UNIVERSITY OF GREENWICH
Part of London and South East University Group

Prevention of Bullying, Harassment and Sexual Misconduct

Policy and Procedure

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1 Scope and purpose

1.1. The University of Greenwich is committed to fostering an inclusive culture and working environment based on dignity, trust and respect, and ensuring our workplace is safe and supportive to all those who work for us, including employees, workers, agency workers, volunteers and contractors on all campuses.

1.2. The university is committed to taking all reasonable steps to prevent sexual harassment and harassment in the workplace. This includes proactive measures to identify risks, raise awareness, provide training, encourage reporting, support those affected and take appropriate action where concerns are identified.

1.3. Bullying, harassment, sexual harassment, discrimination and victimisation will not be tolerated at the University of Greenwich. This policy should be used to raise a complaint where a member of staff considers they have been subjected to any of the above by:

a) a member of university staff
b) a university student
c) a third party, including contractors, agency staff, consultants, suppliers, customers, visitors, members of the public, placement providers, external partners or any other person encountered in the course of work.

1.4. This policy should be used for the above purpose in preference to the Grievance Policy and Procedure.

1.5. Normally it is expected that an individual who is experiencing any form of bullying or harassment will raise a complaint themselves either informally or formally. However, where another member of staff becomes aware of bullying or harassment against another party, they may also raise a complaint. It does not matter that the person raising the complaint is not the person being bullied or harassed.

1.6. Complaints made by a student against another student are not covered by this policy. The university's Student Harassment and Sexual Misconduct Policy is available on the university portal. Further advice is also available from the university's Report and Support platform. Where the student is also an employee, advice should be sought from the People Directorate about the most appropriate route for addressing the issue.

1.7. Complaints made by a staff member against a student will be discussed with SAS (Student and Academic Services) and allegations will normally be investigated under the Student Disciplinary Procedure.

1.8. Further information on the procedure for raising a complaint about any form of bullying, harassment, sexual harassment, discrimination and victimisation, either informally or formally, can be found in this policy under 8.Procedure, and Appendix 1 provides a quick guide on where formal complaints should be directed.

2 Report and Support

2.1. Report and Support is the university's online platform for employees and students to report any form of harassment, including bullying, discrimination, hate or sexual

misconduct that they have either experienced or witnessed. An individual can do this anonymously or they can ask to speak to an advisor to get information on reporting options and support available so that they can make an informed decision on what happens next. Report and Support can be found on the university's staff portal here.

3 The Public Sector Equality Duty

3.1. The Equality Act (2010) requires public bodies such as the University of Greenwich to consider how their decisions and policies affect people with different protected characteristics (or a combination of these).

3.2. The university is committed to promoting equality of access and outcome for all, celebrating diversity, and providing an inclusive learning and work environment for all students, staff, and visitors. The university will ensure they pay 'due regard' to the need to:

a) eliminate discrimination, harassment, and victimisation.
b) advance equality of opportunity.
c) foster good relations between people, irrespective of their age, disability, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex and sexual orientation'.

3.3. Paying 'due regard' means the university will consciously consider or think about the need to do the above.

4 Aims

4.1. This policy aims to prevent any form of bullying, harassment, sexual harassment, discrimination and victimisation and ensure individuals are able to challenge behaviour which does not respect the rights and dignity of themselves or others, and to raise a complaint without fear of victimisation.

4.2. The procedure aims to ensure that where complaints are raised, they are dealt with promptly and with a fair, constructive and consistent approach.

5 Policy

5.1. Every workforce will have wide ranging attitudes about acceptable conduct and what is considered offensive, humiliating, hostile, intimidating, or degrading. What one person may consider as a harmless comment, another may find unacceptable. Therefore, it is important to understand that someone's conduct could amount to harassment or sexual harassment even it was not intended that way. This policy explains the different types of behaviour which amount to harassment under the Equality Act 2010.

5.2. The university will not tolerate discrimination, bullying or harassment against employees on the grounds of age, disability, marriage and civil partnership, gender expression, gender identity, pregnancy and maternity, race, religion or belief, sex, sexual orientation, trans identity or on any other grounds. All staff have a responsibility to challenge or raise concerns if they experience or observe this type of behaviour. Management at all levels have a responsibility to respond appropriately and take action when they become aware of bullying or harassment. In such cases, when a manager is

aware of bullying or harassment behaviour but fails to address it, this may result in disciplinary procedures being implemented against them.

5.3. Line managers have a responsibility to:

a) Promote and maintain a respectful, safe and inclusive working environment.
b) Take all concerns seriously.
c) Take prompt and appropriate action where concerns are identified or reported.
d) Ensure employees are aware of reporting routes, available support and relevant policies.
e) Participate in relevant training.
f) Identify, assess and respond to workplace risks relating to harassment and sexual harassment, including risks arising from contact with third parties, through appropriate local management arrangements and, where applicable, existing risk assessment processes.

5.4. All employees are expected to:

a) Behave in a respectful manner.
b) Participate in relevant training.
c) Report incidents or concerns they experience or witness, where appropriate and where they feel able to do so.
d) Support efforts to create a safe and inclusive working environment.

