

Dignity at Work and Study Policy and Process

1. Purpose

- 1.1. The University of East London (UEL) Equality and Diversity Policy states that UEL: *“plays a pivotal role in the progression, development and success of its students and staff. As an institution it enables students and staff to apply their knowledge and skills in ways that contribute significantly to both local and global communities. In order for this to happen UEL aims to provide staff and students with wholly inclusive working and learning environments. Equality of opportunity, diversity and inclusion are terms that represent the values of UEL and underpin all that it aims to achieve.”*
- 1.2. In order to provide an outstanding working and learning experience the University aims to establish an inclusive culture free from discrimination and based upon the values of dignity and respect. The University recognises the right of every person to be treated in accordance with these values.
- 1.3. All members of our University community have a responsibility to create an environment which is free from harassment, bullying, unlawful discrimination and victimisation. This policy promotes the respectful treatment of staff, students and visitors within the University and the protection of employees and students from bullying and harassment at work.
- 1.4. The purpose of this policy is to outline:
 - Who is covered by the policy;
 - Definitions of conduct and behaviour that fall within the scope of this policy;
 - How to raise any concerns of conduct or behaviour that contravene this policy;
 - Where to find additional related guidance and policies;
 - A fair and consistent framework for addressing issues related to harassment and bullying.

2. Scope

- 2.1. This Policy applies to UEL staff and students in the context of their University work or study, or which otherwise affects the working, learning or social environment of the University and/or its reputation.
- 2.2. This can include the way in which staff and students behave towards colleagues and peers outside University premises on University-related social occasions, and online through social media networks.
- 2.3. It can also cover conduct of people who are not members of the University (such as applicants, contractors, and other members of the public who visit University sites or use University services).
- 2.4. The University will require external consultants, contractors and speakers to comply with this policy and will also be a requirement of all of our procurement processes.
- 2.5. This Policy should be read in conjunction with other UEL Policies, Procedures and Guidance documents such as:
 - Equality and Diversity Policy
 - Staff Disciplinary and Grievance Procedures
 - Fitness to Study Policy

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- Student Regulations Framework
- Student Disciplinary Procedures (part 12 of the Student Code of Conduct)
- Student Charter
- Sports Code of Conduct

- 2.6 Staff and students who are required to undertake work placements or secondments outside the University as part of their employment or study, and those holding honorary contracts to work outside the University, should read this policy in conjunction with the Dignity at Work, Harassment or Bullying policies of the employer/organisation with which they are placed.
- 2.7 If a member of staff or student suffers harassment, bullying or other unacceptable treatment while working outside the University, for example during a work placement, secondment or consultancy, this should be brought to the attention of the University line manager or tutor as well as to the supervising manager at the external organisation.
- 2.8 Staff and students will have access to the same support arrangements as if the treatment had occurred on University premises, such as, Student Support Services and advice for staff from HR Services /the Equality & Diversity Manager. In this case, it is likely that the policies and procedures of the external organisation will apply but the University will support its staff and students in whatever way is considered appropriate.
- 2.9 If a student suffers harassment/discrimination in the local community the University will provide advice to the student on how to take their complaint forward via Student Support Services.

3. Policy Statement

- 3.1. UEL is committed to fostering a positive working and learning environment where all staff, students, visitors, general public and contractors are treated fairly, with dignity, courtesy, respect and consideration. All staff have a responsibility to create an environment that is free from harassment, bullying, unlawful discrimination and victimisation.
- 3.2. We are committed to supporting a positive culture and environment through the provision of:
- A wide range of training for staff & students to provide a better understanding of dignity in the workplace and learning environment;
 - Clear guidance on appropriate behaviours and conduct to support a positive culture of dignity at work and study;
 - Appropriate mechanisms to address concerns about behaviour which may breach this Policy.
- 3.3 Any concerns can and should be raised in line with this policy and the appropriate grievance or disciplinary procedures. This policy is equally applicable to behaviour which the individual feels is unwanted or unfair, even if they do not wish to consider it bullying and/or harassment.

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- 3.4 Initial remedial action will, wherever possible, focus on enabling working relationships to continue in a positive and acceptable environment. All allegations will be taken seriously and action taken will be appropriate to the circumstance.
- 3.5 In cases where allegations of bullying or harassing behaviour or conduct are substantiated it may be appropriate to consider these under the relevant disciplinary processes. Disciplinary action may also be taken forward if a complaint is found to have been submitted maliciously or in bad faith.

