

Bullying, Harassment and Sexual Misconduct Policy

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Version Control Table			
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Draft v0.1	Senior People Advisor	January 2025	<ul style="list-style-type: none"> New policy which incorporates new legislations and replaces the previous Dignity at Work and Study policy
Final v1.0	Senior People Advisor	May 2025	<ul style="list-style-type: none"> Updates to wording following feedback from TU and Staff Networks

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Policy Statement

1. Purpose

- 1.1 The university is committed to maintaining a safe, respectful, and inclusive environment for all employees and believes every colleague has the right to work in a supportive environment, free from inappropriate behaviour such as bullying, harassment, victimisation, discrimination and sexual misconduct.
- 1.2 The purpose of this policy is to prevent inappropriate behaviours in the workplace and resolve incidents if they occur by providing a clear framework for reporting incidents; ensuring fair, transparent, and effective resolution procedures for those affected and promoting a culture of respect, equality, and dignity at the university.
- 1.3 This policy sets out the standards of behaviour expected from university employees and promotes the early resolution of issues wherever possible to prevent health and work-related problems alongside other university policies
- 1.4 This policy sets out what actions can be taken through informal and formal resolution processes set out in the university's disciplinary and grievance policies.

2. Principles

- 2.1 This policy supports the university in its duty to provide a safe environment in which to work under the Health and Safety at Work Act.

The University has a responsibility to foster good relations and to eliminate all forms of inappropriate behaviour,

- 2.2 The university does not tolerate inappropriate behaviour in any form and aims to provide clear processes for addressing such behaviours. These actions undermine the dignity, well-being, and academic or professional potential of individuals and are contrary to the values we uphold.
- 2.3 The university employees and students are expected to comply with the requirements of this policy and to ensure that they display appropriate, professional and respectful behaviour at all times.
- 2.4 All forms of harassment are prohibited whether it take place within the university premises or outside, including social events, business trips, online and training sessions.
- 2.5 The university will respond promptly and sensitively to all complaints, and where appropriate will instigate our disciplinary procedures, up to and including dismissal from employment.

3. Scope

- 3.1 This policy applies to all employees and workers at the university.
- 3.2 For the purpose of this policy an "employee" is defined as an individual either employed or engaged by the university on a paid or unpaid basis to carry out work under any type of employment contract. This includes:

- Students undertaking paid or unpaid work
- People designated as workers
- Visiting Lecturers
- Agency workers and Honorary appointments

3.3 Visitors to the university or people working on a voluntary basis at the university and those working as contractors are also bound by the terms of this policy.

4. Roles and Responsibilities

- 4.1 All employees and workers have a responsibility for fostering an educational and work environment where everyone is treated with respect and dignity. Everyone is expected to help prevent inappropriate behaviour by being self-aware, setting a positive example for others, and raising concerns when necessary. All employees and workers also have a responsibility for completing any relevant training courses agreed by the university.
- 4.2 All those responsible for teaching, supervising, managing and leading people are in a position of trust and have additional responsibilities to display exemplary behaviours.
- 4.3 People and Culture are responsible for offering guidance to individuals who report inappropriate behaviour, those accused of such behaviour, and those involved in supporting both informal and formal resolution processes.

5. Definitions

All university employees are expected to behave professionally and appropriately and have the right to expect professional and appropriate behaviour from others.

Inappropriate behaviour may:

- Be perpetrated by an individual or a group
- Be intentional or unintentional
- Take place either on a university campus, via university IT systems online via email, social media or the internet or outside, including social events, business trips, and training sessions
- Range from overt, easy to recognise one-off instances to repeated remarks and acts

The university recognises that inappropriate behaviour may be a manifestation of power relationships and often occur within unequal relationships in the workplace

5.1 Bullying

- 5.2 Bullying is defined under this policy as, unwanted behaviour that intimidates, demeans, or harms an individual or group or an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone
- 5.3 It may be verbal, physical, or psychological and can occur in various forms, such as but not limited to name-calling, exclusion, or spreading malicious rumours. It may occur in their presence or be otherwise communicated to them including by third party or other means.

5.4 Harassment

- 5.5 Harassment is defined under this policy as unwanted behaviour related to a protected characteristic which has the purpose or effect of violating someone's dignity or which creates an intimidating, hostile, degrading, humiliating or offensive environment. Harassment is also defined as conduct which occurs on at least two occasions which has the purpose or effect of alarm or distress to another person or people.
- 5.6 The protected characteristics identified in the definition of harassment includes age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnerships, race, religion, belief or non-belief, sex and sexual orientation.

5.7 Discrimination

- 5.8 Discrimination is defined under this policy as treating someone unfairly or less favourably because of certain characteristics, known as protected characteristics.
- 5.9 The protected characteristics identified in the definition of discrimination include age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnerships, race, religion, belief or non-belief, sex and sexual orientation.
- 5.10 Discrimination can be direct (when someone is treated less favourably than another person in the same situation because of a protected characteristic) or indirect (where rules or arrangements apply to a group of employees or job applicants, but in practice are less fair to a certain protected characteristic).

5.11 Sexual Misconduct

- 5.12 Sexual misconduct is defined under this policy as any form of sexual behaviour that is non-consensual, including but not limited to sexual abuse, sexual assault, rape, harassment, coercion, image-based abuse or exploitation. It may also include comments or conduct of a sexual nature that creates a hostile or degrading environment.
- 5.13 Sexual Misconduct can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal.
- 5.14 Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. What matters is that sexual conduct is unwanted and unwelcomed by the person against whom the conduct is directed.

