



1. STATEMENT OF POLICY

The College is committed to creating and maintaining a safe, welcoming and inclusive community that nurtures a culture in which we treat one another with courtesy and professionalism, even while enabling the challenge of each other's views and opinions. There is no place for bullying, harassment, discrimination, sexual misconduct, or victimisation in our community and each of us is responsible for the way we interact with and treat others. By fostering and maintaining a culture of courtesy and professionalism in the workplace, we ensure that all voices can be heard clearly and all views discussed responsibly.

Bullying, harassment, discrimination, sexual misconduct and victimisation are referenced collectively throughout this Policy as 'inappropriate behaviour' and wherever this term is used, it refers to the definitions of these behaviours in section 5. The negative actions included in section 6 also illustrate the different ways in which inappropriate behaviour may be demonstrated within our community.

Allegations of inappropriate behaviour, whether by a College worker, employee, Fellow, a visitor, a third party such as a supplier, a member of the public or prospective student, should always be taken seriously. Action should be taken to stop any inappropriate behaviour identified as quickly as possible, including the use of disciplinary processes where necessary and where such behaviour is found to have taken place.

College staff and Fellows should be able to informally disclose or formally report incidents without fear of repercussions and trust the processes that are in place to address their concerns. The College will not tolerate the victimisation of an individual for raising concerns in good faith or supporting someone to raise such concerns.

Nothing in this Policy should be interpreted as undermining or compromising the College's commitment to freedom of thought and expression, as stated in the University's Statement on Freedom of Speech, which has been adopted by the College in full. Maintaining a culture of courtesy and professionalism at the

College must not close off debate and topics that some may find disagreeable, distasteful or even offensive, and we are expected to be tolerant of the views and opinions of others in line with the principles of the University's Statement on Freedom of Speech.

2. PURPOSE OF THIS POLICY

This Policy aims to prevent inappropriate behaviour in the workplace and resolve incidents of such behaviour if they occur. In support of this aim, this Policy:

- Sets out the standards of behaviours expected from College employees, workers and Fellows to ensure a common understanding of how everyone should behave towards one another.
- Ensures that staff are able to disclose inappropriate behaviour if it does occur and are supported in the process of resolving it.
- Promotes the early resolution of inappropriate behaviour wherever possible and appropriate, to prevent the psychological, health and work-related problems such behaviour can cause.
- Refers to what actions can be taken through the informal and formal resolution processes set out in the College's grievance and disciplinary policies if this Policy's principles are not observed.

This Policy supports the College in its duty to provide a safe environment in which to work under the Health and Safety at Work Act. Experiencing inappropriate behaviour often impacts an individual's physical and mental health and can also affect those who witness it.

This Policy is not contractual and may be amended from time to time, as necessary, in light of any changes in legislation or operational requirements.

3. WHO IS THIS POLICY FOR?

This policy applies to all College employees and workers, and Fellows.

Academic visitors, volunteers, suppliers, contractors and others will be expected to behave in a manner that is consistent with the Code of Behaviour set out in section 6 of this Policy.

This policy refers to Grievance and Disciplinary Policies. Staff should refer to the Staff Handbook for details of the applicable grievance and disciplinary policies. Fellows should refer to the Fellows Handbook, Statute I, its Ordinance,

and the associated Code of Practice for details of the applicable grievance and disciplinary policies.

This Policy does not apply to students.

4. ROLES AND RESPONSIBILITIES

All employees, workers and Fellows have a responsibility to act in line with the College's Code of Behaviour set out in section 6 of this Policy.

All members of the College community are expected to behave professionally and have the right to expect professional behaviour from others.

All those responsible for leading, managing and supervising people are in a position of trust and have additional responsibilities in the application of the Code of Behaviour in their area, which include:

- Setting a positive personal model of behaviour.
- Ensuring standards in the Code are established, communicated and understood and that regular visitors to their area have access to the Code.
- Taking appropriate action at the earliest opportunity to manage non-compliance with the Code, and to encourage a culture of early conflict resolution.
- Ensuring their staff are aware of and know how to report inappropriate behaviour through the relevant policies and procedures.

