

# ANTI-BULLYING AND ANTI-HARASSMENT POLICY: Treating Everyone with Dignity and Respect at Work

Brief Description (max 50 words)	This policy outlines the University's approach and commitment to promoting a working environment that is based on dignity, respect and trust.
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Equality Impact Assessment <a href="#">Anti-Bullying and Anti-Harassment Policy EIA.pdf</a>	This document has been assessed for equality impact on the protected groups, as set out in the Equality Act 2010. This Policy is applicable to every member of staff within UoS irrespective of their age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, marriage, or civil partnership, and those who work on behalf of UoS.

## Amendment History

Version	Date	Reviewer Name(s)	Summary of changes
3.0	01/07/2024	Jo Campbell	Clarification and robust approach to tackling bullying and harassment as well as making the policy more explicit around sexual harassment.

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## 1. INTRODUCTION

The University of Suffolk is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.

The University is committed to maintaining a working and learning environment that is free from harassment or bullying and to uphold our values and associated behaviours. Harassment and bullying adversely affects working and social conditions for staff and students and is unacceptable. Harassment or bullying (e.g. sexual violence or harassment, anti-Semitism etc) will be treated very seriously and may be grounds for disciplinary action including dismissal.

It is important to highlight that by treating bullying and harassment at work as a serious issue the following benefits are likely: higher morale and improved performance, reduced absence levels (particularly stress related), reduced turnover and better staff retention rates, improved service delivery and better industrial relations.

This policy does not form part of your contract of employment and we reserve the right to amend or withdraw it at any time.

### Scope

This policy applies to anyone working for us. This includes employees, workers, contractors, students, volunteers, interns and apprentices. The policy also relates to job applicants and is relevant to all stages of the employment relationship. The policy also applies to bullying or harassment by third parties.

### The University's Commitment

We believe that a culture of equality, diversity and inclusion not only benefits our organisation but supports wellbeing and enables our people to work better because they can be themselves and feel that they belong.

We are committed to promoting a working environment based on dignity, trust and respect, and one that is free from discrimination, harassment, bullying or victimisation.

A toxic workplace culture, where bullying or harassment is tolerated, is harmful to the wellbeing of the workforce as well as the wider organisation.

We therefore adopt a zero-tolerance approach to instances of bullying or harassment.

## 2. WHAT IS HARRASSMENT AND BULLYING?

### Harassment

Harassment is unwanted conduct related to a protected characteristic\*: sex, gender reassignment, race or ethnic or national origins, disability, sexual orientation, religion or belief, age or any other personal characteristic which:

(\* Although Harassment does not specifically apply to pregnancy and maternity or marriage and civil partnerships these would be protected under the sex and sexual orientation characteristics.)

- has the purpose, or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, threatening or offensive environment for that person which interferes with their learning, working or social environment. Harassment can cause stress, anxiety, fear or sickness on the part of the harassed person.
- or is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

Staff should be aware that they can be held personally liable for harassment.

## Meaning of Sexual Harassment

Harassment may be sexual in nature. The law defines sexual harassment as:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

Bullying or harassment can be between two individuals or it may involve groups of people. It might be obvious or insidious and may be persistent or an isolated incident. It can also occur in written communications, by phone or email, not just face-to-face actions.

A single incident can be harassment if it is sufficiently serious, e.g., name calling, vandalizing personal belongings.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Different people find different things acceptable. Everyone has the right to decide what reasonable behaviour is acceptable to them and to have their feelings respected by others.

Differences of attitude, background or culture and the misinterpretation of social signals can mean that what is perceived as harassment or bullying by one person may not seem so to another; nevertheless, this does not make it acceptable. Such behaviour can be deemed as unacceptable if it appears or feels offensive or intimidating to the recipient and would be regarded as such by any reasonable person.

Bullying or harassment could be by students, suppliers, vendors or visitors to University of Suffolk and, in these cases, you should report any such behaviour to your manager who will take appropriate action. Bullying or harassment of students, suppliers, vendors or visitors or others will be dealt with through the disciplinary procedure.

## Bullying

There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating or injuring the recipient.

Bullying can be physical, verbal or non-verbal conduct. It is not necessarily face to face and can be done by email, phone calls, online (cyber-bullying) or on social media. Bullying may occur at work or outside work.

If the bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore, will be unlawful (see [Harassment](#)).

## Examples of Bullying or Harassment (Including Sexual Harassment)

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to) the following:

- Demeaning comments about a person's appearance.
- Unwelcome jokes or comments, for example of a sexual or racial nature or about an individual's age.
- Unwanted nicknames.
- The use of obscene gestures.
- Showing or sending offensive or pornographic material by any means (eg by text, video clip, email or by posting on the internet or social media).

- Spreading malicious rumours or insulting someone.
- Picking on someone or setting them up to fail.
- Making threats or comments about someone's job security without good reason.
- Ridiculing someone.
- Isolation or non-cooperation at work.
- Excluding someone from work related social activities.
- Physical conduct ranging from unwelcome touching to serious assault.
- Unwelcome sexual advances.
- The offer of rewards for going along with sexual advances, e.g. promotion, access to training.
- Threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment, evaluation, pay, advances, assigned work, or any other condition of employment or career development.
- Gossip and speculation about someone's sexual orientation or transgender status, sexual preferences, including spreading malicious rumours.
- Persistent suggestions to meet up socially after a person has made clear that they do not welcome such suggestions.
- Inappropriate use of the policy i.e. false allegations made in accordance with this policy.

