



**Greenhead College  
Corporation**

**Bullying and  
Harassment Policy  
(Staff)**

## **1. Overall Aim**

Greenhead College is committed to encouraging high standards of professional conduct and performance in all its employees and will ensure that the necessary framework is in place to resolve any complaints in relation to harassment or bullying both fairly and speedily.

Please note there is a separate College policy dedicated specifically for dealing with cases of Sexual Harassment.

## **2. Purpose**

Greenhead College is committed to the development and promotion of a positive workplace culture that is free from harassment and bullying, and aims to ensure that any allegation of harassment or bullying at work is taken seriously, is properly investigated, and is dealt with effectively.

The Policy applies to harassment on the grounds of disability, gender, marital status, sexual orientation, age, religion, race and ethnic origin, and any other personal characteristic. The purpose of this policy is to outline:

- Informal and formal ways for employees to raise complaints of harassment or bullying
- Ensure employees' complaints are dealt with fairly and speedily

## **3. Who the Policy Applies To**

This policy applies to all Greenhead College employees.

## **4. Legal and Ethical Framework**

Greenhead College recognises the principles set out in the ACAS Code of Practice and will regularly review the Bullying and Harassment Policy in line with good practice and legislative requirements.

## **5. Principles**

Greenhead College is committed to ensuring that any form of harassment is dealt with both sensitively and speedily. Employees are encouraged therefore to raise any issues immediately in accordance with this procedure in the knowledge that these will be treated seriously and in confidence.

This procedure is designed to enable problems to be dealt with sensitively and in accordance with the wishes of the person subjected to inappropriate behaviour. Formal action may be taken under the disciplinary procedure against any employee who has been found to have bullied or harassed any of their colleagues.

The making of a false or malicious complaint of harassment or bullying will be regarded as a serious breach of procedures and the disciplinary procedure may be invoked against the complainant.

## **6. Revision of Policy**

Greenhead College reserves the right to amend this policy from time to time for any reason, including without limitation, to take account of changes in the law, best practice and/or business requirements.

## **7. Definitions**

Harassment - The current definition of harassment, as applied to age, sex, sexual orientation, religion or belief and race and ethnic and national origin is:

*'Unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment'*

The essential characteristic of harassment is that the action(s) is unwanted by the recipient. Forms of harassment include many kinds of unacceptable behaviour. For example:

- 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
- Action, behaviour, comment or physical contact which is found objectionable or which causes offence, including offensive jokes, verbal abuse, language, graffiti or literature of a racist or sectarian nature, or offensive remarks about a person's skin colour, physical characteristics, age, sexual orientation, or any other personal characteristic.

Bullying is intimidation or belittling of someone through the misuse of power or position, which leaves the recipient feeling hurt, upset, vulnerable or helpless. It is often inextricably linked to the areas of harassment described above. For example:

- 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, ignoring or excluding an individual from the team/group

## **8. Responsibility**

All employees have a personal responsibility not to harass or bully other members of staff, or to condone harassment or bullying by others. Harassment and bullying is misconduct and action may be taken under the disciplinary procedure against any employee found to have harassed or bullied an individual at work. Employees should also be aware that they could also be personally liable by law if they harass anyone at work.

All employees have a duty to assist in the creation of a safe working environment, where unacceptable behaviour is not tolerated. This may include challenging unacceptable behaviour, ensuring their own behaviour does not contribute to or collude with unacceptable behaviour, and cooperating fully in any investigation undertaken by the corporation.

Any employee who becomes aware of harassment or bullying occurring should bring the matter to the attention of the Senior Leadership Team or Human Resources.

## **9. Senior Leadership Team and Heads of Departments**

Managers at the College have an obligation to prevent harassment or bullying and to take immediate action once it has been identified, whether or not a complaint has been made.

Managers must ensure that the workplace under their control is one where everyone has the right to be treated with dignity and respect. They should respond to complaints swiftly and sensitively, and be aware of behaviour which could cause offence, if necessary reminding employees of expected standards.

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. The harassment procedure sets out the alternatives for such instances.

## **10. Communication and Training**

All staff will be informed of the Harassment and Bullying Policy and Procedure. A copy of the Policy and Procedure will be made available to staff on Moodle.

