

## **Bullying and Harassment Policy**

The Royal Academy of Engineering aims to ensure that all staff and other individuals engaging in Academy activity (including Fellows, contractors and visitors) work in an environment that respects their personal rights and dignity and which is free from unacceptable behaviour and conduct. The Academy does not tolerate any form of harassment or bullying under any circumstances.

The Academy makes it a priority to support any individual if they are experiencing bullying or harassment from anyone connected with Academy activities. The Academy wants everyone to feel confident that their complaint against any other individual will be taken seriously and action will be taken as quickly as possible.

The Academy encourages any individual experiencing bullying or harassment to report their experience so that the support available can be used to resolve the situation as early as possible.

Harassment and bullying by staff or Fellows are considered to be disciplinary offences. Incidents will be investigated, as per this policy and if proven, action will be taken in accordance with the Academy's Disciplinary Policy and Procedure (for staff or Fellows).

The Academy expects all managers and Directors to ensure that the policy and procedure is adhered to at all times and expects all employees to respect the dignity of their colleagues. The policy will be regularly monitored by the Human Resources Manager to ensure that it is achieving its aims and that managers and employees are confident about its application.

### **Who does the policy apply to?**

The Academy has a duty of care to protect all individuals who are engaged in activities in the name of the Academy.

The policy applies to all employees at the Academy, and extends to Fellows, grant holders and awardees, applicants and other people who are acting on behalf of the Academy or participating in Academy activities or events. It also includes job applicants, contractors or other third parties working in, or on behalf of, the Academy.

The policy extends to all Academy activities whether during working hours or outside of normal working hours, on or off the premises, UK or international, or delivered directly by the Academy or via third party suppliers.

The policy does not apply to third party events and their guests held at Prince Philip House. However, the policy will apply if a member of staff is bullied or harassed by a guest of the third party.

## What are harassment and bullying?

Harassment and bullying take many forms. They can take place face-to-face, behind your back, by telephone, texts, social media, or any other form of communication. More detail is provided on each below:

### **Harassment**

Harassment is defined under the Equality Act 2010 as unwanted conduct related to an individual's protected characteristics that has the purpose or effect of violating the claimant's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

The protected characteristics are:

Age	Disability
Sex	Sexual orientation
Gender reassignment	Race
Religion or belief	Pregnancy and maternity
Marriage or civil partnership	

Harassment at work on any grounds is unlawful under the Equality Act 2010 and is a criminal offence.

Examples of harassment include:

- *Verbal*: crude language, open hostility, offensive jokes, suggestive remarks, innuendoes, rude or vulgar comments, malicious gossip and offensive songs.
- *Non-verbal*: wolf-whistles, obscene gestures, sexually suggestive posters/calendars, pornographic material (both paper-based and generated on a computer, including offensive screen-savers), graffiti, offensive letters, offensive e-mails, text messages and offensive objects.
- *Physical*: unnecessary touching, patting, pinching or brushing against another employee's body, intimidating behaviour, assault and physical coercion.
- *Coercion*: pressure for sexual favours (e.g. to get a job or be promoted) and pressure to participate in political, religious or trade union groups, etc.
- *Isolation*: non-cooperation and unreasonable exclusion from meetings or exclusion from social activities.
- *Intrusion*: following, pestering, spying, etc.

An individual's conduct can be considered harassment whether or not it is intended to offend. For instance, what they may consider a joke may be offensive to someone else. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.

## ***Bullying***

There is no statutory definition of bullying. However, ACAS, the Advisory, Conciliation and Arbitration Service, defines it as offensive, malicious or insulting behaviour.

It is an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure an individual. Bullying tactics can include hostile verbal or nonverbal communication, sabotage, exclusion, manipulation, and psychological or physical abuse. Intimidating behaviour can also be considered as bullying.

Examples of bullying include:

- competent staff being constantly criticised, having responsibilities removed or being given trivial tasks to do;
- shouting at staff;
- persistently picking on people in front of others or in private;
- blocking promotion;
- regularly and deliberately ignoring or excluding individuals from work activities;
- cyber bullying – abuse through email or social media platforms;
- setting a person up to fail by overloading them with work or setting impossible deadlines;
- consistently attacking a member of staff in terms of their professional or personal standing; and
- regularly making the same person the butt of jokes.

This is not an exhaustive list. However, it should be noted that there are many actions that do not amount to bullying, such as:

- fair and reasonable criticism of performance or behaviour;
- constructive feedback;
- not being invited to meetings where not required; and
- being placed on a performance capability procedure where performance is not of an appropriate standard.

