

## **What to do if you are being bullied or harassed – advice for UCU members**

### **Do not ignore it**

If you feel that you are being subjected to bullying or harassment – whether or not it is on the grounds of your gender, race, sexuality, disability, religion or belief, or any other reason, **or for no obvious reason at all - do not** feel that it is your fault or that you have to tolerate it.

Many people ignore bullying and harassment for fear of being labelled a troublemaker but it is unlikely that the conduct will stop if you ignore it. The bully is often doing this to try and exert control, so silence may be interpreted as acquiescence.

### **Check if your institution has a policy on bullying and harassment and read it.**

Get a copy of your employer's published policy on bullying and harassment or on dignity at work. It should be on their web site – or your local rep will have a copy. Read carefully what it says about all managers' responsibilities, and how concerns should be raised. Check whether the agreement or policy has been agreed with UCU.

### **Insist that the person responsible for bullying or harassment stops it**

In some circumstances you might be able to ask the perpetrator to stop. If you wish, take a UCU representative or friend with you. It is important that you accompany your union representative even if you do not say anything. This will prevent the person responsible for the offensive behaviour claiming that you did not complain personally, leading them to believe that you did not object. You can do this in writing – outline as clearly as possible what behaviour you find offensive and the effect it has on you. If you feel unable to directly tackle the person concerned, this does not imply that you consent to the behaviour nor will it prejudice any complaint you may wish to bring.

### **Get support**

Talk about the problem with a friend, a colleague and UCU representative. Do not hesitate to contact someone even when an incident occurs only once. They may be able to suggest ways of resolving the problem.

## **Collect evidence of the bullying or harassment**

It is important to keep a note of all relevant incidents including dates, times, places. This will be invaluable in proving your case if you make a complaint. Wherever possible get witnesses to provide factual evidence. If there are no witnesses to an incident, tell a colleague or representative and make a note. Make sure you keep copies of any relevant documents including emails and other electronic information.

## **Find out if the same person is bullying or harassing anyone else**

Often a bully will have a history of such behaviour. You will gain confidence from discovering you are not alone.

Some UCU branches and LAs have carried out institution-wide surveys. These can be very effective in demonstrating that there are wider issues which the employer must address – and will make your claims more difficult to dispute.

## **Complain to your UCU representative**

Report the problem to your UCU branch/local association (LA) secretary, branch/LA equality officer, Health and Safety representative or other representative as soon as possible. Even if you decide not to pursue the case, it is important that the union is aware of any incidents of bullying or harassment.

There will be informal and formal procedures for dealing with the situation. The decision on how to progress the complaint rests with the complainant.

If the person responsible for the bullying or harassment is a union representative, discuss with another branch/LA officer the best way to proceed.

Any discussions will be confidential and further action involving you will not normally be taken without your express permission. Nor will the person you are complaining about be given your name as complainant without your permission.

You should contact your branch/LA secretary, branch/LA chair, branch/LA equality officer in the first instance. In the rare situation that you feel there is no branch/LA officer that you can approach, perhaps because they are implicated in the bullying or harassment, you should contact your regional office.

Members should bring their concerns to UCU first rather than approaching, for example, outside organisations such as the Equality and Human Rights Commission (EHRC).

## Make a formal complaint

If you or your UCU representative cannot resolve the problem by asking the person to stop, you or your representative should make a formal complaint, which should then be investigated by management.

If formal disciplinary proceedings are to be taken against the person responsible for the bullying or harassment, you will be required to give evidence. It may be difficult for you to undertake this but it would not be in your best interests for the case to be considered in your absence. Once the complaint becomes formal, UCU should insist that management conducts a risk assessment as set out on page **Error! Bookmark not defined..**

**Remember:** if bullying persists it is appropriate to insist on treating the bully as a workplace hazard and insisting on a risk assessment. This is particularly the case if it is not an isolated incident and other staff have been bullied.

## Use your UCU representative

Sometimes members are so angry or distressed about bullying that they don't take their concerns to UCU but seek outside support from lawyers or other agencies. Sometimes this is because the member believes UCU has failed to prevent bullying in the past, or because they have a mistaken view that there are effective legal remedies which can short cut internal procedures.

Unfortunately, the law is not nearly as helpful as it should be, and it is better to try to resolve bullying using UCU to trigger the internal procedures, where possible linked to a wider campaign about bullying within the institution.

Where members go to outside agencies or lawyers and then seek to use UCU when this doesn't work, it makes things more difficult.

Tackling bullying and harassment is now a priority for UCU and whilst we recognise this is not an easy challenge, we are putting in place training and arrangements to give the best possible support to members.