

Preventing harassment and bullying at work policy

1. Policy Statement

IDS has high expectations of professionalism from staff, both in our own workplace and in the settings we work in around the world, often with vulnerable people. As an organisation, we need to have zero tolerance for behaviour by staff that: increases the vulnerability or suffering of those we work with; is experienced or construed as bullying or harassment; is illegal or culturally unacceptable in a given context; or is likely to bring the Institute into disrepute. We need to judge these sometimes difficult issues as befits the situation, while behaving always in a way that is in keeping with our values – of respectfulness and inclusivity, as well as excellence and resourcefulness. These are values and modes of behaviour that are an embedded, implicit part of the culture, ethics and professionalism of IDS.

IDS recognises and values diversity and inclusion and will make every effort to provide a supportive working environment free from harassment and bullying and one which enables people to contribute effectively to the success of the Institute and their own futures. All staff, partners, colleagues, students, trustees, volunteers and any other person associated with the IDS community has the right to be treated with dignity and respect.

IDS will treat any incident of bullying or harassment as a serious matter which may lead to disciplinary action, up to and including dismissal, being taken against the perpetrator.

Harassment of or by IDS staff or students outside our premises or outside working hours may fall within the remit of this policy and its procedures. In cases of an allegation against a student the complaint should be forwarded to the University of Sussex and the University's harassment policy will apply.

All members of IDS staff are responsible for ensuring that personal harassment or bullying of another member of staff or a student does not occur and to report any incidences they witness.

Allegations of harassment or bullying will be dealt with using the utmost discretion. Staff will be protected against victimisation for making or being involved in a complaint. It is also the Institute's responsibility to ensure that these procedures are not abused, so that safeguards are in place to ensure that the alleged harasser has a right of reply.

In addition to any penalty imposed by the Institute, those responsible for harassing others may be subject to criminal and/or civil proceedings. Nothing in this policy and its procedures will prevent members of staff from exercising their legal rights.

2. Why we need a policy

Harassment or bullying is harmful to individuals and to the Institute. It can subject individuals to fear, stress and anxiety. Great strains can be put upon work, personal and family life.

Individuals who are harassed or bullied often feel vulnerable and can be reluctant to complain. They may fear reprisals and suffer in silence. They may not want attention focused on them or their situation, they just want the behaviour to stop. They may be too embarrassed or unsure as to how to make a complaint or concerned that it will be trivialised.

Our policy is one step towards ensuring the dignity and fair treatment of all at IDS. It intends to prevent offensive and unfair behaviour, whether or not such behaviour is unlawful.

Bullying and harassment are not only unacceptable on moral grounds but may, if unchecked or badly handled, create serious problems including poor morale and poor employee relations, loss of respect for managers and supervisors, poor performance, lost productivity, absence, resignations, damage to company reputation or tribunal and other court cases and payment of unlimited compensation.

3. Definitions of harassment and bullying

Harassment may take many forms but essentially consists of behaviour which is unwanted and unacceptable to the individual, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive workplace environment for that individual.

Harassment may involve single, sporadic or continuing acts of intimidation, coercion, bullying, verbal or physical abuse, or the creation and/or maintenance of an offensive working environment for others. Harassment relating to another's sex, sexual orientation, religion, race or disability is all included within this definition.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

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

4. Examples of inappropriate behaviour

Bullying and harassment is not necessarily face to face, it may occur through written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), email, phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all workers.

Bullying and harassment can often be hard to recognise – symptoms may not be obvious to others, and may be insidious. Those on the receiving end may think 'perhaps this is normal behaviour in this organisation'. They may be anxious that others will consider them weak, or not up to the job, if they find the actions of others intimidating.

They may be accused of 'overreacting', and worry that they won't be believed if they do report incidents. People being bullied or harassed may sometimes appear to overreact to something that seems relatively trivial but which may be the 'last straw' following a series of incidents. There is often fear of retribution if they do make a complaint. Colleagues may be reluctant to come forward as witnesses, as they too may fear the consequences for themselves. They may be so relieved not to be the subject of the bully themselves that they collude with the bully as a way of avoiding attention.

Examples of what might constitute unacceptable behaviour include:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone – picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

Sexual harassment

Sexual harassment is a form of sex discrimination and involves unwanted and unwelcome attention of a sexual nature. This may be physical or verbal or involve the denigration of an individual on sexual grounds or by sexual means. Some examples of sexual harassment are:

- indecent assault
- deliberate physical contact to which the individual has not consented or had the opportunity to object to
- offensive or derogatory language alluding to a person's private life or sexual behaviour or orientation by innuendo, jokes or remarks
- provocative suggestions
- pressing an individual to accept unwelcome invitations
- the display of suggestive or pornographic material
- unwelcome repeated telephone calls, letters or emails
- any other inappropriate sexual behaviour.

