

Girton College

Dignity at Work Policy

This policy does not form part of any employee's terms and conditions of employment and may be subject to change at the discretion of the College at any time, for example in order to incorporate changes in law or in line with best practice, with due notification. It is the responsibility of the Human Resources department to ensure this policy is regularly reviewed and that key changes are highlighted and communicated to College's consultative committees and agreed by Council.

This policy should be read in conjunction with the Equal Opportunities Policy, Code of Conduct, Disciplinary and Grievance Policies, IT Acceptable Use Policy and Whistleblowing Policy.

Anyone found to be in breach of this policy may be liable to disciplinary action under the provisions of the Disciplinary policy and procedure.

Our Values and Commitment

The College is dedicated to creating and maintaining a safe, welcoming, inclusive and diverse community which nurtures a healthy environment and culture of mutual respect and consideration, allowing all members of the College Community to thrive without fear of harassment, racial discrimination, bullying, sexual violence, abuse, coercive behaviour, sexual harassment or related misconduct.

The College is therefore committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.

The aims of the Dignity at Work Policy are to:

- Support and sustain a positive (thriving) working environment for all staff, free from any form of inappropriate or unacceptable behaviour;
- Make it clear that discrimination, bullying and harassment are unacceptable and that all members of the College community have a role to play in creating a thriving environment for everyone, free from discrimination and harassment;
- Provide a framework for respect and good conduct to prevent and eliminate all forms of bullying and harassment, including racial and sexual harassment and sexual misconduct;
- To highlight the options available to staff who feel they are or have been subject to bullying, harassment, victimisation, racial discrimination, sexual misconduct, or any other inappropriate or unacceptable behaviour;
- Provide a mechanism by which complaints can, wherever possible, be addressed in a timely way;
- Set out the responsibilities for managing and supporting staff when concerns are raised under the Dignity at Work Policy.

The College will not tolerate bullying and harassment of any kind. All allegations of bullying and harassment will be investigated and, if appropriate, disciplinary action will be taken. The College will also not tolerate victimisation of a person for making allegations of bullying or harassment in good faith or supporting someone to make such a complaint. Victimisation is a disciplinary offence.

- 1.1. Harassment and bullying can have very serious consequences for individuals and the College. Effects on individuals can include stress and mental illness and for the College this can lead to loss of morale, poor work performance, increased turnover of staff, legal claims and damage to the College's reputation. Staff found guilty of harassment or bullying may face disciplinary penalties, up to and including dismissal, could be personally

liable to pay compensation in legal claims, and may find their own family and social relationships are adversely affected.

1.2. Serious harassment may be a criminal offence.

2. Scope

2.1. If the complainant or alleged harasser is not directly employed by the College this policy will apply with any necessary modifications such as that the College could not dismiss the worker but would instead require the agency to remove the worker, if appropriate.

2.2. The policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, e.g. business trips and work-related social events.

2.3 The principles of the Dignity at Work Policy apply to employees of the College (this includes all staff and fellows with contracts of employment - for the purposes of this policy known as "staff") and anyone engaged to work at the College (whether they are in a direct contractual relationship with the College or otherwise);

2.4 If an individual wishes to raise a complaint they may do so by raising either a grievance or a dignity at work complaint, depending on which is more appropriate given the nature of their complaint and the scope of the Dignity at Work Policy. (*Where the provisions relating to the employment of Fellows are laid out in the College's statutes and ordinances, the statutes and ordinances shall, in the event of any conflict, prevail.*)

2.5 Staff are not entitled to raise the same grievance under both procedures.

3. Definitions of bullying and harassment

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that can make a person feel undermined, humiliated, upset, vulnerable or threatened.

Harassment is defined under the Equality Act 2010 as unwanted conduct related to relevant protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age (the Protected Characteristics), 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 the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

3.1. Bullying or harassment will constitute unlawful discrimination where it relates to one of the Protected Characteristics. Serious bullying or harassment may amount to other civil or criminal offences, e.g. a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.

3.2. Conduct may be harassment whether or not the behaviour is intended to offend. Something intended as a "joke" may offend another person.

