BULLYING, HARASSMENT AND SEXUAL HARASSMENT POLICY

Brief Description (max 50 words)	This policy outlines the University's approach and commitment to promoting a working environment that is based on dignity, respect and trust.
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Equality Impact Assessment Bullying and Harassment Policy EIA.pdf	This document has been assessed for equality impact on the protected groups, as set out in the Equality Act 2010. This Policy is applicable as outlined in the 'scope' irrespective of their age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, marriage, or civil partnership.

Amendment History

Version	Date	Reviewer Name(s)	Summary of changes
3.0	01/07/2024	Jo Campbell	Clarification and robust approach to tackling bullying and harassment as well as making the policy more explicit around sexual harassment.
4.0	01/12/2024	Jo Campbell	Renaming of policy to 'Bullying, Harassment and Sexual Harassment Policy' following legislative changes in October 2024 around sexual harassment. Consistency in use of terminology of 'bullying, harassment and sexual harassment'.
4.1	Jan 25	Debbie Holder	Changed to new template

4.2	Oct 26	Karolina Pisarska	Updated to strengthen protection from sexual harassment and third-party harassment.

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1. Introduction

The University of Suffolk is committed to creating a working and learning environment that is free of bullying, harassment and sexual harassment, (in line with our values and associated behaviours) and where everyone is treated with dignity and respect.

Bullying, harassment and sexual harassment adversely affects working and social conditions for staff and students and is unacceptable. Bullying, harassment or sexual harassment will be treated very seriously and may be grounds for disciplinary action including dismissal.

It is important to highlight that by treating bullying, harassment and sexual harassment at work as serious issues the following benefits are likely: higher morale and improved performance, reduced absence levels (particularly stress related), reduced turnover and better staff retention rates, improved service delivery and better industrial relations.

We therefore adopt a zero-tolerance approach to instances of bullying, harassment and sexual harassment. The University takes all reasonable steps to prevent all forms of harassment and will proactively assess risks, implement preventative measures, provide training, communicate expected standards of behaviour, monitor incidents and review controls on an ongoing basis

This policy does not form part of your contract of employment, and we reserve the right to amend or withdraw it at any time.

1.1 General Features

Bullying or harassment can be between two individuals, or it may involve groups of people. It might be obvious or insidious and may be persistent or an isolated incident. It can also occur in written communications, by phone or email, not just in face-to-face actions or interactions.

A single incident can be harassment if it is sufficiently serious, e.g., unwanted sexual attention or touching.

Differences of attitude, background or culture and the misinterpretation of social signals can mean that what is perceived as harassment or bullying by one person may not seem so to another; nevertheless, this does not make it acceptable. Such behaviour can be deemed as unacceptable if it appears or feels offensive or intimidating to the recipient and would be regarded as such by any reasonable person.

Bullying, harassment and sexual harassment may be behaviours displayed by students, suppliers, vendors or visitors to University of Suffolk and, in these cases, you should report any such behaviour to your manager who will take appropriate action. Bullying, harassment or sexual harassment of students, suppliers, vendors or visitors or others will be dealt with through the disciplinary procedure.

2. Scope

This policy applies to

- University of Suffolk employees
- University of Suffolk casual workers
- Job Applicants
- Contractors / Third parties
- Students
- Volunteers
- Apprentices
- Interns / work experience placements

3. Definitions

3.1. Bullying

There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating or injuring the recipient.

Bullying can be physical, verbal or non-verbal conduct. It is not necessarily face to face and can be done by email, phone calls, online (cyber-bullying) or on social media. Bullying may occur at work or outside work.

If the bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore, will be unlawful (see Harassment).

3.2. Harassment

Harassment is unwanted conduct related to a protected characteristic*: sex, gender reassignment, race or ethnic or national origins, disability, sexual orientation, religion or belief, age or any other personal characteristic which:

- Has the purpose, or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, threatening or offensive environment for that person which interferes with their learning, working or social environment.
- Can cause stress, anxiety, fear or sickness on the part of the harassed person.
- Is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

(* Although Harassment does not specifically apply to pregnancy and maternity or marriage and civil partnerships these would be protected under the sex and sexual orientation characteristics.)

Staff should be aware that they can be held personally liable for harassment.

3.3 Sexual Harassment

Harassment may be sexual in nature. The law defines sexual harassment as:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

3.4 Third-party harassment

Harassment by Third parties will be treated with the utmost seriousness Third parties may include (but are not limited to): students, applicants, visitors, members of the public, volunteers, service users, contractors, consultants, agency workers, external partners, conference or event attendees and people encountered through work-related travel, placements, fieldwork, online activity or shared premises.

