
- Provide guidance on what might constitute bullying and harassment; and
- Outline the process by which anyone covered by this policy, who feels that they are being subjected to such behaviour, can raise their concerns, without fear of reprisal.

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Definitions

Bullying is defined as behaviour against an individual that is intimidating, degrading, offensive or malicious and undermines the confidence and self-esteem of the recipient.

Harassment is defined as unwanted conduct that either violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. It may be related to any personal characteristic of the individual (whether perceived or real), or by association (i.e. related to the individual's relationship or dealings with others who have that personal characteristic, even if they do not). It may be persistent, or an isolated incident and can take many forms, from relatively mild banter to actual physical violence.

Responsibility

All employees, Fellows, volunteers and casual workers are expected to read and confirm they have understood the contents of this policy and should commit to taking a zero-tolerance on bullying and harassment behavior and treat everyone with dignity and respect.

All employees should note that any act(s) of bullying or harassment committed by them in the course of their employment or involvement with St Catharine’s, will be dealt with under this policy. This not only includes incidents occurring at work, but also at any time on College premises, or externally whilst attending social functions or training courses etc. It may also cover inappropriate actions and behavior through the use of emails, phone calls and texts sent by individuals outside of work, using either college or their own equipment, as well as posts on social networking sites.

Examples of Bullying and Harassment

Below is an outline of the types of behaviour and actions that are unacceptable and are likely to constitute bullying and/or harassment.

What is Harassment?

- **unwanted physical conduct** - such as unnecessary touching, patting, pinching, brushing against another person's body; insulting behaviour or obscene gestures; physical threats, aggressive behaviour and/or assault.

- **unwanted verbal conduct** - such as unwelcome advances; patronising titles or nicknames; offensive or insulting comments; propositions or remarks; innuendo; lewd or suggestive comments; over-familiar behaviour; slogans or songs; insensitive jokes, gossip and slander (including speculation about a person's private life and sexual activities); banter or abusive/offensive language which is either threatening or refers to a person's sex, race (including colour and ethnic or national origins), disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity or gender reassignment.

- **unwanted non-verbal conduct** - such as racially or sexually based graffiti or graffiti referring to an individual's characteristics or private life; abusive or offensive gestures; leering; whistling; creation, distribution or display of suggestive or offensive pictures, objects or written materials

(including "pin-up" calendars) or videos through any means.

What is Bullying?

- **unwanted physical contact or assault** - also verbal bullying such as insulting or threatening comments; comments intended to undermine, belittle, embarrass or humiliate the recipient; personal abuse, either in public or private, which humiliates or demeans the individual involved.
- **virtual bullying** - includes distribution of unwanted emails, texts, images or humiliating data published on social networking internet sites or abusing our technology or using the employee's own technology to contact a colleague in an intimidating or malicious manner.
- **Co-ercion** - including threats of dismissal or loss of promotion etc for refusal of sexual (or other) favours (or promises made in return for sexual or other favours); pressure to participate in political or religious groups etc.
- **isolation or non-co-operation at work** - deliberate exclusion from communications including group emails, conversations or social activities; setting unrealistic deadlines; substituting responsible tasks with menial or trivial ones; withholding information or giving false information; constantly undervaluing effort.

Bullying or harassment can be a single serious incident or persistent and repeated, continuing after the person subjected to it makes it clear that they wish it to stop.

What is not bullying or harassment?

Legitimate, proportionate and constructive feedback of an individual's performance or behaviour or reasonable work instructions will not amount to bullying or harassment in of themselves.

Procedure for dealing with bullying or harassment allegations

We recognise the sensitive nature of complaints relating to bullying and/or harassment and there are options available depending on what level and approach an individual may need to take. The important underlying principle is that we encourage any individuals who feel they are being subject to such treatment, to come forward and raise the issue.

Informal stage

Any individual who, at any time, feels they are a victim of bullying or harassment should make it clear to the perpetrator as soon as possible that the behaviour is unacceptable to them, explain the effect that the behaviour is having on them and that it must stop. If they feel unable to do this verbally then a written request may be effective or, alternatively, one of the people designated below may be requested to approach the person on the individual's behalf, or to help them in taking action.

The latter approach may be more effective if the alleged perpetrator is a contractor, visitor or business contact.

If, for whatever reason, individuals do not feel comfortable addressing the matter directly, they should notify one of the following designated people:

- If employed by college: line manager, or any of the below; or
- If not employed by college: HR Manager, Senior College Officer, or any member of the Welfare team (Welfare Officer, Chaplain or Nurse).

Individual's may wish to keep a written record of the details of any incidents of perceived bullying (including date; time; place; name of person allegedly harassing the individual; what happened including verbatim quotes of relevant comments where possible; how the individual felt at the time; names of any witnesses and any action taken), and retain any texts, emails, voice messages or other evidence that may support their allegations.

If informal steps have not been successful or are not possible or appropriate due to the seriousness of the allegations, the formal stage process should be followed.