These examples should not be seen as exhaustive; any unwelcome behaviour of a sexual nature which creates an intimidating, hostile or offensive environment for the recipient may be regarded as sexual harassment.

Racial harassment

Racial harassment is any behaviour, deliberate or otherwise, relating to race, colour, ethnic or national origin directed at an individual or group, which is found to be offensive or objectionable to the recipient and which creates an intimidating, hostile or offensive environment. Some examples include:

- physical attack
- verbal abuse, threats, derogatory name-calling, racist insults and jokes
- ridicule of an individual on racial or cultural grounds

- exclusion from normal workplace interactions or social events
- unfair allocation of work and/or responsibilities
- racist graffiti/insignia or display of racist material
- inciting others to commit any of the above.

Bullying

Bullying in the workplace damages individuals' health and lives and also undermines productivity and effective work relationships. Bullying can occur when a superior uses the opportunity of position to intimidate a subordinate, in peer relationships or, in rare cases, may affect someone in a superior position. Bullying can be broadly defined as behaviour which consistently undermines another's confidence, reducing feelings of self-esteem and self-worth. Such behaviour may be deliberate, as in a planned campaign, or may arise out of the bully's own immaturity, lack of inter-personal skills and poor self-confidence. It is generally psychological, rarely though sometimes physical, and may also be exacerbated by the bully's own susceptibility and reaction to stress. Workplace bullying consists of the abuse of power and the regular use of inappropriate behaviours at the expense of another individual. Some examples of these behaviours include:

- physical or verbal abuse, including threats
- psychological intimidation, humiliation, excessive and/or unreasonable criticism
- unjustifiable removal of areas of responsibility
- ostracism ('sent to Coventry')/exclusion
- malicious lies
- setting unreasonable and unrealistic goals/targets
- 'academic bullying': i.e. asserting a position of intellectual superiority in an aggressive, abusive or offensive manner; threats of academic failure; public sarcasm and humiliation.

Behaviour that is considered bullying by one person may be considered firm management by another. Legitimate, constructive and fair criticism of a staff member's performance or behaviour at work will not be considered to be bullying or harassment. The Institute will not condone bullying under the guise of 'strong management' but, conversely, regards an assertive management style as acceptable provided that staff are treated with respect and dignity.

Other forms of harassment

The following are further examples of specific types of harassment but, once again, should not be considered an exhaustive list:

- homophobic harassment, i.e. harassment directed at homosexual persons or groups on the grounds of their sexual orientation (applying equally to homosexual men or women)
- harassment in respect of a recipient's disability or impairment
- repeated gibes in respect of personal traits or appearance, practical jokes or invasions of privacy, any or all of which may cause physical or psychological distress.

If you are suffering harassment, do not feel that such behaviour is normal and has to be tolerated. It is not acceptable, and this policy has been produced to assist you to deal with it.

4. Roles and responsibilities in dealing with harassment

Staff can assist by:

- being aware of the problems which harassment can cause, and by ensuring that their conduct does not contribute to incidents of harassment
- in the first instance, wherever possible, bringing to the attention of the colleague(s) that certain conduct or behaviour is causing concern or offence to either themselves or a colleague
- providing support to the colleague who is being harassed
- making themselves aware of the formal procedures for dealing with sexual, racial and other forms of harassment.

Management can assist by:

- ensuring that complaints are treated sensitively, seriously and promptly, and where appropriate as disciplinary matters
- providing an environment where it is clear to all that behaviour which may cause offence is not acceptable
- ensuring that all staff and are aware of the formal procedures for dealing with harassment
- participating in relevant training.

If your Cluster Leader or line manager becomes aware of an incident of harassment without your having made a complaint, he or she will discuss the matter with you and will normally respect your wishes as to whether the matter should be dealt with by informal means, but may nevertheless decide (in exceptional circumstances) to apply the disciplinary procedure.

In cases of assault, you should consider making a complaint to the police before initiating action under the procedures described here. Your line manager or the Head of Human Resources will help you in approaching the police if you wish. Where a complaint has been made, it will not be feasible to attempt to solve the matter internally by the informal procedures described below, but formal disciplinary action may still be instigated.