3.3. However, behaviour that is considered bullying by one person may be considered firm management by another. Therefore, the test of reasonableness must also be applied, such that a reasonable person in possession of the same information would also consider whether they view the behaviour in the same way. Legitimate, constructive and fair criticism of a member of staff's performance or behaviour at work will not be considered bullying or harassment. It is expected that management of any employee-related issued must have the intention of supporting and developing potential and promoting desired work performance. Management which has the effect of undermining, humiliating, denigrating or injuring the member of staff will be considered bullying and if so, will not be tolerated.

- 3.4. It may not be so clear in advance that some other forms of behaviour would be unwelcome to, or could offend, a particular person, e.g. certain "banter". In these cases, first-time conduct that unintentionally causes offence will not be harassment but it will become harassment if the conduct continues after the recipient has made it clear that such behaviour is unacceptable to them.
- 3.5. Harassment may also occur where a person engages in unwanted conduct towards another because they perceive that the recipient has a Protected Characteristic when the recipient does not.
- 3.6. Similarly, harassment could take place where an individual is bullied or harassed because of another person with whom they are associated, or even if the unwanted conduct is not directed towards them or related to their actual or perceived Protected Characteristic. Indeed, harassment is unacceptable even if it doesn't relate to a Protected Characteristic.
- 3.7. If a member of staff considers that they have been subject to inappropriate behaviour or unwanted conduct by a third party such as a supplier, contractor, pupil or visitor, they should report this to their line manager to take appropriate action on their behalf.
- 3.8. A single incident can be harassment if it is sufficiently serious.
- 3.9. All bullying and harassment is misconduct and is a disciplinary offence that will be dealt with under the College's disciplinary policy and procedure. Bullying or harassment will often be gross misconduct, which can lead to dismissal without notice.

4. Examples of bullying or harassment

Bullying and harassment may be misconduct that is physical, verbal or non-verbal, e.g. by letter or email (so-called "flame-mail") or through posting on social media.

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to):

- physical conduct ranging from unwelcome touching to serious assault
- unwelcome sexual advances
- the offer of rewards for going along with sexual advances and /or threats for rejecting sexual advances
- demeaning comments about a person's appearance, unwelcome jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion
- questions about a person's sex life
- unwanted nicknames related to a person's age, race or disability
- the use of obscene gestures and/ or the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- excluding an individual in the workplace, or from work-related social activities because they are associated or connected with someone with a protected characteristic
- ignoring an individual because they are perceived to have a protected characteristic when they do not;
- spreading malicious rumours or insulting someone
- picking on someone or setting them up to fail
- making threats or comments about someone's job security without good reason
- ridiculing someone
- isolation or non-cooperation at work
- Online harassment may take the form of intimidating, offensive, or graphic posts or threats on social media sites or chat rooms, or communications by email, text, or instant messaging.

5. Definition of victimisation

Victimisation is subjecting a person to a detriment because they have, in good faith, made a complaint about bullying or harassing, supported someone in making a complaint, or given evidence in relation to a complaint.

5.1. Provided that individuals act in good faith, they have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment. The College will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised the person.

5.2. However, making a complaint that an individual knows to be untrue, or giving evidence that they know to be untrue, may lead to disciplinary action being taken against that individual.

6. Responsibility to stop bullying and harassment

6.1. All members of staff have a responsibility to help create and maintain a work environment free of bullying and harassment. Staff can help to do this by:

- being aware of how their own behaviour may affect others and changing it, if necessary
- treating colleagues with dignity and respect
- taking a stand if inappropriate jokes or comments are being made and making it clear that harassment and bullying are unacceptable
- making it clear to others when their behaviour is unacceptable, unless it should be obvious in advance that this would be the case
- intervening, if possible, to stop harassment or bullying and giving support to recipients
- reporting harassment or bullying to the line manager/ Head of Department or seeking guidance from human resources and supporting the College in the investigation of complaints
- participating openly in the investigation of complaints and maintaining confidentiality
- if a complaint of harassment or bullying is made, not prejudging, or victimising the complainant or alleged harasser.

