

BULLYING &  
HARASSMENT POLICY  
2023  
(STAFF)



**HARTPURY**

## **INTRODUCTION**

This policy sets out Hartpury's approach to facilitating and supporting an inclusive environment in which everyone can work and study with dignity and respect. As an employer, it is a legal as well as moral duty to ensure that the working and learning environment is free from bullying and harassment and Hartpury will not tolerate these behaviours by one member of the Hartpury community against another.

This policy does not form part of any employee's contract of employment. It may be varied by the Corporation from time to time.

## **PURPOSE**

The purpose of this Policy is to state Hartpury's position on harassment and bullying to raise awareness amongst Hartpury's community of behaviour that would be considered harassment or bullying, and to provide guidance on informal and formal means of dealing with harassment or bullying when it occurs.

## **SCOPE**

This policy applies to bullying, harassment, sexual misconduct, micro-aggressions, and victimisation that takes place at Hartpury. Where 'bullying and harassment' is referred to throughout this policy, please assume this broader remit.

Bullying is repeated offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate, or injure another person. Bullying results in pain and distress to the victim.

Harassment is unwanted conduct related to relevant protected characteristics that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Racial Harassment is an incident, or a series of incidents intended or likely to intimidate, offend or harm an individual or group because of their ethnic origin, colour, race, religion, or nationality.

Sexual misconduct is a form of harassment and is unacceptable behaviour of a sexual nature.

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint.

Microaggressions are commonplace behaviours that signal, intentionally or unintentionally, to someone from an under-represented group and/or a group perceived to have less power that they do not belong, or they are not welcome.

Hate incidents are expressions, actions or behaviour, which are motivated by hostility or prejudice towards a person's race, religion or belief, disability, sexual orientation or gender identity. When the behaviour amounts to a criminal offence, a hate incident is referred to as a hate crime.

Cyber Bullying can be in many forms. This is the case whether the perpetrator is known to the victim or is acting anonymously. Forms can include but are not limited to posting unpleasant messages across a variety of different technologies, taking and sharing unpleasant images, sending anonymous or threatening messages.

This policy applies to all members of the Hartpury community including staff at all levels (academic, professional services, management) and governors and anyone else engaged to work at Hartpury whether they are in a direct contractual relationship with Hartpury or otherwise. This includes consultants, contractors, agency, casual workers, visiting lecturers (paid or unpaid) and third parties within Hartpury's reasonable control, such as suppliers or visitors to Hartpury's premises.

Hartpury will not accept harassment or bullying of its staff by third parties e.g. outsourced workers, agency workers or contractors' staff. If a Hartpury employee believes that they have experienced harassment or bullying from a third party with whom Hartpury has dealings, they should report it to their line manager in the first instance.

Hartpury is not directly responsible for bullying or harassment that takes place outside the learning environment and off-campus premises but may take appropriate action if such activities have an impact on any student's or staff safety or if Hartpury's reputation is at risk.

## **OBJECTIVES**

Hartpury is committed to creating and maintaining a working and learning environment that is safe, secure and free from any form of bullying and harassment for all students and staff. Where bullying or harassment does occur, individuals should feel supported in reporting incidents and be clear about the steps they should take.

- All Governors, staff, students and parents/carers/guardians should have an understanding of what bullying is
- All Governors, staff, students and parents/carers/guardians should know what Hartpury's policy is on bullying, and what they should do if bullying arises
- At Hartpury we take bullying seriously. Staff, students and parents/carers/guardians should be assured that they will be supported when bullying is reported
- Bullying will not be tolerated
- Hartpury will ensure that all staff and students have access to this policy

## **ACCEPTABLE BEHAVIOUR**

All members of the Hartpury community are responsible for behaving in an acceptable manner, showing respect for staff, students, and visitors, and are expected to consider their own behaviour and the impact it can have on others.

Demonstrated incidents of harassment or bullying will be regarded seriously and treated as grounds for disciplinary action.

Legitimate, reasonable, and constructive criticism of performance or behaviour, or reasonable instructions given to staff or students at Hartpury, will not amount to unacceptable behaviour.

On occasion, individual perceptions of behaviour may differ, perhaps due to differences in attitude, values, experience, or culture, and what one person would consider acceptable behaviour may be unacceptable to another.

However, the defining factor in determining if behaviour amounts to harassment is that the behaviour is unacceptable to the recipient, even if this was not the intention. While the recipient's perception of the behaviour is key, consideration will be given at all stages as to whether a behaviour could 'reasonably be considered' to amount to harassment.

## **INFORMAL PROCEDURE**

Hartpury recognises that it can be difficult to raise a complaint of bullying, harassment, or victimisation whether on an informal or formal basis.

If a member of staff is affected by bullying or harassment they may wish to resolve the behaviour informally. The member of staff can discuss their situation and possible options in confidence with a member of the HR team or use the Whisper (Report and Support) tool. Reports submitted via Whisper are anonymous.

