RESEARCH COUNCIL HARASSMENT & BULLYING POLICY

Guidance

This document provides additional guidance for managers, employees and HR in the handling of harassment and bullying issues. It includes the Research Council's Harassment and Bullying policy and procedure which is contractual. The additional guidance which is shaded is not intended to be legally binding and does not form part of the Harassment and Bullying policy and procedure.

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Policy statement

As an equal opportunities employer, the Research Council is committed to creating and ensuring a non-discriminatory and respectful working environment for their staff.

The Research Council expects staff to demonstrate high behavioural standards in their workplace by affording dignity, trust and respect to everyone; having an awareness of the effect of their behaviour on others; communicating honestly and openly and treating everyone consistently and fairly.

The purpose of this policy is also to raise awareness amongst staff of the unacceptable behaviours that may constitute harassment and bullying and to provide a framework in which harassment and bullying complaints can be resolved appropriately within a timely manner.

The Research Council will ensure that any person bringing a claim of harassment or bullying in good faith, may do so without fear of victimisation and that all such matters will be dealt with sensitively.

The Research Council Harassment and Bullying Policy and Procedure (the Harassment and Bullying Policy) is agreed with the Trade Union Side and complies with legislation.

For the purposes of this policy, the use of the word "staff" covers Research Council employees on permanent or temporary contracts as well as persons who are on secondment to the Research Council.

Staff may be working alongside people who are employed by another organisation. If one or more of these people raise a concern about Research Council staff, this will be investigated under their employing organisation's procedures and there may be action taken as a consequence. Where a member of Research Council staff complains about the behaviour of a non-employee (e.g. contractor) the Research Council will inform the external organisation of its policy on third party harassment and bullying (i.e. zero tolerance) and state that it expects the employer to take appropriate action. In some circumstances the Research Council may take steps to exclude the perpetrator from its premises.

The UK Shared Business Services Ltd (SBS) provides HR services across the Research Councils. However some employees are deployed at establishments/facilities/ships that do not access services from SBS. In these cases references to the SBS or System (Employee Self Service) will not apply and employees should refer to their Research Council HR team for assistance.

1. Principles

1.1 All new staff should be made aware of the Harassment and Bullying Policy as part of their induction to their Research Council.

1.2 An effective resolution to harassment and bullying complaints should be sought as speedily as possible to ensure working relationships are not irreparably damaged.

1.3 The Research Council is committed to finding either an informal or formal resolution to all harassment and bullying complaints made.

1.4 When determining if harassment or bullying has occurred, it is not the intention of the person accused of harassment and/or bullying (the "alleged perpetrator") that is the deciding factor, but whether the behaviour is unacceptable to the recipient of such behaviour (the "complainant").

1.5 Where, after thorough investigation, harassment and bullying is found to have occurred this will potentially be treated as serious misconduct or gross misconduct under the Research Council's Disciplinary Procedure and may, therefore, result in summary dismissal.

1.6 At all stages of the formal procedure (as set out in Section 6), the complainant and the alleged perpetrator have the right to be accompanied by a work colleague or represented by a recognised trade union representative

The main legislation governing harassment and bullying at work is the Equality Act 2010

Employees may need additional assistance to enable them to comply with the procedure(s): for example, they may require reasonable adjustments (under the Equality Act 2010) such as requiring assistance in accessing a room or to have information reformatted.

Employees may have other requirements: for example, caring commitments or the desire to observe religious practice. As an employer, the Research Council is obliged to cater for such needs, in compliance with statutory legislation. Wherever possible, reasonable requests should be treated favourably in the implementation of this policy.

For further advice or clarification, managers should seek the advice of the Research Council HR team.

Managers should-

- Act as a positive role model by regularly reinforcing the importance of treating others with dignity, respect and equity.
- Foster a climate that discourages and prevents the occurrence of harassment or bullying, especially by acting as a role model of professionalism and good behaviour.
- Assist in the successful implementation of this policy by ensuring all members of their teams see and understand the policy and have received training on equality and diversity.
- Be responsible for ensuring that swift and appropriate action is taken when they themselves recognise that harassment, victimisation or bullying is taking place or have this brought to their attention by another employee.

