



## **HARASSMENT, BULLYING AND VICTIMISATION POLICY AND PROCEDURE**

**Director of Human Resources**

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# **HARASSMENT, BULLYING AND VICTIMISATION POLICY AND PROCEDURE**

## **1. Introduction**

The University is committed to creating a work environment free from harassment, bullying and victimisation, where staff, students and visitors are all treated with dignity and respect.

All employees of the University are responsible for helping to ensure that individuals do not suffer any form of harassment, bullying, or victimisation and that they are encouraged and supported in any legitimate complaint. The Policy applies to all staff employed by the University.

The University expects professionalism from all staff members and will not tolerate harassment and bullying of any kind to other staff, students or visitors. All allegations of harassment, bullying and victimisation will be investigated and, if appropriate, disciplinary action will be taken. The University will not tolerate victimisation of a person for making allegations of harassment or bullying in good faith or supporting someone to make such a complaint. Victimisation is a disciplinary offence.

Examples and definitions of what may be considered harassment and bullying are provided below for guidance. For practical purposes those making a complaint usually define what they mean by harassment or bullying as something that has happened to them that is unwelcome, unwarranted and causes a detrimental effect. If employees complain they are being harassed or bullied then they have a grievance which must be dealt with regardless of whether or not their complaint accords with a standard definition.

The University reserves the right not to pursue claims that are frivolous or vexatious, or repeat complaints which have already been dealt with under the formal procedures.

## **2 Definition**

Examples and definitions of what may be considered harassment and bullying are provided below for guidance.

### **2.1 General Harassment**

Harassment is defined in the Equality Act 2010 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 that individual.

Harassment is against the law, and is when unwanted behaviour is related to the following protected characteristics:

- age
- sex
- disability
- gender (including gender reassignment)
- race
- religion or belief
- sexual orientation

Harassment may involve behaviour, comment or physical contact which is found objectionable or which causes offence, and can occur face to face, by letter, email, social media, text or phone. It can result in the recipient feeling threatened, humiliated or patronised and it can create an intimidating work environment face to face, by letter, email, social media, text, or phone.

## 2.2 Sexual Harassment

Sexual harassment can be defined as an uninvited, unreciprocated and unwelcome behaviour of a sexual nature which is offensive to the person involved and causes that person to feel threatened, humiliated or embarrassed. Examples of sexual harassment are:

- Requests for sexual favours, including implied or overt promises of preferential treatment or threats concerning present or future employment status;
- Offensive gestures or comments;
- Sexually-orientated jibes, innuendo or jokes;
- Unwanted physical contact;
- The display of sexually offensive visual material such as calendars, photographs, books or videos.

Sexual harassment may be experienced by men or women as a result of the conduct of men or women.

## 2.3 Bullying

Bullying can be characterised as offensive, intimidating or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. The following are examples of bullying:

- Unjustified criticism of an individual's personal or professional performance, shouting at an individual, criticising an individual in front of others.
- Spreading malicious rumours or making malicious allegations.
- Intimidation or ridicule of individuals with a protected characteristic.
- Ignoring or excluding an individual from the team/group.

## 2.4 Electronic and Cyber Bullying

Electronic bullying is where an individual is bullied via electronic media. Cyber-bullying is defined as any use of information and communications technology to support deliberate and hostile attempts to hurt, upset or embarrass another person. This coincides with the Acceptable use of IT Policy found on the intranet.

Examples include inappropriate photographs, offensive or threatening comments or sensitive personal information which might be posted vindictively

Before sending any electronic communication, staff are required to consider the appropriateness of the content and language used.

## 2.5 Hate Crime

Hate Crime is a criminal offence motivated by hostility or prejudice based upon the victim's:

- disability
- race
- religion or belief
- sexual orientation
- transgender identity

Examples include verbal abuse, bullying, intimidation, harassment, abusive phone calls, online abuse, graffiti, and threats or acts of violence.

## 2.6 Victimisation

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or giving evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving the person a heavier or more difficult workload.

## 3 Responsibilities

Every employee has a personal responsibility not to harass, bully or victimise other members of staff. An employee who becomes aware of harassment, bullying or victimisation occurring should bring the matter to the attention of their line manager.

