

Quality Management System

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Policy Title

Inappropriate Behaviour (Bullying & Harassment) Policy (Staff)

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Alternative Format Statement

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Contents

Section and Title	Page Number
Alternative Format Statement	2
1.0 Introduction	4
2.0 Background	4
3.0 What is Inappropriate Behaviour?	5
4.0 Responsibilities	8
5.0 Training	9
6.0 Supportive Framework	9
7.0 Review and Monitoring of Inappropriate Behaviour Policy and Procedure	10
Contact Information	10

Inappropriate Behaviour (Bullying & Harassment) Policy (Staff)

1.0 Introduction

This policy applies to all members of Bishop Auckland College Group staff, with the exception of designated senior post holders, as defined in the Articles of Government, through the Clerk to the Corporation, hereafter referred to as 'The Group'

The Group is committed to providing an environment which is supportive and free from harassment, including sexual harassment, bullying and victimisation. The Group will take all reasonably practicable steps to prevent inappropriate behaviour at work.

All staff have a right to be treated and have an obligation to treat others, with dignity and respect.

The Group's Equality, Diversity and Inclusion policy sets out the Group's commitment towards an environment where respect for others permeates every aspect of daily life. The Group and recognised trade unions are aware of the problems associated with inappropriate behaviour and are committed to providing an environment in which all individuals can operate effectively, confidently and competently. If an allegation of inappropriate behaviour is brought to the attention of management, it will be investigated promptly and appropriate action taken.

This policy is designed to ensure that staff are confident, if they bring a complaint in good faith, that the matter will be dealt with according to the relevant procedure and that they will not be subsequently victimised in any way.

The corresponding Inappropriate Behaviour (Bullying & Harassment) Procedure (BAC-HR-1-05) is available to all staff and details the stages of any action to be taken following any breach of this policy and the potential consequences of this.

As this policy can involve processing personal data, data protection regulations will be adhered to. Please refer to the General Data Protection Regulation Policy (ref: POL-DP-01) for further information.

2.0 Background

Inappropriate behaviour, including bullying, harassment, sexual harassment and victimisation is a serious problem, which is often dismissed as individuals being over-sensitive. It can affect a member of staff's health, work performance, damage morale and ultimately, the success of the Group. Inappropriate behaviour is not acceptable within the Group.

If at any time an incident of inappropriate behaviour occurs and it is felt that this is a safeguarding issue, the Safeguarding/Child Protection Policy (POL-CP-01) must be adhered to.

If at any time an incident of inappropriate behaviour occurs and it is felt that this contravenes the Group's duty under PREVENT, the PREVENT guidance which is found in the Group's Safeguarding/Child Protection Policy (POL-CP-01) must be adhered to.

If at any time an incident of inappropriate behaviour occurs and it is felt that this is a safeguarding allegation against a member of staff, the Policy on safeguarding concerns and allegations against a member of staff, including supply staff, volunteers and contractors (POL-HR-12) must be adhered to.

All of these documents can be accessed via the staff portal (in College documents) or via HR. This policy will be regularly reviewed.

3.0 What is Inappropriate Behaviour?

Examples of inappropriate behaviour include:

3.1 Harassment

The Equality Act 2010 harmonised and replaced previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995).

The Act defines harassment as: 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. Protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Examples of behaviour which is likely to constitute harassment are:

- Verbal abuse – including verbal threats, derogatory name calling, insults, ridicule or the belittling of another person
- Physical assault or threat of violence
- Intrusive behaviour – invasion of personal space, pestering, spying or stalking, unwelcome contact – including texting, emails, phone calls or via social media
- Exclusion – from normal conversation in work environment or from social events
- Deliberately undermining someone – by spreading malicious lies, making insulting comments or bringing a vindictive allegation of unacceptable behaviour, display or circulation of abusive or offensive materials on paper or electronically, sending offensive text messages

- Using humour to put another person or group of people down e.g. telling jokes that are offensive to a particular protected characteristic. This is not an exhaustive list.

The complainant does not need to possess the protected characteristic themselves.

3.2 **Bullying**

Bullying is a form of harassment but does not need to be related to any protected characteristic. As with other forms of harassment there is no requirement to demonstrate intent to bully. The ACAS definition of bullying is: offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Examples of behaviour which is likely to constitute bullying are:

- Psychological intimidation, humiliation, excessive and/or unreasonable criticism or fault finding of any colleague or peer
- Spreading rumours or gossip about a person
- Asserting a position of superiority in an aggressive, abusive or offensive manner, including via electronic media
- Preventing an individual progressing by intentionally blocking promotion or training opportunities
- Preventing access to resources
- Abuse of power or behaviour that causes fear or distress for others
- Treating people in an unprofessional manner of refusing to follow agreed and fair procedures

This is not an exhaustive list.

3.3 **Victimisation**

Victimisation is defined in the Equality Act as occurring when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act, or because they are suspected of doing so.

The Equality Act provides protection against victimisation for all protected characteristics.

3.4 **Sexual Harassment**

- 3.4.1 The Group is committed to maintaining an environment of mutual respect and dignity, free from any form of sexual harassment. Sexual harassment will not be tolerated within the Group and it is unlawful. The Group take proactive measures to prevent sexual harassment and promote a safe, inclusive, and respectful working and learning environment for all members of the college community, including staff, students, contractors, and visitors. The Group will take all

reasonable steps to prevent sexual harassment of our staff by third parties (including students, visitors, contractors and members of the public) and any such reports will be treated seriously. We will investigate and take appropriate action against any third party to protect our staff. Sexual harassment of any kind undermines the values of the Group and will not be tolerated. Preventing such behaviour is a shared responsibility, and there are expectations on staff and third parties to contribute to this.

