



Green Templeton College University of Oxford

Staff Harassment Policy

Introduction

The College is committed to ensuring equality and fair treatment in the workplace for all members of staff. One of the key aims of the policy is to enable the College to provide a working environment in which all staff feel comfortable and in which everyone is treated with respect and dignity, regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, disability or any other personal factor or quality.

All staff have the right to work in an environment that:

- Is free from abuse or insults
- Is safe
- Promotes dignity at work
- Encourages individuals to treat each other with respect
- Values politeness
- Is open and fair
- Encourages colleagues to support each other

This policy is intended to provide a means for members of staff who believe that they have been harassed or bullied to raise a complaint either informally or formally. The College treats all complaints of harassment seriously and will investigate them promptly, efficiently and in confidence. The College harassment policy provides a framework for resolving complaints of harassment or bullying and for stopping any behaviour deemed to be harassment under the definition established within the policy.

Definition of harassment

The current definition of harassment is: “unwanted conduct that violates people’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment”.

The defining features of harassment is that it is behaviour that is offensive or intimidating to the recipient and would be regarded as harassment by any reasonable person.

Harassment is a subjective concept; one person’s office banter is another person’s harassment and the College will take all factors into account when deciding if behaviour constitutes harassment.

Bullying is the persistent use of power and position (which may result in peer or upward bullying) to coerce others by fear, persecution or to oppress them by force or threat. It may be characterised by

offensive, intimidating, malicious or insulting behaviour, or misuse of power intended to undermine, humiliate, denigrate or injure the recipient. It may not be, or even appear to be, based on gender, race or other specific factor.

Reasonable and appropriate management instructions administered in a fair and proper way, or a reasonable and proper view of a member of staff's work will not constitute harassment.

Examples of harassment

Examples of behaviour which may amount to harassment include:

- suggestive comments or body language;
- verbal or physical threats;
- insulting, abusive, embarrassing or patronizing behaviour or comments;
- offensive gestures, language, rumours, gossip or jokes;
- humiliating, intimidating, demeaning and or persistent criticism;
- open hostility;
- isolation or exclusion from normal work, conversations or social events;
- publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive pictures or other materials;
- unwanted physical contact, ranging from an invasion of space to a serious assault.

(the above list is not intended to be exhaustive)

Harassment Advisers

The University of Oxford has appointed and trained approximately 300 harassment advisers. A harassment adviser has four main functions:

- to listen effectively and discuss the situation with the complainant;
- to provide clear information, help and guidance about the options available, the next steps to take, and how to best take them; and
- to provide support through the resolution process.
- to report anonymous statistical information as shall be required by the College or University of Oxford

A harassment adviser cannot:

- approach the alleged harasser in an attempt to mediate or resolve the matter for you;
- act as a representative or advocate; or
- be involved in any formal stage of the process except by way of providing the support required during this time.

An individual may be unsure as to whether certain behaviour amounts to harassment. Discussing the situation with a harassment adviser may help in making this assessment. The adviser can also provide further information on the steps that can be taken if the behaviour in question does not appear to be harassment under the terms of this policy.

The College has trained harassment advisers. Names are available from the HR Manager.

If an individual wishes to speak with a harassment adviser on a matter unconnected with the College there are about 60 of the University's advisers who provide advice outside their own department, faculty or college. The designated harassment line (01865 270760) will be able to put individuals in touch with one of the University's harassment advisers. Further details are available on the University's website at <http://www.admin.ox.ac.uk/eop/harassmentadvice/advisornetwork/>

Right to report harassment/bullying

Employees have a right to report any behaviour towards them which they believe constitutes harassment or bullying. This will include behaviour that has caused offence, humiliation, embarrassment or distress. Apart from complaints about the behaviour of colleagues, employees have the right to complain if they believe that they have been bullied or harassed by a third party, for example a customer, client or supplier. Employees who raise a genuine complaint under this policy will under no circumstances be subjected to any unfavourable treatment or victimisation as a result of making a complaint.

