

**The  
Sheffield  
College**

**POLICY**

# **Bullying and Harassment Policy**

[Document Reference:]

## Document administration

<b>Policy family</b>	People	
<b>ELT owner</b>	Executive Director of People	
<b>SLT lead</b>	Director of People Experience and Operations	
<b>Department</b>	People	
<b>Final approving body</b>	Finance, Employment, and General Purposes Committee	
<b>Approval date</b>	13 March 2024	
<b>Review frequency</b>		
<b>Next reapproval date</b>	17 March 2027	
<b>Equality impact assessment</b>	Completion date: Click or tap to enter a date.	EQIA not required <input type="checkbox"/>
<b>Environmental impact assessment</b>	Completion date: Click or tap to enter a date.	ENIA not required <input type="checkbox"/>
<b>Publication</b>	Staff intranet <input type="checkbox"/>	External website <input type="checkbox"/>

## Version control log

Date	Version No	Summary of changes	Reviewed by (SLT lead)
February 2024	2.0	<ul style="list-style-type: none"><li>• Incorporating Fredie+ values into the policy</li><li>• Formatting policy in line with new policies</li><li>• Changing title from Dignity at Work to Bullying and Harassment.</li><li>• Include definitions of sexual harassment.</li></ul>	EDP
October 2024		- Added definition of associative discrimination	EDP

## Contents

Section	Contents	Page
1	Purpose	4
2	Scope, aims and objectives	5
3	Responsibilities	6
4	Values	8
5	Definitions	9
6	Informal Resolution	11
7	Confidentiality	12
8	Formal Process	13
9	Support	14
10	Malicious or Vexatious Allegations	16
11	Employee Misconduct	17

## **1. Purpose**

1.1: We are committed to having an inclusive culture and a workplace free from discrimination, harassment (including sexual harassment), bullying and/or victimisation. We believe everyone should be treated in a respectful way in the workplace. This policy details how we intend to maintain such an environment, is intended to give individuals the confidence to raise their concerns, and explains how we intend to deal with any behaviour that may fall below expectations.

1.2: Maintaining a supportive and communicative working environment is the most important and easiest way of preventing any poor behaviour from occurring in the workplace. Setting clear expectations of each other in line with our FREDIE+ values and behaviours will help to maintain a positive working culture.

1.3: In rare situations, where bullying, harassment and/or victimisation occurs, it can and often does have serious consequences for all individuals impacted by the behaviour, including the wider teams of those directly impacted. Where behaviour falls below expectations, it will be dealt with swiftly and in the most appropriate way – whether that is through an informal approach, or a more formal solution.

## **2. Scope, aims and objectives**

2.1: This policy applies to all employees and workers at The Sheffield College and its subsidiary companies. Hereafter the term employees is used but is intended to include the legal definition of worker.

2.2: The college is committed to addressing allegations of inappropriate behaviours when it becomes aware.

2.3: This policy aims to outline what behaviours are acceptable and unacceptable. Acts of bullying, harassment, discrimination and/or victimisation are unacceptable forms of behaviour and will not be tolerated by anyone within the college.

2.4: The policy seeks to ensure that employees are aware of a range of ways to raise and address concerns so that all employees feel able to speak up about concerns of bullying, harassment and/or victimisation.

2.5: The aim is to help employees to deal with conflict at the earliest opportunity, wherever possible, between employees directly and to ensure that all employees receive the right level of support at the right time for them.

2.6: Where this behaviour cannot be resolved informally, then formal approaches will be considered to enable a conclusion to the situation.

2.7: This policy will apply to any work-related setting, including settings outside of the workplace such as work-related trips and work-related social events.

### **3. Responsibilities**

#### 4.1: Everyone's responsibility

4.1.1: It is everyone's responsibility to ensure that any issue related to bullying, harassment, victimisation and/or discrimination is raised at the earliest opportunity. This will help to ensure any issues that arise, are dealt with swiftly and before behaviour can deteriorate.

#### 4.2: Employee's responsibility

4.2.1: Once an employee has raised an issue, it is expected that they and their line manager will agree with the level of ongoing contact and support required whilst the matter is being dealt with. Employee's should keep that contact with the manager and inform them of any changes in support needs or if any further incidents occur. We acknowledge that it may be difficult to talk about such matters but encourage this to enable managers to offer the most appropriate support and take relevant actions. (Where an issue concerns an employee's manager, the matter should be escalated to their manager's line manager.)