2. Definitions of Harassment, Bullying & Victimisation

2.1 **Harassment** is unwanted conduct related to a protected characteristic under the Equality Act 2010 (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or is reasonably considered by that person to have that effect , even if this effect was not intended by the person responsible for the conduct. These acts will constitute harassment whether by a Research Council employee or a third party.

2.2 **Bullying** may be characterised as persistent, offensive, abusive, intimidating, insulting, or malicious behaviour, language, action or conduct or misuse of power through means intended to undermine, humiliate or injure the recipient.

2.3 **Victimisation –**occurs when someone is treated less favourably because they have previously made or supported a complaint under the Equality Act 2010, or because they are suspected of doing so. Protection against victimisation is not provided if the complaint is made maliciously or those supporting the complaint know it to be untrue or malicious.

The impact of harassment and bullying:

- Where harassment and bullying does occur it can result in low morale and increased stress, anxiety, sickness absence and staff turnover.

- Implementation of this policy is the duty of all Research Council Directors, managers and supervisors. Failure to deal with allegations or specific acts of harassment and bullying is seen as a dereliction of duty and may mean a manager could be deemed culpable in respect of any claim.

2.4 Examples of behaviours that may constitute harassment and bullying are attached at the end of this policy in Appendix 1.

It is important to note that harassment and bullying also stretches to environments where work-related activities take place including social gatherings and outings.

Harassment and bullying are not necessarily face to face, they may be by other means such as written communications, email and telephone.

3. Sources of support and guidance

3.1 At any stage of the formal or informal procedure, the complainant and alleged perpetrator should be made aware of the sources of support listed below:

a) Individual's line manager;

b) Research Council HR team (or, where available, a Harassment Adviser);

c) Senior manager if line manager is alleged perpetrator;

d) Employee Assistance Programme as applicable;

e) Any recognised Trade Union representative.

Equality and Diversity Workshops may be available to all employees. Further information can be obtained from the SBS or Research Council HR team.

4. Record keeping

4.1 Any individual who feels that they are subject to harassment or bullying should keep a record of the behaviour that is being directed towards them, noting dates, times, what happened, what was said or what was sent and any other relevant information, such as potential witnesses.

5. Harassment & bullying complaints procedure

5.1 Informal procedure

5.1.1 If an individual feels that they have been subjected to harassment or bullying, it is important to take action promptly.

5.1.2 Most harassment and bullying issues are resolved if they are dealt with quickly and informally and as close as possible to the point of origin.

5.1.3 The Research Council encourages individuals to take one of the following informal options to resolve the situation before considering the formal procedure set out in section 6 below.

If an employee were to approach their manager/Research Council HR team/recognised Trade Union Representative with concerns, the person approached should:

- Try to work through the options available with the employee to see which solution is best for that employee.
- Try to find out exactly what action the employee has taken to resolve the issue.
- Provide a clear indication of what action they will take and when.
- Provide the employee with a copy of the Harassment and Bullying Policy.

5.2 Approach the alleged perpetrator directly

5.2.1 Wherever possible and appropriate, the complainant should approach the alleged perpetrator, explain his/her concerns and ask the alleged perpetrator to stop the behaviour that is causing offence, is making him/her feel uncomfortable and is not welcome.

5.2.2 The alleged perpetrator is often unaware that his/her actions are inappropriate or objectionable. There may have been a misunderstanding or misinterpretation.

5.3 If preferable, approach the alleged perpetrator with someone else present

5.3.1 If the complainant does not feel comfortable in approaching the alleged perpetrator alone, the complainant should seek advice (e.g. from a manager, senior manager, Retained HR team member (or, where available, Harassment Adviser), a recognised TU representative or the Employee Assistance Programme (where applicable).