## **11. Procedure for Dealing with Bullying and Harassment**

### **11.1 Advice**

Greenhead College recognises the sensitive nature of bullying and harassment. Employees who believe they are being bullied or harassed may wish to discuss their particular situation before deciding what action to take. Employees are encouraged to discuss the matter with their manager on an informal basis. However, the College recognises that this may not always be appropriate in the circumstances. If this is the case, employees can discuss the situation with a member of the Senior Leadership Team or Human Resources.

Confidentiality will be maintained as far as possible. However, if an employee decides not to take any action to deal with the problem and the circumstances described are very serious, Greenhead College reserves the right to investigate the situation. The College has an overall duty of care to ensure the safety of all employees who may be adversely affected by the alleged harasser's/bully's behaviour.

### **11.2 Informal solutions**

An employee who feels that they are being subjected to harassment or bullying should, if possible, keep a record of the incident(s), including the date, time, nature of incident, and the names of any witnesses. It is important that employees who feel subjected to harassment or bullying raise the issue with an appropriate person at the time the incident(s) occur, in order that matters can be dealt with swiftly and that further potential harassment is prevented.

Very often people are not aware that their behaviour is unwelcome or misunderstood and an informal discussion can lead to greater understanding and agreement that the behaviour will cease. Complainants are therefore encouraged to try, if they feel able to do so, to resolve the problem informally. If the employee feels able, they should raise the problem with the alleged harasser, either verbally or in writing, making it clear that the behaviour is offensive and unwelcome, and ask for it to stop. Alternatively, the issue may be raised with a line manager who can raise the allegations informally on behalf of the complainant.

An individual who is made aware that their behaviour is unacceptable should:

- Listen carefully to the complaints and the particular concerns raised;
- Respect the other person's point of view: everyone has a right to work in an environment free from harassment/intimidation;
- Understand and acknowledge that it is the other person's reaction/perception to another's behaviour that is important;
- Agree the aspects of behaviour that will change;
- Review their general conduct/behaviour at work and with workplace colleagues.

Where a resolution is not achieved through the informal stage of the process, an employee can pursue a complaint through the formal stage of the process referred to below.

### **11.3 Formal solutions**

If an employee wishes to make a formal complaint they should report it in writing to Human Resources.

When dealing with a complaint of harassment under the formal procedure, the relevant Senior Manager tasked to investigate will:

- Take full details of the incidents in writing from the complainant and their representative (if appropriate);
- Take full details from any witnesses/other complainants who come forward and may have witnessed the alleged behaviour;
- Inform the alleged harasser of the complaints against him/him, advise the alleged harasser to seek representation and invite him/her to a meeting in order that they can comment on the allegations made against them;
- Keep all parties informed of expected timescales;
- Inform all parties in writing of the outcome and any action that may be required.

If it is decided that there is no case to answer, support will be provided for both parties, and consideration given to managing their ongoing working relationship.

In some cases where harassment/bullying is substantiated, but does not warrant disciplinary action, it may still be possible to agree an acceptable resolution. In such cases, the manager must make it clear to the employee that their behaviour is unacceptable and that further similar instances may lead to disciplinary action.

Where an investigation concludes that there is sufficient evidence of unacceptable conduct, and an acceptable resolution cannot be reached, it will be necessary to commence disciplinary proceedings in accordance with the Greenhead College Disciplinary Procedure.

In each of the above, procedures for ongoing monitoring will be put in place by the responsible manager.

Following investigation, if it is found that the complaint of harassment/bullying was false or malicious then the complainant may be dealt with under the Greenhead College Disciplinary Procedure.

### **11.4 Appeals Process**

Appeals against decisions taken under the Bullying and Harassment Policy and Procedure shall be dealt with as follows:-

- Appeals against a disciplinary sanction will be dealt with in accordance with the appeals process in the Disciplinary Procedure.
- Appeals by a complainant about the outcome of any inquiry will be dealt with in accordance with the appeal process in the Grievance Policy.

## **12. Relevant College Policies**

Please refer to the following policies:

- Prevent of Sexual Harassment Policy (Staff and Students)
- Staff Disciplinary Policy
- Staff Grievance Policy
- Whistleblowing Policy
- Diversity and Inclusion Policy

<i>Author:</i>	<i>Director of Human Resources</i>
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