All roles involved in providing direct guidance and supporting informal or formal resolution processes are responsible for ensuring that information is handled confidentially.

5. WHAT CONSTITUTES INAPPROPRIATE BEHAVIOUR?

All College employees, workers and Fellows are expected to behave professionally and appropriately and have the right to expect professional and appropriate behaviour from others. Inappropriate behaviour for the purposes of this Policy means bullying, harassment, discrimination, sexual misconduct and victimisation.

When deciding the appropriateness of behaviour, factors that will be taken into consideration include the specific context, the motive or intent of the individual demonstrating the behaviour, the impact on the individual and whether that impact or effect is reasonable in the circumstances and standards set out in

the Code of Behaviour. The University's Statement on Freedom of Speech protects the right to express or describe views within the law that others may find offensive' this will be taken into consideration as part of the specific context or circumstances where relevant.

Inappropriate behaviour may:

- Be perpetrated by an individual or a group.
- Be intentional or unintentional.
- Take place either on or off College property, via College IT systems, or online via email, the internet or social media.
- Range from overt and easy to recognise one-off instances, to numerous, small remarks and acts sending denigrating messages to the recipient, linked to an individual's characteristics or status.

Although the terms are often used interchangeably, the terms 'bullying' and 'harassment' describe different types of behaviour. ACAS defines bullying as unwanted behaviour from a person or group that is offensive, intimidating, malicious or insulting to the recipient. It may involve an abuse or misuse of power that makes a person feel undermined or humiliated or causes physical or emotional harm. Power does not always mean being in a position of authority but can include personal strength, status, and the power to coerce through fear or intimidation. As such, it can be perpetuated upwards to a manager or senior colleague. Bullying can take the form of physical, verbal, and non-verbal conduct. Such behaviour is considered unacceptable in the workplace by the Health and Safety Executive.

Examples of bullying could include:

- Spreading a false rumour about a colleague.
- Consistently giving heavier workloads to one particular individual in a team.
- Unjustly cutting off or preventing a colleague from reasonably expressing their views in a meeting.
- Regularly undermining the authority of a more senior colleague.

Unlawful harassment under the Equality Act 2010 is unwanted conduct that is either related to the protected characteristics set out in section 5.5.1 or is conduct of a sexual nature as set out in section 5.5.2. The Act defines harassment as unwanted conduct that must have either the purpose or the

effect (where it is reasonable to have that effect) of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment can be physical, verbal or non-verbal. It can be a single incident or repeated behaviour can include imagery, graffiti, gestures, mimicry, jokes, pranks and physical behaviour that affects the recipient. It can also include treating someone less favourably because they have previously submitted or refused to submit to unwanted conduct of a sexual nature or to unwanted conduct that is related to sex or gender reassignment.

When harassment relates to protected characteristics, it refers to the following characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.

Examples of harassment relating to protected characteristics include:

- Using derogatory terms in connection with a team member's race or age.
- Belittling a colleague because of their disability.
- Disclosing a colleague's transgender status without their permission.
- Creating a hostile environment for a team member because they hold a protected philosophical belief.

Sexual harassment is a form of sexual misconduct, an umbrella term that describes all types of unwanted and unpermitted behaviour of a sexual nature including sexual abuse. The intention or reasonably perceived effect of this type of harassment is to violate the recipient's dignity or create an environment that is intimidating, hostile, degrading, humiliating or offensive for the recipient. It can happen to and be demonstrated by women, men and people of any gender or sexual orientation.

Sexual harassment includes serious sexual misconduct such as sexual assault or rape. Other examples of sexual harassment and misconduct could include:

- Emailing, texting, or messaging sexual content or making sexually offensive jokes to your team.
- Unwanted flirting or making sexual remarks about a colleague's body, clothing or appearance.
- Touching a colleague or student without their permission, such as hugging them.

Unlawful discrimination under the Equality Act 2010 is when the recipient is treated unfairly because of any of the following characteristics: age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation. Discrimination can be direct (when someone is treated less favourably than another person in the same situation – but without the protected characteristic – is or would be treated) or indirect (where rules or arrangements apply to a group of employees or job applicants, but in practice are less fair to a certain protected characteristic).

