

**GUIDELINES
FOR DEALING
WITH HARASSMENT**

GUIDELINES FOR STAFF ON DEALING WITH HARASSMENT

Everyone who works at UEA should be treated fairly, consistently and with respect. One of the measures we are taking to reinforce these principles is to introduce this new set of guidelines for dealing with harassment.

Our Human Resources Strategy identifies fairness at work, the quality of the work environment and employment law compliance as key areas for developing policy and practice. We owe it to all members of our community to develop a workplace which is free from any form of harassment or unfair discrimination and where we can promote constructive working relationships.

The Human Resources Division has worked together with the local trades unions and with other staff and management representatives on the production of these guidelines. I am pleased to have the opportunity to introduce them and to emphasise how important I consider them to be.

The guidelines provide a set of procedures, and advice on support structures, for responding to and dealing with instances of harassment. I very much hope that you will not have to use these procedures but that, if you do, you will find them helpful and supportive. You have my assurance that the University will treat any allegations of harassment very seriously.

These guidelines remind us how we should treat each other at work and make it clear that the University will not tolerate unfair treatment of colleagues. I believe that they make a substantial contribution to building a better working environment for us all.

Vice-Chancellor

GUIDELINES FOR DEALING WITH HARASSMENT

POLICY STATEMENT ON HARASSMENT

The University of East Anglia is committed to maintaining a working and learning environment that is free from any form of harassment. Harassment adversely affects working and social conditions for University staff and students and is unacceptable. Any incident of harassment will be regarded very seriously and may be grounds for disciplinary action including dismissal.

All members of the University community have a responsibility for helping to ensure that individuals do not suffer any form of harassment, and that they are encouraged and supported in any legitimate complaint.

AIMS OF THE GUIDELINES

These guidelines have been designed to offer you practical ways of dealing with harassment and to tell you how you should deal with cases of assault.

Following the guidelines may help you to stop the harassment yourself. Alternatively, they explain how to get help from the University to deal with the problem.

The University has appointed Harassment Advisers who can give you an opportunity to report the problems you have been experiencing, can offer guidance on what action to take, and can advise on professional support.

DEFINITIONS OF HARASSMENT

Harassment includes any behaviour that appears or feels offensive, intimidating or hostile; which interferes with an individual's academic, working or social environment; or which induces anxiety, fear or sickness on the part of the harassed person. Whilst differences of attitude, background or culture and the misinterpretation of social signals may mean that what is perceived as harassment by one person may not seem so to another, this does not make the conduct acceptable. The defining features are that the continuing behaviour appears or feels offensive or intimidating to the recipient and would be regarded as such by any reasonable person.

Some general examples of harassment might include persistent teasing, comments about personal characteristics or appearance or constant unreasonable criticism. Important specific examples are bullying, sexual harassment and racial harassment. These are examined in more detail below; but this does not mean other forms of harassment will not be taken seriously – they will. Any act of harassment will be regarded by the University as particularly serious if it involves the abuse of a position of authority or trust.

Bullying

Bullying is offensive behaviour which humiliates or undermines an individual or group. Bullying may be carried out by an individual or group of individuals. It frequently, but not exclusively, involves someone in a position of authority bullying someone who is in a more junior position. It can happen in public or in private.

Examples of being bullied include:

- being shouted at or subjected to sarcasm;
- being “told off” in front of colleagues or other people;
- being criticised in an inappropriate manner or belittled about your work, personality or personal appearance;
- being persistently ignored or “talked down”;
- being punished with trivial tasks, constant criticism or removal of responsibilities;
- being set up for failure with impossible workloads and deadlines.

Sexual Harassment

Sexual harassment is a form of sex discrimination. It can occur in a variety of circumstances but always has a distinctive feature: the inappropriate and unwanted introduction of sexual comments or activities into teaching, learning, other working or social situations. Sexual harassment often, though not always, arises between people of unequal status.

The following are some examples of activities that might constitute sexual harassment:

- unnecessary and unwelcome physical contact;
- suggestive and unwelcome comments or gestures emphasising the gender or sexuality of an individual or a group;
- persistent unwelcome requests for social or sexual encounters and favours;
- display of or electronic transmission of pornographic, degrading or indecent pictures.

These activities will be considered to be even more serious if they are accompanied by one or both of:

- Explicit or implicit promises of rewards for compliance that are a misuse of institutional position (promises of e.g. higher assessment marks for a student or a recommendation for promotion for a member of staff);
- Explicit or implicit threats of penalties for non-compliance that are a misuse of institutional position (e.g. refusal to provide appropriate support/advice or resources).

Racial Harassment

Racial harassment is a form of race discrimination. The University takes racial harassment to include a hostile or offensive act or expression by a person or group against another person or group on grounds of racial or ethnic origin, or incitement to commit such an act on racial grounds. Such behaviour includes:

- derogatory name-calling;
- insults, threats and racist jokes;
- ridicule of an individual for racial or ethnic difference;
- racist graffiti, images or insignia.

ASSAULT AND CRIMINAL OFFENCES

It is particularly important that in cases of sexual, racial or physical assault, you do the following:

- If you have been attacked, you should seek help immediately. Any one of the Harassment Advisers or other suggested contact names in these guidelines will willingly give you support and practical help. You, or the contact person on your behalf, should inform the Human Resources Division and/or the Security Co-ordinator.
- You should report any attack to the Police both for your own protection and the protection of others. If you have been sexually assaulted or raped the Police, as part of their investigation, will offer you medical help as soon as possible.

