Harassment, Bullying and Victimisation Procedure

CONTENTS

1 Introduction
2 Scope
3 Manager guidance
   3.1 What to do in an emergency
      3.1.1 On campus
      3.1.2 Off campus
   3.2 What to do if a member of staff discloses something
   3.3 Third-party or witness disclosures
4 Informal procedure
5 Formal procedure
6 Investigation
7 Outcome
8 Monitoring the procedures

1 Introduction

This procedure sets out how the College will address incidents of harassment, bullying and victimisation where the Responding Party (the person accused) is a member of staff.

It covers any disclosures or information relating to both current and non-recent incidents, noting that the College may not be able to fully investigate historical incidents.

This procedure accompanies the Harassment, Bullying and Victimisation Policy. An additional procedure is published for issues where the Responding Party is a student. If you are unsure which procedure applies to your scenario, contact the Employee Relations team for staff, or Registry for students.

2 Scope

This procedure applies to all staff in the College community and relates to harassment, bullying and victimisation by a member of staff against a student or against another member of staff.

This procedure applies in and out of the College environment, including outside the College premises or hours, e.g. social events, trips abroad or on social media.
Where a complaint is about someone other than a member of staff or student, such as a contractor, customer or visitor, the College will discuss the matter with the third party or their employer (if appropriate) in relation to contractors.

All complaints of sexual harassment, sexual misconduct or sexual violence will be dealt with under the College’s separate Sexual Harassment, Sexual Misconduct and Sexual Violence Policy.

3 Manager guidance

Definitions for terms used within this procedure are available in the Harassment, Bullying and Victimisation Policy.

The College will promptly act on all reports of harassment, bullying and victimisation alleged against a member of staff.

3.1 What to do in an emergency

3.1.1 On campus

If you are on campus, the emergency services need to be contacted via the Security team, who will guide them to the right location:

- Call Security (the Security contact numbers are different for each campus)
- Contact Security using the SafeZone app

3.1.2 Off campus

Call 999 to access emergency services.

An individual may also wish to make a report to the police – where they do this, they must notify the College if they also file a report under this procedure, so that an investigation by the police can take precedence.

3.2 What to do if a member of staff discloses something

A disclosure involves an individual choosing to tell someone about their experience of harassment, bullying and victimisation. A disclosure is not a report.

If possible, disclosures should be made to a Harassment Support Contact, an Equality, Diversity and Inclusion Centre team member, or a member of the Employee Relations team. These parties have undertaken specific training to provide support and guidance in relation to harassment, bullying and victimisation.

Outside of these groups, staff are able to make disclosures to any member of College staff whom they trust, which may include their line manager, a colleague, a union representative, a member of the Human Resources division, or a member of the Occupational Health team.
Any staff who receive a disclosure should follow the three steps:

- Provide immediate support to the Disclosing Party.
- Signpost the practical steps detailed in this procedure to the Disclosing Party, for example by sharing this procedure with them.
- Respect the decisions of the Disclosing Party, for example, if they choose not to take any action.

If you feel that you need support providing any of the above steps, contact the Equality, Diversity and Inclusion Centre or Employee Relations team for additional guidance.

If a Disclosing Party chooses to disclose an incident anonymously, they may do so via Report and Support, the online reporting tool.

A disclosure does not automatically result in a report to the College being made under the Disciplinary Policy and Procedure. The College respects the right of the Disclosing Party to choose how to take forward a disclosure. However, in exceptional cases the College may have a duty to investigate, should it be considered an appropriate measure.

The College recognises that Disclosing Parties may require time and reflection before deciding on how to progress. The Disclosing Party will be given the option and support to do one or more of the following:

- Use Report and Support, the online reporting tool
- Use the informal procedures to resolve the issue
- Use the formal procedures to resolve the issue
- Make no report of the incident
- Receive advice on the support that is available

### 3.3 Third-party or witness disclosures

Where the person disclosing is a third party who has not experienced the harassment, bullying or victimisation, such as a person who has witnessed something taking place or been informed of something, the College will respect the right of the individual who experienced the incident to choose how to take forward a disclosure. A third-party disclosure will only be acted upon if the individual who experienced the incident wants action to be taken as part of the disclosure and reports it.

There may be certain circumstances where the College is required to take appropriate action to prevent potential harm to individuals or the College, based on a risk assessment, which may include acting on information despite or without knowledge of the wishes of the individual(s) who experienced the incident. The Head of Employee Relations will act as the decision-maker as to whether to escalate a disclosure to a report, or a report to an investigation. The College will record if there
is a decision from the Disclosing Party to withdraw their disclosure or a witness’s disclosure.