Examples of discrimination could include:

- Not offering a job to an individual because of their sex.
- Excluding a colleague from team social events because they are close friends with a LGBTQIA+ person.
- Drawing inferences about a job applicant's religion because of their name and rejecting that individual for that reason.
- Advertising a role and specifying a minimum number of years' experience.

Unlawful victimisation under the Equality Act 2010 occurs when a person is subject to a detriment because they made a complaint of unlawful discrimination or provided evidence or information in connection with a complaint of unlawful discrimination or because someone believes that they have done so or may do so.

6. CODE OF BEHAVIOUR

In an environment that encourages and celebrates freedom of thought and expression, it is vital that our behaviour towards one another remains courteous and professional. The following Code sets out the College's expectations around how we should and should not behave towards other members of our community. This Code is not exhaustive but models both the positive behaviour expected of us in our interactions with one another and the negative behaviours that may lead to informal or formal action being taken.

The negative actions listed in the Code below show how the inappropriate behaviour defined in section 5 may be demonstrated within our community. Understanding this can help each of us appreciate the impact of the way we behave.

The Code of Behaviour

We are each individually responsible for our own actions and for recognising the impact of our behaviour on others. Acknowledging the University's core values of freedom of thought and expression and freedom from discrimination, we should always strive to:

- Foster a trusting environment that enables honest and supportive working and studying conditions.
- Recognise that our actions can impact others and show courtesy and consideration in our interactions with others, even if we disagree with their views.
- Discuss views that others may find disagreeable or distasteful in a constructive and lawful way, in line with the University Statement on Freedom of Speech.
- Treat each other fairly and without bias.
- Recognise and acknowledge the contribution of others to our work.
- Maintain appropriate and professional relationships with all members of the College, in particular students and those in junior positions to us.
- Promote a culture where colleagues can speak out about inappropriate behaviour.
- Support our colleagues experiencing inappropriate behaviour by intervening, speaking out and helping where we feel able.

In order to maintain a culture of courtesy and professionalism, we must never bully, harass, discriminate, victimise or commit sexual misconduct, by avoiding such behaviour as:

- Talking down to, belittling, gratuitously interrupting or preventing others from speaking.
- Directing inappropriate language, such as swearing, towards others or making degrading comments about individuals or groups of individuals.
- Making inappropriate derogatory remarks about a colleague's performance in public, whether directly (such as in a meeting) or indirectly (e.g., by needlessly copying people into an email).
- Humiliating others by shouting at them, either publicly or privately.

- Maliciously ignoring individuals or groups of individuals or inhibiting the ability of others to perform their roles by withholding information or excluding them from necessary meetings and discussion.
- Imposing overbearing and intimidating levels of supervision or management.
- Undermining the reputation of others through malicious rumours or false allegations or by breaching confidential conversations.
- Making racist, sexist, homophobic, transphobic or ageist jokes, remarks or gestures, which may demean or discriminate independently of our intentions.
- Mocking, mimicking or belittling a colleague, student or visitor because we perceive them as different to us, or using this difference as a reason to treat them unfairly.
- Behaving in a controlling or coercive way.
- Circulating or displaying any type of communication of any form of media that would otherwise constitute a form of inappropriate behaviour contrary to this Policy.
- Making unwelcome and unpermitted sexual advances, suggestive behaviour or touching someone against their will or without their consent, even if it is perceived as harmless by the individual behaving this way.
- Retaliating to allegations of inappropriate behaviour, including threatening those who have made the allegations, providing unfair or misleading references, or blocking access to career development opportunities.

7. WHAT TO DO WHEN YOU HAVE EXPERIENCED INAPPROPRIATE BEHAVIOUR

Allegations should always be taken seriously, and action taken as quickly as possible to stop any inappropriate behaviour identified. This section summarises the procedures available in the College's grievance and disciplinary policies to do this.

Both informal and formal options are available in the College's grievance and disciplinary policies to resolve issues.

