BULLYING AND HARASSMENT POLICY (RESEARCH)

1. Introduction

1.1 Breast Cancer Now considers bullying and harassment of any kind, in any context, unacceptable. We believe that all people who hold Breast Cancer Now funding and are involved in Breast Cancer Now-funded research should be able to work in an environment where everyone is treated, and treats others, fairly and with respect.

1.2 This policy applies to all our Participants and compliance with it is required by our grant conditions. It should be considered alongside our Policy on Research Misconduct and Fraud. Our commitment to Breast Cancer Now staff and volunteers is addressed separately and is not covered by this policy.

1.3 We are grateful to the Wellcome Trust for their support in developing our research policies, and for their agreement to reproduce or adapt them for Breast Cancer Now's purposes.

2. Definitions

2.1 **Bullying** is any offensive, intimidating, malicious or insulting verbal or non-verbal communication including physical behaviour. It is an abuse or misuse of power through means intended to undermine, humiliate, threaten, upset, denigrate or injure a person.

2.2 **Harassment** is any unwanted conduct related to your 'protected characteristics' that has the purpose or effect of violating your dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for you. Harassment is also unwanted conduct of a sexual nature which has that same purpose or effect. Harassment may be persistent or single incident. Protected characteristics are: age, sex, disability, gender (including gender reassignment), marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. (In the UK, harassment is defined by the Equality Act 2010).

2.3 **Participants** are the following persons associated with a Host Institution, where they are involved in a research project supported by a Breast Cancer Now Grant or are in receipt of a Grant:

- Grant holders
- Co-applicants
- Collaborators
- Research staff and consultants
- Supervisors
- Students
- Sub-contractors
- Breast Cancer Now funding committee and panel members

- Breast Cancer Now advisory committees
- Breast Cancer Now research event speakers.

2.4 Unless they are otherwise defined in this policy, terms which are used in this policy have the meaning given in Breast Cancer Now's Grant Conditions.

3. Responsibilities of the Host Insitution

It is the Host Institution's responsibility to:

3.1 Adopt a formal policy that clearly sets out the standards of behaviour it expects from staff and the procedure for making and responding to complaints. This must include:

i. A senior member of staff to act as a first point of contact and other useful points of contact (such as an independent, identifiable complaints officer and/or a complaints hotline)
i. routes of informal and formal escalation
ii. any whistleblower protection including during investigation phase
iii. details of counselling or employee assistance provider support if available
iv. any support offered for resolution (such as mediation or training)
v. appropriate sanctions for misconduct

3.2 The Host Institution's policy should be readily available to all staff and students, form part of induction processes and staff training, and ideally be published on the Host Institution's intranet.

3.3 Require that any sub-grantee or sub-contractor have an equivalent policy in place.

3.4 Take reasonable steps to ensure the policy is implemented effectively. Reasonable steps may include:

i. appropriate training on workplace conduct for staff and students during inductions and additional training for staff in supervisory roles or for complaints officers appropriate to their role. Training should be refreshed periodically or in response to any changes
ii. the establishment of an effective whistleblowing hotline or other mechanism
iii. engagement with staff and students on the issue by undertaking awareness raising
iv. campaigns and engagement surveys to ensure policies are working effectively and the workplace is free from bullying and harassment

3.5 Investigate allegations of bullying and harassment in an impartial, fair and timely manner and take appropriate action. If the Host Institution is advised by the investigator(s) that a disciplinary procedure is warranted, Breast Cancer Now expects institutions to complete the disciplinary procedure such that a formal finding can be reached.

3.6 Ensure no agreements are entered into which prevent Host Institutions from telling Breast Cancer Now of investigation findings and complying with our policy.

3.7 Breast Cancer Now requires Host Institutions to provide evidence of the reasonable steps taken to ensure that their workplace conduct policy is implemented effectively as part of our regular grants management audits and at any time requested by Breast Cancer Now.

4. Notifying Breast Cancer Now of incidences of bullying and harassment

At the application stage

4.1 When a Host Institution submits a grant application to Breast Cancer Now, it must disclose to Breast Cancer Now in writing full details of:

a) Any live allegation or investigation concerning any Applicant, and
b) Any allegation which has been upheld against any Applicant in the six years up to the date of the relevant grant application.

4.2 The Host Institution should provide details of any relevant findings of bullying or harassment by completing the reporting pro-forma template annexed to this policy and email it to Breast Cancer Now's associate director research at grants_admin@breastcancernowcancer.org, telling Breast Cancer Now if any of the information provided is confidential.