## **Academy procedure for dealing with bullying and harassment**

The Academy recognises the sensitive nature of harassment and bullying. The Academy wants all individuals to feel confident that their complaint against any other individual will be taken seriously and action will be taken as quickly as possible.

Where possible and appropriate, the Academy encourages individuals to try to resolve problems with bullying or harassment informally before using the formal process. This can be done through the informal process outlined below.

### *Stage 1: Taking advice and guidance*

Employees who believe they are being harassed or bullied may wish to discuss their situation before deciding what action to take.

The Academy understands that a complaint may be with a line manager, Director or any other individual, and therefore staff can discuss any workplace issues with any of the following representatives:

- HR Manager
- Staff Consultative Committee member
- Directors
- Appointed Academy Trustees or Fellows
- Authorised Trade Union representative

Confidentiality when taking advice will be maintained as far as possible. However, the Academy has an overall duty of care to ensure the safety of all employees and other individuals who may be adversely affected by the alleged harasser's/ bully's behaviour. The Academy therefore reserves the right to investigate a situation if the circumstances are serious enough, even if the member of staff or individual does not wish to take the complaint further.

### *Stage 2: Resolving problems through an informal process*

Everyone working for the Academy can use the informal process to solve their harassment or bullying problems. You can do this with the support of other colleagues or management or with an authorised Trade Union representative.

The Academy advises individuals to try to resolve their complaints as early as possible, to reduce their stress and worry possibly with the other person involved. It is important to remember that the other person may be unaware of their behaviour and the impact it has on the complainant. Informal feedback from the complainant will give the person a better understanding and opportunity to change or stop their behaviour.

In the first instance, it is best for the complainant to speak to the other person to explain the situation and how it has made them feel. It can be helpful to describe the day, place, meeting or event that took place so the other person is clear about their concerns. This opportunity should be used to ask the person to change or stop their behaviour. The HR Manager or other representatives listed

above can be used to do this if the complainant feels unable to speak to the person themselves.

The informal stage will not result in any formal internal investigation or disciplinary action but is intended to enable both parties to resolve the matter without it going any further in the Academy.

### Stage 3: Mediation

An independent third person or mediator can sometimes help resolve harassment or bullying issues. Mediation is a voluntary process where the mediator helps two (or more) people in dispute to find a solution to the issue that they can both agree to. The mediator does not take sides or tell those in dispute what to do.

Mediation can be a good way of dealing with bullying, discrimination or harassment situations depending upon the nature of any allegations. Advice on mediation should be sought from the HR Manager.

### Stage 4: Formal Stage for staff

Where informal resolution is not appropriate, is not requested or where the outcome has been unsatisfactory, the matter may be raised with the HR Manager as a grievance using the Academy's Grievance Policy and Procedure. The grievance process will be undertaken swiftly and confidentially while ensuring the rights and protecting the identities of the complainant and the alleged harasser or bully.

### Stage 4: Formal Stage – Non-Staff Parties

Some complaints will involve non-staff as either complainant or alleged harasser or bully. For staff members experiencing bullying or harassment, they should report the matter to their line manager or directly to the HR Manager.

Where the alleged harasser or bully is a member of staff or Fellow but the complainant is not, the alleged behaviours will be investigated as below and if proven, action will be taken in accordance with the Academy's Disciplinary Policy and Procedure (for staff or Fellows).

Where the complainant is a member of staff, but the alleged harasser or bully is not, the Academy will act in accordance with this policy.

Sanctions will depend on the relationship of the individual to the Academy. The response may involve such measures as exclusion from future Academy activities. In other cases, termination of contracts and/or removal from the list of accepted suppliers may be appropriate.

The failure of a manager (or other) to inform HR of a complaint by a member of staff concerning a third party may also be grounds for a grievance in accordance with the Academy's Grievance Policy and Procedure.

Some complaints will not involve staff or Fellows as either complainant or alleged harasser or bully. For instance, there may be incidents involving two participants at an Academy event, witnessed by or reported to staff. The appropriate sanction will be applied (such as barring from future events) where a complaint is upheld following investigation.

Harassment and bullying are already covered by our grant conditions as instances of misconduct that should be notified to the Academy as funder. The Academy will be adding extra conditions to underline our expectations of grant receiving organisations around bullying and harassment and to highlight routes for failures to live up to these expectations to be reported to the Academy. Confirmed offences will be sufficient grounds to terminate awards, and failure to suitably investigate alleged offences may lead to an organisation's eligibility being suspended.

