

Harassment and Bullying Policy and Procedures for Core Staff, Associate Tutors and Students



1. Scope and Purpose

1.1 This policy relates to all core staff (staff), associate tutors (tutors), students and others involved with the training programmes of the South Central TEI (SCTEI). It has been written to support the development of a training environment in which harassment, discrimination and bullying are known to be unacceptable and where individuals have the confidence to complain, without fear of reprisals, in the knowledge that their concerns will be dealt with appropriately and fairly.

1.2 This policy outlines the procedures to be followed by any person who feels they are being harassed, discriminated against or bullied in the course of their involvement with the SCTEI, be that by a member of staff, tutor, visitor or student.

2. The SCTEI's Commitment

2.1. The SCTEI is fully committed to the development of positive policies and procedures to eliminate discrimination and actively promote equality of opportunity for staff, tutors and students. We believe that where respect for diversity and equality of opportunity exists, all work in a more rewarding and less stressful environment; one where discrimination, prejudice and harassment are not accepted, and one more likely to enhance performance and achievement, allowing all members of our SCTEI community to fully utilise their skills and talents and achieve their full potential.

2.2 Any allegation of harassment, discrimination or bullying will be treated very seriously and, if proven, may result in disciplinary action being taken against the perpetrator under the SCTEI's relevant policies. (As well as any action that may also be taken against an employee of any of Sarum College or Guildford, Oxford or Winchester DBF as appropriate.)

2.3 Any individual who is proven to have made a vexatious or malicious claim of harassment, discrimination or bullying will be dealt with in accordance with the SCTEI's relevant policies, with the potential consequences listed in those policies.

3. Roles and Responsibilities

3.1. It is the responsibility of every member of the SCTEI community, at all its formation centres, to help us achieve an inclusive and supportive environment, and to promote good relations between groups by being tolerant and having respect for diversity.

3.2. Core staff have the particular responsibility to ensure that harassment, discrimination and bullying is not permitted at their formation centre, and that incidents arising are dealt with firmly and fairly. Complaints should be taken seriously and investigations carried out in line with SCTEI policies and procedures.

3.3. All core staff, tutors and students have a personal responsibility to ensure their own conduct does not cause offence. Issues of harassment, discrimination or bullying should be raised in a timely manner in order that any investigation is carried out at the earliest opportunity.

4. Definitions of Harassment, Discrimination and Bullying

4.1 Harassment

4.1.1 Harassment is unwanted conduct which adversely affects the dignity of individuals. It may be persistent or a single isolated incident. The key is that the actions or comments are viewed as hostile or intimidating, demeaning and unacceptable to the recipient. Employees can also complain of behaviour that they find offensive even if it is not directed at them, but at another person.

4.1.2 Harassment may have either the purpose or effect of violating an individual's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment for that individual.[1]

4.2 Discrimination

4.2.1 Governed always by the relevant national policies of the Church of England (and its House of Bishops), discrimination takes place when an individual or a group of people is treated less favourably than others because of a characteristic defined as a protected characteristic by the Equality Act, 2010.

4.3 Bullying

4.3.1 Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.[2] While bullying and harassment are related, bullying is usually intentional.

4.4 It is recognised that differences in attitude, background and culture can often mean that what is perceived by one individual as harassment or bullying may not necessarily be perceived in the same way by another. It should be noted therefore, that when deciding whether bullying or harassment has occurred, the impact on the individual and whether the behaviour is unacceptable by normal standards will be the focus, rather than motive or intent.

5. Examples

5.1 Harassment, discrimination or bullying can be verbal and non-verbal. The following provides examples but is not an exhaustive list.

- Verbal abuse
- Insulting behaviour or personal insults
- Sexist jokes, racist jokes, or jokes about an individual's sexual orientation, disability, religion or belief or age
- Behaviour which incites racial hatred, e.g. wearing racist insignia or badges
- Offensive written or computer generated material, including the use of email, Twitter, Facebook
- Unreasonable, unfair or offensive expectations about an individual's disabilities or mischievous interference with personal aids or equipment
- Unwanted physical contact ranging from touching to serious assault
- Leering and offensive gestures
- Display or circulation of sexually suggestive or racially abusive material

- Coercive or menacing behaviour which interferes with dignity and privacy or which undermines an individual's self-confidence
- Asserting a position of seniority in an aggressive, abusive or offensive manner e.g. inappropriate or derogatory remark in connection with performance of duties / responsibilities.
- Withholding important work-related information
- Intrusion by pestering, spying and stalking.
- Ridicule, isolation or non-cooperation, exclusion from everyday social interaction or activities

5.2 Any difficulty in defining harassment, discrimination or bullying should not deter anyone covered by this policy from seeking support or complaining of behaviour which causes them distress. They should also not be deterred because of embarrassment or fear of intimidation.

