



SIDNEY SUSSEX COLLEGE

ANTI-BULLYING AND HARASSMENT POLICY

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Revision History

Version	Author	Summary of changes	Council Approved	Date by which next full review is due
1.0	HR Manager	- Last approved by Council.	July 2020	May 2023
1.1	HR Manager	<ul style="list-style-type: none">- Placed into new format.- Changed name to add Anti in the title.- Refers to Disciplinary Policy which was renamed from Disciplinary and Dismissal Policy.- Reference to the Appeal Policy section 8.- Added definition of harassment.- Review by independent HR Consultant- Added reference to appropriate process to be followed if complaint is upheld, depending on the status of the person against whom the complaint is upheld.	November 2022	November 2025

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1. Purpose and Scope

- 1.1. The College is committed to the development of positive policies for the elimination of all kinds of bullying and harassment. Bullying and harassment at work in any form are unacceptable and will not be permitted or condoned. In conjunction with the [Equal Opportunities Policy](#), this policy provides a framework to promote dignity at work, prevent bullying and harassment, and provides a process for dealing with cases which might occur.
- 1.2. This policy applies to all those directly employed by the College and those engaged as workers. Where the provisions relating to the employment of Fellows are laid out in the College's Statutes and Ordinances, these shall, in the event of any conflict, prevail.
- 1.3. The College expects its members of staff to treat each other with respect, courtesy and consideration at all times. They are expected to behave professionally and have the right to expect professional behaviour from others. It is their personal responsibility to comply with this policy and procedure and to demonstrate their active commitment to it by:
 - a) Treating others with dignity and respect;
 - b) Discouraging any form of bullying and harassment by suitably challenging inappropriate behaviour, making it clear that such behaviour is unacceptable and raising concerns with managers where appropriate so action can be taken;
 - c) Supporting any member of the College who feels they have been subject to bullying and/or harassment, including supporting them to make a formal complaint if appropriate;
 - d) Managers setting standards and ensuring that appropriate workplace behaviours are maintained through their own good example and by ensuring that any concerns raised are acted on without undue delay.
- 1.4. This policy reflects the College's commitment to operate a fair procedure, taking into account in particular the [Code of Practice](#) formulated by the Advisory, Conciliation and Arbitration Service (ACAS).
- 1.5. This policy is not contractual but is intended as a statement of current College policy and its commitment to operate a fair procedure in relation to all its staff, taking into account statutory and other guidelines. The College therefore reserves the right to amend this policy as necessary to meet changes in legislation. Any member of staff found to be in breach of this policy may be liable to disciplinary action under the provisions of the [Disciplinary Policy](#).
- 1.6. Bullying and harassment in the workplace are unlawful and, where it is identified that a criminal offence may have been committed, this policy may not be appropriate. Such cases include, but are not limited to, serious and/or sexual assault or threat of serious and/or sexual assault, and may be handed directly to law enforcement agencies for resolution.

2. Definitions

- 2.1. **Bullying** is offensive, intimidating, malicious or insulting behaviour that can make a person feel vulnerable, upset, humiliated, undermined or threatened. It can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:
 - a) shouting at, being sarcastic towards, ridiculing or demeaning others;
 - b) physical or psychological threats;
 - c) overbearing and intimidating levels of supervision;
 - d) inappropriate and/or derogatory remarks about someone's performance;
 - e) abuse of authority or power by those in positions of seniority; or
 - f) deliberately excluding someone from meetings or communications without good reason.

- 2.2. Legitimate, reasonable and constructive criticism of a member of staff's performance or behaviour, or reasonable instructions given to a member of staff in the course of their employment, will not amount to bullying on their own.
- 2.3. **Harassment** is defined as unwanted conduct which has "the purpose, intentionally or unintentionally, of violating dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment" for the individual.
- 2.4. Harassment takes many forms, occurs on a variety of different grounds and can be directed at one person or many people. It can include unwelcome physical, verbal or non-verbal conduct. It can also include circulating information or images via e-mail or the internet.
- 2.5. Conduct normally becomes harassment if it persists once it has been made clear by the recipient or others that it is or may be regarded as offensive, although a single incident may amount to harassment if it is sufficiently serious or clearly harassment in nature.
- 2.6. Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to a protected characteristic as defined in the Equality Act 2010, these being: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. It may also include victimising someone because they have been willing to challenge harassment. Harassment is unacceptable even if it does not fall within any of these categories.
- 2.7. Harassment may include, for example:
- a) unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
 - b) continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
 - c) sending or displaying material that is pornographic or that some people may reasonably find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
 - d) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
 - e) engaging in harassment on the grounds of a person's sexuality (or assumptions about a person's sexuality) including derogatory remarks or jokes, refusal to acknowledge a person's gender identity, or threats to disclose a person's sexuality to others;
 - f) making offensive references to a person's race, ethnicity, skin colour, religion, nationality, dress, culture, background or customs which have the effect of ridiculing or undermining an individual or fostering hatred and/or prejudice towards individuals or particular groups;
 - g) offensive e-mails, text messages or social media content;
 - h) mocking, mimicking or belittling a person's disability or physical appearance;
 - i) isolating or excluding an individual from activities (isolation / exclusion), or refusing to co-operate with an individual's reasonable requests (non-co-operation); or
 - j) intrusion by pestering, spying or stalking.
- 2.8. A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.
- 2.9. **Victimisation** is defined as treating someone badly because they have made a good faith claim or complaint of bullying or harassment, have supporting or assisted someone who has made such a claim, or who has made or supported or assisted someone who has made a good faith allegation about a breach of the Equality Act 2010.