4.3 If there has been a finding of bullying or harassment, Breast Cancer Now may at its discretion reject the application or accept the application on the condition that the relevant individual(s) be removed from the Research.

During the term of the grant

4.4 If during the term of the Grant, a decision is made to formally investigate an allegation of bullying or harassment against a Participant involved in Research funded by a Grant, the Host Institution must inform Breast Cancer Now's associate director research in writing.

4.5 The Host Institution must inform Breast Cancer Now of:

i. a decision to formally investigate an allegation against a Participant which relates to bullying or harassment;
ii. key dates in relation to the investigation;
iii. the outcome of the investigation within one year of receiving allegation; and
iv. all other details required by the form set out in Schedule 1.

4.6 The Host Institution should complete the reporting pro-forma template set out at Schedule 1 and email it to the associate director research at **grants_admin@breastcancernowcancer.org** with the subject line 'Private and Confidential'. The Host Institution must mark any information contained in the report which is confidential as 'Private and Confidential'.

4.7 The information provided by the Host Institution should **not** include any:

i. sensitive personal information, e.g. relating to criminal offences or convictions;
ii. special category personal data, e.g. health data, except where the person whose data is being disclosed has given prior written consent to such disclosure or the disclosure is otherwise lawful under GDPR;
iii. identifying personal information about other people, e.g. the person making the claim.

4.8 Breast Cancer Now agrees to keep all information it receives under this clause 4 as strictly confidential, except where disclosure is required by law or where the Host Institution gives written consent to such disclosure.

4.9 Any information the Host Institution sends to Breast Cancer Now will be:

i. stored in accordance with data protection law requirements and our retention policy
ii. processed in line with our **privacy policy** and **privacy policy for research grants**;
iii. kept confidential and only communicated in the circumstances set out in this clause 4;
iv. updated and/or deleted in line with our retention policy.

4.10 Formal allegations, reports of allegations or complaints about process, should be reported to Breast Cancer Now, as outlined in this policy, and within five years of the alleged incident or onset of bullying or harassing behaviour.

4.11 Where we exercise our right to see the above information, we expect Host Institutions to be able to share it. We strongly discourage the inappropriate use of non-disclosure agreements that might prevent Host Institutions from sharing this information with us.

5. Sanctions

Sanctions where an allegation of bullying or harassment is upheld

5.1 If a Host Institution upholds a bullying or harassment allegation against a Grant Holder, Breast Cancer Now may apply its own sanctions, set out below ("the **Sanctions**").

5.2 These may be independent of any sanctions set by the Host Institution and will be considered on a case-by-case basis. Breast Cancer Now may:

i. send a letter of reprimand;
ii. remove the Grant Holder from affected grant;
iii. withdraw or reduce the amount of grant funding. We will work with the organisation to minimise the impact on any staff working on the affected grant(s), which may include transferring the Grant to another suitable investigator to allow the work to be completed. Where appropriate, this may be for up to 12 months after the funding has been formally withdrawn from the Grant Holder. This applies to all Breast Cancer Now grants.
iv. require repayment in part or in full of the grant(s) affected;
v. prohibit the Grant Holder in question from acting as a PhD supervisor for Breast Cancer Now-funded students;
vi. temporarily or permanently restrict the Grant Holder from making future grant applications (or specific types of grant applications) or from being invited to be a member of a Breast Cancer Now Panel or Committee or a Breast Cancer Now event attendee; or
vii. allow future grant applications, but require the Host Institution to monitor the way the person manages staff.

5.3 Breast Cancer Now may apply any one of the Sanctions or a number of them, in its absolute discretion, for such period of time as Breast Cancer Now deems appropriate.

Sanctions against a Host Institution

5.4 Breast Cancer Now may apply certain sanctions against a Breast Cancer Now-funded Host Institution **("the Institution Sanctions")** if Breast Cancer Now reasonably believes any of the following events has occurred:

i. the Host Institution has failed to respond to a bullying and/or harassment complaint promptly and objectively;
ii. there has been institutional-level failure at the Host Institution to instigate or complete disciplinary procedures; or
iii. there has been a serious Institutional-level failure to effectively ensure appropriate workplace conduct standards are observed;
iv. the Host institution failed to keep Breast Cancer Now informed.

5.5 The Institution Sanctions are as follows:

i. ongoing monitoring of the Host Institution's policies and practices;
ii. not accepting new grant applications from that Host Institution for 6 months;
iii. restricting applications from a Host Institution for specific grant types, e.g. PhD studentships;
iv. where a Grant is in place, suspending or terminating the Grant.