5. Procedure for dealing with complaints of bullying or harassment

Guidelines for staff

1. If you experience bullying or harassment at work you will be given the full support of the Institute in putting a stop to that behaviour.
2. You have a number of options to enable you to deal with bullying or harassment, ranging from simply indicating that the behaviour is unacceptable to you to making a formal complaint through the Grievance Procedure.
3. If you believe you are being bullied or harassed, keep a written log of all relevant incidents and of the behaviour which troubles you. Make a note of the place, the dates and times, the names of any witnesses and what was said and done. This information will be useful if you decide to make a complaint.
4. Act quickly. Don't delay until your working conditions become intolerable or your personal wellbeing is seriously affected. In some cases, it may be that the person against whom you have a complaint is unaware that their behaviour is negatively affecting you.

5. If you feel you can, speak up at the time and tell the person to stop. Be direct. Wherever possible, say explicitly that you feel you are being bullied or harassed and that their behaviour is objectionable to you. Even if the other person intended to act in an unacceptable way, a swift and clear statement of your objections may be enough to put a stop to the problem. If you don't feel you can do this alone, ask a colleague, friend or trade union representative to go with you.
6. Alternatively, you could write a letter to the harasser, clearly identifying the behaviour you found to be offensive and, if the behaviour is continuing, requesting that it should stop immediately. If you do write, keep a dated copy of the letter for possible future reference. This will be useful in the event of a formal complaint.
7. If you don't want to confront the person face to face but still want the matter to be dealt with informally, you have the following options:
 - ask a trade union representative or colleague to go with you to speak to the person on your behalf or to go in your place
 - take the issue up informally with your immediate manager or with a more senior member of staff if you wish. This last may clearly be more appropriate if you feel your manager is the source of the harassment
 - consult a member of the Human Resources team.
8. If the behaviour continues and if you haven't done so, contact a member of the Human Resources team who will deal with you in confidence and give you information about how you could proceed. Your Human Resources adviser will explain how you can make a formal complaint if you decide you want to.
9. If informal methods haven't succeeded in stopping the behaviour, you may decide to make a formal complaint by raising a grievance. This should follow the Grievance Procedure and should include full details of your complaint, including descriptions of the incident(s), dates, times and the names of any witnesses.
10. You are under no obligation to pursue the matter informally first and you may raise a grievance at any stage.
11. At any point in the grievance process you can seek support from Human Resources or a trade union representative. A trade union representative or a colleague may accompany you to relevant meetings, if appropriate.
12. All reasonable steps will be taken to ensure that all enquiries and complaints are dealt with in confidence. Accusations of harassment are potentially defamatory and could provide grounds for possible legal action; it is therefore essential that complainants as well as recipients of complaints observe strict confidentiality.

Additional notes for staff

1. If you are physically attacked you should seek help immediately. If you have been sexually assaulted or raped it is particularly important that you should seek advice and medical assistance immediately. Any one of the suggested contacts named in these guidelines will willingly offer you support and will help you decide what you want to do. If you do consult any of these contacts, no-one else will be involved without your permission; you will be advised what options you have and the choice will remain your own. In cases of this nature you will almost certainly be the victim of a crime and you are encouraged to consider reporting the incident to the police as

soon as possible. For your own protection and that of others it is important that an offender is caught.

2. If you are concerned that your behaviour, manner or attitudes might be regarded as harassing to others, you should consult the Human Resources team.
3. If you are suffering harassment by a residential or non-residential visitor to the Institute you may seek a confidential meeting with your Line Manager or Head of HR who will decide with you what action should be taken.
4. Staff suffering harassment while working overseas should, if at all possible, follow the guidelines. You may seek advice from the line manager/Cluster Leader/section Head with whom you are working or those people listed. The Head of Human Resources, having advised the line manager/Cluster Leader/section Head, may contact the most appropriate member of the organisation with whom the harasser is associated, and/or the funding organisation of the project, and provide a copy of the Institute's procedures to be followed in cases of harassment, if the organisation does not have its own procedure.
5. In cases where IDS staff are accused of harassment, inappropriate sexual behaviour or bullying by individuals from outside IDS such as employees of partners, volunteers or community members, these cases should be immediately referred to the Head of Human Resources and the appropriate line manager/Cluster Leader/section Head. Further investigation and action needs to be compliant with this procedure and, if required, the IDS Disciplinary procedures.

