Bullying and/or Harassment Policy

Approved by	Strategic Planning and Resources Group and Equality & Diversity Advisory Group		
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Policy owner	Head of HR/Dean of Students	**Impact assessed**	Yes
Version	2	**Date of next review**	As required
Issued to	All staff	**Date of issue**	March 2012

Bullying and/or Harassment Policy

Introduction

The Robert Gordon University is committed to fostering an environment where equality, with diversity is valued. It believes all staff and students have the following rights:

- **To be provided with an environment in which they are protected and which is free from harassment and/or bullying and aggression.**
- **To be treated with dignity and respect.**
- **To be treated in a fair and equitable manner.**
- **To be protected from victimisation or retaliation if they have, in good faith, brought a complaint of harassment and or bullying.**

The University is aware of the stress, anxiety and health problems that bullying and harassment, whether it is verbal, in writing or by electronic means, can cause. It is therefore committed to providing an environment and organisational culture where bullying and/or harassment are not tolerated.

Definition

The Robert Gordon University recognises the following definitions:

Bullying is an abuse or misuse of power or position, real or perceived, through means intended to; undermine, denigrate or injure the recipient, or force an individual to behave in an un-characteristic manner.

Harassment, in general terms, is unwanted negative attention or conduct which is perceived as intimidating, demeaning or bothersome to the individual.

Identifying Bullying or Harassment Behaviour

Although harassment may, in some instances, be difficult to recognise, crucial to the definition is the concept of 'unwanted' behaviour.

In defining bullying or harassment, an important test is the perception(s) and feelings of the injured individual(s). Whilst this is an important test, it is not the sole test. A further test is that, any reasonable person would also find the alleged behaviour wholly unreasonable and unacceptable in the circumstances and context in which it occurred.

The University recognises that circumstances will vary in each case. Therefore each case will be judged on an individual basis.

Individuals may not always be aware that their behaviour constitutes bullying or harassment. However, a list of conduct which would be deemed to be inappropriate and which will not be tolerated by the University can be found in Appendix C. This list is illustrative and is not to be treated as a definitive list.

Whatever its guise, the bullying and/or harassment of any employee, or any student will not be tolerated.

I Feel I'm being Bullied/Harassed, What can I do?

If an individual feels that they are being subjected to bullying and/or harassment they can choose to raise the issue formally or informally.

The University recognises that where an individual feels that they are being bullied or harassed they may wish to deal with the issue informally in the first instance.

This can be done in a variety of ways such as:

- Approaching the perpetrator and making it clear that their behaviour is offensive, and/or unacceptable, and that it should stop
- Asking a trusted person to approach the perpetrator on your behalf
- Asking for help and support from one of the University's support services

The following services are available to provide informal confidential support and guidance for Students:

- Student Well Being Adviser
- Student Counsellor
- Student Reps
- Other Student Service staff
- Personal Tutors
- Academic Staff

The following services are available to provide informal confidential support and guidance for Staff:

- Fair Treatment Advisors in the HR Department
- Trade Union Representatives
- Diversity Champions
- Line Managers
- ICAS employee support help line

All of the services listed above can listen to complaints and provide information and advice on the options available to resolve the problem and prevent the incident(s) recurring.

Where an individual wishes to raise the matter formally the following processes will apply:

Students

Students should raise issues formally through the student complaints procedure http://www4.rgu.ac.uk/academicaffairs/quality_assurance/page.cfm?pge=44250.

Staff

Staff should raise issues formally through the Grievance Procedure http://www4.rgu.ac.uk/hr/staffinfo/page.cfm?pge=91612

The University can only investigate and take action where allegations have been formally raised.

Confidentiality

The University will respect the sensitive nature of these issues and the need for confidentiality. Consequently, the University will treat all complaints, associated records / correspondence and interviews, in strict confidence. However there may be occasions, for example in the interests of the safety and well-being of the individual concerned or others, where confidentiality may have to be broken. This will be done exceptionally and as far as possible with the consent of the individuals concerned.

False Accusations

The University considers bullying and harassment to be a serious issue and therefore mischievous or malicious complaints will result in appropriate disciplinary action being initiated against the complainant.