5.5. The university encourages employees to raise any concerns they may have about harassment, discrimination or bullying. However, it is important to distinguish such incidents from other behaviour such as respectful academic debate or performance management which is in line with the university's values.

5.6. It is a management responsibility to raise with staff any performance or conduct issues where improvement is needed. Managers are required to carry out these duties in a reasonable manner. Actions and processes to improve employee performance should be designed to support and encourage improvement and not to undermine or injure the recipient. Feedback should be constructive.

5.7. Many issues can be resolved informally, and this approach is encouraged wherever possible. More information is given in section 8.1.

5.8. Individuals who wish to raise a complaint are encouraged to do so without delay and as soon as the incident occurs or they become aware of a concern.

5.9. Where appropriate (i.e. where the employee and the person complained about both agree to do so) mediation will be offered to try to resolve the complaint. This will be carried out by a neutral person trained in mediation skills. Mediation is a voluntary step for all parties and neither will be penalised for declining the offer of mediation. Mediation can be considered at any stage and is arranged through the People Directorate. More information on mediation is given at Appendix 2.

5.10. Where matters cannot be resolved informally, allegations will be investigated, and formal action taken as appropriate.

5.11. Where concerns have come to the attention of management, the university may decide to take action even where the individual themselves wishes to drop the case. In such cases the employees concerned will be offered support as appropriate.

5.12. Those participating in a formal Bullying and Harassment meeting may be accompanied by a trade union representative, trade union official, or a workplace colleague. See section 9 for information on accompaniment.

5.13. The outcome of the Bullying and Harassment meeting will be advised to the person who raised the complaint, and the person complained about, including if appropriate details of any further steps required and subject to any confidentiality requirements.

5.14. All parties involved in a bullying or harassment matter must exercise due care to maintain confidentiality. Records must be stored in line with Data Protection requirements. Complaints will be dealt with sensitively and no sensitive personal information will be shared without consent, except where there is an unacceptable risk to an individual, others, or to the University.

5.15. Electronic recordings of meetings are not permitted.

5.16. The university will periodically review reports, complaints, outcomes, training completion rates and other relevant information to assess the effectiveness of measures intended to prevent bullying, harassment, discrimination and sexual harassment and to identify opportunities for continuous improvement.

6 Definitions of bullying, harassment, sexual harassment, discrimination and victimisation

6.1. Bullying, harassment, sexual harassment and victimisation are unacceptable on moral and legal grounds. 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 the intent. Harassment, bullying and discrimination can occur in various ways, for example:

a) Amongst co-workers
b) Downwards – a manager against those they manage
c) Upwards – a worker against their manager
d) Students – against their lecturer or any other member of staff
e) Lecturer – against a student
f) Towards a third party or by a third party - such as a contractor or visitor
g) Face-to-face or in writing, electronically (e.g. texts or emails) or via social media.

6.2. This policy covers behaviour which occurs in the following situations:

a) a work situation.
b) a situation occurring outside of the normal workplace or normal working hours which is related to work, e.g. a working lunch, a business trip or social functions.
c) outside of a work situation but involving a colleague or other person connected to the university, including on social media.

d) against anyone outside of a work situation where the incident is relevant to your suitability to carry out the role.

6.3. The Equality Act 2010 makes three types of harassment unlawful. They are:

a) Harassment related to a 'relevant protected characteristic'
b) Sexual harassment, and
c) Less favourable treatment of a worker because they submit to, or reject, sexual harassment or harassment related to sex or gender reassignment.

6.4. 'Relevant protected characteristics' are:

a) Age
b) Disability
c) Gender reassignment
d) race
e) religion or belief
f) sex
g) sexual orientation

6.5. Harassment related to a protected characteristic arises when an employee is subject to unwanted, unwelcome or uninvited conduct in relation to the protected characteristic. Unwanted conduct can include:

a) spoken words
b) written words
c) banter
d) posts or contact on social media
e) imagery
f) graffiti
g) physical gestures
h) facial expressions
i) mimicry
j) jokes or pranks
k) acts affecting a person's surroundings
l) aggression
m) physical behaviour towards a person or their property

6.6. Bullying

6.6.1. Bullying may be characterised as offensive, intimidating, persistent malicious or insulting behaviour, an abuse of power that undermines, humiliates or injures the recipient.

6.6.2. Behaviour that is considered bullying by one person may not seem so to another. The key is in how the behaviour is perceived, not the intent of the person who does it. The examples of bullying and harassment given below are illustrative.

a) Spreading malicious rumours or insulting someone by word or behaviour.
b) Copying emails that are critical about someone to others who do not need to know.
c) Ridiculing or demeaning someone - picking on them or setting them up to fail

d) Exclusion or victimisation.
e) Unfair treatment.
f) Overbearing supervision or other misuse of power or position.
g) Making threats or comments about job security without foundation.
h) Deliberately undermining a competent worker by overloading and constant criticism.
i) Preventing individuals progressing by intentionally blocking promotion or training opportunities.
j) Making homophobic insults and threats.
k) Bullying based on prejudice or negative attitudes about bi people e.g. labelling/calling a bi person 'greedy' for being attracted to more than one gender.
l) Bullying is bullying based on prejudice or negative attitudes about trans people e.g. calling a trans person 'it' or 'he-she' or intentionally use their old name (dead naming) or intentionally using incorrect pronouns.