Guidelines for line managers and Cluster Leaders

A manager, supervisor, cluster leader or other senior member of staff who is approached informally by a complainant should:

1. respond sensitively and reasonably to the complainant.
2. respect and accept a complainant's decision to have the matter dealt with on a wholly confidential basis (though it should be explained that an anonymous complaint can only be pursued in more general terms and may be less likely to effect the desired change in behaviour).
3. arrange, if appropriate and agreed by the complainant, a meeting between the parties involved. At this meeting the person against whom the complaint has been made will be given details of the nature of the complaint and the opportunity to respond. If all parties accept that a problem exists, steps to remedy the situation and prevent it from recurring will be agreed and notified to both parties.
4. advise the complainant (if appropriate) that the complaint is so serious that the matter should be dealt with formally, by way of the Grievance Procedure. If the complainant is not able or willing to accept this advice, the matter will continue to be dealt with informally as far as is reasonably practical.
5. provide advice and information on how to make a formal complaint if necessary
6. ensure that a person who brings a reasonable complaint suffers no detriment by doing so.
7. maintain appropriate written records.

Line managers/Cluster Leaders/section Heads who become aware of incidents of harassment will normally respect the wishes of the person suffering harassment as to whether the matter should be dealt with by informal means, but may nevertheless decide (in exceptional circumstances) to apply the appropriate disciplinary procedure.

Grievances and discipline

- A formal complaint should follow the normal grievance and/or disciplinary procedures, and should be concluded as promptly as possible.
- Serious cases of harassment will be treated as gross misconduct and may lead to dismissal if proved.

- In proven cases, which are not considered gross misconduct, it may not be considered appropriate for the harasser and complainant to continue working in the same area. Wherever possible, the Institute will redeploy the harasser rather than the complainant.
- Unless a complaint of harassment can be shown to be based on knowingly false information or was made with malicious intent, the complainant will suffer no loss or detriment as a result.

Notes

- Being under the influence of alcohol or otherwise intoxicated will not be admitted as a mitigating factor or an excuse for harassment and may be regarded as an aggravating feature.
- Abuse of a position of authority will be considered to be an aggravating feature of harassment.
- The Institute recognises the possibility that complaints may be brought with mischievous or malicious intent and this may provide grounds for disciplinary action against individuals so doing.
- All those involved in a complaints procedure, including the complainant(s), should observe the strictest confidentiality, bearing in mind that accusations of harassment may constitute grounds for legal action.
- In cases of assault, the complainant may consider making a complaint to the police before initiating action under the procedures described here. Where a complaint has been made, it will not be feasible to attempt to solve the matter internally by informal means, but formal disciplinary action may still be instigated.
- Because of the sensitive nature of harassment complaints, care must be taken to ensure that the conduct of the investigation does not cause unnecessary stress to any of those involved, i.e. complainant, the alleged harasser, witnesses etc., and strict confidentiality must be maintained.

List of contacts

1. Contacts within the Institute

Head of HR: 01273 9155632 or 01273 915629

Occupational Health Adviser: 01273 877255

Trade Union Representatives:

UCU: Jeremy Lind, Mariz Tadros, Sarah King
UNISON: no current rep

Employee Assistance programme: 0800 083 7545

2. University Security Office

Security Reception: York House, 01273 678234

3. Some external contacts and resources

The Samaritans:

Central Linkline 0845 7909090
Brighton Branch: 01273 772277
Eastbourne Branch: 01323 735555
Worthing Branch: 01903 205555
Horsham and Crawley: 01403 276276 / 01293 515151

Sussex Police: 0845 - 6070999

workplacebullying.co.uk: <http://www.workplacebullying.co.uk/>

Brighton and Hove Anti-victimisation Unit:

<http://www.brighton-hove.gov.uk/content/council-and-democracy/equality/racist-and-religiously-motivated-incidents>

For advice and support on racist and homophobic crime contact the Racial Harassment Caseworker:

Partnership Community Safety Team,
162 North Street,
Brighton
BN1 1EA
01273 292735.
Email: racial.harassment@brighton-hove.gov.uk

The PCST is a partnership of Brighton & Hove Council with the Sussex Police, the Racial Harassment Forum and the LGBT communities. This unit deals with racist, homophobic, transphobic and religiously motivated crimes.

Citizens Advice Bureau:

http://www.adviceguide.org.uk/england/work_e/discrimination_at_work/common_situations/e_m37_discrimination_at_work_bullying_and_harassment.htm

.gov.uk: <https://www.gov.uk/workplace-bullying-and-harassment>

Revision History

This policy is regularly reviewed to ensure it remains fit for purpose.

Issue Number	Date	Changes Made	Owner	Approved By
4	February 2018	Changes made following review	Head of HR	Ratified by JJNC, June 2018
3	May 2008	Updates	Jo O'Reilly	Isobel Pearce
2	April 2003	In line with new legislation	Tina Darby	Tina Darby
1	Nov 2001	First Issue	Francine Williams	Francine Williams