Appendix A

Help and Support Available for Staff

Fair Treatment Advisers

Fair Treatment Advisers are members of HR staff who have been trained in the provision of advice and guidance to victims of bullying and harassment. They are available to discuss issues with staff, irrespective of the degree of sensitivity. Their role is to listen, provide any guidance on what options are available and help to decide what can be done to resolve the problem. It is their duty to respect confidentiality, and they will not disclose anything without the individual's permission. An Adviser who has been involved in informal steps will not be involved if the complaint proceeds formally.

A list of Fair Treatment Advisers and their telephone numbers is available on the HR website at the following link: http://www4.rgu.ac.uk/hr/aboutus/page.cfm?pge=9520

Employee Support Helpline - 0800 0686729

In some circumstances individuals may feel the need to talk to someone independent of the University, and the University provides an employee support helpline for this purpose. The service is provided by an independent third party and is staffed by appropriately qualified staff including fully trained and qualified telephone counsellors. These counsellors will talk through the problems individuals are facing and discuss a range of options for managing these issues. They can help define the situation and clarify thinking on the matters. Employees can call the 24hr helpline as often as they wish, and can discuss any personal or work related issues which they find themselves having to face.

Mediation

Employees may also be asked to consider, or may propose mediation as a means of finding agreed common ground and ways of restoring normal working relationships. Mediation is a confidential and voluntary process in which a neutral person helps people in dispute to explore and understand their differences so that they can find their own solutions.

Appendix B

Help and Support Available for Students

Students can talk in confidence, to either the Student Well- being Adviser or the Student Counsellor in the Student Services Department. The Counselling and Well- being Service provides students with the opportunity to talk through problems, and to discover strategies to resolve or minimise them.

The Dean of Students and the Student Services Manager are also always available to meet with students who require advice.

APPENDIX C

The following behaviours are not acceptable and would be defined by Robert Gordon University as bullying and/or harassment.

Some common forms of harassment are:

SEXUAL HARASSMENT:

Conduct of a sexual nature which is unwelcome to the recipient. It is usually an abuse of power which is intended to intimidate, coerce, embarrass or degrade another individual. It emphasises sexual status over status as an individual, colleague or student. Examples can include:

- Unwelcome comments about physical appearance.
- Suggestive remarks and gestures.
- Verbal or physical advances, propositions or attention of a sexual nature.
- The transmission of offensive materials or statements via electronic means or through the mail.
- Displaying sexually suggestive pictures, photographs and literature.
- Unwanted physical contact.
- Unwanted demands for sex.
- Offensive language*
- Offensive* jokes or pranks of a sexual nature. – as above and through out
- Threats of academic failure, or promises of success, or other rewards in exchange for sexual favours.
- Incitement to commit any of the foregoing behaviours.
- Sexual assault – physical or verbal

GENDER HARASSMENT:

Unwanted behaviour or comments based on an individual's gender that violates the person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment. Examples include:

- Unwelcome comments about physical appearance.
- Suggestive remarks and gestures.
- Comments that imply the gender impairs a person's ability.
- The transmission of offensive materials or statements via electronic means or through the mail.
- Displaying sexually suggestive pictures, photographs and literature.
- Offensive* language.
- Offensive* jokes or pranks of a sexual nature.
- Offensive* gender specific terminology

GENDER REASSIGNMENT:

Harassment on the grounds of gender reassignment can be hostile or offensive acts or expressions by a person or group. Examples can include:

- Derogatory remarks, jokes, innuendo or gossip.
- Threats of disclosing details to others.
- Expressing or acting on stereotypical assumptions.
- Exclusion of individual from facilities.
- Display of or electronic transmission of offensive materials.
- Exclusion from conversations, team briefing, social events etc. at the workplace.
- Refusing to work with individual.