6.7. Harassment

6.7.1. Harassment and discrimination on the grounds of a protected characteristic, as well as victimisation, are unlawful under the Equality Act 2010. Some types of harassment also constitute a criminal offence under the Protection from Harassment Act 1997. This has legal implications for the perpetrator as well as the University.

6.7.2. Harassment as defined in the Equality Act, is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It can be persistent or an isolated incident.

6.7.3. Harassment by association or perception: An individual can be harassed on the grounds that they are related to, or associates with, someone with a relevant protected characteristic. Individuals may also be subject to harassment on the grounds of a mistaken perception that they have or do not have a protected characteristic.

6.8. Sexual Harassment

6.8.1. Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It also covers treating someone less favourably because they have submitted to, or refused to submit to, unwanted conduct of a sexual nature or in relation to gender reassignment or sex.

6.8.2. Sexual harassment takes many forms and is unlawful in any form under the Equality Act 2010. The law requires employers to take all reasonable steps to prevent sexual harassment of their workers. The university is committed to taking all reasonable steps to prevent sexual harassment, including implementing preventative measures, providing training, promoting reporting mechanisms, investigating concerns promptly and taking appropriate action where misconduct is identified.

6.8.3. The university has reporting procedures in place for our staff to make a complaint about sexual harassment. If an employee has been sexually harassed, or they witness sexual harassment, they are encouraged to report this so that it can be dealt with swiftly. To make a complaint refer to the procedure in this policy.

6.8.4. Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted. However, sexual conduct that has been welcomed in the past can become unwanted, for example after a consensual relationship has ended but one party subjects the other to unwanted conduct of a sexual nature (See also the Personal Relationships at Work Policy).

6.9. Examples of sexual harassment

6.9.1. Sexual harassment may be committed by a fellow worker, manager, student, contractor, agency worker, visitor or other third party. It does not need to occur in person and may take place through digital communications, including email, messaging services and social media. Someone may experience sexual harassment even if they are not the intended target of the behaviour. The university is committed to taking all reasonable steps to prevent sexual harassment and to responding promptly and appropriately to concerns raised by staff, including where the conduct involved a third party. Examples of sexual harassment include, but are not limited to:

a) sexual comments or jokes, which may be referred to as “banter”.
b) displaying sexually graphic pictures, posters or photos.
c) suggestive looks, staring or leering propositions and sexual advances.
d) making promises in return for sexual favours.
e) sexual gestures.
f) intrusive questions about a person’s private or sex life or a person discussing their own sex life.
g) sexual posts or contact in online communications, including on social media.
h) spreading sexual rumours about a person.
i) sending sexually explicit emails or text messages.
j) unwelcome touching, hugging, massaging or kissing.

6.10. Discrimination

6.10.1. Discrimination occurs when a person is treated less favourably for a reason related to a protected characteristic under the Equality Act. These characteristics are:

a) Age
b) Disability
c) Gender reassignment
d) Marriage and civil partnership
e) Pregnancy and maternity
f) Race
g) Religion or belief
h) Sex
i) Sexual orientation

6.11. Victimisation

6.11.1. Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do, an act which is protected under discrimination and harassment laws. These are outlined below. It is not necessary for the person to have done the protected act in order for detrimental treatment to be considered as victimisation.

6.11.2. The protected acts are:

a) making a claim or complaint under the Equality Act (e.g. for discrimination or harassment)
b) helping someone else to make a claim by giving evidence or information in connection with proceedings under the Equality Act.
c) making an allegation that someone has breached the Equality Act.
d) doing anything else in connection with the Equality Act.

6.11.3. Examples of victimisation may include:

a) failing to consider someone for promotion because they have previously made a sexual harassment complaint
b) dismissing someone because they accompanied a colleague to a meeting about a sexual harassment complaint
c) excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

7 Impact of bullying, harassment or discrimination

7.1. The potential impact of bullying, harassment or discrimination includes:

a) Increased feelings of personal stress and higher sickness absence
b) Poor morale
c) Reduced efficiency
d) Increased staff turnover
e) Reduced loyalty and commitment
f) Financial implications including Employment Tribunal claims

7.2. It is therefore the responsibility of all members of the University to encourage issues to be addressed.

8 Procedure

8.1. This procedure should be followed when an employee wishes to raise a complaint, either informally or formally in relation to any form of bullying or harassment they have experienced from:

a) a member of university staff.
b) a university student.

c) a third party including contractors, agency staff, consultants, suppliers, customers, visitors, members of the public, placement providers, external partners or any other person encountered in the course of work. .

8.2. Complaints made by a staff member against a student will be discussed with SAS (Student and Academic Services) and allegations will normally be investigated under the Student Disciplinary Procedure.