3.4.2 Sexual harassment is defined as any unwelcome behaviour of a sexual nature that can include verbal, non-verbal, or physical conduct. This includes, but is not limited to:

- Verbal harassment: Inappropriate comments, jokes, 'banter' or sexual propositions.
- Non-verbal harassment: Staring, suggestive gestures or sharing explicit images.
- Physical harassment: Unwelcome physical contact, including groping, touching or assault.
- Digital harassment: Sending unsolicited sexual content via email, messaging apps or social media.

Sexual harassment can occur between individuals of the same or different genders and can be perpetrated by staff or third parties.

3.4.3 To prevent sexual harassment, the Group is committed to educating all members of its community.

Preventive measures include:

- Mandatory training: all staff will receive regular training on what constitutes sexual harassment; how to recognise it and what steps to take if they experience or witness such behaviour. The Group will provide refresher updates annually to ensure that awareness remains high and any changes in the legal framework or policy are communicated effectively.

3.4.4 To prevent the escalation of inappropriate behaviour, staff and students are encouraged to report concerns as early as possible. The Group provides multiple confidential channels for reporting concerns:

- Anonymous reporting: the Group will provide an anonymous online reporting tool for those who may feel uncomfortable reporting harassment in person.
- Informal resolution: in some cases, informal resolution options (such as mediation) may be offered for early intervention with the intention of avoiding any situation escalating.
- Designated contacts: All HR staff will be trained to provide advice and support in harassment cases.

3.4.5 Bystanders play a crucial role in preventing sexual harassment. The Group will promote bystander intervention training, teaching individuals how to safely intervene if they witness behaviour that could constitute harassment. Bystanders are encouraged to:

- Speak up if they feel safe to do so.
- Report incidents they witness or hear about.
- Offer support to anyone they believe is being harassed.

3.4.6 The Group do have a priority to prevent any form of sexual harassment, however it is important to note that any reports of sexual harassment will be taken seriously. The Disciplinary Procedure will be applied to individuals who:

- Engage in sexual harassment.
- Retaliate against someone who has reported harassment.
- Fail to comply with the Group's policies on respectful conduct.

Aggravating factors, such as abuse of power will also be taken into account in deciding what disciplinary action to take. Consequences may range from a formal warning to dismissal (for staff), depending on the severity of the behaviour.

3.4.7 Reports of sexual harassment by a third party are treated just as seriously and staff members are encouraged to report this, there will also be a zero-tolerance approach to this and reports will also be investigated which may lead to legal liability.

3.4.8 To better understand the prevalence and nature of sexual harassment, the college will monitor and record all reports of harassment. This data will help identify any trends and inform future preventive measures, such as targeted training or awareness campaigns.

4.0 Responsibilities

It is the duty of every member of staff within the Group and of those visiting the Group's premises to take responsibility for their behaviour and treat all colleagues with dignity and respect and take appropriate measures to ensure that bullying, harassment or victimisation does not occur.

Staff also have a responsibility to report any witnessed or suspected incidents of harassment, including sexual harassment, bullying or victimisation immediately to their line manager or Human Resources or via the anonymous form.

All staff are expected to:

- Treat all others with dignity and respect
- Be aware of the Group's Equality, Diversity and Inclusion Policy (POL-ED-01)
- Understand what is expected from them with regard to the Group's Code of Conduct
- Conduct themselves professionally
- Not behave in a manner that could be deemed offensive to others
- Be pro-active in developing and maintain effective working relationships
- Ensure that they promote British Values at all times
- Take appropriate action where there are difficulties in working relationships

In the event of a failure to do so, disciplinary action, in accordance with the Group's Disciplinary Procedure (BAC-HR-1-01), may be a consequence and anyone found responsible may also be held personally liable should the person who has experienced inappropriate behaviour undertake legal proceedings.

Managers are required to ensure that the policy is effectively applied and that inappropriate behaviour does not occur.

Managers are responsible for treating staff fairly with consideration for their dignity and ensure that they create an environment where staff feel able to challenge inappropriate behaviour.

Managers have a responsibility to take action to stop inappropriate behaviour and ensure that all incidents are dealt with in line with the Inappropriate Behaviour Procedure. All incidents should be dealt with promptly and fairly.

Any member of staff experiencing inappropriate behaviour has the right to take action under the Group's Inappropriate Behaviour Procedure.

5.0 Training

Training will be provided, as appropriate, to all staff as part of the induction process. Specific training will also be provided for managers to ensure that they gain the knowledge, skills and awareness necessary to operate the Group's Inappropriate Behaviour Policy and relevant legislation efficiently and effectively and to communicate this to their staff and students.

6.0 Supportive Framework

The Group recognises that making a complaint of inappropriate behaviour is likely to be a distressing experience and that it may be difficult for members of staff to raise such complaints directly with their line managers. Members of staff may therefore approach a workplace colleague or trade union representative to

raise the issue with management on their behalf, in accordance with the Inappropriate Behaviour Procedure.

If, one of the parties concerned in an inappropriate behaviour case of a personal nature must be removed from the workplace, then, as a matter of principle, the Group will endeavour to remove the alleged perpetrator rather than the complainant.

7.0 Review and Monitoring of Inappropriate Behaviour Policy and Procedure

It will be the responsibility of the Joint Consultative Committee to review and monitor the progress of the policy and procedure on an annual basis and to recommend amendments, where necessary.

Contact Information

For questions or feedback regarding this procedure, please contact:

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