5.15 Victimisation

- 5.16 Victimisation is defined under this policy, as treating someone unfairly who has complained or given information about discrimination, bullying or harassment or supported someone else's complaint or have raised a concern under the Equality Act 2010. This includes situations where an individual is subjected to disadvantage or mistreatment due to their involvement in proceedings or their support for someone who is involved in such proceedings.

6. Support and Advice

- 6.1 The university is dedicated to offering support to employees and workers impacted by these issues. A range of support resources is available to all employees, whether they are considering raising a concern about inappropriate behaviour, disclosing an incident, or are the subject of a complaint. The following support is available for colleagues to access:
- 6.2 People and Culture Team can be contacted by: HR@leedtrinity.ac.uk.
- 6.3 The university Employee Assistant Programme is a free 24/7 confidential helpline on 0800 028 0199, providing support to both you and your immediate family.
- 6.4 Trade Union Representative will be able to advise on next steps and provide support throughout the process.
- 6.5 Information about further sources of support both internal and external is also available on the university wellbeing pages.

7. Confidentiality

- 7.1 All evidence provided under this policy and procedure will be treated in a sensitive and confidential manner. Information will be shared on a need-to-know basis, including as appropriate with the reported employee. Unnecessary disclosure of such allegations may result in disciplinary action.
- 7.2 As part of the investigatory process the identity of the individual(s) providing the evidence may have to be revealed and, as appropriate, they may be requested to make a statement and/or attend an investigatory interview or be part of a fact-finding process.

8. Procedures

- 8.1 Anyone who believes they have been a victim of inappropriate behaviour, or has witnessed such behaviour, is encouraged to report the incident as soon as possible using the routes described below.
- 8.2 All reported cases of inappropriate behaviour will be taken seriously and dealt with sensitively by the university and the appropriate procedures will be used to investigate complaints. The university will not assume guilt of either party and will support all students and employees involved in a case of alleged inappropriate behaviour.

8.3 Zero Tolerance Reporting

- 8.4 Zero Tolerance is the university's online reporting tool, which should be used to make a disclosure. Individuals provide their contact details by completing the online form and a member of professional support staff will respond within two working days.

8.5 Anonymous Reporting

- 8.6 The university wants all members of the community to feel able to disclose incidents of inappropriate behaviour. If a Disclosing Party wishes to remain anonymous, then concerns can be raised via a letter directed to the Executive Director of People & Culture. The university

treats anonymous disclosures seriously and will endeavour to investigate. However, if the disclosure is made anonymously, it may be difficult to investigate the concerns effectively.

8.7 Informal Resolution

- 8.8 In some cases, informal resolution may be appropriate without recourse to a formal process and may be the preferred route for the individual experiencing the inappropriate behaviour.
- 8.9 If an informal approach is the preferred option, the person causing the offence should be advised that their behaviour is unacceptable and unwanted. In many instances, this can be sufficient to end the behaviour.
- 8.10 If, however, a direct approach with an alleged harasser is not possible; or the individual does not feel able to resolve the matter themselves, advice and support can be sought from their manager, the People and Culture team or a Trade Union Representative.

8.11 Formal Procedure

- 8.12 If the problem has not been resolved by informal means or if it is not appropriate to resolve informally, an employee may wish to submit a formal complaint. There is no requirement to use the informal route before utilising a formal channel.
- 8.13 A formal complaint can be made via the People and Culture team who will assess any disclosure and decide on the most appropriate procedures to progress this.
- 8.14 In all cases where disciplinary rules appear to have been breached, there will be an initial fact find carried out, to establish whether there is a case to answer under the formal procedures as per the Disciplinary Policy and Procedure.
- 8.15 The employee also has the right to submit a grievance in line with the university Grievance Policy and Procedure
- 8.16 If the disclosure is about a Leeds Trinity Student, this will be referred to the Student Casework Office and/or Student Support.

8.17 Third Party or Witness Disclosures

- 8.18 Any third parties who witness any inappropriate behaviour, should contact the Executive Director for People & Culture via the HR Inbox (HR@leedstrinity.ac.uk) to report their concerns as soon as is reasonably possible.

9. Interim Measures

- 9.1 In some circumstances it may be appropriate to remove an individual from the situation causing conflict. This may include the reassignment of tasks. Where there is a serious allegation, an individual may be suspended from work during an investigation as set out in the university's disciplinary procedure.

10. Malicious or Vexatious Complaints

- 10.1 If a complaint is found to be malicious or vexatious, meaning it is made with the intent to harm, deceive, or disrupt, appropriate action will be taken. This may include disciplinary measures against the individual who made the complaint, as such behaviour undermines the integrity of the process and can cause unnecessary distress. The university will thoroughly investigate any such claims and ensure that all parties involved are treated fairly.

11. Monitoring

- 11.1 The university will monitor this policy at regular intervals, monitor its effectiveness and implement any changes that may be required.

12. Training and Awareness

- 12.1 The university will provide regular training and awareness-raising campaigns for all members of the university community. This includes:

Training for employee on identifying, preventing, and addressing bullying, harassment, and sexual misconduct.

Specialised training for investigators to ensure fair and consistent procedures are followed in handling complaints.

13. Related Policies

13.1 Disciplinary Policy and Procedure

13.2 Grievance Policy and Procedure

13.3 Personal Relationships Policy

13.4 Student Complaints Procedure