4.2.2: It is an employee's responsibility to maintain confidentiality whilst an issue is being addressed. An employee can discuss an issue with their manager and a Union Representative/work colleague who is providing support through this process. However, confidentiality should be maintained to support a fair and thorough investigation to take place, if so required.

#### 4.3: Managers

4.3.1: Managers are responsible for making all employees aware of this policy and their responsibility to comply with it at all times.

4.3.2: Managers are responsible for ensuring that employees are clear on the expectations of conduct, in line with the college's values and behaviours, and addressing any lapses from this at the earliest possible opportunity, in a supportive and positive manner.

4.3.3: Managers are responsible for creating and maintaining an environment in which employees feel able to raise concerns with them, with confidence that they will be heard, supported, and concerns taken seriously and responded to in a timely manner.

4.3.4: When an issue is raised managers are responsible for maintaining regular contact with an employee, to ensure the right support is given at the right time for the employee.

4.3.5: Managers are responsible for maintaining confidentiality and not disclosing information without justification.

4.3.6: Managers have a responsibility for ensuring all available/reasonable support is offered to all relevant parties including the employee who raised the concern, as well as other parties who are affected by the concern raised.

#### 4.4 People Team

4.4.1: The People Experience Team is there to provide advice and support to managers and employees with regards to support that is available.

4.4.2: The People Experience Team will liaise with managers and employees to try and find the best way to resolve the dispute/conflict/concern.

4.4.3: The People Development Team will ensure that periodic training is provided to all employees and managers, to understand their responsibilities in relation to bullying, victimisation and all forms of harassment including sexual harassment.

#### 4.5 Union Representative responsibility/Work Colleague Support

4.5.1: A Union Representative/work colleague can accompany an employee to any formal meeting to provide advice and support to an employee, with the aim of working collaboratively to help reach a resolution.



## 4. Values

4.1: The college has a set of values that we expect to guide our behaviour and decision-making. Our stated values are:

Fairness - We treat each other fairly, being open and honest.

Respect - We speak to each other with respect and will consider each other's feelings, thoughts and rights.

Equality - We make sure everyone has a fair chance to progress, succeed, be listened to and heard.

Diversity - We celebrate, understand and accept and embrace each other's differences and will be open to sharing and listening to new ideas.

Inclusion - We make sure that everyone feels valued and included.

Engagement - We communicate with transparency and support each other to feel empowered and be autonomous in making decisions.

+ - We actively encourage new ideas and innovation, continual development and a solution-focused approach.

## 5. Definitions

Definitions of bullying, harassment and victimisation may sometimes vary. The following definitions are used by the college:

### 5.1: Bullying

‘Unwanted behaviour from a person or group’ that is either:

- offensive, intimidating, malicious or insulting
- an abuse or misuse of power that undermines, humiliates or causes physical or emotional harm to someone.

N.B. - Employees can be bullied by peers, subordinates and managers.

Bullying might:

- be a regular pattern of behaviour or a one-off incident
- happen face-to-face, on social media, in emails or calls
- happen at work or in other work-related situations
- not always be obvious or noticed by others’

### 5.2: Harassment

Harassment is ‘unwanted behaviour related to any of the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Race
- Religion or belief
- Sex
- Sexual orientation

And must either:

- violate a person’s dignity
- create an intimidating, hostile, degrading, humiliating or offensive environment for the person’

### 5.3: Sexual Harassment

Sexual Harassment is defined as ‘unwanted behaviour of a sexual nature which has the purpose or effect of violating an individual’s dignity; making an individual feel intimidated, degraded or humiliated and/or creating a hostile or offensive environment.’

Sexual harassment also occurs if an individual treats another less favourably because that person has rejected or submitted to unwanted conduct of a sexual nature or that is related to gender identity or sex, and which has had the purpose or effect described in this section. In this scenario, the person who treats someone less favourably might not be the person who engaged in the unwanted conduct.

### 5.4: Sexual Misconduct

Sexual misconduct is an umbrella term covering a broad range of inappropriate and/or unwanted behaviours of a sexual nature. It covers all forms of sexual harassment and sexual violence.