4 Informal procedure

The member of staff should discuss the matter with a trusted colleague, a designated member of the College’s Employee Relations team, a Harassment Support Contact, or a trade union representative. It may be helpful for the member of staff 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.

Often, people are unaware that their behaviour is perceived as harassment, discrimination or bullying. In some cases, speaking to, or writing to, the person concerned to let them know their behaviour is unacceptable and suggesting an alternative way of behaving, can be enough 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.

Alternatively, and if appropriate, speak or write to your Head of Department or line manager and ask that they speak to the person concerned.

If a Head of Department or line manager needs support, please contact the Employee Relations team or their Human Resources Strategic Partner to discuss informal options.

5 Formal procedure

While a disclosure can be anonymous, reporting cannot be anonymous. Reporting is the sharing of information, by a Reporting Party, regarding an incident of harassment, bullying and victimisation for the purposes of potentially initiating an investigation. The investigation process for dealing with a report is set out in the Disciplinary Policy and Procedure. Members of staff can use the online reporting tool Report and Support, or contact the Employee Relations team.

Support will be provided to the Reporting Party to ensure that their report is addressed sensitively and respectfully. The Employee Relations team will respond to reports within 48 hours (during working hours). For additional support, the Reporting Party can contact the Equality, Diversity and Inclusion Centre.

The College’s recognised trade unions, the Human Resources Strategic Support team, the Equality, Diversity and Inclusion Centre team and Harassment Support Contacts can provide guidance as to what should be included in the report. A report should include as much information as possible about the incident, the situation in which it took place, and any witnesses to the incident; it should also include the date(s). Where possible, evidence should be included, such as screenshots of text messages or emails, if relevant. The Reporting Party must also include details of any police investigation of the incident, if they have reported the incident to the police as a hate crime.
Upon receiving the report, Employee Relations will undertake an immediate risk assessment on the Reporting Party’s work environment in discussion with the department. Any necessary precautionary measures will be taken, and any reasonable adjustments to the workplace may be made (e.g. proposing that one or more parties is moved to another location or building).

Reports will be used for internal reporting, to ensure that incidents are captured (e.g. to check for multiple incidents in the same department and ensure that any necessary measures are taken as a result). As far as practicable, we will seek to protect confidentiality. The members of staff who will have access to this information for reporting purposes are the Director of HR, the Head of Employee Relations and the Employee Relations team. Information relating to staff misconduct will be held by the Employee Relations team. Reporting Party and Responding Party names will not be included in this reporting.

Throughout the reporting and investigation procedure, the priority will be protecting the interests of all parties involved with regard to safety, fairness, dignity, privacy and due process. Staff reporting or being accused of harassment, bullying or victimisation will be able to access support and advice from the Strategic Support team.

6 Investigation

Following receipt of a report to the Employee Relations team, the investigation of harassment, bullying and victimisation will be conducted according to the Staff Disciplinary Procedure. All members of the College are required to cooperate fully with an investigative process.

All procedural steps of an investigation, including parties involved in the investigation process, are outlined in the Staff Disciplinary Policy.

The alleged perpetrator will be offered a member of staff from Human Resources Strategic Support to provide advice and guidance on policy and procedure.

Should a report mention that the incident is being investigated by the police, a College investigation may not be initiated at that point or may be postponed. Any planned risk assessment will still take place, if it has not already. If this is the case, or if it is later reported that the police are investigating, the Reporting Party must seek advice from the member of the Employee Relations team assigned to their report.

All parties will be kept informed of the progress of the investigation by the Employee Relations team.

7 Outcome

A member of staff from Human Resources Strategic Support will continue to provide support to either party after the investigation has concluded.
If a staff member is dismissed following the outcome of an investigation decision under the Staff Disciplinary Policy, they will be able to access College support channels while they are still employed and may consult public services after their employment ends.

The investigation report will highlight the protocol for confidentiality and communication outside of the workplace. If confidentiality is breached, a complaint may be raised against the staff member who breached it under the Staff Disciplinary Policy.

Any recommendations put forward at the conclusion of an investigation will be actioned by Human Resources Strategic Support in liaison with the appropriate manager.

Where dismissal is not the outcome and parties have been separated during the investigation process, this will need to be reviewed so the parties can work together in the future.

8 Monitoring the procedures

Senior managers within Human Resources will monitor the effectiveness of the procedure and the reporting tools. The range and number of cases (including informal) will also be monitored so that action can be taken to address any issues of concern.


A central record will be held of all disclosures (anonymous or named) and reports. The roles with global access to staff cases will be the Head of Employee Relations and the Director of HR. Disclosures made via the Report and Support tool will also be accessible by the System Administrator.