8.3. Where a complaint concerns the conduct of a third party, the university will investigate the matter in accordance with this policy and procedure. Following consideration of the circumstances and findings, the university will take any appropriate action available to address the concerns and minimise the risk of recurrence.

8.4. Informal Resolution

8.4.1. Complaints can often be resolved at an informal level. The individual concerned may not realise that their behaviour is unwelcome or upsetting. There may be cultural or language differences which impact on their behaviour or how it is perceived. An informal discussion may help those concerned to understand the effect of their behaviour so that they agree to change it.

8.4.2. Informal and amicable resolution of issues is usually much easier if matters are raised without delay.

8.4.3. An employee may find it helpful to keep a diary of the instances of harassment or bullying to which they believe they have been subjected. It is important to note the date, time and place of the incident, exactly what was said or done, the context in which it was said or done, how it made the employee feel and what action was taken (if any). The names of any witnesses should be noted, and relevant documents retained.

8.4.4. Raise the issue with the person/s concerned

8.4.5. Where the employee feels able to do so they should speak to the person or persons directly, without delay, giving examples of the behaviour they find unacceptable and asking for it to stop.

8.4.6. The employee should keep a record of the date they spoke to the person/s and their response.

8.4.7. If the employee does not feel able to speak to the person/s, they may prefer to write to them, outlining the behaviour they find unacceptable, together with example(s), and asking for the behaviour to stop. The employee may wish to add that if the unacceptable behaviour continues, that they intend to make a formal complaint.

8.4.8. Speak to someone else about the issue

8.4.9. If the employee does not feel able to speak to or write to the person or persons concerned, they should discuss the matter with their line manager. If the person being complained about is the employee's own line manager, the employee may prefer to speak to the counter-signing manager (their line manager's line

manager). If the employee does not feel able to raise the matter with their line manager or the counter-signing manager, they should approach the People Directorate. If they are member of a trade union, they may also wish to seek advice from their local TU representative.

8.4.10. The university recognise that complaints of sexual harassment can be of a sensitive or intimate nature, and it may not be appropriate for the employee to raise the issue with their line manager or counter signing manager. Therefore, the employee may alternatively raise the issue with any one of the following:

a) Report + Support.
b) A member of the People Directorate
c) The employee's TU representative.
d) Another senior colleague of the employee's choice.

8.4.11. It is important to note that whilst issues will be treated with sensitivity, once a manager or a member of the People Directorate is aware of an allegation of bullying, harassment (including sexual harassment), or discrimination they are obliged to take action. What kind of action is appropriate will be discussed in advance with the person raising the complaint and they will be offered any necessary support.

8.4.12. Participate in an informal meeting

8.4.13. The line manager, counter-signing manager or the People Directorate will normally seek to support an informal resolution of the concerns. This may take the form of facilitating a resolution by speaking to both parties individually. Where such meetings are arranged, the person complained about will be informed in advance of the allegation in order to give them a fair opportunity to respond.

8.4.14. Where complaints concern employees from different Faculties or Directorates, guidance should be sought from the People Directorate to identify an appropriate person/people to facilitate an informal meeting.

8.4.15. There is no right of accompaniment by a trade union representative at an informal meeting. If the employee wishes to be accompanied by a trade union representative it must be recognised that the meeting will be held under the formal stage. Instead, the employee may find it helpful to discuss with their counter-signing manager or the People Directorate in advance of the meeting, how the matter may be resolved informally. This may include the possibility of mediation by a neutral person trained in mediation (see appendix 2). Where the manager believes the employee would benefit from being supported by a workplace colleague at the informal stage, this may be agreed.

8.4.16. If the manager meets with an individual at the informal stage, they should make a written note of the discussion and share it with that employee. For the avoidance of doubt this should clearly state the matter was discussed at an informal stage. Notes of informal action are not placed on the People Directorate records of the employee who raised the complaint, or the person complained about.

8.4.17. Informal resolution is encouraged wherever possible. However, it is accepted that some cases may be so serious that informal resolution will not be appropriate.

This may be the case where the employee has experienced sexual harassment. Where this is the case, or where attempts to resolve the matter informally have not been successful, the complaint should be raised formally in writing without delay (see 8.4 Formal Stage below).

8.5. Formal Stage

a) Where the informal approach fails or if the complaint is more serious, the employee should raise a formal complaint. This should be submitted to the employee's line manager in writing. However, if the line manager is implicated in the complaint the employee may submit the formal complaint to the counter-signing manager. A copy of the complaint must be sent to the People Directorate. Where it is not appropriate to submit the complaint to the line manager or the counter-signing manager, it should be sent to the People Directorate. The employee may alternatively use the university's Report and Support platform to disclose an incident and raise a formal complaint.

b) The written complaint should set out the following:

I. the name of person who is the subject of the allegation.
II. the nature of the alleged allegation.
III. the dates and times when the alleged incident(s) took place.
IV. the names of any witnesses.
V. any action already taken by the employee to stop the alleged behaviour.
VI. The employee raising the complaint may wish to state their desired outcome.