5.4 Submit a written request to the alleged perpetrator for the perceived behaviour to stop, explaining the distress this is causing

5.4.1 This can be handed to the alleged perpetrator by the complainant, the complainant's manager or the alleged perpetrator's manager.

5.5 Mediation

5.5.1 The Research Council encourages mediation as an informal resolution to harassment and bullying issues. However it is acknowledged that this may not be appropriate in all situations and all parties need to agree to take part in mediation.

5.5.2 Mediation is a structured process, managed by an independent person, during which both parties can talk about the situation; the aim is to understand the other person's perspective, and work together towards a solution both parties are happy with. Any staff considering this as a route for resolution should contact their Research Council HR team.

Mediation is a voluntary and confidential, facilitated by a trained mediator who may be internal or external to the Research Council. It usually involves the mediator talking to both sides separately and then together, to assist the parties to understand the issues and help them clarify options for resolving their differences.

6. Formal complaints procedure

6.1 Introduction

The formal procedure should be used in the following circumstances, where:

a) The informal procedure has been taken but has failed to resolve the issue, or

b) Serious harassment or bullying has allegedly occurred.

Where a formal complaint is submitted, the Research Council is committed to conducting a thorough and fair investigation. All complaints will be dealt with confidentially and within a reasonable time period.

Where a manager or supervisor has been formally informed of harassment and/or bullying and has failed to take action, they will be dealt with under the Disciplinary Procedure.

6.2 Raising a formal complaint

6.2.1 To invoke the formal procedure the complainant should speak to one of the people listed below to make them aware of the situation and their intention to make a formal complaint;

a) Their manager;

b) A senior manager (if the line manager is the person who is the alleged perpetrator); or

c) Research Council HR team.

6.2.2 The complainant should provide such person with any details they have of specific instances of harassment and bullying in writing along with any relevant documents including the information below if this is accessible:

a) The name/s of the Alleged Perpetrator/s;

b) Dates/times/locations of any incidents;

c) Nature of the incidents;

d) Witnesses to the incidents; and

e) Any action the Complainant has taken to resolve the situation informally if appropriate.

6.2.3 Harassment and bullying complaints should be raised as soon as possible after the incidents have occurred or after the informal procedure has failed to resolve the issue.

6.2.4 When a manager receives a formal complaint they should acknowledge this immediately and contact their Research Council HR team to agree on an appropriate investigating manager. The Investigating Manager will be independent and unconnected with the issues raised by the complainant.

The manager and/or HR will initially discuss the complaint with the employee to ensure that they are aware of the informal resolution route before an investigation is started.

6.3 Investigation

6.3.1 The first step in dealing with formal harassment and bullying complaints is an investigation. The purpose of the investigation is to:

- Enable management to investigate impartially and in a timely manner any alleged harassment and bullying behaviour.
- Try and establish all the facts of a particular case, before deciding the outcome of the investigation.

6.3.2 The Investigating Manager will conduct the investigation into the allegations). This may be done in conjunction with a member of the Research Council HR team who will provide support and guidance to the manager.

6.3.3 If the harassment and bullying complaint is against the complainant's manager then a different senior manager will be appointed as Investigating Manager who has had no prior involvement in the situation.

6.3.4 The Investigating Manager will be appropriately experienced and skilled to carry out a fair and thorough investigation.

Investigating Managers should work within clearly defined terms of reference and follow any Research Council guidance on conducting investigations.

6.3.5 The alleged perpetrator will be informed of the allegations against him/her at the beginning of the investigation and will be given the opportunity to respond to the allegations.

6.3.6 The Research Council reserves the right to transfer the alleged perpetrator away from the complainant or suspend the alleged perpetrator on full pay on a temporary basis to ensure a full and fair investigation can take place. Suspension will take place in line with the Research Council's Disciplinary Procedure but is not to be regarded as a disciplinary penalty or sanction and does not imply guilt.

Before suspending the alleged perpetrator, the Investigating Manager should afford them the opportunity to provide an explanation to the alleged offence.