2.10. Victimisation is a serious disciplinary offence which may constitute gross misconduct.

3. Responsibilities

3.1. Employees' and Workers' Responsibilities

3.1.1. To help ensure that the dignity of everyone is respected in the work environment.

3.1.2. To ensure that behaviour to other members of the College, and to those who have dealings with the College, does not cause offence and could not in any way be regarded as bullying or harassment.

3.1.3. To comply with this Policy.

3.2. Managers' and Supervisors' Responsibilities

3.2.1. To comply with and implement this Policy and to make every effort to ensure that bullying and harassment do not occur, particularly in the areas for which they are responsible.

3.2.2. To explain this Policy to their team members and ensure that each member of staff has seen it and has on-going access to it.

3.2.3. To be responsive and supportive to any member of staff who makes an allegation of bullying or harassment, to provide clear advice on the procedure to be adopted and to ensure that confidentiality is maintained.

3.2.4. To set a good example by treating all members of staff with dignity and respect.

3.2.5. To ensure that there is no victimisation or further problem of bullying or harassment once a complaint has been resolved.

3.3. College's Responsibilities

The College will take steps to support the principles set out in this Policy. These are:

3.3.1. To ensure that adequate resources are made available to promote respect and dignity in the workplace.

3.3.2. To deal effectively with complaints of bullying or harassment.

3.3.3. To communicate this Policy to all members of staff.

3.3.4. To ensure that managers and supervisors, and any other staff playing any part in operating the complaints procedure, understand their responsibilities under this Policy.

4. Principles

4.1. Due to the seriousness with which the College views bullying and harassment, informal and formal reporting procedures have been introduced which are separate from the College's [Grievance Policy](#) as a mechanism for dealing with complaints of bullying and harassment.

4.2. Because it is easier to resolve issues of bullying and harassment if they are brought to the College's attention quickly, members of staff are encouraged to invoke this procedure promptly if they think they have been bullied or harassed. Issues of bullying and harassment will be taken seriously and dealt with promptly. They will be handled sensitively, and confidentiality will be maintained.

- 4.3. Members of staff will be protected against victimisation or retaliation from anyone against whom a complaint of bullying or harassment has been raised.
- 4.4. In very serious situations internal procedures will not be appropriate, and in such cases, direct referral to the Police will be made as soon as possible, and internal College action will be undertaken according to the outcomes of the Police investigation.

5. Bullying and Harassment - Informal Process

- 5.1. Where appropriate, the member of staff should seek to resolve the matter informally by raising it with the individual(s) concerned. Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease. Possible outcomes could include holding an informal meeting, and offering advice, coaching or counselling as appropriate in order to find resolution before implementing the formal procedure.
- 5.2. It may be that the member of staff will choose to do this themselves, or they may seek support from a manager or senior manager, a member of the College's Pastoral team, such as the College Nurse, the Chaplain or the HR Manager.
- 5.3. The relevant manager (see paragraph 5.2) should allow the member of staff to explain the issue and ask them what would resolve it from their point of view. The focus of informal resolution should be on exploring whether an issue can be resolved through discussion and/or informal intervention, and also on ways of avoiding similar issues arising in the future.
- 5.4. The relevant manager should make and retain notes of any issue(s) raised and discussed informally. Notes should include any agreed outcomes, support and timescales and should be retained on the relevant personnel file as a record.

6. Bullying and Harassment - Formal Process

- 6.1. If the matter cannot be satisfactorily resolved by informal means, or it is inappropriate to seek to resolve it in this way (including behaviour by a Fellow or a student towards a staff member), then it should be raised formally by the member of staff without undue delay. This should be done in writing to their line manager, or where the matter involves the line manager, to another more senior manager, College Officer or HR Manager.
- 6.2. The written complaint should, where possible state:
 - a) The name of the alleged bully or harasser;
 - b) The nature of the alleged bullying or harassment;
 - c) Date(s) and time(s) when the alleged incident(s) occurred;
 - d) Names of witnesses (if any) to the alleged incident(s); and
 - e) The action (if any) already taken to stop it re-occurring.
- 6.3. Usually when a written complaint has been received, in consultation with the HR Manager, the relevant manager will arrange a Bullying and Harassment Investigation in line with the process set out in College's [Disciplinary Policy](#).
- 6.4. In exceptional circumstances, where it is clear the complaint and/or allegation is of a particularly serious nature, the process will proceed directly to the outcome and to appropriate disciplinary action (see section 7.2).

7. Outcomes of a Bullying and Harassment Investigation

- 7.1. On completion of the Bullying and Harassment Investigation, the Investigating Officer will find that either there is a formal case to answer, or not. If there is no formal case to answer, the Investigation Officer will communicate this and any recommended informal action to the line manager, complainant and respondent, as appropriate and a plan will be formulated.
- 7.2. If there is a case to answer, then the appropriate disciplinary procedures will be followed subject to the status within College of the person against whom the complaint has been made.
 - a) For staff this will be the College's [Disciplinary Policy](#).
 - b) [For Fellows, the process set out in Statutes and Ordinances](#).
 - c) [For students, the relevant regulations in the White Book](#).
 - d) For anyone else, the Bursar and Master will agree the appropriate course of action relevant to the status of the person against whom the complaint is upheld.
- 7.3. In all events, the finding and recommendations of the Investigation Officer will be communicated to all relevant parties in writing, no later than five working days after completion of the investigation.

8. Appeal Process

Where an employee feels that their bullying and harassment case has not been satisfactorily resolved they can appeal. Reference may be made to the [Staff Appeal Policy](#) to follow applicable procedure.