



HARASSMENT POLICY

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<i>REVIEWED BY:</i>	<i>DIRECTOR</i>
<i>NEXT REVIEW:</i>	<i>AS REQUIRED</i>
<i>POLICY LEAD:</i>	<i>COMPLIANCE COMMITTEE</i>

COMPLIANCE COMMITTEE MEMBERS

**DIRECTOR
ACADEMIC COORDINATOR
ACADEMIC OFFICER
WELFARE OFFICER
ADMINISTRATOR**

Metro College of Management Sciences Harassment Policy

1. What is Harassment?

Harassment takes many forms, occurs on a variety of different grounds and can be directed at one person, many people and where the recipient finds the conduct offensive or unacceptable. Conduct becomes harassment if it is persisted in once it has been made clear that it is regarded by the recipient as offensive, although a single incident may amount to harassment if sufficiently serious. It is the unwanted nature of the conduct which distinguishes harassment from friendly behaviour which is welcome and mutual.

Harassment can be based on:

- race, ethnic origin, nationality or skin colour
- gender or sexual orientation
- power or hierarchy
- willingness to challenge harassment (leading to victimisation)
- membership, or non membership of a trade union
- disabilities, sensory impairments or learning difficulties
- age
- possible links to HIV/AIDS
- status as an ex-offender
- health
- physical characteristics
- personal beliefs
- religion

Whilst not an exhaustive list, forms of harassment include:

- physical contact
- jokes, offensive language, gossip, slander, offensive or sectarian songs and letters
- posters, graffiti, obscene gestures, emblems, flags
- offensive e-mails, screen savers
- isolation, non co-operation and exclusion
- coercion for sexual favours
- pressure to participate in political or religious groups
- intrusion by pestering, spying and stalking

Harassment is unlawful in many cases and individuals may be legally held liable for their actions.

2. Procedure

- Due to the seriousness with which the College views harassment, informal and formal reporting procedures have been introduced which are separate from the grievance procedures as a mechanism for dealing with complaints of harassment.
- All allegations of harassment will be dealt with seriously, promptly and in confidence. Students, staff and visitors who feel they have been subject to harassment must not hesitate in using this procedure nor fear victimisation.

- Tutors and members of the College Compliance Committee will provide, in confidence, advice and assistance to employees subjected to harassment and assist in the resolution of any problems, whether through informal or formal means.

3. Informal Procedure

- If an incident happens which you think may be harassment and you do not wish it to happen again, you may prefer initially to attempt to resolve the problem informally. In some cases it may be possible and sufficient to explain clearly to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends you or makes you uncomfortable and that it interferes with your work. You should make it clear that you want the behaviour to stop.
- In circumstances where this is too difficult or embarrassing to do on your own, you should seek support from a friend, tutor or member of the College Compliance Committee.
- If you are in doubt as to whether an incident or series of incidents which have occurred constitute harassment, then in the first instance you should approach a tutor or member of the College Compliance Committee on an informal basis. He or she will be able to advise you as to whether the complaint necessitates further action, in which case the matter will be dealt with informally or formally as appropriate.
- If the conduct continues or if it is not appropriate to resolve the problem informally, it should be raised through the following formal process.

4. Formal Procedure

- Where informal methods fail, or serious harassment occurs, you are advised to complain formally to the College Compliance Committee.
- Consideration will be given to the immediate separation of the complainant and the alleged harasser. In serious cases the alleged harasser may be suspended.
- You will be interviewed by a member of the College Compliance Committee handling the complaint to establish full details of what happened. He or she will then carry out a thorough, impartial and objective investigation as quickly as possible. Those carrying out the investigation will not be connected with the allegation in any way. An investigation will be carried out quickly, sensitively and with due respect for the rights of both you and the alleged harasser.
- The investigation will involve interviews with the person against whom you are making the complaint. The alleged harasser will be given full details of the nature of the complaint and will be given the opportunity to respond.
- You and the alleged harasser will have the right to be accompanied and/or represented by a fellow student, colleague or class representative at any interviews. You will not be asked to provide details of the allegations repeatedly unless this is essential for the investigation.
- Strict confidentiality will be maintained throughout the investigation into the allegation. Where it is necessary to interview witnesses the importance of confidentiality will be emphasised to them.
- When the investigation has been completed you will be informed whether or not your allegation is considered to be well founded.
- If the allegation is well founded disciplinary action may be taken against a person alleged to have committed the behaviour you are complaining about and, depending on the circumstances and the seriousness of the complaint, may result in the dismissal of that person or their expulsion.
- If the allegation is not well founded, consideration will be given to whether it is necessary to transfer or reschedule the work of both or either party, in cases where it would not be appropriate for you to continue to work in close proximity.

- The College takes these matters very seriously. However, malicious complaints of harassment can have a serious and detrimental affect upon a colleague or student. Any unwanted allegation of harassment, made in bad faith, will be deemed potential gross misconduct. We are sure that all employees and students appreciate that this must be so to protect the integrity of this policy.

5. Appeals

- Either party involved may appeal in writing to the Director of the College within ten working days of receiving the formal decision. The Director will then convene a panel of four members (to include himself), to act as a panel to hear the appeal.
- The meeting of the panel of Committee will take place not less than five and usually within ten working days of the Director's receipt of the notice of appeal. All parties involved will be allowed to attend and make representations at the meeting. By agreement of all parties there may be a change in the time limits. Refusal of either party to attend should not invalidate the proceedings.

The panel, in seeking to resolve the appeal, may adjourn the meeting or defer their decision until they are satisfied they have had the opportunity to take account of all relevant factors. The decision of the panel and the reasons for that decision will be communicated to all parties and confirmed in writing within three working days. The decision reached at this hearing will be final.