### **3. ASSAULT AND CRIMINAL OFFENCES**

It is particularly important that in cases of assault or other criminal offence, you do the following:

If you have been attacked, you should seek help immediately. You may ask someone to assist you and you should inform People & Organisational Development as soon as possible. You should report any attack to the Police both for your own protection and the protection of others. If you have been sexually assaulted or raped the Police (as part of their investigation), will offer you medical help as soon as possible. The University is able to investigate incidents of alleged serious misconduct and, where appropriate, institute the disciplinary procedures. However, in the event of a serious offence against you such as physical assault, indecent exposure or sexual assault the University would encourage you to report the attack/assault to the Police.

### **4. VICTIMISATION**

Victimisation is treating someone less favourably than others 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 given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them worse work.

University of Suffolk will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint which you know to be untrue, or giving evidence which you know to be untrue, may lead to disciplinary action being taken against you.

### **5. PROCEDURES FOR DEALING WITH BULLYING AND HARRASSMENT**

If you feel that you are being subjected to harassment or bullying in any form by a member of staff, student or third party (not an employee or student at University of Suffolk, i.e. visitor, supplier), do not feel that it is your fault or that you have to tolerate the behaviour. The Institution's primary concern is that the harassment or bullying must stop and that there is support and assistance when needed.

There are various places you might wish to seek support and/or advice from (set out on page 4) and they can advise you on a course of action suggest a way of resolving the situation or help you to obtain specialist advice.

If at all possible, you should make clear to the person causing the offence that such behaviour on that person's part is unacceptable to you. Alternatively, you may find it easier to make clear how you feel about the situation by writing to the person who is causing offence (in which case you should keep a copy). In some cases, all these approaches may be sufficient to stop the unacceptable behaviour.

It is important to make a note of the details of any relevant incidents which distress you – particularly if you feel unable to speak to the person concerned or if, having spoken, the behaviour persists. You should include a note of ways in which the incidents cause you to change the pattern of your work or social life. If the harassment continues (or is of a more serious nature than can be dealt with by means of the above) you are strongly advised to seek the help of People & Organisational Development if you have not already done so. This will enable you to discuss the nature of your complaint in confidence and consider whether it may be possible to arrive at an acceptable solution on an informal basis.

## **6. ADVICE AND SUPPORT**

- Any member of the People & Organisational Development Department
- The Dean of School/Department/Directorate or area in which you work
- Local Officers of the Trade Unions: UCU or Unison
- The Chaplaincy
- Staff Counselling Facility - details can be found on the Hub or via POD
- Employee Assistance Programme (EAP)

## **7. FORMAL STEPS – MAKING A COMPLAINT**

Managers have a responsibility to prevent bullying or harassment. If your concerns cannot be resolved by your own efforts – (with or without the support of anybody else) to explain to the person causing offence that their behaviour is unacceptable to you, you have the right to register a grievance in accordance with the grievance procedure. In these circumstances the procedure would be initiated at the next level beyond that at which the issue has already been dealt with informally. You should seek a confidential meeting with your line manager, or the Dean of School or any other member of management you feel able to approach (accompanied, if you wish).

Managers have a duty to manage and the right to do so. The legitimate management of staff should not be confused with bullying. Equally, however, those with supervisory management responsibilities must not abuse their authority and use it as a basis for bullying or other forms of genuine harassment. If you believe you are being harassed or bullied by someone who supervises or manages your work you are strongly encouraged to seek the support of People & Organisational Development with a view to raising the issue with someone at a more senior level, or outside, the management line.

## **8. CONFIDENTIALITY**

As a general principle, confidentiality will be agreed and maintained wherever possible during and after any complaint of harassment or bullying. However, University of Suffolk has an obligation to protect both you and other members of the campus community and for this reason there may be situations i.e. safeguarding matters where confidentiality has to be broken. You will, however, be advised of this before this happens.

The decision about whether to progress a complaint normally rests with you, but the Institution will have to act if it judges there to be an unacceptable risk; though will normally seek for you not to be involved unless you agree. It is important for you and the University to recognise that the alleged harasser must not be prejudged, and they have rights – including being informed of any allegations which are to be investigated and having the chance to state their case. A complaint which is found to have been brought with mischievous or malicious intent may itself provide grounds for disciplinary action against the complainant.

## **9. POSSIBLE OUTCOMES**

Possible outcomes are:

- Commitment that action will not be repeated:
- Resolution, e.g. through mediation/facilitated meeting;
- Referral to other formal procedures i.e grievance or disciplinary (Serious cases of harassment, bullying or discrimination will be treated as gross misconduct); or
- Misunderstandings clarified and resolved.

## **10. TRAINING**

All new starters must complete the mandatory equality, diversity and inclusion training within the first 8 weeks of commencing employment with the University.

Every current employee must ensure their mandatory the equality, diversity and inclusion training remain in date.