c) If the manager considering the written complaint believes that it may still be possible for the matter to be resolved without formal action, they may suggest further measures to address the matter informally, however they must consider the sensitivity of the complaint and prioritise consideration of the impact on the individual. This does not, however, prevent the employee from pursuing the formal procedure if they wish to do so.

d) In certain circumstances it may be necessary to suspend an employee from work whilst an investigation is carried out (See 8.6 Suspension)

8.6. Investigation

a) An investigator will be appointed. The person appointed to conduct an investigation will not be involved with the people or issues concerned. When appointing individuals to carry out roles in the process, every effort will be made to avoid a conflict of interest. If a manager is appointed to a formal role and the employee or manager is aware of a conflict of interest, they should raise this immediately with the People Directorate.

b) Any necessary investigations will be carried out before reaching a decision. Investigation will normally involve conducting interviews with the employee, the person complained about and any witnesses, as well as reviewing any relevant documents. Employees are expected to co-operate fully and promptly. Employees may be accompanied at investigation meetings if they wish; see 9. Accompaniment for information on accompaniment.

c) Unless there are exceptional circumstances investigations will not normally include historic issues which were not raised within three months of the occurrence or the most recent incident or matters which were previously investigated.

d) Whilst it can be difficult to determine a fixed timescale for conducting an investigation, especially in complex cases, the investigator should set out an indicative timescale and keep the employees involved updated about progress and any delays.

e) The University will treat complaints sensitively and maintain strict confidentiality as far as possible. Investigation of allegations will normally require limited disclosure on a "need to know" basis. For example, the identity of the individual concerned, and the nature of the allegations will be shared with the person complained about so that they are able to respond to the allegations. Some details may need to be given to potential witnesses; where this is necessary, the importance of confidentiality will be emphasised.

f) Where "counterclaims" are received, for example where the person complained about considers the behaviour of the person raising the complaint amounts to harassment, discrimination or bullying, the terms of reference for the investigation will be extended to cover these claims.

g) The investigator will investigate the facts, write a report and then submit it to the manager hearing the complaint. Information gathered may be appended to the main report. The investigator should ensure their report is written without unfair bias. The investigator does not make a recommendation as to the outcome. The investigator will not restrict evidence from the report, although any sensitive data will not be shared without consent.

h) The employee will be provided with a copy of the investigation report subject to confidentiality and the UK General Data Protection Regulation.

i) Where investigations proceed to a disciplinary hearing, the Disciplinary Policy and Procedure will be followed.

j) If at any time enquiries indicate that suspension may be an appropriate step, this will be considered in line with the Disciplinary policy. For ease of reference the relevant section of the staff Disciplinary procedure is provided at section 8.4.

8.7. Suspension

8.7.1. In certain circumstances it may be necessary to suspend an employee from work whilst an investigation is carried out, such as:

a) The allegations are potential gross misconduct.
b) Where it is perceived that the employee's continued presence in the workplace would hinder or compromise an investigation.
c) Where it is perceived that the employee's continued attendance in work poses a threat to security, a risk to evidence or to their safety, the safety of others or damage to university property.

8.7.2. Where the line manager identifies that suspension is necessary, they must contact the People Directorate to discuss the reason for suspension. The People Directorate will seek authorisation for suspension from the Vice Chancellor (or their nominee).

8.7.3. Where it is agreed that it is necessary to suspend the employee, the employee's line manager will inform the employee and where it is necessary, ensure that the employee is accompanied from the university premises.

8.7.4. The suspension will be as brief as possible and no longer than is necessary to investigate the allegations and arrangements will be confirmed in writing to the employee.

8.7.5. The suspension will be kept under review and the employee kept informed should the investigation encounter delays. However, suspension may continue until a decision is taken at a disciplinary hearing.

8.7.6. The decision to suspend is not a disciplinary penalty and does not imply that any decision has been made about the allegations. The employee will continue to receive full basic pay during the period of suspension.

8.7.7. Alternatives to suspension, such as moving the employee to another location or job or by limiting their duties, will be considered while an investigation takes place.

8.7.8. Whilst suspended, the employee should not visit any university premises, perform any usual duties, or discuss the matter with any other university employees, customers, suppliers or contractors unless authorised to do so.

8.8. Formal meeting

a) If the complaint is about the line manager, they will not hear the formal complaint; a manager who is not involved with the people or issues concerned will hear the complaint. Where complaints concern employees from different Faculties or Directorates, guidance should be sought from the People Directorate in order to identify an appropriate person to hear the complaint.

b) Where necessary the investigator will be available to provide clarification on their investigation.

c) The employee who has raised the complaint and the employee being complained about will be given at least 10 working days' notice of the formal meeting. Any additional information to be submitted which is not already available in the investigation report should be sent to the manager hearing the case no later than three working days before the meeting.

d) A representative from the People Directorate will attend the meeting to provide procedural advice. In the event that witnesses are to be called, advance notice must be given. A note-taker will also attend. The manager hearing the case will normally be responsible for making the necessary arrangements.