6.2. Managers have a particular responsibility to:

- set a good example by their own behaviour and make sure that staff know what standards of behaviour are expected of them
- ensure that there is a supportive working environment
- intervene to stop bullying or harassment
- promptly seek guidance from human resources regarding any complaint of bullying or harassment, or any incident of bullying or harassment witnessed by them

7. Procedure

Dignity at work may involve equalities issues and UK discrimination law provides specific protection against discrimination, harassment and victimisation on a variety of grounds. The College takes its responsibilities in these areas very seriously.

7.1. Individuals may be able to sort out matters informally. The person may not know that their behaviour is unwelcome or upsetting and therefore an informal discussion may help them to understand the effects of their behaviour and agree to change it.

7.2. If an informal approach does not resolve matters, or the situation is too serious to be dealt with informally, individuals can make a formal complaint by using the College's Grievance Policy and Procedure. In the case of grievances about bullying or harassment, individuals can choose whether to raise the grievance with their manager, Head of Department or directly with the Human Resources Department, where necessary.

7.3. All complaints will be investigated promptly and, if appropriate, disciplinary action taken. Staff will have the right to be accompanied by a fellow worker or trade union official when invited to attend a formal meeting dealing with their grievance in accordance with the College's Grievance Policy.

7.4. Individuals raising the complaint will be kept informed of the general progress of the process of investigation and, subject to data protection requirements, the outcome of any subsequent disciplinary proceedings.

- 7.5. The College will decide on a balance of probabilities, after considering all available evidence, whether or not harassment or bullying has occurred.
- 7.6. The College will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Investigation of allegations will normally require limited disclosure on a "need to know" basis, including revealing to the member of staff against who the complaint is raised, the identity of the person raising it, and the nature of the allegations so they are able to respond to the allegations.
- 7.7. Some details may also have to be given to potential witnesses, but this will be limited as far as possible, while ensuring a fair and sufficiently thorough investigation.
- 7.8. The importance of confidentiality will be emphasised to all parties.
- 7.9. It may be necessary to disclose some information to managers to allow them to monitor the situation and ensure the harassment has stopped.
- 7.10 Measured consideration will be given to the appropriateness of parties working together whilst a complaint is being investigated and on conclusion.
- 7.11 Where a complaint is not upheld, the College will support both parties and the manager(s) to enable staff to resume working and to help repair working relationships.
- 7.12 Some types of bullying or harassment may constitute unlawful discrimination and may give rise to the possibility of other civil claims or criminal proceedings. Staff should refer to the College's Whistleblowing policy and procedure if they have a reasonable belief that there has been an act of wrongdoing.
- 7.13 Staff have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld.
- 7.14 However, where the College determines that a person has made false, frivolous, vexatious and malicious allegations knowingly, or with a view to personal gain, that person will be dealt with under the College's disciplinary procedure and may result in dismissal including summary dismissal for gross misconduct.

8. Reporting concerns to the Police

- 8.1. **When a criminal offence may have been committed, the Dignity at Work Procedure may not be appropriate.** These cases include, but are not limited to, serious assault or threat of serious assault.
- 8.2. Where harassment constitutes a criminal offence, such as physical or sexual assault and/or an immediate threat to safety, the member of staff should report the matter to the Police as soon as possible. The member of staff must also inform a member of the Human Resources team, in order that appropriate support can be provided.
- 8.3. The College reserves the right to inform the police and any appropriate authorities of any act that may appear to constitute a criminal act.

9. Monitoring and Reviewing

- 9.1. It is the responsibility of the College to ensure the effective implementation of the Dignity at Work Policy.
- 9.2. Where there are cases of bullying and harassment present, then the College should review the outcomes of such cases to check that the proper procedures have been followed and to identify any points that can be learned from those cases and implement any necessary changes.

10. Data Protection

- 10.1 The College processes personal data collected during the investigation stage and any subsequent stages of disciplinary action in accordance with its data protection policy. In particular, data collected as part of the investigation stage and any subsequent stages of disciplinary action is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the disciplinary procedure.
- 10.2 Inappropriate access or disclosure of staff data constitutes a data breach and should be reported in accordance with the College's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under this disciplinary procedure.

11. Sources of Support within The College

The Head of Department or the Head of HR are likely to be the most immediate sources of help within College, if you have a complaint about harassment or bullying or if you are accused of harassment or bullying.