The Investigating Manager should consult with the Research Council HR team before making a decision to suspend.

Confidentiality is key throughout the investigation process.

The Investigating Manager must be impartial and non-biased. Any concerns about lack of objectivity should be raised with the Research Council HR team.

Any delays in the process should be communicated in writing to both the complainant and the alleged perpetrator.

6.4 Investigation meetings

6.4.1 As part of the investigation process the Investigating Manager will interview those involved in the complaint.

6.4.2 The Investigating Manager will arrange a meeting with the complainant to discuss their complaint.

6.4.3 The Investigating Manager will also, separately, arrange meetings with the alleged perpetrator and also any witnesses to alleged incidents.

6.4.4 The complainant and the alleged perpetrator have the right to be accompanied by a work colleague or represented by a recognised trade union representative

6.4.5 Should the representatives not be available on the suggested dates of their respective meetings, they may suggest an alternative date and time within 5 working days after the date originally proposed.

6.4.6 The Research Council would normally expect an investigation to be:

a) Conducted promptly without unreasonable delay; and

b) Completed usually within 10 working days (although this could vary depending on the circumstances e.g. the availability of witnesses).

6.4.7 On the occasion where it is not practicable to so do for any reason (e.g. the unavailability of a witness because he/she is on leave), the Investigating Manager conducting the meeting will write to the complainant and the alleged perpetrator and advise them of the status of the investigation, proposed date of its completion and the reason for the delay.

Format for investigation meetings:

The Investigating Manager will:

- Introduce those present and explain their respective roles.
- Explain the purpose of the meeting which is to investigate the complaint of harassment and bullying and to gather information.
- Explain the process and how the meeting will be run.
- Ask the employee questions based on the complaint received – care should be taken not to ask leading questions.
- Ask further questions where responses are unclear and ask for names of any witnesses who are considered relevant to the investigation.
- At the end of the meeting reiterate the employee's obligation to keep details of the investigation confidential.
- Prepare accurate written summaries of the investigation meeting to be signed by the relevant parties.

6.5 Witnesses

6.5.1 Where individuals have been witnesses to an event, they may be interviewed as part of the investigation and/or asked to:

a) Provide a witness statement, which should clearly state their account of events; and

b) Date and sign their statement.

Where witnesses need to be interviewed managers should refer to any witness guidance available from the Research Council HR team.

6.5.2 The Research Council reserves the right to conceal the identity of witnesses who provide evidence if it deems it necessary and appropriate to do so in which case witness statements may be anonymised. The Research Council recognises that witness statements will only be anonymised in exceptional circumstances and that such statements may weaken the case if further action is taken against the alleged perpetrator.

6.5.3 Witnesses should be made aware that should the case proceed to a disciplinary hearing their statement will be divulged to the alleged perpetrator. Where the case is not proceeding to a disciplinary hearing the witness statements will be kept confidential although their content may be referred to within the investigatory report.

Should the situation arise whereby a witness is not prepared or willing to make a statement, Investigating Managers should consider carefully as to whether they can use the information the witness has provided and its impact on the case. Investigating Managers should be aware of, and as appropriate advise witnesses that they may be compelled to attend a tribunal by way of a witness order.

Where witnesses provide a statement of evidence, but wish to remain anonymous, consideration should be given to any genuine fear relating to a probable or actual physical threat against them or other forms of intimidation.

Third party witnesses such as visitors should not be compelled to provide statements. They should be dealt with sensitively and their consent obtained before using or referring to any statements they have given.

6.5.4 Formal disciplinary action will be taken against any individuals attempting to influence, victimise or intimidate witnesses. This will be deemed to be gross misconduct in line with the Research Council's Disciplinary Procedure.

6.6 Outcome of Harassment and Bullying investigation

6.6.1 The Investigating Manager should then produce an investigation report, which provides a summary of all the evidence and decide upon the appropriate outcome as in section 6.7 below.