An informal approach may effectively address the unwanted behaviour without recourse to formal procedures. For example, where the staff member feels it is safe and / or appropriate to do so and they feel able to, they could first attempt to resolve the issue directly, by making it clear to the individual responsible that their conduct is unacceptable, and that the member of staff considers it bullying and / or harassment and they would like it to stop immediately. An informal note of the discussion should be kept by both parties in the event that follow-up action becomes necessary.

Hartpury recognises that it is for the person affected to determine the preferred pathway for resolution and engaging in informal resolution is not a barrier to bringing a formal complaint at a later time. In some circumstances, the alleged behaviour could be deemed to be sufficiently serious to warrant an immediate formal investigation such as where there has been discrimination, assault, or a prolonged abuse of power.

If informal efforts to resolve the issue have been unsuccessful or, where the issue warrants an immediate formal approach, it will be dealt with through the Grievance Policy and Procedure.

If the member of staff is in doubt as to whether an incident or series of incidents which have occurred constitute harassment, then in the first instance they should approach their line manager on an informal basis. They will be able to advise the member of staff as to whether the complaint necessitates further action, in which case the matter will be dealt with informally or formally as appropriate.

### What to do if you witness someone being bullied or harassed?

If you witness someone else being bullied or harassed, you can discuss this situation and possible options in confidence with a member of the HR team or use the Whisper tool. Reports submitted via the Whisper tool are normally anonymous, unless a member of staff wishes to make themselves known.

### What happens if I am accused of bullying or harassment?

If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were only joking or think the complainant is being too sensitive. Remember that different people find different things acceptable, and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. You may have offended someone without intending to. If that is the case, the person concerned may be content with an explanation and an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence. Provided that you do not repeat the behaviour that has caused offence, which may be the end of the matter.

If a formal complaint is made about your behaviour, this will be fully investigated and Hartpury may bring disciplinary proceedings, if appropriate.

### **FORMAL PROCEDURE**

Members of staff who feel they have experienced or witnessed bullying or harassment may make a formal complaint against a staff member by using the grievance policy.

If the grievance is not resolved by the employee and the Head of Department, or the grievance directly concerns the Head of Department the employee may raise the matter with the relevant Executive member.

Complainants should state their grievance in writing. Complaints should include in the statement the reasonable outcome / resolution sought to consider the situation resolved. Complainants should seek advice and support from a member of the HR team.

Students who wish to make a formal allegation against members of staff, contractors/visitors or other students should be directed to the Student Anti Bullying Policy.

Where a complaint is raised under the Student Anti Bullying Policy and the alleged harasser is a member of staff, the staff member appointed to investigate the student complaint should inform HR of the allegations and keep them informed throughout the process to enable HR to decide whether and when a separate staff procedure is needed.

### **WHISPER TOOL - REPORT AND SUPPORT**

Whisper is an online portal which enables staff and students to safely report incidents of bullying, discrimination and harassment and is administered by Hartpury's Wellbeing team. Staff and students can also access support and resources, which include internal and external support, policies, and procedures. Where an anonymous report has been made, the information will be kept to perform regular trend analyses, including at department level.

### **EMPLOYEE ASSISTANCE PROGRAMME**

Counselling can play a vital role in complaints about bullying and harassment, by providing a confidential mechanism for an informal approach. Our Employee Assistance Programme (EAP) is available for all employees and their families. EAPs are intended to help employees deal with personal problems that might adversely impact their work performance, health, and wellbeing.

Counselling can be particularly useful where investigation shows no cause for disciplinary action and may help support the person accused as well as the complainant.

#### **REFERENCE TO OTHER POLICIES**

- Grievance Policy and Procedure
- Student Complaints Procedure
- Social Media Policy
- Safeguarding and Child Protection Policy and Procedure
- Guidelines on Professional Boundaries
- Student Anti Bullying Policy
- Sexual Misconduct Policy

## **EQUALITY, DIVERSITY AND INCLUSION**

As with all Hartpury policies and procedures, due care has been taken to ensure that this policy is appropriate to all members of staff regardless of their age, disability, ethnicity, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation and transgender status.

The policy will be applied fairly and consistently whilst upholding Hartpury's commitment to providing equality to all. If any employee feels that this or any other policy does not meet this aim, please contact the HR Department.

Hartpury is committed towards promoting positive mental health by working towards the MINDFUL EMPLOYER Charter. Hartpury aims to create a culture of support within the workplace where employees can talk about mental health problems without the fear of stigma or discrimination.

### **APPROVAL AND REVIEW CYCLE**

<b>DATE LAST APPROVED</b>	November 2023
<b>POLICY OWNER</b>	HR
<b>APPROVING COMMITTEE</b>	Executive
<b>STATUS</b>	Approved
<b>EFFECTIVE FROM</b>	November 2023
<b>NEXT REVIEW DATE</b>	November 2025
<b>LOCATION OF POLICY</b>	Intranet: HR Policies