### 5.5: Sexual Violence

Sexual violence is any sexual act or attempt to obtain a sexual act by violence or coercion which takes place without consent.

Actions or behaviour which may constitute sexual harassment or sexual violence include, but are not limited to, the following:

- sexual comments or jokes,
- spreading sexual rumours about a person
- Intrusive questions about a person's private or sex life or a person discussing their own sex life
- Suggestive looks, staring or leering
- Sexual posts or contact on social media
- Sending sexually explicit emails, texts and instant messages
- touching,
- sexual assault including groping,
- unwelcome sexual advances,
- displaying or showing material of a pornographic or sexual nature,
- making requests for sexual favours,
- stalking in person or online, rape.

Online harassment may take the form of intimidating, offensive, or graphic posts on social media sites or chat rooms, or sexually explicit communications by email, text, or instant messaging.

#### 5.6: Consent

Consent is providing permission for something to happen or agreement to do something with a full understanding of the facts and without coercion. In cases of sexual activity, consent cannot be presumed but must be explicitly given, verbally or non-verbally. Consent cannot be deemed to have been given if it is provided under pressure or in situations where someone is not capable of providing it. Consent can be withdrawn at any time.

#### 5.7: Discrimination

'Discrimination means treating a person or group 'less favourably' than another person or group, because of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation'

'Less favourable treatment can be anything that puts someone with a protected characteristic at a disadvantage, compared to someone who does not have that characteristic.'

Discrimination includes:

- direct discrimination – less favourable treatment directly because of a protected characteristic
- indirect discrimination – when everyone's treated the same but people with a protected characteristic are put at a disadvantage
- associative discrimination is when someone is treated unfairly because they are associated with/has a relationship with someone who has a protected characteristic.

### 5.8: Victimisation

Victimisation means 'suffering a detriment' because you've done or intend to do a 'protected act', or because someone thinks that you have done so.

A 'protected act' means taking action related to discrimination law. This includes:

- making a complaint of discrimination or harassment
- supporting someone else's complaint
- gathering information that might lead to a complaint
- acting as a witness in a complaint
- saying something or giving evidence that does not support someone else's complaint.

## 6. Informal Resolution

6.1: If you are experiencing inappropriate behaviour, we always encourage resolution at the earliest opportunity through an informal resolution process in the first instance. Where you witness inappropriate behaviours, please also raise this at the earliest opportunity.

6.2: Informal resolution is often the most effective way in dealing with any dispute or conflict. Whilst we always encourage the informal and early resolution of concerns, we acknowledge there may be some instances in which the concern is sufficiently serious that the matter needs dealing through a Formal Process (see section 9 and 11).

6.3: Some individuals may not know that their behaviour is unwelcome or upsetting. An informal discussion may help the person understand the impact their behaviour is having and enable them to reflect on their behaviour.

6.4: If you believe you are being harassed and/or bullied you should try to do the following:

- keep a written record of the behaviour you are experiencing. Write down the dates, times and places when events occurred and what was said or done. If anyone else witnessed any of the instances, make a note of whom it was.
- have an informal chat with the person whose behaviour is inappropriate. Make it clear that their behaviour is unwelcome and that you want it to stop. In most cases, once the person knows the impact it is having on you, they will stop.
- if talking to them hasn't worked or it isn't possible, raise this with someone who can take action, ideally a Manager, or someone that you feel comfortable speaking to.
- it may be that this leads to conflict resolution or mediation to help move things forward and resolve the situation.

6.5: Resolution may look different to different people, some people will be happy knowing that the behaviour has stopped, others may prefer an apology, others may request to move working location.

### 6.6: Your own behaviour

6.6.1: If you are approached and told that your behaviour has been construed as inappropriate, you should be prepared to listen calmly regarding the situation. Do not ignore a complaint because you were 'only joking', using 'banter' or decided the complainant was being 'too sensitive'.

6.6.2: For an individual to raise their concerns with you, will likely take a lot of courage, and therefore it is important to take their concerns seriously and to take time to consider the information that they are sharing with you.

6.6.3: You should allow the other person to express their concerns, then try to reach common ground to remedy the situation and allow the working relationship to be resumed.

### 6.7: Mediation/Conflict Resolution

6.7.1: Mediation/Conflict Resolution can be used at any stage of this policy, but typically works best at the earliest possible opportunity. This is an opportunity for both parties to be able to discuss their concerns in a controlled environment and with a trained mediator/conflict resolution practitioner enabling both parties towards a resolution.