Informal approaches are intended to help resolve one-off or minor incidents of inappropriate behaviour, to stop such behaviour early and to prevent it escalating. They include:

- A direct informal resolution process.
- An informal resolution process with support.
- Mediation and facilitated conversations.

Formal grievances are more appropriate for serious instances or repeated patterns of inappropriate behaviour where previous informal attempts may have failed.

To explore the appropriate option to use, individuals should speak with their line manager/Head of Department, or the Head of HR. The colleague approached may need to discuss the matter and collect further information about the alleged inappropriate behaviour disclosed to provide appropriate guidance. This may involve speaking informally and confidentially with other individuals involved in or witnessing the incident. Any such activity will be undertaken promptly for the purposes of identifying the most appropriate option to resolve the alleged behaviour and will not constitute a formal investigation. This will only be undertaken with the permission of the individual disclosing the incident.

Individuals are encouraged to keep a record of the nature and frequency of the alleged inappropriate behaviour. This is to support them in raising their concerns and help the other party understand better the issues raised during the course of these discussions and the impact they have had.

Informal Resolution

An individual wishing to resolve issues informally should use the informal procedure set out in the Grievance Policy. There is the direct resolution process and the supported informal resolution process set out in the Policy.

The direct informal resolution process is where the individual experiencing the behaviour directly addresses the issue themselves. It is likely to be most effective when done in the early stages of experiencing the behaviour and in a constructive way, including specific examples of the unwanted behaviour, explaining why this made the individual feel uncomfortable or gave distress, and what the individual feels would resolve the issue.

The individual raising the concerns may wish to try informal resolution but, understandably, feel unable or reluctant to directly approach the other party on their own. In an informal resolution process with support, the individual may ask for support to achieve any informal resolution.

This approach can particularly help when addressing issues concerning a line manager/Head of Department or a more senior colleague and help can be requested from:

- Their line manager/Head of Department (or equivalent).
- The Head of HR
- The Bursar.
- The Senior Tutor.
- The Master.

As part of this process, the supporting person can meet directly with the individual reported to have demonstrated the inappropriate behaviour to discuss what has happened and how to resolve it, or they can be part of any meeting between both parties.

Mediation and Facilitated Conversations

It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of the issue. Mediation is a well-established, confidential process for resolving issues between individuals, involving an impartial mediator(s) helping those involved find and agree their own solutions.

Mediation can be used at any time as a means of informal resolution, including before or after an informal or formal process.

Mediation is voluntary, confidential and either party can withdraw from the process at any time. No member of staff is required to use mediation before utilising the option of a formal grievance.

Formal Resolution

There will be instances of inappropriate behaviour where an informal resolution process is not successful or is simply not appropriate due to the nature of the allegations. In these situations, the individual experiencing the inappropriate behaviour should raise a complaint using the formal process set out in the Grievance Policy.

No member of staff is required to use the informal route before utilising the option of a formal grievance.

When a complaint of bullying and/or harassment is received, it may be appropriate to separate the alleged harasser from the complainant. This may involve temporary transfer of the alleged harasser to another department, or the suspension of the alleged harasser with pay until the complainant has been investigated and resolved.

Raising Alleged Inappropriate Behaviour Without Making a Complaint

It is the aim of this Policy to ensure all staff feel able to disclose alleged inappropriate behaviour so that it can be resolved. If an individual raises alleged inappropriate behaviour but does not want or feel able to proceed with either an informal resolution or a formal process, the colleague approached will:

- Discuss ideas for how the individual can respond to the behaviour if it happens again.
- Encourage the individual to talk to them again after any future repetition of the behaviour.
- Make the individual aware that they may have to take action if the nature of what is disclosed invokes the College's duty of care, particularly if the reported behaviour is impacting the individual's mental or physical wellbeing.
- Provide information on College support services.
- Check that the individual is aware of the informal and formal options available to resolve the alleged behaviour should they wish to reconsider at any point.

Should there be multiple informal disclosures that give rise to sufficient cause for concern, or the nature of what is disclosed invokes the College's duty of care, the Head of Department/Line Manager may choose to conduct an investigation into the alleged behaviour.