e) Guidance is given at Appendix 3 on holding a formal meeting. The employee who raised the complaint and the person complained about will not normally attend the

meeting simultaneously. However, where all parties wish to be present at the same time, this may be agreed.

f) The formal meeting will be adjourned to allow consideration of all the evidence before reaching a decision. Potential outcomes from a formal meeting are that the complaint is:

   a) upheld
   b) partially upheld or
   c) not upheld.

g) Minutes will be provided as soon as possible and normally within 10 working days of the meeting. Minutes are not verbatim but are a summary. The employees who attended the meeting can ask for corrections to the minutes. If the requested amendments are not made, their comments will be appended to the minutes.

h) The decision from the meeting will be advised to the person who raised the complaint, and the person complained about. Where possible a decision should be provided on that day.

i) Where a complaint is not upheld it will normally be desirable for the decision to be communicated face-to-face to the employee who raised the complaint. In any case the decision will be sent in writing, normally within five working days. In the event of any delay, the parties to the complaint should be kept informed.

j) Where a decision is upheld or partially upheld the matter will normally be referred for consideration under the Disciplinary policy. Where this is the case, the Bullying and Harassment investigation report and notes/documents from the Bullying and Harassment meeting will serve as the investigation report for the disciplinary panel.

8.9. Appeal

a) If the employee who raised the complaint disagrees with the outcome of the Bullying and Harassment meeting, they may appeal.

b) The employee must submit any appeal they wish to make in writing to the person named in the decision letter, within 10 working days of receiving the written decision and set out their grounds of appeal. A copy must be sent to the People Directorate. Any additional documentary evidence to be submitted must be provided no later than three working days before the appeal meeting.

c) The appeal will be heard by a senior manager who is not involved with the people or issues concerned.

d) Documentation from the Bullying and Harassment meeting will be made available to those present at the appeal.

e) A representative from the People Directorate will attend the appeal to provide procedural advice. A note-taker will also attend. The manager hearing the appeal should make the necessary arrangements.

f) The outcome of the appeal will be confirmed in writing, normally within five working days of the appeal hearing. Following delivery of the appeal decision there is no further right of appeal.

9 Accompaniment

9.1. An employee has the right to be accompanied at a formal meeting or appeal by a workplace colleague or trade union representative or an official employed by the trade union. The University also permits accompaniment at an investigation meeting. A companion should not answer questions on behalf of the employee but may make representations and ask questions. The employee and companion may talk privately at any time during the meeting. The chosen companion must not be otherwise involved with the case.

9.2. If the chosen companion is not available at the time offered, the employee may request that the meeting is postponed to an alternative time provided this is not more than five working days after the original date.

9.3. Where a witness is asked to attend, they may be accompanied although there is no statutory right of accompaniment. Their chosen companion must not be otherwise involved in the case.

10 Support

10.1. Those involved in a bullying and harassment complaint will have access to appropriate support at all stages of a complaint.

10.2. Report and Support is the university's online platform for employee and students to report any form of harassment, including bullying, discrimination, hate or sexual misconduct that they have either experienced or witnessed. An individual can do this anonymously or they can ask to speak to an advisor to get information on reporting options and support available so that they can make an informed decision on what happens next. Report and Support can be found on the university's staff portal here.

10.3. The university provides a free and confidential Employee Assistance Programme (EAP), which is available to employees and their family members. Further information can be found university staff portal.

10.4. Managers should ensure staff are aware of the support available at the university and how to access it.

11 If a complaint is made against you

11.1. Staff are expected to respond appropriately if an individual raises a concern about their behaviour. An apology or assurance that the behaviour will not be repeated may be all that is needed to deal with the situation.

11.2. The University recognises it can be distressing to be accused of bullying and/or harassment. If a member of staff is approached and told their behaviour could be construed as bullying or harassment, they should be prepared to listen patiently and calmly. Whilst it may be upsetting, they should listen carefully and allow the complainant to express their concerns and then try to reach common ground to remedy

the situation. The employee should not ignore the complaint because it is felt the person raising the complaint was being too sensitive, or the behaviour was intended as a joke. It is often helpful to seek clarification about what aspects of behaviour were felt to be unacceptable and to discuss ways of working together more effectively.

11.3. The University acknowledges that an alleged harasser is not necessarily blameworthy and will ensure that appropriate support is available to them.

12 Unwarranted complaints

12.1. The University will not tolerate victimisation of a person who has made an allegation in good faith or someone who has supported, in good faith, a person who has raised a complaint. However, if there is evidence that allegations of harassment, discrimination or bullying have been made vexatiously, maliciously or that false information has been provided, disciplinary action will be taken. Vexatious complaints themselves can be a form of harassment.

13 Criminal Offences

13.1. If a person experiences unwanted physical contact, intimidation or stalking they should seek appropriate advice/ assistance immediately. In such cases for their own protection and that of others, it is important that an offender is caught. Some actions are so serious, such as physical assault, indecent exposure or stalking, that they are very likely to be a criminal offence. In serious matters such as these, the University will encourage the victim to involve the Police and will support the victim to do so. If an investigation is undertaken, the University will facilitate the Police enquiry wherever possible.

