

# HARASSMENT & BULLYING PROCEDURE

This procedure is applicable to staff

## Introduction

1. The University of Reading is committed to maintaining a working, learning, living and social environment that is free from any harassment in whatever form that may take and ensuring that all staff and students are treated and treat others with dignity and respect. Harassment and bullying behaviour of any kind is unacceptable. All members of the University community have a responsibility for helping to ensure that individuals do not suffer any form of harassment and that they are encouraged and supported in any legitimate complaint.
2. This procedure outlines the informal and formal processes and procedures available to staff who feel they may be subject to any forms of harassment and bullying at work.
3. All steps taken in this policy by the University will be carried out in accordance with the University's principles relating to equality and academic freedom, as enshrined in the Charter of Incorporation and the principles of fairness, reasonableness and natural justice.

## Informal Steps

4. If you feel that you are being subjected to harassment in any form by a member of staff or a student, do not feel that you have to tolerate it or that it is your fault. The University's primary concern is that harassment should stop and that there is support and assistance available to those who need it.
5. One of the first steps you should consider is whether or not you feel able to raise the

issue informally with the person whose behavior you find unacceptable. You should explain that their behaviour is not welcome and makes you feel uncomfortable and should stop. You can seek advice from a number of sources prior to doing this as this may help you to frame the conversation and consider whether it may be possible to arrive at an acceptable solution on an informal basis. You can seek advice from a Harassment Adviser (more information later in this document) or from an HR Partner or HR Adviser; you may also be able to seek advice or support from a Staff Forum representative or from a Trade Union Rep.

6. It is important to keep a note of the details of any relevant incidents which distress you. This may help you when speaking to the person concerned if you feel able to do so, or if having spoken to them the behaviour persists. You can include information such as the dates/times of any incidents, who was present, exactly what happened and a note of the ways in which the incidents impact you or have caused you to change the pattern of your work or life.
7. If you are not certain whether an incident or series of incidents amounts to bullying or harassment, you can speak to your line manager, to an HR Partner/Adviser or to a Harassment Adviser for further guidance.

### **Harassment Advisers**

8. Harassment Advisers provide a first point of contact for staff who are concerned about bullying and harassment. Harassment Advisers are employees of the University who have volunteered their time to provide confidential support and information service to staff members who have witnessed or are experiencing unwanted behaviour, bullying or harassment and need the support of someone to talk to but are unable to approach a colleague or line manager.
9. A Harassment Adviser will:
  - Provide a supportive and confidential listening service outside of the formal University structure and services;
  - Provide information on the various options open to people who feel they are experiencing harassment or other unwanted behaviour; and assist those seeking advice in thinking through the options, respecting the wishes of the member of staff;
  - Signpost people to internal and external sources of advice and support;
  - Provide similar support to those accused of harassment (although the same Adviser would not support both the complainant and the alleged perpetrator);
  - Deal with all cases with the utmost confidentiality except in cases where in their reasonable view, there is an unacceptable risk to a member of staff, student or to the institution;
  - Treat all colleagues with respect and dignity.
10. Information on who the Harassment Advisers are is available from the University

web pages

## **Mediation and Conciliation**

11. Workplace mediation tries to resolve workplace disputes informally and at the lowest level without resorting to formal and potentially damaging or difficult formal procedures. Mediation is designed to be a positive process, as it focuses on resolving problems to move forwards, rather than trying to apportion blame for the past. Mediation is entirely voluntary and confidential.
12. Mediation may be suggested to you as a way to try to resolve complaints, more information on how mediation works and what this means is available in the document "Guidance to Workplace Mediation".

## **Formal Procedures**

13. If you cannot resolve your concerns, if the harassment continues or if it is of a more serious nature you should raise a formal complaint.
14. To make a formal complaint you should set out the full details in writing including the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of the alleged harasser/bully and the name(s) of any witnesses and any actions which have taken place so far to attempt to stop it from occurring.
15. The University will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint. The investigation should be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned.
16. As a general principle confidentiality will be agreed and maintained wherever possible during and after any complaint of harassment. However there may be situations where confidentiality has to be broken and every effort will be made to make this clear to you at the time. As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.
17. It is important for you and the University to recognize that the alleged harasser must not be prejudged and they have the right to be informed of any allegations which are to be investigated and to have the chance to state their case.
18. If there is evidence that a complaint has been brought with mischievous or malicious intent, it may itself provide grounds for disciplinary action against the complainant.
19. Any allegations and investigations will be dealt with under the Grievance Procedure

## **Allegations of harassment by line managers**

20. Managers have a right to manage and a duty 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 harassment.
21. If you believe you are being harassed by someone who supervises or manages your work, you should refer to the University Policy Statement on Harassment and Bullying and are strongly advised to seek the support of a Harassment Advisor, or speak to an HR Partner/Adviser who can help you to understand what steps you may take to raise the issue formally.

## **Protection and Support**

22. Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. If you believe you have suffered any such treatment you should inform your line manager or speak to an HR Partner. If the matter is not remedied you should raise it formally using the Grievance Procedure or this procedure if appropriate. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under the Disciplinary Procedure.
23. Beyond the measures laid out in these procedures, further support, such as confidential counselling, is available to staff affected by, or accused of, bullying or harassment.
24. During an investigation, the University will seriously consider requests for changes to working arrangements, such as working hours or place of work, so as to avoid or minimise contact with the alleged harasser or bully.
25. It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasized to them.
26. Where the harasser or bully is an employee and where the investigation has shown that there may be a case to answer, the matter will be dealt with as a case of possible misconduct or gross misconduct under our Disciplinary Procedure. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the issues raised.
27. Following an investigation and whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties.

## **Confidentiality and Record-Keeping**

28. It is the University's aim to deal with matters sensitively and with due respect for the privacy of individuals concerned. Confidentiality is an important part of the procedures provided under this policy; all parties must treat as confidential any information communicated to them in connection with matters under this procedure, subject to the need to seek appropriate advice and guidance. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to disciplinary action under the Disciplinary Procedure.
29. Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

### Sources of Information and Support

30. The following is a summary of the sources of information and support which are available to you;
- a. Harassment Advisers
  - b. Human Resources
  - c. Trade Union Representative, University and College Union
  - d. Staff Forum
  - e. Employee Assistance Programme
  - f. Your Line Manager
31. External sources of information
- a. [Thisisabuse.direct.gov.uk](http://thisisabuse.direct.gov.uk)

### Document control

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