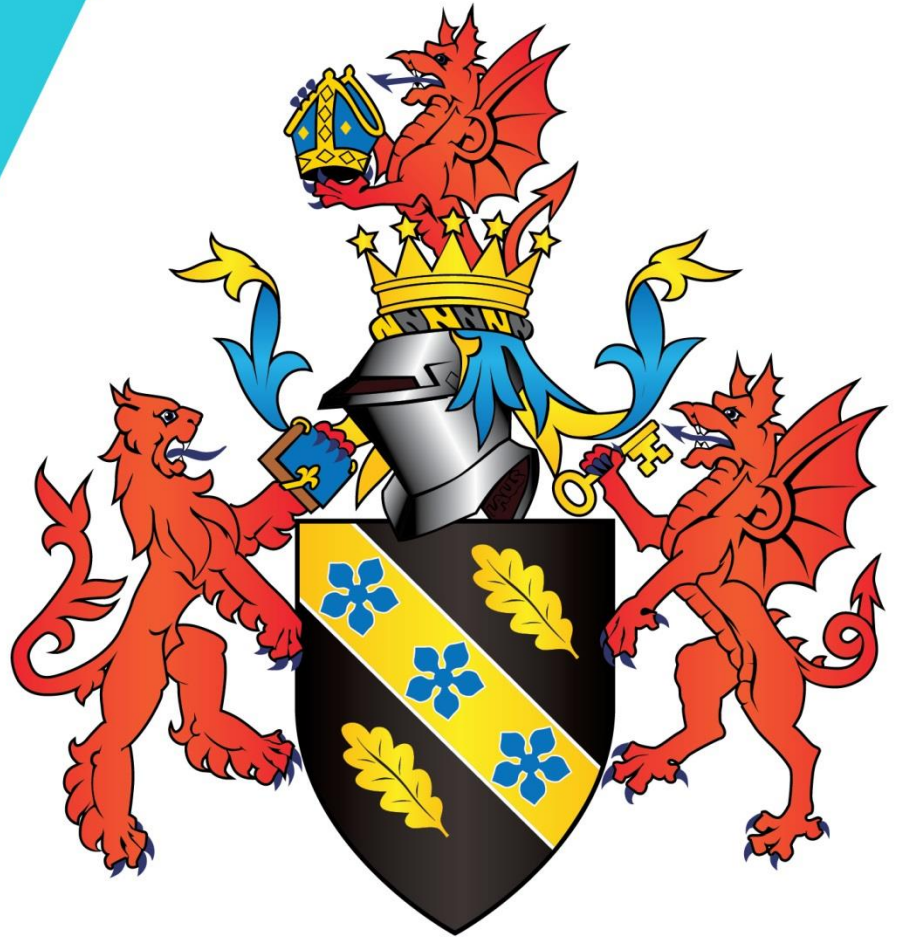




Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David



Staff Harassment and Bullying Policy

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Staff Harassment and Bullying Policy



1. Introduction

1.1 The University of Wales Trinity Saint David is committed to providing a working environment that is free from discrimination, harassment, bullying and victimisation and to promoting a culture where all staff feel valued and respected. This policy sets out how the University will promote dignity at work for all staff and outlines the procedure for dealing with complaints of harassment and/or bullying at work.

1.2 This policy seeks to clarify standards and obligations expected from all staff.

2. Scope

2.1 This policy applies to all staff of the University of Wales Trinity St David

2.2 The policy covers unacceptable behaviour in any situation that might affect your work with the University. It covers unacceptable behaviour in the workplace or during work hours.

2.3 The policy covers unwanted conduct that relates to discrimination, harassment, victimisation, bullying or exclusion.

2.4 Students who feel they have been subject to unacceptable behaviour within the University should use the Student Harassment and Bullying Policy

3. Policy Statement

3.1 The University is committed to ensuring that we provide an inclusive learning and working environment in which our learners, students and staff are able to flourish and are free from prejudice and discrimination.