13.2. In exceptional cases where the police are investigating allegations against an employee, or legal proceedings have commenced, the matter should be referred to the Executive Director of People who will make a decision as to whether to pursue the complaint in parallel with the criminal investigation, or whether the complaint shall be held in abeyance until the criminal investigation is concluded.

14 Summary of timings

14.1. For ease of reference a summary of timings in this policy is provided at appendix 4.

15 Support and Resources

UoG Report + Support	Report + Support can be accessed via the Portal, the SafeZone app, or type https://reportandsupport.gre.ac.uk/ into your browser.
UoG Employee Assistance Programme (EAP)	The university provides a free and confidential Employee Assistance Programme (EAP), which is available to employees and their family members. Further information can be found here.

Equality and Human Rights Commission	Sexual harassment and harassment at work: Technical Guidance
Refuge	National Domestic Abuse Helpline (Freephone, 24 hour) – 0808 2000 247 The helpline is run by Refuge and a **live online chat** is also available
Women's Aid	**Women's Aid** is the national charity working to end domestic abuse against women and children. They provide local support services, training for organisations and **information if you are worried about someone else**. They also have a **live chat** facility.
Rape Crisis	**Rape Crisis** have a network of independent Rape Crisis centres that provide specialist support and services for victims and survivors of sexual violence. They have a **National Rape Crisis Helpline** – 0808 802 9999 and a **live chat**.
Respect – Men's Advice Line	Help for male victims of domestic abuse. https://mensadviceline.org.uk/getting-support/ Freephone 0808 8010327

16 Relationship with other policies

16.1. For information on the implications of other policies in relation to the Prevention of bullying, harassment and sexual misconduct policy, please see appendix 5.

17 Appendix 1 - Where to take a complaint

A **member of staff** wishes to raise a complaint of bullying or harassment by another member of staff	• The employee should raise this with their **line manager**, or if the complaint is about their line manager, their **countersigning manager**. • If neither is appropriate it should be raised via the People Directorate. • In all cases the People Directorate should be alerted. • Alternatively the employee can raise a complaint using the university's online platform Report and Support.
A member of staff complains of bullying or harassment by a student or students	• The member of staff should raise this with their **Faculty or Directorate** who should alert the Student and Academic Services. Allegations will normally be investigated under the Student Disciplinary Procedure • Alternatively the employee can raise a complaint using the university's online platform Report and Support.
A **member of staff** wishes to complain about bullying or harassment by a contractor or agency worker	• The employee should raise this with their **line manager**. • In all cases the People Directorate should be alerted. • Alternatively the employee can raise a complaint using the university's online platform Report and Support.
Student raises a complaint of bullying or harassment by another student who is also an employee	• This should be raised with **Student and Academic Services who will consult with the People Directorate.** (Note the university's Student Harassment and Sexual Misconduct Policy for students is available on the university portal).

18 Appendix 2 - The mediation process

- Mediation is a neutral, non-confrontational meeting where ground rules are agreed at the beginning of the discussion (e.g. confidential, constructive).

- The mediator – the third-party present at the meeting – has the role of impartial, non-judgemental facilitator to assist with the discussion. Mediators are trained and do not express views about how to handle a specific conflict but help the parties to find an agreement between themselves.

- Key principles of mediation are:

  a) the meeting is held in a neutral location.
  b) it is engaged in voluntarily by the two parties.
  c) the discussion is confidential.
  d) it is conducted in a respectful way.

- The process is:

  a) The mediator meets individually with each party to listen to and understand any concerns and to explain how the meeting will be conducted.
  b) The two parties meet together with the mediator to give the opportunity to raise individual issues/goals in a safe and structured environment, and for these to be addressed.

- Any outcomes or actions are subject to agreement by both parties. Normally these are recorded in writing.

19 Appendix 3 – Formal meeting procedure guidance

- Introductions

- The employee who raised the complaint and the person complained about will not normally attend the meeting simultaneously. However, where all parties wish to be present at the same time, this may be agreed.

- Whilst the meeting is of a formal nature, the sensitivity of the concerns is acknowledged. Every effort should be made to take account of the emotional state of all parties. Adjournments should be offered as appropriate to enable people to compose themselves before proceeding.

- The manager hearing the case will:
    - state the roles of those present
    - remind those present that electronic recording of the meeting is not permitted
    - check that those present have the same documents
    - check that the employee has read the Bullying and Harassment policy and procedure
    - state whether an investigator will be asked to present investigation findings or is available for clarification
    - confirm whether witnesses will be called
    - read or summarise the complaint

- The employee (or companion if the employee so wishes) may:
    - explain their complaint in their own words if they wish
    - refer to evidence and ask questions, including questions about witness statements
    - sum up (this can be at the end of the meeting if preferred)

- The companion:
    - may not respond to questions on behalf of the employee or prevent the employee from answering

- The manager hearing the complaint will:
    - ask questions
    - summarise their understanding of what is being presented
    - summarise their understanding of the outcome that the employee is seeking
    - check whether the employee has anything to add