However, if it is established that an employee has made a deliberately false or malicious complaint against another person about harassment or bullying, disciplinary action will be taken against that employee.

Any employee who witnesses an incident that he/she believes to be the harassment or bullying of another member of staff should report the incident in confidence either to his/her line manager or to the College's HR Manager. The College will take all such reports seriously and will treat the information in strict confidence as far as it is possible to do so.

Informal complaint

Before raising a formal complaint, the employee may be able to talk directly and informally to the person whom he/she believes is harassing him/her and explain clearly what aspect of the person's behaviour is unacceptable, or is causing offence, and request that it stop. It may be that the person whose conduct is causing offence is unaware that his/her behaviour is unwelcome or objectionable and that a direct approach can resolve the matter without the need for formal action. Where an employee would like support to make such an approach, he/she should contact the College's HR Manager.

Formal complaint

If, however, the employee feels unable to take this course of action, or if he/she has already approached the person to no avail, or if the harassment is of a very serious nature, he/she may elect to raise a formal complaint. Formal complaints must be made in writing and raised with either the line manager or, if preferred, the HR Manager.

In bringing a complaint of harassment/bullying, the employee should be prepared to state:

- the name of the person whose behaviour he/she believes amounts to harassment or bullying;
- the type of behaviour that is causing offence, together with specific examples if possible;
- dates and times when incidents of harassment or bullying occurred, and where they occurred;
- the names of any employees who witnessed any incidents, or who themselves may have been the victims of harassment or bullying by the same person; and

- any action that the employee has already taken to try to deal with the harassment.

Investigation

The College will appoint a suitable person to conduct an investigation into the complaint. The person dealing with the complaint will invite the employee to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation.

The employee will have the right to be accompanied to this meeting by either a fellow worker or trade union official. The employee should take all reasonable steps to attend.

All those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

On conclusion of the investigation which will normally be within ten working days of the meeting, a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to the employee and to the alleged harasser.

If either the employee or the alleged harasser are dissatisfied with the draft report or with the proposed decision this should be raised with the investigator within five working days of receiving the draft. Any points of concern will be considered by the investigator before a final report is sent, in writing, to both the employee and to the alleged harasser. The employee has the right to appeal against the findings of the investigator in accordance with the appeal provisions of the grievance procedure.

Responsibility on line managers to deal with complaints

Managers who receive a complaint of harassment have a duty to investigate the matter thoroughly and objectively and to take corrective action. Line managers should be responsive and supportive towards any worker who raises a genuine complaint of harassment or bullying. The College's HR Manager will assist any line manager in dealing with complaints of harassment or bullying.

The College reserves the right, at its discretion, to suspend any employee who is under investigation for harassment or bullying for a temporary period whilst investigations are being carried out. Such suspension will be for as short a time as possible and will be on full pay.

Any employee accused of harassment or bullying will be informed of the exact nature of the complaint against him/her and afforded a full opportunity to challenge the allegations and put forward an explanation for his/her behaviour in a confidential interview, with a companion who is a colleague or trade union representative present if he/she wishes.

The College regards all forms of harassment and bullying as serious misconduct, and any employee who is found to have harassed or bullied a colleague will be liable to disciplinary action in accordance with the College disciplinary procedure.

The College may offer the opportunity to use a trained conciliator who will endeavor to bring about a mutually acceptable resolution to the situation. The preferred outcome of the College's harassment and bullying policy is that people against whom complaints are made change their behaviour to remove the cause of harassment.

The College will maintain records of investigations into alleged incidents of harassment or bullying, the outcome of the investigations and any corrective or disciplinary action taken. These records will be maintained in confidence and in line with the provisions of the Data Protection Act 1998. Anonymous statistical information regarding harassment cases within Colleges is provided to the University of Oxford Equality and Diversity Unit as part of their monitoring procedures.