

BRIEFING NOTE 27: GUIDANCE FOR STAFF WHO BELIEVE THEY HAVE WITNESSED INAPPROPRIATE BEHAVIOUR

1.0 Overview

- 1.1 The University has a zero tolerance of unlawful discrimination, harassment or bullying and aims to ensure that staff are treated with dignity and respect at all times and are protected from such behaviours and/or actions.
- 1.2 The University takes seriously any complaints of harassment, bullying, discrimination or victimisation and is committed to investigating reports of such inappropriate behaviour and taking appropriate action proportionate to each case.
- 1.3 If you believe that you have witnessed someone being subjected to harassment or bullying in any form by a member of staff, student or other service user, you do not have to tolerate it and there is action you can take.

2.0 What you can do if you believe you have witnessed an individual being subjected to inappropriate behaviour

- 2.1 Concerns can be dealt with on an informal or formal basis, depending on the nature of the behaviour.
- 2.2 You are encouraged to bring it to the attention of the University so it can be looked into and resolved in a timely manner as possible.
- 2.3 It is important that you seek advice and support at the earliest opportunity. You can receive advice from the individuals listed in paragraph 5.0 on the

options available to raise your concerns or to signpost you to specialist advice.

- 2.4 If possible, speak or write (keep a copy) to the individual to let them know that you are unhappy with their behaviour you have witnessed towards others, the impact the behaviour is having on you and potentially on others and that you would like the behaviour to stop immediately.
- 2.5 It is important that you keep a record (note or diary) of the details of any relevant incidents that cause you upset. This should include the date, time, and location of the incident, detail about what occurred and whether there was anyone else present.
- 2.6 If typing your records or retaining email correspondence related to the incident, save the documents to your UEA file store and not to a shared drive, or shared folder.

3.0 Procedure for dealing with formal complaints

- 3.1 If you have tried to resolve the situation and the behaviour towards others persists or transfers to you; or you are too upset to contact the individual about their behaviour, speak with your line manager. Your line manager will hold discussions with relevant parties to try to seek informal resolution. This forms the informal stage of the Grievance Procedure for [support staff](#) or for [academic \(ATR/ATS\) and academic-related \(ALC\) staff](#).
- 3.2 If your concerns relate to your immediate line manager, you can raise your concerns with the next manager in the line management structure for your area.
- 3.3 If you find it difficult to raise concerns through your line management structure, you can raise your concerns with the [Human Resources Manager/Adviser](#) for your area and they will liaise with the appropriate manager.

- 3.4 If you have tried to resolve the situation and the behaviour persists; or, the incident is so serious that it is not possible to deal with on an informal basis you can make a formal complaint using the relevant Grievance Procedure for [support staff](#) or for [academic \(ATR/ATS\) and academic-related \(ALC\) staff](#).
- 3.5 Complaints should be raised in a timely manner as soon as possible after seeking to resolve the matter informally, or after the incident taking place.

4.0 Procedures for dealing with Complaints of Harassment or Bullying by Students or Service Users

- 4.1 As in paragraph 2.5, make a record of the incident.
- 4.2 Discuss the matter with your line manager, or the most appropriate manager, at the earliest opportunity, providing your line manager with the record of the incident and any action you have taken.
- 4.3 The manager will be responsible for looking into the incident and will discuss with you whether to progress the matter on a more formal basis and the process for doing so.

5.0 Advice, support and signposting

- 5.1 Your line manager or a member of the [Human Resources](#) team can provide advice and support, including the identification of appropriate support mechanisms.
- 5.2 You can contact your Campus Trade Union representative (UCU, UNISON, UNITE) for advice and representation.
- 5.3 Signposting advice can be provided by
- A UEA [Staff Pride Dignity & Respect Champion](#)
 - A member of the [Equality & Diversity Team](#)

5.4 You can self-refer to UEA's [Staff Counselling Service](#).

6.0 Confidentiality

6.1 As a general principle confidentiality will be agreed and maintained wherever possible during and after any complaint of harassment or bullying.

6.2 There may be situations where confidentiality cannot be kept, and this will be made clear to complainants at the time. For example, if you tell, in confidence, something that puts the health and safety of you or others at risk, this will need to be drawn to the University's attention.

6.3 The decision about whether to progress a complaint normally rests with you, but the University will have to act if it judges there to be an unacceptable risk; though it will ensure you are not involved unless you agree.

7.0 Natural Justice

7.1 It is important for you and the University to recognise that the alleged harasser has rights and must not be prejudged. This includes being informed of any allegations that are to be investigated and having the chance to state their case.

7.2 Where a complaint progresses to a disciplinary investigation/hearing, appropriate feedback regarding the outcome will be given to you. However, due to confidentiality you will not be informed of the level of sanction if a disciplinary warning is issued.

8.0 Malicious complaints

8.1 The University takes seriously any complaints of harassment or bullying. Complainants who make false allegations with mischievous or malicious intent will be dealt with under the relevant disciplinary procedure.

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Author	S Forder - Human Resources Division
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