



ENGINEERING COLLEGE

QUALITY MANAGEMENT SYSTEM POLICY

BULLYING AND HARASSMENT POLICY

The implementation of this particular Policy must always be carried out in conjunction with, and meet the requirements of the GDPR Policy.

QUALITY STATEMENT

“The **Engineering College** Quality Management System operates to support and guide staff, learners and employers in effective engagement with the services and products provided by the organisation, seeking to ensure a consistent and continuously improving quality experience to exceed the user’s expectations”.

Our Vision

“To inspire a new generation of Engineers.”

Our Mission

“Delivering outstanding technical training and assessment, connecting industry with education”

Our Values

“To act professionally with integrity and strive for excellence”

QUALITY CHAMPION – J Armour

INTRODUCTION

The Engineering College policy regarding their stance on Bullying and Harassment will convey to all staff, Learners and volunteers that:-

- The Engineering College is committed to creating a working environment free of harassment and bullying, where everyone is treated with dignity and respect.
- Harassment, bullying and victimisation can have very serious consequences for individuals and for The Engineering College.
- Harassment, bullying or victimisation may make people unhappy, may cause them stress and affect their health, family, social relationships and can also affect their capability to work effectively. Effects on the company can include loss of morale, poor work performance, increased turnover of staff, legal claims and damage the company's reputation.
- Any staff or Learners found guilty of harassment, bullying or victimisation will face disciplinary action, which may lead to dismissal. Serious harassment may be classed as a criminal offence and be reported to the relevant authorities.
- The Engineering College will not tolerate bullying, harassment and victimisation of any kind.
- All allegations of bullying, harassment and victimisation will be investigated thoroughly and, if substantiated, disciplinary action will be taken.
- The Engineering College will also not tolerate victimisation of a person for making allegations of bullying and harassment in good faith or supporting someone to make such a complaint.

SCOPE OF POLICY

This policy covers bullying, harassment and victimisation of and by Directors, Managers, employees, Learners, sub-contractors, agency staff and anyone else engaged to work within The Engineering College.

The policy covers bullying, harassment and victimisation within The Engineering College and any other workplace associated with The Engineering College.

All bullying, harassment and victimisation is misconduct, and is a disciplinary offence, which will be dealt with under The Engineering College's disciplinary procedure. Bullying, harassment or victimisation may be deemed misconduct, which may lead to dismissal.

Some bullying, harassment or victimisation will constitute unlawful discrimination, e.g. if it relates to a persons sex, race or disability. The Engineering College will work within the scope of the Equality Act 2010.

DEFINITIONS

Bullying is offensive, intimidating, malicious, vindictive or insulting behaviour, an abuse or misuse of power which is meant to undermine, humiliate or injure the person on the receiving end.

Harassment is unwanted conduct related to sex, race or ethnic or national origins, disability, sexual orientation, religion or belief, age or any other personal characteristic which:

- 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 his or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her, even if this effect was not intended by that person responsible for the conduct.

- Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a 'joke' may offend another person. Different people find different things acceptable, and everyone has the right to decide what behaviour is acceptable to him or her and to have his or her feelings respected by others.
- Behaviour which any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to him or her, e.g. sexual touching. 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', flirting or asking someone for a private drink after work. In these cases, first time conduct, which unintentionally causes offence, will not be harassment, but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him or her.
- Harassment will normally be as a result of repeated behaviour, however a single incident can be deemed as harassment if it is sufficiently serious, with all reported incidents being fully investigated.
- Victimisation is treating someone less favourably than others because he or she has, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing him or her or someone else, or supported someone to make a complaint or given evidence in relation to a complaint.

Provided that an employee / Learner acts in good faith, i.e. they genuinely believe that what they are saying is true, then 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 Engineering College will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to be victimising another member of staff or Learner.

If a member of staff or Learner makes a complaint, which they know to be untrue or gives evidence which they know to be untrue, this may result in disciplinary action being taken against them.

EXAMPLES OF BULLYING OR HARASSMENT

Bullying and harassment may be misconduct which is physical, verbal or non-verbal, e.g. by letter or e-mail.

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

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g. promotion, access to training
- Threats for rejecting sexual advances e.g. suggestions that refusing advances will adversely affect the member of staff / Learners employment or training, evaluation, pay, advances, assigned work, or any other condition of employment / training or career development.
- Demeaning comments about a persons appearance

- Unwelcome jokes or comments of a sexual or racial nature
- Unwarranted, intrusive or persistent questioning about a persons sex life, marital status, ethnic origin, culture or religion.
- Nicknames related to a persons race or disability
- The use of obscene gestures
- The open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, e.g. magazines, calendars or pin-ups
- Spreading malicious rumours or insulting someone
- Picking on someone or setting him or her up to fail
- Making threats or comments about someone's job security without good reason
- Ridiculing someone
- Isolation or non-co-operation at work
- Excluding someone from social activities

PROCEDURE FOR INDIVIDUALS WHO BELIEVE THEY ARE BEING BULLIED, HARASSED OR VICTIMISED

Individuals who believe that they are being bullied, harassed or victimised may attempt to resolve matters informally, where this is practicable (This is known as Stage 1 by The Engineering College). The individual may not know that his or her behaviour is unwelcome or upsetting and an informal discussion may help him or her to understand the effects of his or her behaviour and agree to change it.