Managers have an obligation to prevent harassment, bullying or victimisation and to take immediate action once it has been identified, whether or not a complaint has been made. Allegations of harassment, bullying and victimisation received either informally or formally, must be dealt with promptly and sensitively.

It may not always be appropriate for a line manager to be involved with specific complaints. For example, if the complainant is male and wishes to speak to a male, but the manager is female, or, if the complaint relates to the conduct of the line manager.

## 4 Procedure for Dealing with Harassment, Bullying and Victimisation

An employee who feels they are being subjected to harassment, bullying or victimisation may attempt to resolve the matter informally in the first instance. In some cases it may be possible and sufficient for the individual to explain clearly to the person(s) (harasser) engaged in the unwanted activities that the behaviour is unwelcome, that it offends or makes the employee uncomfortable.

- If at the initial informal discussion stage the circumstances are too difficult or embarrassing to approach the harasser alone, the complainant may wish to be accompanied by a work colleague;
- The complainant may wish to write a letter to the harasser;
- The complainant should keep a record of any incidents, detailing when, where, what occurred, and witnesses (if any);
- In some cases victims of harassment, bullying or victimisation may not be sufficiently confident to tell the harasser that their behaviour is unacceptable.

The University emphasises therefore that staff are not required to approach the harasser in an attempt to resolve the problem informally, and are entitled to report the matter immediately if they so wish.

If an informal approach is unsuccessful or inappropriate, the complainant may raise the matter informally with their line manager or the Human Resources Manager. Complaints should be dealt with sensitively and confidentially. The alleged harasser will also have the right to state their version of events. It may also be helpful to use an independent third person or mediator to help resolve complaints of harassment, bullying or victimisation.

If the situation cannot be resolved informally then the complainant has the right to pursue their complaint formally through the University's Grievance Procedure.

Where there is evidence that harassment has occurred, prompt and corrective action will be taken, including disciplinary action where appropriate as set out in the University's Disciplinary Guidelines and Procedure.

## **5 Domestic Violence and Abuse**

Although domestic violence does not occur in the workplace, it is likely to affect your wellbeing while at work. If you, or someone you know is experiencing or has experienced Domestic Abuse or Sexual Violence, you should know *you are not alone and there is support available*.

Domestic abuse or violence involves the misuse of power and is based on a range of control mechanisms which include: physical, sexual, psychological, social or economic abuse or neglect of an individual by a partner, ex-partner, carer or one or more family members, in an existing or previous domestic relationship.

This is regardless of age, gender, sexual orientation, religious, cultural or political beliefs, ethnicity, disability, HIV status, class or location. Domestic abuse can also include forced marriage and so-called 'honour crimes'.

Domestic abuse can include, but is not limited to, the following:

- Coercive control (a pattern of intimidation, degradation, isolation and control with the use or threat of physical or sexual violence)
- Psychological and/or emotional abuse
- Physical abuse
- Sexual abuse
- Financial abuse
- Forced marriage
- Female Genital Mutilation (FGM)
- Honour-based violence
- Harassment
- Stalking
- Online or digital abuse

For anyone who feels they are at risk of abuse, it is important to remember that there is help and support available to you, including police response, online support, helplines and other services. You are not alone.

The gov.uk website: <https://www.gov.uk/guidance/domestic-abuse-how-to-get-help> provides a range of guidance and resources, including a section on where to get help.

Domestic abuse or violence is a crime and should be reported to the police. The police take domestic violence seriously and will be able to help and protect you. Always call 999 if it's an emergency or you're in immediate danger. You can also report domestic abuse via the gov.uk website: <https://www.gov.uk/report-domestic-abuse>

There are also other organisations who can offer you help and support.

- The National Domestic Abuse Helpline is free and confidential and is available 24-hours a day: 0808 2000 247. Their website is: <https://www.nationaldahelpline.org.uk/>
- Galop (for lesbian, gay, bisexual and transgender people)  
0800 999 5428  
Website: [www.galop.org.uk](http://www.galop.org.uk)
- UAVA (United Against Violence and Abuse)  
Website: <https://www.uava.org.uk/>
- Mankind (for male victims of abuse)  
Website: <https://www.mankind.org.uk>
- Leeway – women's refuge in Norfolk  
Website: <https://www.leewaysupport.org>