Dignity at Work: Anti-Bullying & Harassment Policy

A guide for staff
1. The policy

The Dignity at Work: Anti-Bullying and Harassment 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.

All members of the College have a responsibility to ensure an experience that is free from harassment, bullying, unlawful discrimination and victimisation, and have a personal responsibility for their own behaviour and for reporting any incidents of bullying and harassment of which they are aware.

All forms 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. Staff experiencing bullying and harassment are encouraged to raise concerns and seek advice at the earliest opportunity.

All visitors to the College, including contractors and agency staff, are expected to abide by the policy, and those responsible for their presence on campus are expected to take reasonable steps to ensure they do so.
2. Bullying & harassment

ACAS characterise bullying as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate, or injure the recipient.”

The Equality Act 2010 defines harassment 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.”

The nine protected characteristics, as specified within the Equality Act 2010, are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion and belief
- sex
- sexual orientation.

It is unlawful to discriminate against anyone on the basis of these characteristics. It is important to remember that bullying, harassment and discrimination cannot be reduced to a prescriptive list, but can take many and multiple forms. If any member of the College believes that they, or a colleague, are being treated unfairly in any way, it is always worth reporting this to a relevant manager or representative of HR.

Bullying and harassment are also not limited to the physical, but can take place verbally and online, through emails, social media or work-related posts on any official College platforms.

More about the protected characteristics, and the College’s commitments to equality and diversity, can be found on the intranet, here: royalholloway.ac.uk/humanresources/equalitydiversity
3. College responsibilities

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.

As far as possible, the College will never seek to move a 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.
4. Manager responsibilities

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. Failure to deal with a complaint of bullying or harassment can itself amount to misconduct.
5. How it works

Complaints made by employees under the policy will be handled as grievances. The procedures laid out in the Dignity at Work Policy are designed to be consistent with the College’s Grievance Policy and Procedures, but more practical and user-friendly. The new Policy does not supersede the Grievance Policy.

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 themselves – 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.

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 Officer, their manager or their trader union representative.
6. Informal complaints

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. When the complaint involves the employee’s line manager, or if the employee doesn’t feel comfortable speaking to the person’s line manager, they should contact the Human Resources department for advice.

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.
7. Formal complaints

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 that the complaint is being made against. This should be copied to the Director of Human Resources. The criteria for a formal complaint will be the same as those for an informal complaint, but should always be written, and include a date and signature.

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

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.

As far as is reasonably practicable, confidentiality will be maintained throughout the process. Wherever it is necessary to involve others, the importance of confidentiality within the procedure will be emphasised.
In order to access either formal or informal advice, support, or guidance, you can contact any of the following:

- The Employee Assistance Programme (EAP), via www.workplaceoptions.com
- The Human Resources Department, via your relevant HR Officer
- The Equality & Diversity Officer, via the HR website
- The Occupational Health Service, via your relevant HR Officer
- A Trade Union (Royal Holloway recognises UCU, Unite and GMB)
- Chaplaincy & Faith Support, within the student Support & Advisory Services
- Any of the Staff Networks (Women’s, LGBT, Disability, Cultural Diversity, or Mental Health & Wellbeing), all accessible through the Equality & Diversity Officer.
9. Case studies

Case study 1

Cassie and Sandra work in separate offices. Sandra was always frosty with Cassie whenever she came in to speak to any of Cassie’s other colleagues, or she would walk straight out again if she came into the office to find that Cassie was the only one there.

Their colleague, Michael, pointed all of this out to Cassie. He also said that sometimes Sandra would send emails inviting the team out to lunches or evening events, but would never include Cassie in these.

Cassie decided to talk to Sandra about this, so she pencilled in a time to have an open discussion with Sandra, and was transparent about what this meeting was for. Sandra seemed taken aback when Cassie raised her issues with her. Apologetic, Sandra explained that she had applied for Cassie’s role internally but hadn’t been offered it, and had felt put out by this. She believed this to be the route of the problem.

Once this had been acknowledged, Sandra promised to make more of an effort with Cassie, and to move past this difficulty. It was clear to Cassie, and the rest of the team, that Sandra was making an effort, and so no further action than this was required.

Case study 2

Kalinda had been working for the College for a year and a half, when her new line manager, Terry, was appointed. During their first one-to-one, she explained what she did within her role, the progress that she had made so far, and a bit about her personal life, including her Indian heritage.

Terry seemed quite uncomfortable throughout this meeting, and repeatedly asked Kalinda to repeat what she said, commenting that he couldn’t understand her with her accent (Kalinda has only a very slight accent, and this had never been commented on in the past). Kalinda received similar treatment from Terry at other times when they were working together.

A few weeks passed, and Terry called another one-to-one with Kalinda to discuss her workload. He told her that her work had not been satisfactory, that she needed to broaden her remit for the team to be successful, and that she was too chatty and sociable when in the office. Kalinda felt hurt by this, and nervous at the idea of an increased workload, when she already felt quite thinly stretched. Terry rounded off the meeting with a comment about her enunciating when she speaks, as she makes it difficult for the team to understand her, and joked about whether or not the College provides English lessons for foreign staff.

Kalinda emailed her HR Officer to request a private meeting, and outlined some of the problems she had been having to them. She met with the HR Officer later that week, and they advised her to make a formal complaint under the College’s Grievance Policy, which she did with their support.
An investigation was initiated, and it was found that Terry had also had difficult relationships with another manager, who was also BME, and that he had made similar comments to this person also. On a previous occasion, Terry had received a written warning for his behaviour, and so it was felt that further disciplinary action was needed at this point. Terry was dismissed from his role on the grounds of harassment and direct discrimination.

Case study 3

Whenever Jay was in a meeting with Donna, he would find her to be rude and dismissive. She would often make inadvertently homophobic comments, and Jay was aware that she had previously portrayed some of his ideas as her own.

Feeling uncomfortable about addressing Donna himself, Jay spoke to his line manager about this, and they explained the various different routes that Jay could pursue. His line manager helped him to set up a mediated conversation with Donna, and their HR Officer. Throughout the conversation, Donna was dismissive of Jay and his feelings, and forcefully rejected the idea that any of her behaviour could have been homophobic. Following the unsuccessful meeting, Jay raised an informal complaint against Donna, with her line manager.

Later, Jay did not see any change in Donna’s behaviour towards him, and in fact, she was more outwardly aggressive towards him whenever they met. Feeling that his informal complaint had not had any effect, he decided to raise a formal complaint, as the situation was starting to negatively impact on Jay’s motivation at work.

He got back in contact with Donna’s line manager, and submitted a formal complaint against her in writing. Donna’s line manager was required to initiate a formal investigation, the results of which required them to discipline Donna, in line with the College’s Grievance Policy and Procedure, and to redistribute some work within his team, so that Donna and Jay would not need to work together in the future.