Dignity and respect at work policy

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1. **Policy Statement**

1.1 The University is committed to a zero-tolerance approach to bullying, harassment, discrimination or victimisation of any kind. Such behaviour is contrary to the values and ideals of our shared community which requires a commitment to treat everyone with dignity, courtesy and respect. Any allegation of bullying, harassment, discrimination or victimisation will be investigated promptly, efficiently and sensitively by Human Resources (HR) and, if there are grounds, disciplinary action will be taken, up to and including summary dismissal.

2. **Purpose**

2.1 This policy sets out the procedure for raising, addressing and resolving concerns about individual or organisational behaviour in regards to bullying, harassment, discrimination or victimisation in the workplace and in any work-related setting outside of the workplace - for example, business trips and work-related social events. Other matters of concern should be raised via the Grievance policy. Definitions of bullying and harassment are outlined in Appendix A.

2.2 This policy complements the University’s Equality, Diversity and Inclusion Policy and is compliant with ACAS Guidance on Bullying and Harassment at Work and employment legislation.

3. **Scope**

3.1 **University employees**

3.1.1 This policy applies to all University employees. For the purposes of this policy, bank workers, agency workers, other casual workers, and any third party engaged to work at the University, including students on work placements, will also be defined as employees.

3.2 **Complaint involving an external party or student**

3.2.1 If an employee considers that they have been subject to inappropriate behaviour by an external party such as a supplier, auditor, customer or visitor, the employee should report this incident to their line manager to take action on their behalf. If an employee feels that they have been subject to inappropriate behaviour by a student, the employee should raise the matter with Student Services. Any external party who has a complaint of inappropriate behaviour by a University employee can raise the matter via the University Complaints Handling Procedure (CHP).

3.3 **Complaint involving an agency worker**

3.3.1 If a complaint of inappropriate behaviour relates to a worker supplied by an external agency, the University will transfer the matter to the agency to manage on behalf of the University.

3.4 **Students**

3.4.1 Students can find guidance on addressing concerns regarding bullying, harassment, discrimination and victimisation here.

4. **Responsibilities**

4.1 **Employees**

4.1.1 All members of the University community have a responsibility to:

- Demonstrate dignity, respect and integrity in all interactions with individuals and groups;
- Appropriately challenge inappropriate behaviour when it occurs;
- Complete the ‘Diversity in the workplace’ and ‘Unconscious bias’ online training modules;
- Participate openly in the investigation of complaints;
• Provide support to individuals who are experiencing bullying or harassment and respect their confidence; and
• Report any unfair treatment witnessed to the relevant line manager or senior manager if it causes personal discomfort.

4.2 Line Managers

4.2.1 In addition to the above, line managers have a responsibility to:

• Ensure all employees are aware of this policy and appropriate standards of conduct;
• Make every effort to ensure bullying and harassment do not occur;
• Promote a culture of dignity and respect within their area of work, and an environment in which colleagues feel able to raise complaints without fear of victimisation;
• Inform the HR Business Partner (HRBP) of their School/Unit on receipt of any allegation of bullying and harassment so that they can provide adequate support and advice for satisfactory resolution;
• Keep a record of reported incidents and action following any allegation made;
• Notify senior managers of any allegation of bullying or harassment involving external parties;
• Proactively liaise with the HRBP of their School/Unit to ensure legitimate, fair and constructive criticism is part of ongoing staff development, without humiliating, undermining or injuring colleagues;
• Refer any employee who may be suffering stress or anxiety related to bullying or harassment to Occupational Health.

4.3 Human Resources (HR)

4.3.1 HR have a responsibility to:

• Regularly review this policy ensuring its continuous commitment to promoting dignity and respect at work;
• Provide support and advice to line managers in managing these types of situations;
• Work with all parties to identify an appropriate resolution;
• Safeguard confidential information on bullying and harassment cases;
• Actively monitor bullying and harassment levels across the University.

