Policy	Bullying and Harassment Policy – Staff – HR56
Document owner	Director of People & Resources
Review delegated to	HR Manager
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Associated documents	Discipline Policy Grievance Policy Safe Use of social media Policy
Reference documents	
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Published on website	Yes

Purpose	This policy details the College's position that bullying and/or harassment of its staff is not acceptable.
Scope	This applies to all colleagues, including agency staff, volunteers, contractors, work placements and Governors. In addition to normal working hours, this policy applies to all college related functions held outside of normal working hours, either on or off the College's premises, such as Christmas parties, leaving celebrations, working lunches, etc.
Equality & Diversity	"[Derwen] College is committed to promoting equality, good relations and to challenging discrimination. This is reflected in all College policies, procedures, processes, and practices." Derwen College Equal Opportunities Policy Derwen College's ethos is to embrace diversity, to offer equality of opportunity, and to treat every individual fairly and with respect. Equality, diversity, and inclusivity are embedded throughout the organisation. This policy should be applied in accordance with this ethos. If you would like a copy of this document in a different format, such as large print, please contact the Human Resources Department who will provide help with alternative formats.

Derwen College aims to provide a working environment that respects the rights of each individual and where colleagues treat each other with respect. Any behaviour that undermines this aim is unacceptable. The College therefore will not tolerate any form of harassment and bullying.

This policy has been designed to inform colleagues about the type of behaviour that is unacceptable and provides those who are the victims of harassment and bullying with a means of redress.

Bullying

Bullying can be defined as "behaviour from a person or group that's unwanted and makes someone feel uncomfortable."

Examples of bullying may include (but are not restricted to):

- spreading malicious/unsubstantiated rumours
- talking about colleagues behind their backs
- shouting or swearing at someone
- ignoring or deliberately excluding a person
- persecution through threats and instilling fear
- constantly undervaluing effort
- deliberately withholding information or supplying incorrect information.
- constantly changing targets without good reason
- setting an individual up to fail by imposing impossible deadlines.
- blocking applications for holiday, promotion, or training

It is the perception of the recipient that determines whether any behaviour can reasonably be viewed as bullying.

Anyone found to be bullying a colleague or third party will be subject to the disciplinary procedure.

Cyberbullying

Cyberbullying is the use of information and communication technologies to support deliberate and hostile behaviour that is intended to harm others.

Typically cyberbullying involves the use of the internet, social media, email, or mobile phones to send or post text or images intended to hurt or embarrass another person.

Anyone found to be using technology to bully or harass a colleague or third party will be subject to the disciplinary procedure.

Harassment

Harassment is unwanted conduct that intentionally or unintentionally violates a person's dignity, or creates an intimidating, hostile or offensive working environment for them.

Every person has the right to decide what behaviour is either acceptable or unacceptable - it is irrelevant whether the person who perpetrated the behaviour intended to cause offence.

People can be subjected to harassment on a wide variety of grounds. These can include (but are not restricted to):

- reason related to a protected characteristic.
- employment status
- membership or non-membership of a trade union
- the carrying out of health and safety duties
- criminal record
- health
- physical characteristics

Harassment is normally characterised by more than one incident of unacceptable behaviour, particularly if it recurs once it has been made clear that it is regarded as offensive. A single incident may constitute harassment if it is sufficiently serious.

Harassment takes many forms — from mild banter to physical violence.

Examples of harassment include (but are not restricted to):

- verbal harassment — examples include crude language, offensive jokes, suggestive or offensive remarks.
- non-verbal harassment — examples include wolf-whistles, obscene gestures, sexually suggestive posters.
- physical harassment — examples include unnecessary and unwanted touching, patting, or brushing against another's body.
- pressure for sexual favours (e.g., to get a job or promotion) or victimisation on account of the rejection of such pressure.
- isolation or non-co-operation and exclusion from social activities for a reason related to a protected characteristic.

Anyone found to be harassing a colleague or third party will be subject to the disciplinary procedure.

Dealing with Bullying and Harassment

Advice

Derwen College recognises the sensitive nature of bullying and harassment. Those who believe they are being bullied or harassed may wish to discuss their situation before deciding what action to take. The College operates an open-door policy to discuss problems and colleagues can fully discuss the matter with their manager on an informal basis. However, the College recognises that this may not be appropriate in all circumstances. If this is the case, colleagues can discuss the situation with the next higher level of management or with a member of the Human Resources department.

Anyone giving advice will:

- ensure the conversation remains confidential as far as possible.
- listen sympathetically.
- help staff to consider objectively what has happened.

- discuss what outcome the individual would wish to see.
- draw attention to available procedures and options.
- help weigh up the alternatives, but without pressure to adopt any course.

Confidentiality will be maintained as far as possible. However, if colleagues decide not to take any action to deal with the problem and the circumstances described are profoundly serious, the College reserves the right to investigate the situation.

Solutions

Just as it is for colleagues to decide what behaviour is either acceptable or unacceptable, then it is also for the colleagues to decide which route to take in addressing any problem that has occurred. There are two types of solutions available: informal and formal.

Informal solutions – Colleagues can choose to resolve the matter themselves by simply approaching the harasser/bully (either verbally or in writing) and telling them that their behaviour is unwelcome and that it must stop, otherwise a formal complaint will be made.

Formal solutions - Where informal solutions fail, or serious harassment or bullying occurs, colleagues can bring a formal complaint in the form of a grievance, with the procedure adapted to take account of the sensitivities of such situations.

Complaints will be investigated swiftly and confidentially whilst ensuring that the rights of both partied are protected. Everyone involved in the investigation, including witnesses, will be required to maintain confidentiality — a failure to do so will be a disciplinary matter.

If at the end of the grievance procedure, the complaint is upheld, the matter will be passed to the HR department to instigate disciplinary proceedings against the person who perpetrated the bullying or harassment.

Whether a complaint is upheld or not, the College recognises that it may be difficult for the colleagues concerned to continue to work near one another during the investigation or following the outcome of the proceedings. If this is the case, the College will consider a voluntary request from either party to transfer to another department. However, a transfer cannot always be guaranteed.

Malicious Complaints

Where a complaint is blatantly untrue and has been brought out of spite, or for some other unacceptable motive, the complainant will be subject to the disciplinary procedure, as will any witnesses who have deliberately misled the College during its investigations.

Harassment by a Third Party

A member of staff who is bullied or harassed by a third party is not expected to enter any confrontation with the third party that may put their personal safety at risk.

Colleagues are advised to contact their manager so the complaint can be investigated

immediately, in some cases the bully or harasser may be asked to leave our premises and not return.

Bullying and Harassment towards a Third Party

Any visitor, contractor, customer, parent, governor etc. who feels that they have been subject to bullying or harassment by a member of staff or by a third party whilst on site should not enter any confrontation that may put their personal safety at risk.

These individuals are advised to report any incidents to either the person they are visiting at Derwen College, or alternatively to the main Reception. This will ensure that the complaint can be logged, and an investigation can commence.