The investigating manager should bear in mind when writing the report that when determining if harassment or bullying has occurred, it is not the intention of the alleged perpetrator that is the deciding factor, but whether the behaviour is unacceptable to the complainant.

6.7 Potential outcomes

After review of the investigation report, the Investigating Manager will decide whether:

- **There is no case to answer**

  In light of their investigation, the Investigating Manager may conclude that there is no case to answer. This decision will be confirmed in writing to all parties. The Investigating Manager will explain the reasons for reaching this conclusion and help/counselling if appropriate, may be provided to the complainant (see 6.8 below). If it is found that the complainant used this procedure in order to make deliberately unfounded and/or malicious allegations, the Disciplinary Procedure may be instituted against them.

- **There is a case to answer**

  The matter may then be dealt with under the Research Council's Disciplinary Procedure, see section 6.9 below.

There may also be other recommendations that arise as a result of the investigation e.g. reviewing working arrangements, redeployment, and provision of training and professional development, mediation.

6.8 Feedback from the investigation

6.8.1 The complainant and the alleged perpetrator will be informed of the outcome of the investigation by the Investigating Manager.

6.8.2 The complainant and the alleged perpetrator will receive a copy of the investigation report completed by the Investigating Manager.

6.8.3 The complainant may ask for a meeting with the Investigating Manager to discuss the report.

6.8.4 In certain situations where it is necessary to maintain confidentiality of witnesses, a summary of the evidence gathered in the report will be provided. Advice on whether the report and/or witness statements should be summarised before being provided should be sought from the Research Council HR team.

6.9 Disciplinary action

6.9.1 Where it is concluded that there is a case to answer, i.e. the complaint is upheld, the Research Council's Disciplinary Procedure shall be invoked as soon as possible. As part of this procedure the Investigating Manager shall provide the manager appointed to hold a Disciplinary hearing with the investigation report and other documentary evidence including witness statements.

Where a penalty is imposed it will be consistent with those detailed in the Disciplinary Procedure (e.g. harassment or bullying will normally result in summary dismissal). Where a lesser penalty is appropriate (e.g. a written warning) this may be coupled with action to ensure that the complainant is able to continue working without embarrassment or anxiety.

7. Appeals

7.1 Principles

7.1.1 If the complainant is not satisfied with the outcome of the investigation they have the right to appeal against the decision.

7.1.2 Any such appeal should be made in the first instance to the designated manager who will consult the Research Council HR team.

7.1.3 Appeals should be lodged in writing within seven working days of receipt of the letter detailing the outcome of the harassment and bullying investigation. The letter should indicate the full grounds on which the appeal is made.

7.1.4 The complainant can submit additional evidence or information that they consider to be relevant to the appeal.

7.1.5 The complainant has the right to be accompanied by a work colleague or represented by a recognised trade union representative of their choice at the appeal hearing (the "Appeal Hearing").

7.2 Purpose and aim of the Appeal

7.2.1 The purpose of the appeal is to:

- Determine whether the outcome of the harassment and bullying investigation was fair and reasonable in all circumstances.
- Determine whether the harassment and bullying complaints procedure was followed fairly.

7.2.3 The aim is not to rehear the whole case but to allow:

- The complainant to submit any additional evidence.
- The complainant or an accompanying work colleague or recognised Trade Union Representative to comment on any new evidence; and
- The complainant to raise any procedural issues, or comment on those matters they believe have been ignored and/or received insufficient consideration.

7.3 Appeal Hearing Process

7.3.1 Appeals will normally be heard by a more senior manager from within the Research Council, who has had no previous involvement in the case. The person hearing the appeal will normally be accompanied by a member of the Research Council HR team.

7.3.2 The manager and/or HR professional may be from another Research Council or external to the Research Councils and will be appropriately skilled and/or experienced.