The complainant may feel able to approach the person themselves, or with the help of their Line Manager or a Tutor / member of staff of their choice. Alternatively, an initial approach could be made on the complainants' behalf by their Line Manager, Tutor / member of staff of their choice. It should be stated to the person what behaviour of his or hers that is found to be offensive and unwelcome, and that the complainant wants them to stop immediately. It may be appropriate to add that, if the behaviour continues, the intention is to make a formal complaint.

A note should be kept of the date and what was said and done. This will be useful evidence if the unacceptable behaviour continues and the complainant wishes to make a formal complaint

In some cases an informal approach may not be appropriate, or the incidence may become too serious, for such an approach and the complainant should in such circumstances initiate a formal complaint.

FORMAL COMPLAINT

If an informal approach does not resolve matters, or the complainant believes that the situation is too serious to be dealt with informally, they can make a formal complaint by using The Engineering College Grievance Procedure.

In the case of grievances about bullying, harassment or victimisation, the normal grievance procedure will be modified so that the employee / Learner can choose whether to raise the grievance with their Manager, Assessor, Tutor, or Staff member of choice or directly to the Chief Executive.

The Engineering College will ensure that complainants can bring their complaint in the first instance to someone of their own sex, or other specific category of Manager / Member of staff within The Engineering College, if they so choose.

In very serious cases, a criminal offence may have been committed and the complainant may wish to report matters to the police. The Engineering College can arrange for someone to accompany the complainant to make a complaint to the police.

All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser(s).

The complainant will have the right to be accompanied by a work colleague or representative of their choice at any meeting dealing with their grievance.

The complainant will be informed of the general progress of the process of investigation and the outcome of any disciplinary proceedings. The Engineering College will decide on a balance of probabilities, after considering all available evidence, whether harassment, bullying or victimisation has occurred.

The Engineering College will treat complaints of bullying, harassment or victimisation sensitively and maintain confidentiality to the maximum extent possible. Investigation of allegations will normally require limited disclosure on a 'need to know' basis. For example the member of staff / Learners identity and the nature of the allegations must be revealed to the person they are complaining about, so he or she can respond to the allegations. Some details may also have to be given to potential witnesses but the importance of confidentiality will be emphasised to them. If the complaint is upheld, and a person who has been found to have harassed an employee / Learner is kept within employment or training by The Engineering College then Managers need to be given more information where this is necessary for them to manage the risk of further harassment by that person against the complainant or others.

Wherever possible The Engineering College will try to ensure that the complainant and the alleged harasser are not required to work or train together whilst the complaint is under investigation. This could involve giving the complainant the option of remaining at home on paid leave, if they wish. In a serious case, the alleged harasser may be suspended whilst investigation and any disciplinary proceedings are underway.

If the complaint is upheld, The Chief Executive will support the complainant, the alleged harasser and the Manager(s) in making arrangements for both parties to continue or resume working to help repair working relationships. The Engineering College will consider making arrangements to avoid the complainant and the alleged harasser having to continue to work alongside each other, if either does not wish to do this.

Employee's / Learners have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. Making a complaint however, which they know to be untrue may lead to disciplinary action being taken against them.

Some types of bullying or harassment may constitute unlawful discrimination and may give rise to the possibility of other civil claims or criminal proceedings.

WHAT INDIVIDUALS CAN DO TO HELP STOP BULLYING OR HARASSMENT

All employees / Learners have a responsibility to help create and maintain a work environment free of bullying and harassment. Individuals can help to do this by:

- Being aware of how their own behaviour may affect others and changing it, if necessary individuals should be aware that they can still cause offence if they are only 'joking'

- Treat colleagues with dignity and respect
- Take a stand if they think inappropriate jokes or comments are being made
- Making it clear to others when they find their behaviour 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
- Making it clear that they find harassment and bullying unacceptable
- Reporting harassment or bullying to their Manager / Staff member of their choice or work colleague and supporting The Engineering College in the investigation of complaints
- If a complaint of harassment or bullying is made, not pre-judging or victimising the complainant or alleged harasser.

MANAGERS HAVE A PARTICULAR RESPONSIBILITY TO:

- Set a good example by their own behaviour
- Ensure that there is a supportive working environment
- Ensure that employees / Learners know what standards of behaviour are expected of them
- Intervene to stop bullying or harassment
- Report promptly to other Managers any complaint of bullying or harassment, or any incident of bullying or harassment witnessed by them.