

Policy on Harassment for Staff



1. Introduction

Bath Spa University College Students' Union supports the rights of all staff and students to be treated with dignity and respect. This policy is designed both to help prevent harassment and to offer support to any member of the Students' Union who feels that they are being harassed by another member. This policy aims to assist in developing and encouraging a working and learning environment and culture in which harassment is known to be unacceptable and where individuals have the confidence to complain of harassment without fear of ridicule or reprisals.

This policy applies to both full time staff and student staff. Specific guidance for staff is set out in section 6.

Although cases of harassment may be resolved informally, it may be necessary to take formal action which could lead to disciplinary action or possibly dismissal for staff or expulsion for students. The possibility that complaints may be made with mischievous or malicious intent is also recognised and will be treated as grounds for possible disciplinary action.

In addition to the internal Students' Union procedures and remedies for dealing with harassment, individuals who harass another individual will be in breach of civil and criminal law under any of the following:

- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Human Rights Act 1998
- Race Relations Amendment Act 2000
- Criminal Justice and Public Order Act 1994
- Protection from Harassment Act 1997

2. Responsibility and Accountability

The General Manager and President have responsibility and accountability for Equal Opportunities throughout the Students' Union and are also responsible implementing and monitoring this policy. However, all members of the Students' Union, both full time staff and student staff, have a duty to ensure that individuals do not suffer from any form of harassment and that if they do, they are supported in seeking to eliminate it and in pursuing any legitimate complaint about the harassment.

3. Definitions

3.1 Harassment in General Terms

There are many forms of harassment which can be described in simple terms as unwelcome behaviour that affects the dignity of men and women. It is the conduct of one or more people against another or others when an intimidating, hostile or offensive atmosphere is created.

In general terms, it is actions or comments viewed as demeaning or unacceptable by the recipient.

Harassment takes many forms and includes behaviour related to:

- Gender
- Ethnicity
- Colour
- Disability
- Religion
- Nationality
- Age
- Occupation
- Marital status
- Sexual orientation
- Other personal characteristics

Conduct that is acceptable to one person may prove to be unwelcome to another and the test applied must be that the conduct, whether unwitting or deliberate would be judged as harassment by any reasonable person.

Examples of harassment are given below, although there are many forms:

- Abuse through email or other electronic media
- Telling jokes of bad taste
- Displaying offensive material in any form
- Written abuse including graffiti and web sites
- Spreading malicious rumours or insulting someone
- Inappropriate language that causes offence to others

The grounds for claims of harassment are listed below. This list, however, is not exhaustive, and any harassment for whatever reason, is treated seriously.

- Harassment on the grounds of disability, which is directed at those with a physical or other disability.
- Racial harassment is directed at those from different racial, religious or ethnic origin
- Religious harassment is aimed at those of a different religion and may include drawing unwelcome attention to an individual's religious beliefs

- Harassment of the grounds of age is based on attitudes, assumptions and stereotyping that are prejudice to older or younger people and may include expressing prejudicial assumptions about abilities or exclusion from social events.
- Sexual harassment and harassment relating to sexuality is directed at a person or group on the basis of gender, marital status, sexual orientation or sexuality. It can also include unwanted sexual behaviour, including:
 - Suggestive looks and remarks
 - Suggestive behaviour
 - Unwanted physical contact
 - Unwanted sexual advances
 - Stalking
 - Inappropriate sexual and/or homophobic remarks, innuendos and lewd jokes
 - Threats of disclosing sexuality
 - Compromising invitations
 - Offensive/degrading display of images (including electronic)

3.7 Bullying

Bullying is a form of harassment and is threatening, abusive, intimidating or insulting behaviour that may be an abuse of power, position or knowledge. As with harassment, what may be perceived by one person as firm management may be perceived by another as bullying. However, the behaviour is inappropriate if the individual becomes stressed, demotivated or frightened as a direct result. The following are examples of bullying, although the list is not exhaustive.

- Shouting, verbal and written/electronically transmitted abuse
- Abuse of power or behaviour that causes fear or distress for others
- Deliberate undermining of an individual through unfair work allocation and/or constant criticism
- Unfounded or inappropriate threats and/or comments about job or course security
- Public ridicule, sarcasm or humiliation

4. What do you do if you feel you are being harassed?

If you think a student or member of staff is harassing you, you must not feel this has to be tolerated. Harassment is not always easily identified or easy to deal with. It is advisable to keep a record of incidents that bother you, including time, date, circumstances, names of witnesses and how you felt at the time. You may also wish to consider taking the action outlined in the following paragraphs. Action for staff is outlined in section 6.

5. Harassment Advisors

Harassment advisors are staff and student representatives who have been specially trained to provide staff and students with support if they feel they are being harassed or in any way.

Harassment advisors are available to listen to your concerns or to help you take appropriate action to deal with cases of harassment. The harassment advisors treat all matters confidentially unless there is an unacceptable risk to yourself or others within the Students' Union. In this case you will be informed of any action that may be deemed necessary and fully involved in the process.

Enclosed in this policy is a list of Advisors who are trained to help and support you if you believe you are being harassed. You may approach any one of the advisors for confidential support.

6. Staff

6.1 Individual Action

If possible, make it clear to the person causing the offence that you find the behaviour unacceptable and ask the person to stop. In some cases this will be sufficient to resolve the situation. If you feel unable to speak to the person concerned, or having spoken the behaviour persists, you should keep a note of details, dates, times, circumstances and witnesses, including a note or any ways in which the incidents cause you to change the pattern of your work.

6.2 Informal Action

If you feel unable to take individual action, or this has not been sufficient to resolve the issue, talk informally to one of the following:

- A trained Harassment Advisor
- A member of the senior management team
- Trade Union representative

Any discussion will be confidential and no further action will be taken without your permission, unless your safety or the safety of others is deemed to be at risk, in which case you will be fully involved in the process. If further action is taken, the person from whom you sought advice will normally continue to support you throughout.

If this informal discussion does not help to resolve the issue, you and/or the person who is supporting you should consult with the Membership Services Manager for further guidance. If you are being harassed by a student, the President will also be involved in the discussion. The matter may then be resolved informally or the next step may be to formalise matters, which will only be done with your permission.

6.3 Formal Action

If you wish the matter to be made formal, you will need to raise a complaint under the formal Grievance Procedure for Equal Opportunities Matters. As a result, the alleged harasser could be the subject of disciplinary action, the outcome of which may be an oral or written warning or if the matter was serious enough, dismissal.