7.3.3 The manager should act as Chairperson and decision maker.

7.3.4 Upon receipt of an appeal, the Chairperson will:

a) Send the individual details of the arrangements relating to the appeal hearing.

b) Advise the individual of the right to be accompanied by a work colleague or recognised Trade Union Representative. The individual should where possible confirm that person's attendance and identity before the hearing commences.

c) Hold the appeal hearing where possible within 10 working days of receipt of the letter containing the grounds of appeal. This is subject to the individual's ability to request a postponement of up to 5 working days where their chosen representative is not available to attend on the original day or time (see below).

7.3.5 Employees must take all reasonable steps to attend the appeal hearing. Where an employee is unable to attend because of circumstances beyond their control, they should inform the manager as soon as possible. The hearing should be postponed and rearranged for another more suitable date.

7.3.6 Should the individual the employee has chosen to accompany/represent them not be available on the proposed meeting date, the employee may suggest an alternative date and

time for the meeting to be held. The alternative meeting date must be held within five working days of the original date proposed.

7.3.7 Alternatively, in exceptional circumstances and with agreement of both parties, the employee can give their consent for the chosen work colleague or Trade Union representative to attend the hearing and present the employee's case. The employee may also be allowed to make written submissions in such a situation.

7.3.8 Should the employee (or their companion/representative) be persistently unable or unwilling to attend the appeal hearing over a period of one month, and no written submissions are made in their absence, the Research Council will have no further obligation to proceed with the appeal and the appeal may be found to be unsubstantiated.

7.4 The Appeal Hearing

At the Appeal Hearing, the Chairperson should:

- Introduce those present and explain their respective roles.
- Explain the purpose and format of the Appeal Hearing, including the possible outcomes.
- Invite the complainant to explain the basis on which they are appealing, referring to documents or evidence previously submitted or any additional evidence which has come to light where they believe this may support their grounds for appeal.
- If a complainant is accompanied by a work colleague or represented by a recognised Trade Union Representative, they may outline the complainant's grounds for appeal or make statements on the complainant's behalf. They may not, however, answer any questions on their behalf.
- Ask all necessary questions and summarise the facts.
- Adjourn the meeting. Decide on whether any further investigation is required including speaking with witnesses.

There should always be an adjournment to enable the Chairperson to consider everything stated in the evidence and where necessary to investigate matters or seek appropriate advice before deciding on the most appropriate outcome.

- Whenever possible, the Chairperson shall verbally inform the complainant of the decision reached and the reasons for it.
- The Chairperson shall confirm the decision in writing with reasons. This will normally be confirmed within 10 working days of the Appeal Hearing concluding, although this will be extended should further time be required. In such an instance, the complainant will be notified of the proposed date upon which the decision is expected to be made.

7.5 Appeal Outcomes

7.5.1 Possible outcomes are as follows. The Chairperson may:

- **Uphold the Investigating Manager's decision** i.e. confirm the outcome and any action taken, thereby rejecting the complainant's appeal;

- **Overturn the Investigating Manager's decision** i.e. set aside the original outcome, thereby upholding the complainant's appeal; or

- **Amend the Investigating Manager's decision** i.e. substitute an alternative course of action.

7.5.2 The decision made at the Appeal Hearing is final, with no further right of internal appeal.

8. Additional information

8.1 Information for Alleged Perpetrators

8.1.1 The Research Council encourages such individuals to listen objectively to the concerns that the complainant has about their behaviour and to seek advice as appropriate from one of the sources listed in Section 3 of this policy.

8.1.2 Any formal complaints raised against employees will be dealt with using the formal procedure as described in Section 6 of this policy. The alleged perpetrator will be informed of the allegations against them and will be given the opportunity to respond to the allegations in line with that procedure.

8.2 Information for employees who witness Harassment or Bullying

8.2.1 It is the responsibility of staff who witness incidents or behaviour that constitute harassment and bullying to bring this to the attention of management.

8.2.3 The Research Council would also encourage any witness to harassment or bullying to approach the individual that was subjected to the behaviour and to make them aware of the Harassment and Bullying Policy.