The University will assess concerns, support the employee and take proportionate action. This may include warning the third party, escalating the matter to their employer or contracting organisation, changing contact arrangements, restricting or removing access to University premises, activities or events, ending a service or commercial relationship where appropriate, and referring the matter to security, safeguarding services or the Police where necessary.

3.5. Examples of Bullying or Harassment (including Sexual Harassment)

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to) the following:

- Demeaning comments about a person's appearance.
- Unwelcome jokes or offensive comments, for example of a sexual or racial nature or about an individual's age.
- Unwanted nicknames.
- The use of obscene gestures.
- Showing or sending offensive or pornographic material by any means (eg by text, video clip, email or by posting on the internet or social media).
- Spreading malicious rumours or insulting someone.
- Picking on someone or setting them up to fail.
- Making threats or comments about someone's job security without good reason.
- Ridiculing someone.
- Refusing to work with or receive services connected with the University as a result of gender, race or any other protected characteristic
- Isolation or non-cooperation at work.
- Gaslighting
- Excluding someone from work related social activities.
- Physical conduct ranging from unwelcome touching to serious assault.
- Unwelcome sexual advances.
- The offer of rewards for going along with sexual advances, e.g. promotion, access to training.
- Threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment, evaluation, pay, advances, assigned work, or any other condition of employment or career development.
- Leering, whistling or making sexually suggestive gestures.

- Gossip and speculation about someone's sexual orientation or transgender status, sexual preferences, including spreading malicious rumours.
- Persistent suggestions to meet up socially after a person has made clear that they do not welcome such suggestions.
- Inappropriate use of the policy i.e. false allegations made in accordance with this policy.

4. Assault And Criminal Offences

It is particularly important that in cases of assault or other criminal offence, you should seek help immediately. You may ask someone to assist you, and you should inform the People & Organisational Development team as soon as possible. You should report any attack to the Police both for your own protection and the protection of others. If you have been sexually assaulted or raped the Police (as part of their investigation), will offer you medical help as soon as possible. The University can investigate incidents of alleged serious misconduct and, where appropriate, institute the disciplinary procedures. However, in the event of a serious offence against you such as physical assault, indecent exposure or sexual assault the University would encourage you to report the attack/assault to the Police.

5. Victimisation

Victimisation is treating someone less favourably than others because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying, harassing or sexually harassing them or someone else, or because they supported someone to make a complaint or give evidence in relation to a complaint. This would include isolating someone because they have made a complaint.

University of Suffolk will take appropriate action to deal with any alleged victimisation, which may include disciplinary action.

Making a complaint which you know to be untrue, or giving evidence which you know to be untrue, may lead to disciplinary action being taken against you.

6. Procedures For Dealing with Bullying and Harassment

If you feel that you are being subjected to bullying, harassment or sexual harassment in any form by a member of staff, student or third party (not an employee or student at University of Suffolk, i.e. visitor, supplier), you should report it without delay. The University's primary concern is that the bullying, harassment or sexual harassment must stop and that there is support and assistance when needed.

There are various places you might wish to seek support and/or advice from (set out on page 6) and they can advise you on a course of action suggest a way of resolving the situation or help you to obtain specialist advice.

You should make clear to the person causing the offence that such behaviour on that person's part is unacceptable to you. Alternatively, you may find it easier to make it clear how you feel about the situation by writing to the person who is causing offence (in which case you should keep a copy). In some cases, all these approaches may be sufficient to stop the unacceptable behaviour.

It is important to make a note of the details of any relevant incidents which distress you – particularly if you feel unable to speak to the person concerned or if, having spoken, the behaviour persists. You should include a note of ways in which the incidents cause you to change the pattern of your work or social life. If the harassment continues (or is of a more serious or of a sexual nature than can be dealt with by means of the above) you are strongly advised to report the matter to your line manager, or Executive member (i.e Dean, PVC, DVC or Director) or seek the help of a member of the People & Organisational Development team. This will enable you to discuss the nature of your complaint in confidence and to consider whether it may be possible to arrive at an acceptable solution on an informal basis.

6.1. Witnessing harassment or bullying (including sexual harassment)

All members of the University community have a responsibility to contribute to a respectful working environment and, where appropriate and safe to do so, challenge, report or seek support regarding inappropriate behaviour.

If you witness someone being bullied, harassed or sexually harassed at work, you could step in and try to stop it happening, if you feel it is safe to do so.

After it has happened, you can:

- Support a complaint made by the person who experienced the harassment
- Report what you have seen or experienced
- Give evidence as a witness, for example as part of a grievance procedure
- Make a harassment complaint yourself.
- Make a note of what happened, including times, dates, names including any other witnesses

When deciding whether to report it or make a complaint you should:

- Talk to the person who has experienced the harassment to see if they want your support.
- You may also want to talk to someone else to help you decide this could be but not limited to those set out below.