SEXUAL ORIENTATION:

Homophobic harassment is any behaviour, deliberate or otherwise, pertaining to sexual orientation, which is directed at an individual or group and which is found to be offensive or objectionable to recipients and which creates an intimidating, hostile or offensive environment. Examples may include:

- Homophobic, Hetrophobic, Bi-phobic remarks, jokes, innuendo or gossip.
- Threats of disclosing/"outing" the sexuality of the individual.
- Expressing or acting upon stereotypical assumptions.
- Display of or transmission (including by electronic means) of offensive materials.
- The asking of intimate questions about individual's personal sexual life.
- Excluding individual(s) because they are bisexual, lesbian or gay.
- Offensive* actions and physical attack.

RACIAL HARASSMENT:

Unwanted conduct which is intended to cause, or has the effect of causing, physical or emotional harm or mental distress to a person for reasons of racial, ethnic or national origins. Such behaviour can include the following:

- Racially abusive language.
- Offensive jokes*, banter, pranks, taunts or remarks of a racial or ethnic nature.
- Offensive comments or intrusive questioning about physical racial characteristics or lifestyle.
- Racist graffiti and display of racially offensive material.
- The transmission of racially offensive material or statements via electronic means or through the mail.

- Excluding someone from conversations, team meetings, social events etc. at work because of their racial, ethnic or national origins.
- Unfair allocation of work and responsibilities for reasons of race, ethnic or national origins.
- Harassment of a person on the grounds of their association with an individual who belongs to a racial or minority ethnic group will also constitute racial harassment.
- Physical violence – please contact the police straight away.

DISABILITY HARASSMENT:

Harassment of individuals with a physical, sensory or mental disability involves conscious or unconscious conduct towards people with disabilities, which undermines their dignity, self-confidence, career or learning opportunities. Examples may be:

- Undue pressure or intimidation.
- Impractical or unfair work expectations.
- Intrusive or unwelcome discussion of the effects of disability on the individual's personal life.
- Offensive* language.
- Ridicule, jokes or derogatory name calling.
- Mimicking the particular disability.
- Exclusion from meetings or any other events.
- Uninvited, patronising or unnecessary assistance.
- General ridicule or derogatory comments.
- Excluding someone from conversations, team meetings, social events etc. at work because of their disability.

AGE HARASSMENT:

Harassment on the grounds of age consists of hostile or offensive acts or expression by a person or group against another person or group in relation to chronological age. It is recognised that younger or older workers may be harassed or bullied on account of their age. Examples of such behaviour may include:

- Inappropriate remarks or jokes based on age.
- Negative comments generalising about the age group of the individual.
- The display of offensive materials.
- Debarring individuals from opportunities for the reason of their age.

HARASSMENT ON THE GROUNDS OF RELIGION OR BELIEF:

Harassment on the grounds of religion or philosophical belief may be defined as any hostile or offensive act or oppression by any person or group against another person or group, based on their religion or philosophical belief. Such harassment may include the following:

- Ridicule and religious jokes.
- Derogatory remarks or name calling.
- Exclusion from social activities for the reasons of religion or philosophical belief.
- Display of or transmission (including by electronic means) of offensive materials.
- Scorning of beliefs.
- Unreasonably refusing requests for leave during religious festivals.

PERSONAL/PSYCHOLOGICAL HARASSMENT:

Uninvited and unwanted behaviour by one person or group against others, which may cause offence and/or embarrassment which creates fear, stress and tension. Examples of such behaviour can include:

- Abuse of power or authority.
- Systematic coercion.
- Verbal and / or physical intimidation, e.g. threats, shouting or derisory remarks.
- Persistent unjustified criticism and public humiliation; copying e-mails or memos that are critical about someone to others who do not need to know.
- Having areas of responsibility and decision making withdrawn without good reason and / or explanation.
- The setting of impossible deadlines or intolerable workload burdens.

THE GROUNDS FOR HARASSMENT ARE MANY AND VARIED. IN ADDITION TO THE FOREGOING CATEGORIES, OTHER EXAMPLES INCLUDE HARASSMENT IN RELATION TO:

- nationality
- membership or non-membership of a Trade Union
- status as an ex-offender
- health
- physical characteristics

THREATENED AND ACTUAL PHYSICAL ASSAULT

Physical assaults will not be tolerated. If an employee/student is attacked, a complaint to the police may be appropriate.

*__Whether or not the action is offensive will be based on the recipient's views and not those of the protagonist__