## **7. Confidentiality**

7.1: Where you raise a concern this will be treated in the strictest confidence.

7.2: If a situation arises where the college is not able to resolve the concern without sharing information and/or revealing your identity, it will be discussed with you prior to any disclosure being made, in order to deal with the matter sensitively. This will always be done with the intent of supporting resolution of the concerns raised and compliance with any statutory requirements.

7.3: If you raise a concern anonymously, it should be understood that this may impact on the college's ability to take action, and the college will not be able to provide any update or response on what action is taken.

## **8. Formal Process**

9.1: If you feel you or others have been harassed, bullied, victimised or treated in a way that hasn't been resolved through informal approaches, this may be raised as a formal grievance in line with the Grievance Procedure.

9.2: It is important wherever an issue arises, that it is dealt with thoroughly, but also as quickly as possible. A complaint should be made in writing, providing as much detail as possible around the nature of the issue. The first step in dealing with a grievance formally, is typically to arrange a Grievance Hearing. This is an opportunity for an employee to explain in detail what the issue/concern is and what resolution they are looking for.

9.3: Please refer to the grievance policy for further information on this process.

## 9. Support

9.1: Whether an employee has raised a concern, is witness to a concern, or whether they are involved in a complaint, it is important they receive support. Support can come in a variety of forms and should be used/available as required.

### 9.2: Speaking to a Colleague

9.2.1: One of the best ways to get help is often by talking to a manager or a colleague. Speaking to someone you feel comfortable talking to, can often be quite therapeutic and beneficial and can often help deal with problems at the earliest possible stage and giving you the support and encouragement to raise matters, that may be needed.

### 9.3: Mental Health First Aiders

9.3.1: We have trained Mental Health First Aiders across the college who are available to support during difficult times. They can help with coping mechanisms for stress, as well as being a listening ear during troubling times. Details of mental health first aiders can be found on the Staff Intranet.

### 9.4: Occupational Health

9.4.1: The Occupational Health service is available for all employees across the college and can be accessed via the People Experience Team. Occupational Health provide professional advice and support such as:

- reasonable Adjustments where a disability exists
- cognitive Behavioural Therapy (CBT)
- Talking Therapies

9.4.2: Occupational Health can provide advice and recommendations, and these will be implemented wherever it is reasonable and practical to do so.

9.4.3: It is the manager's responsibility to ensure that an employee is happy to attend an occupational health appointment and that they are available to attend the appointment given.

### 9.5: 24/7 Employee Assistance Helpline

9.5.1: The Employee Helpline is available 24 hours a day, 7 days a week and is completely confidential. The Helpline is available to provide advice and support on a range of subjects including:

- medical support
- family relationships
- carer responsibilities
- drug and alcohol support
- personal money matters
- stress, anxiety and depression
- work related matters

9.5.2: The Employee Helpline also has a counselling service available which can provide sessions completely free of charge to help you with any matters where you may require support. The telephone number for this service is: 0800 269 616.



## 9.6: Wellbeing Rapid Action Plans (WRAPs)

9.6.1: WRAPs are a useful tool to help an individual identify things that are likely to make them unwell. It is preferable for an employee to complete this when they begin their employee journey, and to then update it as and when appropriate.

## 9.7: Adjustment Passport

9.7.1: Where an employee has or is believed to have a disability, a manager will meet with the employee to discuss any adjustments that should be put in place to support an employee. An Adjustment Passport acts as a record of reasonable adjustments that have been agreed between an employee and their manager. A copy of the Adjustment Passport will be retained on an employee's record.

## **10. Malicious or Vexatious Allegations**

10.1: Allegations, which are believed to have been malicious or vexatious, will be regarded as potential disciplinary offences and will be referred to a disciplinary investigation or disciplinary hearing.

## **11. Employee Misconduct**

11.1: Where any concern raised/investigated identifies acts of misconduct by any employee, consideration will be given to whether this matter needs to be referred to a disciplinary investigation or disciplinary hearing.

11.2: Should any matter raised be investigated as a potential disciplinary matter, the individual(s) raising the concern will be informed and kept up to date as much as is possible, without prejudicing any investigation or breaching confidentiality.