5.6 Breast Cancer Now may apply any one of the Institution Sanctions or a number of them, in its absolute discretion, for such period of time as Breast Cancer Now deems appropriate.

6. How Breast Cancer Now handles allegations of bullying or harassment

6.1 If an allegation of bullying or harassment is made directly to a member of Breast Cancer Now staff rather than to the Host Institution:

i. a senior Breast Cancer Now staff member will first discuss the circumstances with the complainant;
ii. Breast Cancer Now will either encourage the complainant to report the allegation at their Host Institution through the appropriate channels or if Breast Cancer Now

at its sole discretion deems it appropriate, Breast Cancer Now may tell an appropriate individual at the Host Institution. For the avoidance of doubt, Breast Cancer Now is under no duty to report such allegations to the Host Institution.

6.2 If a complainant wants to remain anonymous, Breast Cancer Now will respect this unless there is a legal obligation to reveal their identity. Breast Cancer Now will tell the complainant before it does this.

6.3 The Host Institution is then responsible for following its procedures for handling allegations at the Host Institution's cost.

6.4 Breast Cancer Now will reserve any judgement about an allegation until the investigation is complete. Breast Cancer Now agrees to keep all information it receives under this clause 6 strictly confidential, except where disclosure is required by law or where the Host Institution gives written consent to such disclosure.

6.5 Breast Cancer Now is not responsible for the conduct of investigations into bullying or harassment at the Host Institution or any bullying or harassment which takes place at the Host Institution. To the fullest extent permitted by law, Breast Cancer Now excludes all liability in relation to bullying or harassment at Host Institutions.

7. Breast Cancer Now's role in any investigation

7.1 Breast Cancer Now does not typically carry out its own investigations, but it may:

i. ask for information about a Host Institution's processes and how they are effectively implemented; and/or
ii. check that a Host Institution and any sub-grantee have a policy and are following it
iii. ask for a copy of the final investigation report, where we consider that we have a legitimate interest in doing so

7.2 This may be done as part of Breast Cancer Now's standard grants management audits or as part of the annual review process in the case of Host Institution's holding core-funding from Breast Cancer Now. The Host Institution will promptly respond to all reasonable requests from Breast Cancer Now for information under this clause 7.

7.3 If an investigation has been completed and an individual has concerns about the process, Breast Cancer Now will ask the Host Institution to confirm that it has adhered to its published policy. We are not able to challenge the outcome of the investigation.

8. Related documents

Breast Cancer Now's **Grant Conditions**
Breast Cancer Now's **research policies**
Breast Cancer Now's **privacy policy**
Breast Cancer Now's **privacy policy for research grants**

9. Document information

Version	**2.0**
Approved by	**Board of Trustees**
Last approved	**September 2024**
Next scheduled review date	**September 2026**
Document owner	**Research team**

SCHEDULE 1

Bullying and Harassment in Research: Reporting Form to Breast Cancer Now

At application stage, if there is an upheld allegation against the Applicant(s) or any employees named on the application, for which there is an active formal disciplinary sanction, you must inform us at application stage.

Once an award has been activated, you must inform us of any Misconduct Incidents (as described in the Grant Conditions).

The **Host Institution contact** should complete this reporting template, indicating if any information is confidential and email it to **grants_admin@breastcancernow.org**.

You should **only** provide the information requested below. You should **not** include:

- sensitive personal information, e.g. relating to criminal offences or convictions
- special category data (within the meaning of GDPR) e.g. details of a person's health records or ethnicity or political beliefs
- personal information about other people, e.g. the person making the claim.

Your name, position at Host Institution and email

The name of the person against whom either:

a) **a formal investigation is underway** (note: not applicable at grant application stage)**; or**
b) an allegation has been upheld

The person's connection to Breast Cancer Now (e.g. Breast Cancer Now grant reference number)

A brief factual statement about the nature of the allegation

Date the complaint was lodged

Start date of the investigation and expected/actual investigation completion date

For completed investigations only: a brief factual statement on the outcome of the investigation, including whether allegation was partially or fully upheld and any sanctions

Date of the outcome of the investigation

The information you send to Breast Cancer Now will be:

- stored in accordance with data protection law requirements
- communicated on a need-to-know, restricted-access basis only
- updated and/or deleted in line with our retention policy.

Breast Cancer Now will process your personal information as set out in our **privacy policy** and **privacy policy for research grants**.