In the case of employees, the University is able to investigate incidents of alleged serious misconduct and, where appropriate, institute the disciplinary procedures. However, in the event of a serious offence against you such as physical assault, indecent exposure or sexual assault the University would expect you to report the attack/assault to the Police.

PROCEDURES FOR DEALING WITH HARASSMENT

Informal Steps

If you feel that you are being subjected to harassment in any form by a member of staff or a student, do not feel that it is your fault or that you have to tolerate it. The University's primary concerns are that the harassment should stop and that there is support and assistance when needed.

You can seek advice and help from a Harassment Adviser or one of the internal agencies listed in the advice and support section of these guidelines. If you are concerned by an incident or feel that behaviour towards you is inappropriate, any of these can advise you on a course of action, suggest a way of resolving the situation or help you to obtain specialist advice.

If at all possible you should make it clear to the person causing the offence that such behaviour on that person's part is unacceptable to you. (You may find it helpful to ask a trusted friend, colleague or a Harassment Adviser to accompany you).

Alternatively, you may find it easier to make clear how you feel about the situation by writing to the person who is causing offence (in which case you should keep a copy). In some instances either of these approaches may be sufficient to stop the unacceptable behaviour.

It is important to make a note of the details of any relevant incidents which distress you – particularly if you feel unable to speak to the person concerned or if, having spoken, the behaviour persists. You should include a note of ways in which the incidents cause you to change the pattern of your work or social life. If the harassment continues (or is of a more serious nature than can be dealt with by means of the above) you are strongly advised to seek the help of a Harassment Adviser if you have not already done so. This will enable you to discuss the nature of your complaint in confidence and consider whether it may be possible to arrive at an acceptable solution on an informal basis.

Making a Complaint

The Dean/Unit head and other managers within your unit have a responsibility to prevent harassment, wherever possible. If your concerns cannot be resolved by your own efforts – with or without the support of an adviser – to explain to the person causing offence that his or her behaviour is unacceptable to you, you should seek a confidential interview with your line manager, or the Head of School/Unit Head, or any other member of management you feel able to approach (accompanied, if you wish, as suggested above). The purpose of the interview will be to discuss the nature of the problem and to agree a way forward, which is likely to involve a preliminary investigation by the senior manager. The complaint will be addressed promptly. The intention will be to arrive at a solution acceptable to all parties, and it may lead to the initiation of disciplinary procedures.

If your complaint of harassment has not been addressed to your satisfaction, you have the right to register a grievance in accordance with the grievance procedure. In these circumstances the procedure would be initiated at the next level beyond that at which the issue has already been dealt with informally.

Allegations of Harassment by Line Managers

Managers have a duty to manage and the right to do so. The legitimate management of staff should not be confused with bullying. Equally, however, those with supervisory management responsibilities must not abuse their authority and use it as a basis for bullying or other forms of genuine harassment.

If you believe you are being harassed by someone who supervises or manages your work you are strongly encouraged to seek the support of a Harassment Adviser, or approach a member of the Human Resources Division, with a view to raising the issue with someone at a higher level of, or outside, the management line.

CONFIDENTIALITY AND NATURAL JUSTICE

As a general principle confidentiality will be agreed and maintained wherever possible during and after any complaint of harassment. However, there may be situations where confidentiality has to be broken, and this will be made clear to you at the time. For example, if you tell a Harassment Adviser in confidence something which demonstrates an unreasonable risk to you or to someone else, the adviser will need to draw this to the University's attention.

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.

It is important for you and the University to recognise that the alleged harasser must not be prejudged and he or she has rights – including being informed of any allegations which are to be investigated and having the chance to state his or her case.

A complaint which is found to have been brought with mischievous or malicious intent may itself provide grounds for disciplinary action against the complainant.

ADVICE AND SUPPORT

The University has set up a network of Harassment Advisers, specifically trained to listen to your account of problems you have experienced, to discuss procedures for addressing and resolving these problems, and to help you follow these through. The names and contact numbers of the Harassment Advisers may be consulted on the UEA Intranet and on School/ Unit Noticeboards or a list is available from the Human Resources Division (ext. 2733).

In addition, the following people are experienced in dealing with sensitive problems confidentially. They will be able to advise you on the formal procedures for complaint of harassment and can also liaise with outside agencies if appropriate:

- The Head of School or Head of Unit in which you work.
- Any member of the Human Resources Division; their names are listed in the Internal Telephone Directory, or you can make contact via the Human Resources Administrator (ext. 2733).
- The Head of the Centre for Staff and Educational Development (ext. 2951) or the Senior Staff Development Officer (ext. 3699).
- Local Officers of the Trades Unions, whose numbers are listed in the UEA telephone directory:

UCU	Academic and Related Staff
CSEU	Maintenance Staff
UNISON	Secretarial/Clerical and Manual Staff
UNITE	Technical and Maintenance Staff

- The Chaplaincy (ext. 2214)
- The Occupational Health Advisers (ext. 2174)
- The Staff Counselling Service (ext. 2651)
- The Security Co-ordinator (ext. 2050)