5. Inappropriate behaviour

5.1 Bullying and harassment are defined by the Advisory, Conciliation and Arbitration Service (ACAS) as the following:

• Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

• Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

5.2 For practical purposes, those making a complaint usually define what they mean by bullying or harassment i.e. something has happened to them that is unwelcome, unwarranted and causes a detrimental effect. However, behaviour that is considered bullying by one person may be considered firm management by another. Therefore the test of reasonableness must also be applied, such that a reasonable person in possession of the same information would also consider whether they view the behaviour in the same way. Examples of what may constitute harassment and bullying are provided in Appendix A.

5.3 Legitimate, constructive and fair criticism of an employee’s performance or behaviour at work will not be considered to be bullying or harassment. It is expected that management of any employee-related issue must have the intention of supporting and developing potential and promoting desired work performance. Management which has the effect of undermining, humiliating, denigrating or injuring the employee may be considered as bullying tactics and if so will not be tolerated.
6. Procedures for resolution

6.1 Informal resolution

6.1.1 The University encourages employees, where appropriate, to deal with inappropriate behaviour informally as this is often the quickest and most effective method of dealing with harassment or bullying.

6.1.2 The individual whose behaviour is challenged should be given the opportunity to understand the effects of their actions and change their behaviour. Options to consider include an informal discussion, a written letter, or the solicited intervention of a trade union representative or colleague prepared to take the matter up on the complainer’s behalf.

6.1.3 In all cases, the conversation should:

- Inform the individual what behaviour and/or actions are found unwelcome or offensive;
- Request that the behaviour stops with immediate effect;
- Ensure the individual is aware of the Dignity and Respect at Work policy, and how the complaint will be progressed if behaviours continue;
- Conclude with a written record of the meeting, which can be shared with HR if further action is required.

6.2 Formal resolution

6.2.1 If the problem has not been resolved by informal means, or the employee feels it cannot be resolved through informal means, then they may submit a formal complaint in line with the University’s Grievance policy (Full details of the process are documented in section 6 of the Grievance policy).

6.2.2 A formal complaint must be made within three months from the date of the first instance or attempted informal resolution.

6.2.3 If a formal grievance is submitted, HR will acknowledge in writing within 3 working days. Once an investigation is complete (if appropriate), the grievance hearing will be held within 10 working days. After the hearing has concluded, the employee will be advised whether the grievance has been upheld or rejected.

7. Confidentiality

7.1 The University aims to keep information confidential to the maximum extent possible. There will however be information that is required to be shared. For instance:

- The complainant’s identity and the nature of the allegations must be revealed to the person causing the offence so they can appropriately respond to the allegations;
- Some details may have to be provided to potential witnesses. However, the importance of confidentiality will be emphasised to all witnesses and, if breached, may result in disciplinary action;
- Line managers may need to be provided with information if, for instance, individuals are recommended to move departments/roles as part of the outcome into the grievance.

8. Mediation

8.1 Mediation is an important consideration for resolving issues at an early stage. It is a voluntary process where an impartial third party enables two or more people to work through conflict or disagreement, with a view to improving their working relationship.

8.2 Sometimes certain behaviours can be perceived as discrimination, harassment or bullying, when that is not how they were intended. Mediation can be a good way to help see the other person’s perspective and help the other side see how their behaviour is affecting their colleagues.
8.3 If both parties are willing to co-operate, this may be a recommended option for both informal and formal approaches. The decision on whether to offer mediation will be made by the University, taking into account the likelihood of resolution through other options, and all the circumstances of the case.

9. Reporting concerns to the Police

9.1 Where harassment constitutes a criminal offence such as physical or sexual assault and/or an immediate threat to safety, the employee should report the matter to the Police as soon as possible. The employee must also inform HR in order that appropriate support is provided.

10. Support

10.1 The University recognises that matters relating to bullying or harassment will be difficult for all parties concerned, and is committed to providing support and assistance for employees in these circumstances. Appendix B provides a list of support contacts available to employees.

11. Monitoring

11.1 The University will monitor and review its performance on promoting dignity and respect through feedback from the annual staff survey, volume of complaints received and the effectiveness of this policy and associated procedures on an ongoing basis.