

Heythrop College Staff Policy on Harassment, Bullying and Victimisation at Work

Introduction

- 1) Heythrop College is committed to the equality of opportunity for members of staff, students and visitors, and believes that all individuals should be treated with dignity and respect. The College therefore aims to create an environment in which everyone is treated equitably regardless of race, ethnic origin, nationality, gender, disability, age, religion, sexual orientation, marital or parental status, political belief or social/economic group.
- 2) Harassment, bullying and victimisation can adversely affect working and social conditions for the people involved and is unacceptable. The College will therefore regard any incident of harassment, bullying or victimisation with all seriousness. Such behaviour may lead to disciplinary action; all staff therefore have a responsibility to behave in a manner which will not be perceived as offensive by others.
- 3) This policy should be read in conjunction with the policy, *Guidelines for Students on Harassment and Discrimination*, as staff might be required to advise students on what procedures apply to them. This document is available on the student intranet.

What is harassment?

- 4) For the purposes of this policy, the College defines harassment as behaviour which offends, degrades, humiliates or belittles through actions, words and gestures. This would include victimisation and bullying. Repeatedly ignoring someone at work could be perceived as a form of harassment. Harassment may involve relationships of unequal power and contain elements of coercion, and may also involve relationships among equals.
- 5) The important fact to note in incidents of harassment is that actions or remarks of the harasser are perceived as harassment by the recipient. Therefore, what might be perceived as a joke by one person might be perceived as harassment by someone else.
- 6) Harassment can have a devastating effect upon the health, confidence, morale and performance of those affected by it. The anxiety and stress produced by harassment commonly affects work performance and attendance for staff, while students might under-perform or feel unable to continue with their students.
- 7) Bullying is a form of harassment in which the person being bullied is treated in an overbearing or aggressive way. Staff at Heythrop College have a responsibility to ensure that they carry out their duties without being perceived as overbearing and aggressive.

Forms of Harassment

- 8) A number of types of harassment exist; these include, sexual harassment, racial harassment, harassment because a person has a disability or because of one's sexual orientation, and the abuse of power.

Victimisation

- 9) Victimisation is when a person who has made a complaint of harassment is treated less favourably than would otherwise be the case.
- 10) Any complainant found to be making malicious or vexatious complaints may be subject to disciplinary action.

Assault

- 11) An assault occurs when a person is physically or verbally attacked. An attempt to physically attack a person can also be regarded as an assault.
- 12) Sexual, racial or other forms of assault are not acceptable at Heythrop College. In the event of a complainant being attacked, this matter should be reported to the Police and dealt with through criminal proceedings.

Freedom of Expression

- 13) Whilst it is recognised that the College must provide for freedom of academic expression, it is essential that a working and learning environment is maintained which is not intimidating. Academic discourse requires the communication of the views and/or beliefs of others. Staff and students are therefore expected to express these with some level of sensitivity, and to treat opposing views expressed by others with respect.

Procedures for dealing with harassment

- 14) If you feel that you are being subjected to harassment, do not feel that it is your fault or that you have to tolerate it. The College's primary concern is that you receive appropriate support, assistance and advice.
- 15) The College will therefore deal with any complaint made promptly and in confidence. There are a number of options available to staff ranging from simply asking the person to stop, to taking up a formal complaint.
- 16) You do not have to go through the informal procedure if you feel that this is not appropriate. The informal and formal procedures are detailed in the sections below.

Informal Procedure

- 17) If you feel that you are being subjected to harassment in any form by staff or students, if possible, make it clear to the person causing the offence that such behaviour is unacceptable to you. You may either approach the person directly, or through a trusted friend or colleague. In some instances, this may be sufficient to resolve the issue.
- 18) If the behaviour persists following this approach, or if this approach is not possible, make notes of relevant incidents which cause you distress, including what effect the incident had on your work or social life. If you were unable to approach the person concerned, it does not constitute consent to the harassment nor will it prejudice any formal complaint you may bring, however you should seek guidance from one of the designated contacts (refer to Appendix One).
- 19) Before making a formal complaint you may seek a confidential meeting with one of the designated contacts listed in Appendix One. The purpose for the meeting will be to discuss the nature of the problem and courses of action which are available to you. You may wish to be accompanied to such a meeting by a friend, a work colleague or a trade union representative. At this stage, action will not normally be taken without your express permission; in particular, the person about whom you are complaining will not be given your name as a complainant without your express permission.
- 20) The designated contact will make sure that all discussions about an incident take place in a quiet place and without interruption. Confidentiality is very important with cases of alleged harassment as they will be much more difficult to resolve successfully if information about the problem becomes common knowledge. All matters discussed will therefore be treated with the strictest confidentiality. If there is the need to disclose information to another party, this will not be done without asking for permission to do so.
- 21) All notes taken during any meeting will be treated as confidential and will be used in line with current data protection legislation.