- The manager hearing the complaint will:
    - invite the person complained about to join the meeting (normally the person raising the complaint will be asked to leave at this point)
    - summarise their understanding of what is being presented
    - invite the person complained about to respond
    - ask questions
    - check whether the employee has anything to add
    - advise of next steps including proposed timescales
    - advise that confidentiality must be maintained

- The manager hearing the complaint will:

- invite the person raising the complaint to return to the meeting (normally the person complained about will be asked to leave at this point)
- advise of next steps including proposed timescales
- advise that confidentiality must be maintained
- advise whether the meeting will be reconvened to deliver the decision in person
- advise that the decision will be provided in writing as soon as possible following the meeting
- adjourn to consider and reach a decision

20 Appendix 4 - Summary of timings

For ease of reference a summary of timescales involved in the Bullying and Harassment policy is given below.

- The matter should normally be raised without unreasonable delay, ie as soon as it occurs, or comes to light or within three months of the most recent episode.
- Following the circulation of a completed investigation, a formal meeting should be arranged as soon as possible. If exceptionally there is an unavoidable delay in hearing the complaint, any delay must be kept to a minimum and the manager hearing the case or appeal should keep the employees concerned informed.
- At least 10 working days' notice will be given of the meeting or the appeal date.
- Any additional information for consideration, which is not already available in the investigation report, should be submitted no later than three working days before the meeting.
- If circumstances beyond the control of all concerned prevent a meeting (or appeal) from taking place in a timely way, consideration will be given to appointing alternative managers.
- Where an employee is persistently unable or unwilling to attend a formal meeting without good cause, a decision will be made on the information available; this may include a written submission. In these circumstances the employee will be informed in advance that a decision may be made in their absence.
- Any appeal should be submitted in writing to the person named in the decision letter within 10 working days of receiving the written decision.
- Where the relevant information is available, it may be possible to provide a decision verbally on that day. In any case the decision will be provided in writing within five working days following the meeting.

21 Appendix 5 - Other policies and guidance

- Complaints about bullying and harassment will normally be addressed using the Bullying and Harassment Policy and not the Grievance Policy. Where a complaint involves a grievance as well as allegations of bullying and harassment, both complaints will be addressed under the Bullying and Harassment policy where appropriate to do so.

- Where an investigation indicates that the conduct of a member of staff is a disciplinary matter, the case will be taken forward for consideration under the University's Disciplinary Policy and Procedure utilising the investigation report conducted under the Bullying and Harassment policy together with notes/documents from the Bullying and Harassment meeting.

- Complaints made by a staff member against a student will be discussed with SAS (Student and Academic Services) and allegations will normally be investigated under the Student Disciplinary Procedure.

- Complaints made by a student against another student are not covered by this policy. The university's Student Harassment and Sexual Misconduct Policy is available on the university portal. Further advice is also available from Report and Support. Where the student is also an employee, advice should be sought from the People Directorate about the most appropriate route for addressing the issue.

- Complaints about issues relating to wrongdoing by the university where there is a public interest concern should be raised in accordance with the Whistle Blowing Policy.

- Where an employee raises a complaint of bullying and harassment, during a Disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the complaint. Where the bullying and harassment complaint and disciplinary cases are related it may be appropriate to deal with the issues concurrently.

- Where an employee raises a complaint of bullying and harassment, during the formal stages of the Capability procedure, a formal meeting may be temporarily suspended in order to deal with the complaint. Where the bullying and harassment complaint and capability cases are related it may be appropriate to deal with the issues concurrently.

- Each case will be considered on an individual basis, taking into account the need to provide a fair process without unduly delaying or indeed duplicating formal processes.

- There are professional and ethical reasons for staff and students to maintain appropriate professional relationships. The University's policy in this area is made clear in the Personal Relationships at Work Policy and Procedure.

- Reasonable adjustments will be made available to disabled employees to allow them to participate fully in the procedure.

- The university will take all reasonable steps to ensure that external organisations providing secondment and placement opportunities for members of the University community have policies and procedures in place to prevent and deal with issues of

harassment and bullying. Any member of staff who is subject to harassment or bullying in such a situation will be supported appropriately by the University.

- The Bullying and Harassment policy does not infringe respectful academic debate that is in line with the Freedom of Speech Code of Practice found here.

This policy will be reviewed regularly.

Version No.	Purpose/Change	Author	Approved By	Date
1.0		Frederico Maia (Responsible Officer)	JNC	25 January 2017
1.1	Stonewall accreditation submission	Rob Morris (Responsible Officer)	N/A	4 October 2021
2.0	The Worker Protection (Amendment to Equality Act 2010) Act 2024. New employers' duty to prevent sexual harassment of staff at work	Vanessa Roots Senior Workforce Policy Officer	VCE	27 January 2025
3.0	Employment Rights Act 2025 legislative update. New paragraphs inserted: 1.2, 1.3c, 5.3, 5.4, 5.16, 8.3 Existing paragraphs amended: 6.8.2, 6.9.1, 8.1c	Vanessa Roots Senior Workforce Policy Officer	VCE	16 November 2026