

PERSONNEL SERVICES

University Offices, Wellington Square, Oxford OX1 2JD
 Director of Human Resources



To: heads of division, heads of department and institutions, faculty board chairs, divisional registrars, departmental administrators, and faculty board secretaries Ref.

cc: Dr Conway (Director of Research Services), Ms Hopkins (Head of Equality and Diversity), HRBPs

Research funder policies and requirements on bullying and harassment

A number of research funders have introduced new policies on bullying and harassment which set out expectations of behaviour from all those associated with the research, but also impose new requirements on institutions in receipt of funding from them. This includes obligations to report information about bullying and harassment to the funder.

Personnel Services has worked closely with Research Services on this issue and this circular explains how the University will comply with these policies and what actions are required of departments.

1. Background

A number of the University's funders have introduced new policies on bullying and harassment. As of March 2019 this includes the Wellcome Trust, CRUK and the British Heart Foundation¹, but others are expected to follow. The National Institute of Health has also published a policy on sexual harassment². These policies now form part of the grant conditions for all grants awarded by these funders.

2. Detail

Scope of Funders' Bullying and Harassment/Sexual Harassment policies

All those involved in applying for, in receipt of, or managing research awards must familiarise themselves with the specific terms set out in the relevant funder's bullying and harassment policy. Typically, such policies apply to all 'participants' in awards including award-holders, co-

¹ For further details of published policies (as at March 2019) see:

Wellcome Trust: wellcome.ac.uk/funding/guidance/policy-bullying-and-harassment

British Heart Foundation: www.bhf.org.uk/for-professionals/information-for-researchers/how-to-apply/standard-conditions-of-grants

CRUK: www.cancerresearchuk.org/funding-for-researchers/applying-for-funding/policies-that-affect-your-grant/policy-on-dignity-at-work-in-research

² NIH policy on sexual harassment: <https://www.nih.gov/about-nih/who-we-are/nih-director/statements/update-nih-efforts-address-sexual-harassment-science>



investigators, sponsors and supervisors, research staff, students, fieldworkers, collaborators, consultants, sub-awardees and advisory committee members (hereafter 'those associated with the award').

The University's obligation to report information about bullying and harassment to the funder

The University has new responsibilities to inform relevant funders:

- *at application stage* - if applicants, or others named on the grant application, have live disciplinary warnings or sanctions for bullying and harassment;
- *during the duration of the award* - if allegations of bullying and harassment (in the case of NIH grants, sexual harassment) are being formally investigated against those associated with the award.

In order that the University can comply with this, the following steps should be followed:

- (i) *When submitting an application to a funder that requires disclosure about bullying and harassment sanctions.*

Prior to submitting an application to Research Services for institutional review and approval and submission to the funder, an appropriate senior departmental contact (typically the Head of Department or Head of Administration) should contact the Director of Research Services if anyone named on the grant application has a live disciplinary warning or sanction for bullying and harassment. The Head of Department and Director of Research Services, in consultation with Personnel Services, will agree how any relevant information required by the funder should be disclosed to the funder in confidence in order for the application to proceed.

- (ii) *When a formal investigation of a bullying and harassment allegation is commenced by individual associated with an award.*

When a formal investigation of a bullying and harassment allegation is commenced, departments should establish whether the individual who is the subject of the investigation is associated with any research awards with conditions that require disclosure of the fact to the funder. Departments should liaise with their HR Team Leader and may also seek advice from the Director of Research Services. Where notification to the funder is required, the Head of Department and Director of Research Services, in consultation with Personnel Services, will agree how any relevant information required by the funder under its terms and conditions should be disclosed in confidence.

It is anticipated that this circumstance will be sufficiently rare that no more formal process will be required. However, it is essential that departments do pass the information on promptly and confidentially to the Director of Research Services at the appropriate stage.

In all cases the minimum necessary information will be shared³.

Those funders who have released new policies typically state that they may apply their own sanctions (in addition to those applied by the employer) in cases where an allegation has been

³ A Legitimate Interests Assessment has been conducted which concluded that the University is justified in sharing this information with external sponsors in accordance with their policies on Bullying and Harassment.



upheld against applicants or award holders. This may include rejection at application stage, withdrawal of funding, removal of an individual from the award etc.

Where such sanctions from funders result in consequences for individuals and their teams, departments, Research Services and Personnel Services will aim to provide support.

The University's obligations with respect to our own policy and that of sub-awardees

The new responsibilities imposed by funders typically require the University to have its own policy on bullying and harassment, which meets certain criteria, and to investigate allegations of bullying and harassment in an impartial, fair and timely manner, and take appropriate action. Our existing policies provide for this.

Funders typically also require that collaborating institutions, sub-awardees, consultants and other external parties are subject to the terms and conditions of its funding and have appropriate local policies in place. Advice should be taken from Research Services, which will look to ensure that relevant provisions are included in agreements with third parties connected with such an award.

Other issues that may arise

The issue of sharing sensitive data with an external body clearly raises data protection issues. The University has taken advice on this matter and completed a Legitimate Interest Assessment relating to these new requirements, which has concluded that there would be a Legitimate Interest to share the data required by the funders' new policies.

Funders may:

- (a) make a contact at the University aware of any allegations made directly to the funder about the behaviour of Oxford staff; or
- (b) ask for more information about an organisation's policy and processes and whether they are following them.

If this happens, please liaise with the relevant HR Team Leader in Personnel Services.

3. Actions for Departments

1. Ensure that those applying for funding are aware that any live disciplinary sanction for bullying and harassment may need to be declared at application stage.
2. Notify the Director of Research Services if anyone named on an application to a funder with such conditions has a live warning or sanction for bullying and harassment.
3. Ensure that all those associated with a grant are aware of the terms of the grant conditions, including these new policies. If you already have a process to make all staff associated with a grant aware of its terms, please provide them with an update so that they know about these changes.
4. Review your processes and ensure that whenever new grants are awarded, all those who will be associated with it are made aware of the terms, including relevant policies on bullying and harassment, in addition to the University's own policy.



5. Seek advice from Research Services about new agreements with third parties associated with awards from relevant funders so that appropriate provision with respect to bullying and harassment policies can be included in the agreement.
6. Always brief your HR Team Leader when any allegation of bullying and harassment is made against someone associated with a relevant research award.
7. If a funder contacts you to make you aware of an allegation against a member of our staff made directly to the funding body, or with questions about our policy or processes, please liaise with your HR Team Leader in Personnel Services.

4. Further information

If you would like to discuss this further or if you have any questions, please contact:

- Julie Matthews at julie.matthews@admin.ox.ac.uk (questions about grant terms),
- Kate Butler at kate.butler@admin.ox.ac.uk (for HR policy questions), or
- Your HR Team Leader to discuss any issues specific to your department or division. They are:
 - Humanities – Emily Sharp
 - Social Sciences – Sarah Oliver
 - MPLS – Colette O’Shaughnessy
 - MSD – Dawn McNish
 - GLAM – Emily Sharp.

Mr Julian Duxfield
HR Director

Replaces existing circular: No

Copy for noticeboards: Yes

SJT/KAB
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