9. Harassment and Bullying by non-Research Council employees

9.1 Research Council staff who feel that they are being bullied or harassed by a third party/non-Council employee (e.g. a member of staff at a host institution) are advised to inform their manager and ask for their advice on how best to proceed.

9.2 It is the manager's responsibility to ensure that complaints of harassment by a third party are investigated and dealt with accordingly. The manager should inform the external organisation of the Research Council's policy on third party harassment and bullying (i.e. zero tolerance) and state that it expects the employer to take appropriate action. Records should be kept of the interaction between the manager and the external organisation.

9.3 The Research Council is committed to supporting staff to ensure that the matter is dealt with at the appropriate level.

10. Notes of hearing/meetings

10.1 The manager conducting the hearing/meeting should always arrange for a colleague (normally from the Research Council HR team) to attend in order to advise on procedure (where necessary/applicable) and to take notes.

10.2 Written notes will be made of the hearing/meetings; these are not meant to be verbatim but should be an accurate reflection of the points discussed and will form the official record.

Each individual will have an opportunity to comment on the notes of their hearing/meeting but this may not delay a decision. Any disagreements will be noted. Copies of the notes will be given to the employee.

11. Records

11.1 Records will be kept in line with the Research Council's Data Protection and Security Policy, detailing:

a) the nature of the complaint raised

b) the employer's response and interview(s) with the employee

c) any action taken and the reasons for it.

11.2 These records will be kept confidential and retained on the employee's personal file. In accordance with Data Protection provisions; employees may request the release of certain personal data. In some circumstances it may be necessary to redact parts of the data in order to protect the identity of witnesses.

12. External documents & links

- ACAS Advice Leaflets – "Bull**yi**ng Harassment at work: a guide for managers and employers" and "Bullying and Harassment at work: a guide for employees" www.acas.org.uk

13. Review of policy

13.1.1 This policy will be regularly reviewed to incorporate any legislation changes. The TU may request that a policy is reviewed.

14. Amendment history

Version	Date	Comments/Changes

Appendix 1

Examples of Bullying and Harassing behaviour

(The following lists examples and is not intended to be an exhaustive list)

Bullying

Physical Conduct

- Intimidatory, threatening behaviour, uncontrolled anger, abuse.
- Jostling or assault, or other non-accidental physical contact, e.g., slamming a door in one's face.
- Unwanted physical contact.