### *Stage 5: Investigations*

The Academy HR manager will appoint someone unconnected with the allegations to investigate them in an independent and objective manner.

Investigations will be carried out with sensitivity and with due respect for the rights of both the complainant and the alleged harasser. All those interviewed will be permitted to be accompanied by a work colleague or an authorised Trade Union representative.

The Academy will take all reasonable steps to ensure that employees and witnesses in the process will not be ridiculed or victimised (victimisation is also illegal under the Equality Act 2010) for making, or assisting a colleague in making, a complaint, even if it is not upheld, as long as it is made in good faith. Everyone involved in the investigation, including witnesses, will be informed that the interview is confidential and that they must not discuss the complaint with colleagues or friends. Breach of confidentiality will result in disciplinary action.

The investigation will focus on the facts of the complaint. Notes will be kept of all stages of the investigation and those interviewed will receive notes of the interview to agree. Parties will not be required to repeat distressing or embarrassing details any more than is necessary.

Wherever possible, consideration will be given to ensuring that the complainant and the alleged harasser are not required to work together whilst the complaint is under investigation.

### *The sanctions*

Where a grievance is upheld, we will consider the wishes of the complainant as to what should be done.

This may involve:

- moving the harasser to another post (if a suitable post is available).
- moving the complainant to a different place or post, if the complainant wishes (we will not require the complainant to move if this is not acceptable).
- offering the complainant counselling and leave to enable him or her to recover from the effect of the harassment.

Action against the bully/harasser will be taken in accordance with the Academy's Disciplinary Procedure.

#### *General rules*

The Academy will ensure that the complainant is not penalised whether directly or indirectly for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped.

Any complaint that is unfounded and not made in good faith, for example a malicious complaint will be treated as a disciplinary offence.

#### **Training and awareness**

The Academy recognises that a written policy is not sufficient to eliminate harassment and bullying. The Academy will ensure that there are prominent and regular communication, training and awareness sessions so that all employees:

- Understand our commitment to prevent harassment and bullying;
- Understand their responsibilities and role in the process;
- Know how to seek advice and guidance; and
- Know how to make complaints and are confident they will be handled effectively.

The Academy is committed to communicating the policy effectively through:

- Training and awareness programmes for all staff at all levels;
- Briefings for employees;
- A section in the staff handbook;
- Management guides;
- Employee guides;
- Inclusion in briefing meetings; and
- Induction.

The Academy will also communicate its bullying and harassment policy to Fellows.

Attendees at events and activities will be expected to adhere to the harassment and bullying policy. This, along with other key policies will be made available for viewing as part of the event registration process.

Risks of harassment and bullying should be considered and addressed in planning activities. Particular thought should be applied for international travel and for offsite, informal or residential events. Examples of risk mitigation measures might include:

- briefing to event participants on the Academy's policy;
- circulation of a code of conduct to participants;
- ensuring that large parties selected by other organisations for Academy events have a suitably briefed and responsible person appointed from that organisation; and
- planning around staff numbers and venue security.

## Resources and sources of support

### Employer Support Organisations

1. ACAS – Bullying and Harassment at Work, Guide for Managers and Employers  
<http://www.acas.org.uk/index.aspx?articleid=1864>
2. CIPD – Bullying and Harassment, information and guidance  
<https://www.cipd.co.uk/knowledge/fundamentals/emp-law/harassment>
3. CBI statement on Harassment and Bullying  
<http://www.cbi.org.uk/news/business-has-vital-role-to-play-in-stamping-out-sexual-harassment/>
4. Equality and Human Rights Commission – information on Harassment  
<https://www.equalityhumanrights.com/en/advice-and-guidance/what-harassment>

### Membership Organisations

1. Employers Network of Equality & Inclusion  
<https://www.enei.org.uk/>
2. Business in the Community – Diversity Campaigns  
<https://workplace.bitc.org.uk/#>
3. InterEngineering  
<http://interengineeringlgbt.com/>
4. AfBE  
<https://afbe.org.uk/>
5. WISE Campaign  
<https://www.wisecampaign.org.uk/>
6. Womens Engineering Society  
<http://www.wes.org.uk/>

### Charities that support people being harassed or bullied

1. Women’s Aid  
<https://www.womensaid.org.uk/>
2. Bullying UK  
<https://www.bullying.co.uk/>
3. Stonewall  
<http://www.stonewall.org.uk/>
4. Anti-Bullying Ambassadors Programme  
<http://www.antibullyingpro.com/>
5. Samaritans  
<https://www.samaritans.org/>
6. Safeline  
<https://www.safeline.org.uk/>