You may also seek advice and help from any of the following:-

- The Mistress
- The Vice-Mistress
- The Senior Tutor
- The Chaplain
- The College Counsellors Mr Simon Lacey (07702 333007, simon@fenendfarm.co.uk) or Ms Fliss Cadbury (07724 631915, cadburyfliss@gmail.com)

Outside the College you may wish to contact your GP and/or any of the following:

Mind

[CPSL Mind](#)

Mind provides advice and support to empower anyone experiencing a mental health problem. It campaigns to improve services, raise awareness and promote understanding. It has produced a series of free resources to help improve mental wellbeing in the workplace.

The Samaritans

[HTTP://WWW.SAMARITANS.ORG/BRANCHES/CAMBRIDGE-SAMARITANS](http://www.samaritans.org/branches/cambridge-samaritans)

Telephone: 08457 909090

Cambridge Rape Crisis Centre

<http://cambridgerapecrisis.org.uk>

Helpline: 01223 245888

(Wednesdays and Thursdays from 7pm-9.30pm and Sunday from 10am-12.30pm. Answerphone service out of hours)

Rape Crisis England and Wales

For details of other Rape Crisis Centres, see [HTTP://WWW.RAPECRISIS.ORG.UK/CENTRES.PHP](http://www.rapecrisis.org.uk/centres.php)

Telephone: 0808 8029999

Police

Parkside Police Station, Cambridge

Telephone: 01223 358966

Cambridge Racial Harassment Service

Cambridge City Council can offer advice and help to anyone living in Cambridge suffering racial harassment.

Racial Harassment Service: 01223 457967

24-hour emergency: 07973 883 261.

[HTTPS://WWW.CAMBRIDGE.GOV.UK/RACIAL-HARASSMENT](https://www.cambridge.gov.uk/racial-harassment)

Cambridgeshire Human Rights and Equality Support Services (CHESS)

CHES aims to support victims of racial harassment and make sure that relevant information, support, counselling, advice and assistance are available to them. They can visit you in your home, be there with you during court cases, when you give statements, or put you in touch with other organisations that can offer help.

Drop-in centre: The Courtyard, 21b Sturton Street, Cambridge CB1 2SN (Tuesdays and Thursdays, 5-8 pm)
 Telephone: 01223 462615
 Email: CHESSENQUIRIES@CECF.CO.UK.

Tcrime.net

TCrime.net enables Transgender hate crimes to be reported confidentially and leaves it to the individual to decide what information should be passed on to the police. For more information and/or to report an incident of Transgender hate crime, see <http://tcrime.net>

London Lesbian and Gay Switchboard

Provides information and advice to the LGBT communities
 Helpline: 0300 330 0630 (daily 10am-11pm)

Dhiverse

Dhiverse provides support for issues relating to HIV and AIDS.
 Office open 10am – 5.30pm, Monday-Friday
 Tel: (01223) 508805
www.dhiverse.org.uk/

Broken Rainbow UK

Broken Rainbow provides support for domestic violence issues in same-sex relationships.
 Helpline: Local rate 0300 999 5428 or freephone 0800 999 5428 (Monday and Thursday 10am–8 pm; Tuesday and Friday 10 am–5 pm (Tuesday 1pm-5pm is a trans specific service)
<https://www.brokenrainbow.org.uk/>

Press for Change

Press for Change provides support for gender identity and transsexual issues.
 Tel: (08448) 708165
 Email: OFFICE@PFC.ORG.UK
[HTTP://WWW.PFC.ORG.UK/](http://WWW.PFC.ORG.UK/)

Citizens Advice

Link to the Citizens advice page - [Citizens Advice](#)
 Adviceline (England): 0800 144 8848 (9am and 5pm Monday to Friday)

University Breaking the Silence

[Breaking the silence - preventing harassment and sexual misconduct | \(cam.ac.uk\)](#)

Reviewer	SA
Post of Reviewer	Head of HR
Review Date	February 2023
Reviewed by PSC	February 2023
Reviewed by PC	February 2023
Signed off by Council	February 2023
Next Review (max. 3 years)	February 2026