



HARASSMENT & BULLYING AT WORK

POLICY INTO PRACTICE

ELM PARK, STANMORE, MIDDLESEX, HA7 4BQ
TEL: 020 8420 7700 FAX: 020 8420 6502 email: enquiries@stanmore.ac.uk

1. INTRODUCTION

Stanmore College recognises the need for effective policies that play a key part in supporting an appropriate life-work balance. The purpose of this policy is to assist in ensuring a working and learning environment in which harassment and bullying are known to be unacceptable. All employees have a personal and legal responsibility not to behave in a manner that could be offensive to others. The College has a firm commitment to equality of opportunity, where harassment and bullying complaints arise, employees can be confident that their concerns will be dealt with appropriately and fairly.

2. SCOPE

- 2.1 Stanmore College is committed to preventing harassment and bullying and it is the responsibility of all managers to make sure that their staff are aware of, and understand the context of the College's Harassment and Bullying Policy.
- 2.2 This policy outlines the procedures to be followed if a member of staff feels they are being harassed or bullied in the course of their work or as a result of their employment by Stanmore College.
- 2.3 Stanmore College has a legal obligation under the Race Relations Act 1976, the Sex Discrimination Act 1975 and the Disability Discrimination Act 1995 to ensure that harassment on the grounds of someone's race, sex or disability does not take place at work. Every member of staff is also personally liable under the Race Relations Act 1976, the Sex Discrimination Act 1975 and the Protection from Harassment Act 1997.

3. WHAT CONSTITUTES HARASSMENT & BULLYING?

- 3.1 Harassment can be described as undesirable behaviour creating offence, uneasiness or embarrassment and it can often make the recipient feel threatened.
- 3.2 Bullying can be defined as offensive, abusive, intimidating, malicious or insulting behaviour that includes an abuse of power or unfair sanctions, which makes the recipient feel upset, threatened or vulnerable, which undermines his/her self confidence and which may cause him/her to suffer stress.
- 3.3 Harassment and bullying can take a variety of different forms ranging from verbally assaulting a colleague because of their ethnic origin, age, sexual orientation, physical or mental disability or some other personal characteristic, to subjecting a colleague to intimidation, humiliation,

ridicule or offence. Behaviour that may appear trivial as a single incident can constitute harassment or bullying when repeated.

4. HOW ALLEGATIONS OF HARASSMENT WILL BE DEALT WITH.

In the event that an employee considers that they are experiencing harassment they have a number of options open to them. They can take an informal approach and speak directly to the individual involved or write a letter to him/her expressing their concerns and requesting the behaviour to stop immediately. Alternatively (or subsequently if they receive no success) another informal measure is to talk to a colleague to obtain another perspective on the situation and to ensure that someone else knows about it and can take action with them to ensure it stops. A final option is to make a formal complaint.

5. INFORMAL PROCEDURE

5.1 An employee wanting to seek advice or discuss concerns about harassment may approach the Chair of the Equal Opportunities Committee (CEOC), the HR Manager (HRM), their line manager or another manager within the college. It is acknowledged that some members of staff may wish to seek either informal or formal advice from their trade union representative.

5.2 After the facts about the incident(s) and the context of the action or behaviour that has caused concern have been established, the informal options available to the individual to resolve the matter are as follows:

- The employee who has experienced harassment could talk to the individual on his/her own, or with a colleague accompanying him/her. The purpose of this would be to make the alleged harasser aware of his/her behaviour.
- The CEOC, HRM or the manager could facilitate a meeting between both parties to give the complainant the opportunity to talk to the alleged harasser and explain his/her view of the offending behaviour. Normally the CEOC, HRM or the manager advising should not take action following an informal approach concerning harassment, without the agreement of the individual concerned.

5.3 In many cases the action outlined above will be appropriate to resolve the matter. However if an informal approach does not achieve satisfactory results, or the nature of the incident(s) prompts the person who feels harassed to take a more formal approach, a formal complaint can be made in writing to the Department Head. A complaint about a Head of Department should be made to the Vice Principal (Curriculum) or Deputy Principal.

6. FORMAL ACTION

- 6.1 Where informal action proves ineffective, or where an employee feels that an informal approach is not appropriate, formal action may be considered. A formal complaint must be registered in writing as soon as possible after the incident concerned, with the Head of Department (or more senior manager if appropriate). However, it is recognised that complaints of this nature may relate to cumulative actions taking place over a period of time.
- 6.2 A formal complaint of Harassment should include the nature of the complaint, with reference to dates, times and places (where possible) in relation to a specific incident(s) and also the names of any witnesses to the incident(s) should be included.

7. THE INVESTIGATION PROCESS

- 7.1 On receipt of a formal complaint of harassment, it should be forwarded under confidential cover to the Human Resources Manager who will arrange an Investigation Panel to examine the matter as soon as possible. The Panel will consist of a Chair (who will be nominated by the CEOC), two Senior Managers, and the HRM. Formal notes of the meeting will be made.
- 7.2 The Human Resource Department will ensure that the alleged harasser is informed in writing of the complaint made against him/her and will ensure that all those attending the Investigation Panel meeting are given sufficient notice in writing. A trade union representative or a work colleague may accompany an employee required to attend an Investigation Panel meeting.
- 7.3 A complaint of harassment may involve matters that are distressing and of a personal nature. Consequently the complainant may find it difficult to discuss in detail. Therefore the Chair of the panel will conduct its meeting(s) with the utmost sensitivity. A written record of the meeting(s) will be made, which may be presented as evidence to any subsequent disciplinary hearing.
- 7.4 The role of the Panel will be to interview the complainant, the alleged harasser and any other relevant people such as named witnesses and to produce a report of its investigation outlining any proposals for action resulting from the Panel's findings. The report will be submitted under confidential cover to the CEOC who in conjunction with the Human Resources Manager and a Senior Manager will determine what action if any, needs to be taken. The record of the meetings of the Investigation Panel will be stored confidentially in the Human Resource Department and will not be integrated with any individual's personal record file.
- 7.5 Where an allegation is of a serious nature which amounts to gross misconduct under the Disciplinary Procedure relevant to the member of staff concerned, consideration will be given to immediate action under that procedure, which may include the suspension from work of the alleged

harasser in accordance with agreed procedures. The procedures set out in this document do not inhibit any action that may be taken under the College's Disciplinary Procedures.

- 7.6 The HRM will convey the outcome of an Investigation Panel meeting in writing to the complainant, alleged harasser and the relevant Head(s) of department where appropriate and will explain any actions resulting from it. Where appropriate, training and/or counselling will be offered to the offender to assist him/her in understanding how to avoid repeating the offending behaviour. Counselling will also be offered to the complainant.
- 7.7 Following a formal harassment complaint, either party may be concerned about working with the other again. Due regard of such views should be taken into account and in some cases transferring one or both parties to another department would be a suitable option.
- 7.8 If either the complainant or the alleged harasser considers that a formal investigation of a harassment complaint involving them has not been dealt with to their satisfaction, they may raise their concerns via the grievance procedure.