3.2 The University seeks to establish an environment where staff are treated with dignity and respect and where each individual recognises their responsibility in developing and maintaining an environment where every student, member of staff or visitor is valued and respected.

3.3 The University will endeavour to take appropriate measures to ensure that no member of staff, student or visitor is subject to discrimination on the grounds of any protected characteristic.

3.4 The University will treat a breach of this policy seriously and unacceptable behaviour could be deemed to amount to misconduct or gross misconduct, depending upon the nature and extent of the behaviour.

3.5 The University recognises that it has a duty to protect its staff from malicious or vexatious complaints and as such appropriate action in line with the University's Disciplinary Procedure may be taken when it can be demonstrated that a complaint is made on that basis.

3.6 Before any formal procedures are instigated, the Director of Human Resources and, where appropriate the Director of Student Services, will consider which procedure(s) are the most appropriate to be used in relation to the complaint.



4. Definitions

4.1 This policy uses the term 'unacceptable behaviour' to describe any unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. This includes inadvertent or deliberate exclusion.

4.2 Differences in attitude, background or culture can mean that what is perceived as unfair treatment or unacceptable behaviour by one person may not seem so to another.

4.3 **Bullying** is characterised as; offensive, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

4.4 **Harassment** as defined in the Equality Act 2010 is; unwanted conduct related to a relevant protected characteristic (sex, race, disability, age, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership and gender re-assignment), 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.

4.5 The Protection from Harassment Act 1997 prohibits a person from pursuing "a course of conduct" which "amounts to harassment of another" and which "he knows or ought to know amounts to harassment of the other". A person is taken to know that conduct is harassment if "a reasonable person in possession of the same information would think the course of conduct amounted to harassment of the other".

4.6 Bullying and harassment is not necessarily done face to face, it may occur through social media, written communications, visual images, email or by phone.

4.7 Bullying or harassment may be by an individual against another individual or may involve groups of people. It may be obvious or invidious; abuse of power can be explicit or implicit.

4.8 Staff can complain of behaviour that they find offensive even if it not directed at them. Complainants also do not need to possess the relevant protected characteristic themselves in order to make a complaint.

5. Roles and Responsibilities

5.1 All staff are responsible for:

- ensuring that they do not incite, condone or commit any form of discrimination, harassment, victimisation, bullying or exclusion within the University;
- being aware of behaviour that is not acceptable and, if appropriate, to challenge such behaviour, or to report such situations to a senior manager.

5.2 Line Managers are responsible for:

- ensuring their staff understand the standards of behaviour expected of them
- supporting individuals who bring complaints under this policy in a sensitive manner and ensuring that they are not treated unfairly as a result;
- understanding the University's Harassment and Bullying Policy and being able to provide information on it as required.



6. Harassment and Bullying Advisers

6.1 The University will identify Harassment and Bullying Advisers who are members of staff trained to support staff who feel they are being subjected to unacceptable behaviour. The Harassment and Bullying Advisers act as a first point of contact to listen to staff who may have concerns or issues about a harassment or bullying at work issue.

6.2 Harassment and Bullying Advisers ensure that staff have access to clear, informed, sensitive advice and support to address difficulties in the workplace.

6.3 Meeting with a Harassment and Bullying Adviser will give you the opportunity to discuss any concerns you may have about unacceptable behaviour. The Adviser will explain their role and discuss options available to you for resolving the issue.

6.4 You are able to contact a Harassment and Bullying Adviser through email or phone or you can arrange to meet with an Adviser face to face. A list of names of the Harassment and Bullying Advisers and their contact details will be made available on MyDay.

6.5 Employees are also able to access the support services at the University which includes; counselling and the Employee Assistance Programme.

7. Mediation

7.1 Mediation is open to all parties at any stage of the process

7.2 Mediation is a process by which an impartial person helps others to resolve the issues. It is a voluntary process and both parties must agree to partake in it. The mediator may be internal or external to the University.

7.3 If either party decides they would like to use mediation then they should contact the Human Resources Department.

8. Informal Procedure

8.1 Wherever possible, every effort should be made to resolve complaints on an informal basis in the first instance. Use of the informal procedure can sometimes mean that a solution is reached quicker.