Verbal Conduct

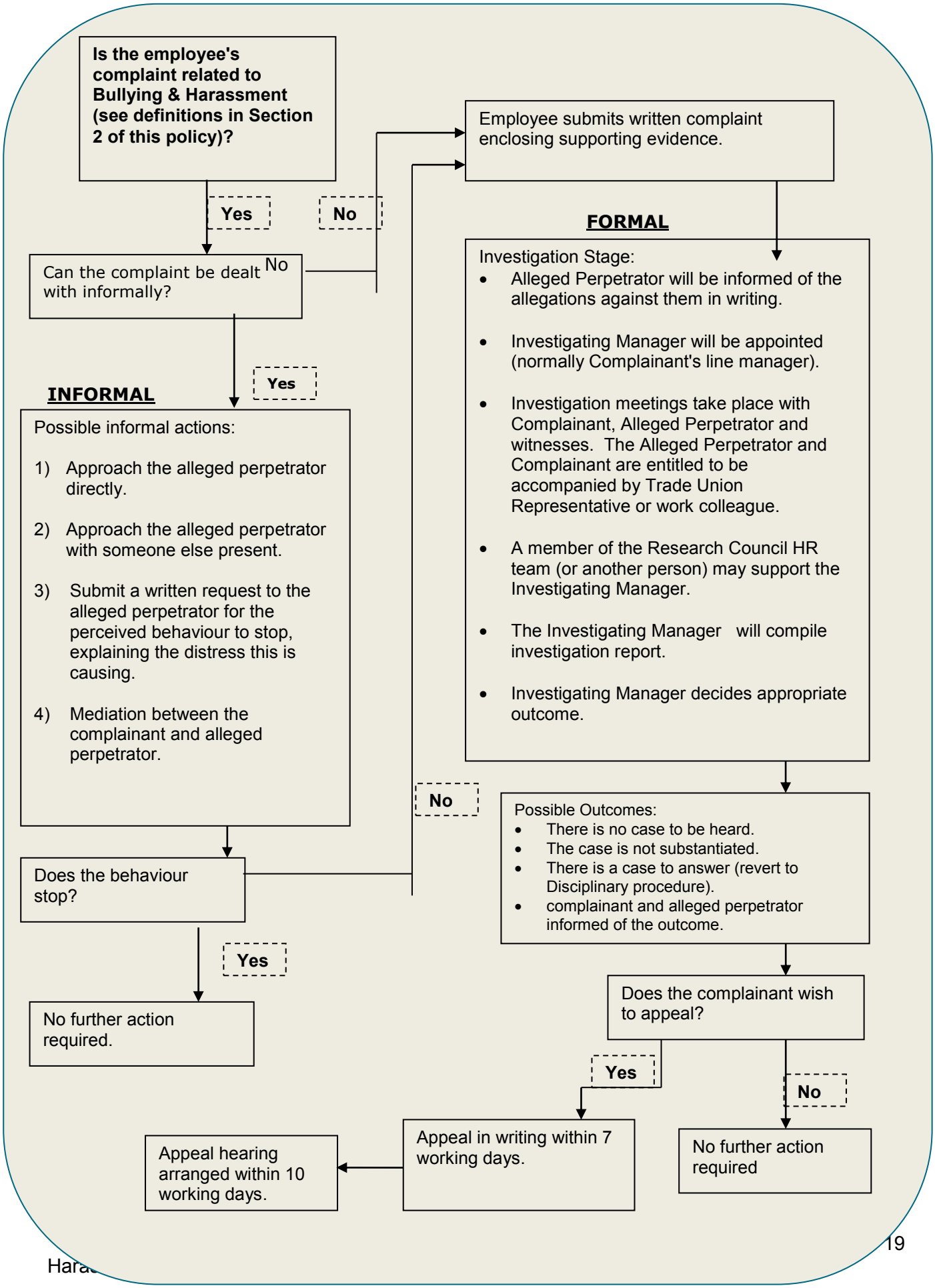
- Destructive criticism, unwarranted criticism, sarcasm, refusal of reasonable requests.
- Shouting aggressively at a colleague.
- Criticising, ridiculing and demeaning a colleague's performance in front of others.
- Spreading malicious rumours or making malicious allegations, including unwarranted allegations of harassment, made with malicious intent or in bad faith.
- Insulting a colleague, particularly on the grounds of age, race, sex, disability, sexual orientation and religion or belief.
- Excluding others by talking solely to third parties to isolate another.
- Open hostility to a colleague.

Non-verbal Conduct

- Exclusion from work information, taking credit for ideas.
- Persistent negative attacks on a colleague's personal or professional performance.
- Deliberate undermining of a colleague's contribution.
- Persistently setting unreasonable and unachievable deadlines or moving the goalposts.
- Placing unreasonable demands on a colleague.
- Removing and replacing areas of responsibility with tasks of a lower status or menial or trivial tasks.
- Overbearing supervision of a colleague's performance or other misuse of power or position.
- Exclusion from social events.
- Intentional blocking of promotion or training opportunities.

Harassment

- Derogatory nicknames or racial name-calling.
- Conduct that denigrates or ridicules a colleague, such as derogatory remarks, graffiti, jokes etc.
- The display or sending of offensive letters of publications, racist graffiti or threatening behaviour.
- Being ignored from conversation.
- Open hostility to colleagues/ employees from a particular group.

- Unwanted physical contact.
- Undermining, ignoring or dismissing the quality of a colleague's work specifically because of his/her sex/religious belief etc.

Appendix 2 – Harassment & Bullying procedure