Raising Complaints of Serious Sexual Misconduct

Often a grievance process will not be appropriate in response to a complaint of serious sexual misconduct. When an individual has disclosed an incident of serious sexual misconduct and consented to that disclosure being treated as a complaint, careful consideration will be given to the most appropriate process

for dealing with that complaint, whether through the relevant disciplinary or grievance policy. In serious cases, it may be necessary to refer the case to the Police.

8. WHAT TO DO WHEN YOU ARE THE SUBJECT OF CONCERNS BEING RAISED

It can be a disconcerting and upsetting experience for an individual to be approached and told that their behaviour could be construed as inappropriate. If this is done through an informal process, they should be prepared to listen patiently and calmly and allow the members of staff (or the person supporting them in the process) to express their concerns. If it is possible, they should also try to remedy the situation and allow a positive working relationship to be resumed. The individual should keep a note of what was discussed and, if appropriate, agreed.

The individual who is the subject of the complaint should also be able to give an account of what happened as part of any informal and formal resolution processes.

9. WHAT HAPPENS IF YOU HAVE BEHAVED INAPPROPRIATELY

While this Policy emphasises the value of an early, informal process, there will be situations that can only be resolved through a formal grievance. Where a formal grievance is brought and upheld against an individual and the nature of the inappropriate behaviour warrants it, a separate procedure under the relevant disciplinary policy will be undertaken by the College. This may result in a formal warning being issued to the person demonstrating the inappropriate behaviour and training or other interventions may also be recommended. In the cases of serious or sustained misconduct, the procedure may result in the termination of employment.

10. CONFIDENTIALITY

Confidentiality – and trust in that confidentiality – is critical when dealing with allegations of inappropriate behaviour. Details of the complaint (including the names of the person making the complaint and the person accused) must only be disclosed on a 'need-to-know' basis. Breach of confidentiality in either an informal or formal resolution process may give rise to disciplinary under the relevant disciplinary procedure.

Information about a complaint by or about an individual may be placed on their personnel file, along with a record of the outcome and any other notes or other documents compiled during the process. Notes and records will be treated as

confidential and be kept no longer than necessary in accordance with the data protection principles set out in the relevant data protection legislation.

11. VICTIMISATION

The College will not tolerate any form of victimisation against an individual who has raised or supported an informal complaint, cooperated in a formal investigation, challenged inappropriate behaviour, or in each case is believed to have or is believed to be likely to take such steps.

If a formal complaint of victimisation is made about a member of staff's behaviour it will be fully investigated and, if upheld, will be dealt with in accordance with the relevant disciplinary procedures.

12. MALICIOUS OR VEXATIOUS COMPLAINTS

A malicious complaint is one that is made with the intention to intimidate, to lower the reputation of, or otherwise injure or harm a colleague or manager, through knowingly providing false or misleading information or withholding information about an incident or issue.

A vexatious complaint is either one that is made with the sole or main intention to harass, annoy, or subdue somebody, or one that is unreasonable, without foundation, frivolous, repetitive, deliberately burdensome, or unwarranted.

If it is found that an individual has made a complaint that is malicious or vexatious, the College may instigate a disciplinary process against them. Disciplinary action will not be taken, however, where a grievance is mistaken or otherwise ill-founded but not malicious or vexatious.

13. HOW TO RAISE COMPLAINTS NOT DIRECTLY COVERED BY THIS POLICY

College employees, workers or Fellows who have a complaint against a student should report the student to the Senior Tutor and/or the Dean. A Head of Department may report a student on behalf of a staff member if appropriate.

College employees, workers or Fellows who have a complaint against any other third party (such as a contractor) or a member of the public should speak with their Head of Department/Line Manager in the first instance. In order to address the complaint, it may be necessary to notify third parties and use their local complaints procedure. Depending on the circumstances, it may be appropriate to make the third party or member of the public aware of our Zero Tolerance Approach outlined in Section 14.

Date	Summary of Changes	Date of next review
November 2023	New policy.	November 2024
May 2024	Rebranding applied	November 2024