5.3 The SCTEI will respect the particular sensitivity of complaints of harassment, discrimination or bullying, and their consequences, and will treat any complaint with the utmost confidentiality and in line with the provisions of the Data Protection Act and General Data Protection Regulation. Complaints will not normally be taken further than the complainant wishes.

6. Procedures for making a complaint about Harassment, Discrimination and Bullying

6.1 Principles

6.1.1. Complaints of harassment, discrimination or bullying should be raised in a timely manner and without unreasonable delay. Unless incidents of harassment, discrimination or bullying are notified within a reasonable length of time, the SCTEI may find itself unable adequately to investigate and take steps to prevent or eliminate harassment, discrimination or bullying.

6.1.2. All parties involved should act in good faith to seek a successful resolution of the complaint informally or at an early a stage as is possible.

6.1.3. All parties will be treated fairly, consistently and with respect.

6.1.4. Complaints will be investigated and handled appropriately and meetings, decisions and confirmation of decisions will not be unreasonably delayed.

6.1.5. The individual or individuals against whom the complaint is made has the right to respond to the allegations.

6.1.6. Use of a third party to help resolve the problem, whether internal or external, may be considered where appropriate.

6.1.7. It is not possible, unless the circumstances are exceptional, for a complaint to be investigated if the complainant does not wish for the individual against whom the complaint is being made to be informed.

6.1.8. A malicious or vexatious complaint may give rise to disciplinary proceedings.

6.2 Procedure

6.2.1 This is as set out in the relevant SCTEI Complaints and Discipline policies. In all cases, it may be helpful for you to keep a note of the details of any relevant incidents which cause offence, including dates, times and the names of any witnesses; and any relevant emails, notes etc.

6.2.2 Often, people are unaware that their behaviour is perceived as harassment, discrimination or bullying. In some cases speaking to, or writing a letter to, the person concerned to let them know their behaviour is unacceptable to you, can be sufficient to remedy the situation. A copy of any

correspondence should always be kept. If this is not the case, or if the harassment, discrimination or bullying is of a more serious nature, a more formal approach may be appropriate.

6.3 Informal Stage

6.3.1 If these principles fail to resolve the matter, any complainant may request an informal investigation to be carried out by the relevant head of formation centre or line manager (for staff) who may take advice from a representative from the HR department.

6.3.2 In the event that the complaint is against the head of formation centre or line manager, complainants should arrange to see an HR representative who will agree how the matter might be taken forward informally.

6.3.3 In the event that the complaint is against a student, the complainant should write to the head of formation centre providing as much information as possible of the events complained of, and a clear indication of the outcome sought. The head of formation centre will acknowledge receipt of the complaint and will determine how the matter might be taken forward.

6.3.4 There is no right to formal representation at informal meetings, but any party may be accompanied by a colleague if he/she wishes.

6.3.5 The head of formation centre or line manager and HR representative will meet with the individual against whom the complaint is made to advise him/her of the allegations and invite a response.

6.3.6 If appropriate, the head of formation centre or HR representative may set up a meeting with both parties with the aim of facilitating a discussion and reaching a resolution. This may include the use of qualified mediators.

6.3.7 The outcomes of the informal stage may include:

- Complaint not founded
- Situation mutually resolved
- Complaint founded

6.3.8 Where a complaint is founded, and where appropriate, action short of disciplinary action may be considered to offer a more suitable resolution. This may include one or more of the following:

- The person against whom the complaint was made offering a written apology
- The person against whom the complaint was made undertaking additional training or receiving personal counselling

6.4 Formal Stage

6.4.1 In the case of complaints regarding members of staff, where the informal approach is unsuccessful, or if a complainant wishes to move straight to a formal stage the appropriate Grievance Regulation or Complaints Policy should be followed.

6.4.2 Complainants who are members of staff should contact their HR representative for information about the correct Grievance Regulations to be followed.

6.4.3 In the case of complaints regarding students the formal stages of the Discipline policy should be followed.

7. Related Policies and Procedures

7.1 All SCTEI policies are available for download from the Policies section of the SCTEI home page on Moodle.

[1] ACAS (2011) *The Equality Act – what's new for employers?* [online]
http://www.acas.org.uk/media/pdf/n/8/Equality_Act_2010_guide_for_employers-accessible-version-Nov-2011.pdf

[1] ACAS. (2009) *Bullying and harassment at work: a guide for managers and employers*. London: Acas. Available at: <http://www.acas.org.uk/>