8.2 You are encouraged to act promptly and not to wait until the situation becomes intolerable and/or affects your personal well-being.

8.3 If you feel that you have experienced unacceptable behaviour, you may wish to seek advice from a University Harassment and Bullying Adviser in the first instance.

8.4 If you feel unable to approach the person directly, you may want to seek advice from Human Resources.

8.5 If your attempts do not resolve the issue, you should raise the matter with your immediate line manager in person or in writing (or the next level of management where the issue concerns the immediate line manager) with a view to resolving the matter informally. The manager should allow the staff member to explain the issue and ask them how they would like to see



the matter resolved. Where necessary the manager may need to explore the issue further by seeking advice from Human Resources.

8.6 In order to resolve the situation the line manager may need to make the person against whom the complaint has been made aware of the nature of the complaint, give them an opportunity to respond.

8.7 Where the person against whom the complaint has been made indicates that they were unaware that their behaviour was unwelcome or offensive, agreed steps will be taken to put matters right and prevent a recurrence. This may include an explanation of what constitutes unacceptable behaviour, or interventions such as professional advice, training or mediation (with the assistance of Human Resources) to assist each party to understand the other person's point of view and re-establish good working relationships.

8.9 Where the person admits to unacceptable behaviour, they will be asked to stop the behaviour and advised that if the behaviour persists formal action may be taken.

8.10 In the interests of re-establishing good working relationships, it is recommended that all parties affected by a situation should meet together to help to resolve issues. Such a meeting should be facilitated by a senior manager, a representative of Human Resources or a mediator.

9. Formal Procedure

9.1 The University encourages issues to be addressed through the informal procedure, wherever possible. The formal procedure can be used when:

- the informal procedure was ineffective
- there has been a serious instance of unacceptable behaviour that it would not be appropriate to deal with informally

9.2 Any formal complaint made will be considered in line with the University's Grievance Procedure or Disciplinary Policy as appropriate.

10. Confidentiality

10.1 The University will be mindful of its obligations under the Data Protection Act 1998, General Data Protection Legislation 2016 and the Equality Act 2010 in relation to any information shared about the alleged harassment or bullying.

10.2 In circumstances where the matters raised are deemed to present a serious risk to the complainant or others the Director of Human Resources should be notified immediately.

11. Monitoring

Human Resources will monitor compliance and effectiveness of the policy by means of reviewing the number of complaints made and resolutions on an annual basis.

12. Links to other policies

Student Harassment and Bullying Policy, University Disciplinary Policy, University Grievance Procedure



13. Resource Implications

Implication	Detail
Finance	Training for a pool of staff to be Harassment and Bullying Advisers
Staff	HR to provide training to the pool of staff of Harassment and Bullying Advisers
Assets	No identified asset costs
Partners	Consideration will be given to the application of this policy across the group as appropriate
Timescales	Policy to be implemented upon approval and reviewed in line with legislative changes
Leadership	Director of Human Resources

14. Impact Assessment

Implication	Impact Considered (Yes/No)	Impact Identified
Legal		The policy will ensure compliance with statutory obligations
Contribution to the Strategic Plan		The policy provides guiding principles and aligns with the Strategic Plan
Risk Analysis		Having a clear policy in place will mitigate the risk of a legal challenge
Equality		Policy compliance will ensure adherence to the provisions of the Equality Act
Welsh Language		Consideration of the Welsh Language Act will inform documentation in the implementation of this policy
Environmental and Sustainability		No identified impact
Communication/ Media / Marketing		The policy will be made available via MyDay



15. Document version control

Version No:	Reason for change:	Author:	Date of change:
1.1	Draft Policy	AJ/SJ	
	Approved by Council		18/05/2017

Current status of Policy: approved

Is the Policy applicable to: HE

Date ratified: 18/05/2017

Date effective from: 18/05/2017

Policy review date: 18/05/2018

For publication: MyDay



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