Formal Procedure

- 22) Formal action may be considered where informal action proves ineffective, or if you feel that an informal approach is not appropriate.
- 23) A formal complaint of harassment must be registered in writing, under confidential cover, to either your Head of Department or to the Human Resources Manager.
- 24) If the complaint is about your Head of Department or the Human Resources Manager, your letter should be to his/her line-manager. Complaints about the Principal should be directed to the Chair of the Governing Body.

- 25) The formal complaint would usually be made within 10 working days of the incident concerned. It is however recognised that complaints of this nature can relate to cumulative actions occurring over a period of time.
- 26) A formal complaint of harassment should include the nature of the complaint, with references to dates and times, and places in relation to specific incidents. If there are any witnesses, their names should also be included.
- 27) The Head of Department or the Human Resources Manager should advise the alleged harasser of the nature of the complaint; this would be done by the Chair of the Governing Body, in the case of complaints about the Principal. Complaints about the Head of Department or the Human Resources Manager should be directed to the appropriate line managers – the Director of Academic Development and the Director of Administration, respectively.
- 28) In some cases, depending on the nature of the complaint, it may be necessary to request that the person has no contact with the complainants until the matter is resolved.
- 29) Upon receipt of a complaint, the Head of Department or the Human Resources Manager will arrange a hearing within 10 working days and the facts of the case will be heard by a panel. The panel will consist of the Head of Department, another manager at the College and the Human Resources Manager.
- 30) Where the complaint is about the Head of Department or the Human Resources Manager, the appropriate line manager will arrange the hearing within 10 working days and he/she will, in consultation with the Senior Management Team, appoint members to the hearing panel.
- 31) Where the complaint is about the Principal, the Chair of the Governing Body, will arrange a hearing meeting, and will appoint external governors of the College to act as secretary and as panel members.
- 32) The complainant and the alleged harasser may be accompanied to the hearing by a trade union representative or work colleague.
- 33) Where the allegation is of a serious nature which amounts to gross misconduct, the Head of Department, in consultation with the Human Resources Manager, will consider investigation under the relevant disciplinary procedures, which may include suspension of the alleged harasser from work in accordance with agreed procedures. The procedures set out in this document should not inhibit any action that may be taken under the relevant disciplinary procedures.

Hearing of formal complaint

- 34) A complaint of harassment may involve matters that are distressing or personal and which the complainant might find difficult to discuss in detail.

- 35) The Chair should therefore conduct the hearing with utmost care and sensitivity. A written record will be made of the hearing, which will remain confidential to the panel, but may be presented as evidence at any subsequent disciplinary hearing, provided it is within a year of the initial hearing.
 - 36) At the conclusion of the hearing, the Chair will convey the decision of the panel and any proposals for action, in writing to the complainant and alleged harasser. Where appropriate, counselling and/or training may be arranged for the offender so that he/she is clear about how to avoid repeating the offending behaviour. Counselling may also be offered to the complainant as a means of support him/her in after the event. The cost of this will be met by the College, as far as is reasonably possible.
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Appendix One

Designated Contacts

The designated contacts will offer support and guidance to staff who feel they have suffered harassment or bullying. The College's designated contacts are:

- Director of Administration – Mrs Elizabeth Thussu – 020 7795 4269
- Human Resources Manager – Shadé Olutobi – 020 7795 4205

These members of staff are available to offer support to staff, particularly where staff wish to have an informal and confidential discussion about an incident. It should be noted that staff can approach any one these designated officers, and are not restricted to officers within their own staff group.