If you are making the complaint yourself, you do not need the permission of the person who has been harassed.

Retaliation or detrimental treatment against any person who raises a concern, supports a complaint, acts as a witness or participates in an investigation relating to bullying, harassment, sexual harassment or third-party harassment will not be tolerated and may be treated as a disciplinary matter.

7. Advice And Support

You can seek advice or support from:

- The People & Organisational Development (POD) Directorate
- The Executive member (including Dean of School/ Director / PVC / DVC or other Executive members) in which you work
- Local Officers of the Trade Unions: UCU or Unison
- The Chaplaincy
- University of Suffolk Designated Safeguarding Officer
- Employee Assistance Programme (EAP)

8. Formal Steps – Making A Complaint

Managers have a responsibility to prevent bullying, harassment and sexual harassment where reasonably possible. They are expected to promote a respectful culture, act promptly on concerns, complete relevant training and implement local preventative measures. They should assess foreseeable risks, including lone working, evening or public events, work-related travel, placements, fieldwork, online contact, shared premises and regular contact with students, visitors, contractors, suppliers, service users or members of the public. Significant risks and agreed controls should be recorded and reviewed.

If your concerns cannot be resolved by your own efforts – (with or without the support of anybody else) to explain to the person causing offence that their behaviour is unacceptable to you, you have the right to register a grievance in accordance with the grievance procedure. In these circumstances the procedure would be initiated at the next level beyond that at which the issue has already been dealt with informally. You should seek a confidential meeting with your line manager, or if the complaint relates to your immediate line manager, the next level of management (ie, the Executive member – Dean / Director etc) or any other member of management you feel able to approach (accompanied, if you wish).

Managers have a duty to manage and the right 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 genuine harassment. If you believe you are being harassed or bullied by someone who supervises or manages your work you are strongly encouraged to raise the issue with someone at a more senior level, or outside, the management line.

We recognise that raising a concern of a sensitive or safeguarding concern, can be distressing and difficult. If you do not feel able to raise it with your line manager you can alternatively raise the concern or enquiry to a Designated Safeguarding Officer, by raising a ticket via Minerva or contacting them by telephone 01473 338400 and select the option ‘safeguarding’.

Further details on safeguarding can be found here

9. Confidentiality

As a general principle, confidentiality will be agreed and maintained wherever possible during and after any complaint of bullying, harassment or sexual harassment. However, University of Suffolk has an obligation to protect both you and other members of the campus community and for this reason there may be situations i.e. safeguarding matters where confidentiality has to be broken. You will, however, be advised of this before this happens.

The decision about whether to progress a complaint normally rests with you, but the University will have to act if it judges there to be an unacceptable risk. It is important for you and the University to recognise that the alleged bully or harasser must not be prejudged, and they have rights – including being informed of any allegations which are to be investigated and having the chance to state their case. A complaint which is found to have been brought with mischievous or malicious intent may itself provide grounds for disciplinary action against the complainant.

10. Possible Outcomes

Possible outcomes are:

- Commitment that action will not be repeated:
- Resolution, e.g. through mediation/facilitated meeting.
- Referral to other formal procedures i.e. grievance or disciplinary (serious cases of harassment, bullying or discrimination may be treated as gross misconduct); or
- Misunderstandings clarified and resolved.

11. Training

The University is committed to ensuring that all members of its community understand the standards of behaviour expected and their responsibilities in preventing, recognising and responding to bullying, harassment, sexual harassment and third-party harassment.

All new starters must complete mandatory training within the first 8 weeks of commencing employment with the University, which includes:

Equality & Diversity

Safeguarding Children & Vulnerable Adults

Preventing Radicalisation and Extremism

Sexual Harassment

Every current employee must ensure all their mandatory training remains in date.

Employees identified as working in higher-risk environments may be required to complete additional mandatory training on third-party harassment and related preventative measures. The University will determine appropriate training requirements based on the nature of the role, working environment and level of exposure to foreseeable risks. The University will periodically review training provision, completion rates and emerging risks to ensure training remains effective and reflects legal and regulatory requirements.

12. Monitoring and review

This policy is reviewed every four years and, if necessary, amended to ensure it remains effective. The University will analyse anonymised data relating to bullying, harassment, sexual harassment and third-party harassment to monitor trends, assess risk, evaluate preventative measures and inform continuous improvement.

13. Other associated policies:

Grievance
Disciplinary
Safeguarding Policy and code of Practice
Personal Relationship at work policy