Formal procedure

Where informal methods fail, or serious bullying or harassment occurs and/or is continual, a formal written complaint should be made and, if necessary, assistance can be sought from one of the people designated above. The Formal Complaint Form (annex A) should be complete to outline the details.

As a general principle, the decision whether to progress a complaint is up to the individual however, the college has a duty to protect all staff and may pursue the matter independently if, in the circumstances, we consider it appropriate to do so.

Whilst recognising the individuals' feelings and the effect the alleged behaviour may have had on them, it is important to establish the facts. The following information will be required:

- what happened?
- where did it occur?
- who was involved?
- was this the first incident?
- when did it occur?
- were there any witnesses?
- has any action been taken to prevent further repetition of the behaviour?

The Formal Complaint Form should be submitted to either a line manager or, if they are involved in some way, to the HR Manager.

Temporary adjustments

At the outset of an investigation, consideration will be given to whether the alleged perpetrator should be redeployed temporarily, or suspended on full pay or whether reporting lines or other managerial arrangements should be altered, pending the outcome of the investigation.

Investigating the complaint

A Senior College Officer or senior manager will be assigned to hear the matter and will look to appoint an Investigating Officer (IO) to fact find and prepare a report for them to consider.

The IO will normally arrange to meet the individual who has raised the complaint within 7 working days of receiving instruction by the senior manager, unless agreed otherwise. The meeting will provide individuals with an opportunity to expand on the information that has been provided. They will have the right to be accompanied by a colleague or trade union representative of their choice, who must respect the confidentiality of the investigation. There may be further meetings as appropriate throughout the investigation.

The IO will also meet with the alleged perpetrator (who may also be accompanied by a work colleague or trade union representative of their choice) to hear their account of events as they have a right to be told the full details of the allegations against them and respond.

The IO will prepare a report that will be provided to the Senior College Officer or senior manager considering the matter.

Possible outcomes

The Senior College Officer or senior manager will consider the investigation report and conclude whether:

- there is evidence that harassment or bullying has occurred. If that is the case the matter will be dealt with under our disciplinary procedure and a formal hearing will be arranged with the perpetrator.
- there is no evidence that harassment or bullying has occurred but there is a breakdown in the working relationship. In this case informal action may resolve the matter e.g. some form of mediation, counselling, mentoring, training for one or both parties, and/or a professional working agreement for both.
- any short-term or long-term relocation or change in duties or reporting arrangements may be required.
- the allegations are found to be malicious, untrue and submitted in bad faith. In this case, disciplinary action may be taken against the complainant.

Once a conclusion has been reached, the Senior College Officer or senior manager will arrange to meet with the complainant to communicate the findings and confirm their conclusion to the process.

Where the complaint is made against a client/customer, supplier or other business contact, this will be investigated and such steps will be taken as are reasonably practicable to protect the employee or worker.

Follow up

Full consideration will be given to how the ongoing working relationship between the aggrieved parties should be managed. Once the complaint investigation and any subsequent processes have concluded, the Senior College Officer or senior manager will continue to maintain contact with both parties informally and periodically.

Witnesses

Copies of witness statements will be made available to both the complainant and the alleged perpetrator but the names of the witnesses may be withheld if they request to remain anonymous. In some cases, their identity may be obvious however they should remain free from any reprisal from providing an account and being involved in the investigation.

Confidentiality

All employees (and any external parties) involved in the investigation are expected to respect the need for confidentiality. Failure on the part of any involved employee to do so will be considered a disciplinary offence.

Grievance procedure

This bullying and harassment policy is intended to give guidance and support, taking into account the sensitivity and serious nature of such issues. However, individuals who are employed by college in whatever capacity and who are not happy with the outcome of a complaint raised under this policy (or who feels, after time, that the situation has either not improved or has deteriorated again), may use the remaining stages of the grievance procedure instead. Our grievance procedure will not be used as an additional procedure for the same issue.

Related policies and documents

We also have the following related policies and documents:

Disciplinary procedure

Grievance procedure

Whistleblowing policy

Implementation, monitoring and review of this policy

This policy takes effect from 1 April 2021 and will be reviewed every 2 years unless changes in legislation require that to take place sooner.

The HR Manager has overall responsibility for implementing and monitoring this policy in conjunction with the HR Committee and in consultation with the ED&I Working Party.

CONFIDENTIAL

Formal Complaint Form

Name:	
Position:	
Department:	
Details of complaint	
1. Who is your complaint related to and what is your working relationship with the individual (e.g. colleague)?	
2. When did the issue first arise (approx.)?	
3. Is this a one off incident or a series of issues?	
4. Have you attempted to address your complaint informally? If so, please outline what action was taken and what was the outcome.	
5. Please outline the nature of your formal complaint. Where possible, please include as much detail as possible including a timeline of events, supplementary documentation, other parties / witnesses.	
6. Please outline what you are seeking as an outcome/resolution to your complaint.	
Your complaint will be considered and you will be invited to discuss the details further in due course.	
Signature of complainant:	
Date:	