4 Definitions

- 4.1 Harassment is unwanted behaviour or conduct which is related to a legally protected characteristic defined in the Equality Act 2010. It has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It may be against an individual by an individual or involve groups of people. Whether it is deliberate or unintentional, the salient point is that the individual feels it is unwelcome, unwanted and it is unreciprocated.
- 4.2 Protected characteristics are legally defined as age, sex, race including national or ethnic origin, disability, religion or belief, sexual orientation, gender reassignment, marriage and civil partnership, and pregnancy and maternity. The complainant does not necessarily have to possess the characteristic, nor does the complaint have to be related to behaviour or conduct directed at them e.g. a student or member of staff can make a complaint about the treatment of another colleague or student.
- 4.3 Harassment by perception is where the conduct or behaviour is based on the perception that an individual has a protected characteristic, and Harassment by association is where an individual is treated less favourably because of their association with another individual who has a protected characteristic.
- 4.4 Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Examples of bullying may include:
- Abuse of power or authority;
 - Verbal, written and/or physical intimidation e.g. threats, derisory remarks;
 - Persistent unjustified criticism;
 - Public humiliation;
 - The setting of unrealistic deadlines or intolerable workload burdens;
 - Having responsibilities or decision-making powers withdrawn without good reason or explanation;
 - Unwarranted exclusions;
 - Academic Bullying is a particular form of behaviour that the University must guard against, and includes asserting a position of intellectual superiority in an aggressive, abusive or offensive manner or making threats of academic failure.
- 4.5 Vigorous speech and comment, academic debate and legitimate management of the performance of staff can be distinguished from bullying behaviour. However, care should be taken to ensure that neither staff nor students are made to feel intimidated.

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- 4.6 Victimization occurs where an individual is subjected to detrimental conduct or behaviour because the person has raised a complaint of discrimination, or because the person has supported another person in raising a complaint of discrimination. This may involve groups of people.
- 4.7 The Student/Teacher Relationship is one of special trust. Teaching staff are required to recognise their professional and ethical responsibilities to protect the interests of students, to respect the trust involved in the staff/student relationship and to accept the obligations inherent in that responsibility.
- 4.8 The protection of young people, under the age of 18, and vulnerable adults is governed under the Safeguarding Vulnerable Groups Act 2006. All members of the University have a duty to raise concerns about behaviour that may be harmful to young people and vulnerable adults.
- 4.9 Third party harassment concerns unwanted conduct relating to a protected characteristic from people who are not directly employed by the University. This may include people who are visiting the University, contracted staff, visiting students or conference guests.
- 4.10 For further guidance and definitions of terms please view our Equality and Diversity Policy

5 Social Networking Sites

- 5.1 Special care should be taken by staff and students to behave appropriately on social networking sites, and not to participate in behaviour that may be construed as harassment or bullying (or any other inappropriate behaviour) under the Dignity at Work and Study Policy.

6 Responsibilities

- 6.1 UEL's Vice-Chancellor has responsibility to ensure that the policy is applied effectively and will devolve authority for the application of the policy, and any supporting guidance, to the Deputy/Pro-Vice Chancellors, Deans, and Directors/Heads of Subject and Heads of Professional Services.
- 6.2 It is the responsibility of all persons in authority (including Deans, heads of Professional Services, managers, supervisors, lecturers and all staff working directly with students or members of the public) to:
- ensure that this Policy is implemented effectively and effort is made to ensure that all staff and students are aware of this policy
 - be alert to potential problems and act promptly without unnecessarily waiting for a complaint, by directly challenging behaviour when it is observed and promoting an inclusive working and study culture
 - treat informal and formal complaints seriously, with sensitivity to the feelings and perceptions of all those involved, and in a timely fashion
 - deal with any issues raised fairly and in line with duties of care to staff and students

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- take steps to ensure that staff and students are not victimised for making, or supporting, a complaint

6.3 It is the responsibility of all UEL staff and students to:

- behave in accordance with this policy
- take requests to cease or amend behaviour seriously and respond to them courteously
- not participate in, encourage or condone the harassment, bullying or victimisation of others
- promote an inclusive culture in which colleagues or peers are not subjected to harassment, bullying or victimisation by challenging these forms of behaviour, or reporting situations in which they occur to the line manager or supervisor of the person involved, a tutor, or student support.

7 Examples of behaviour

7.1 All staff and students should demonstrate professional behaviour and foster an inclusive University culture which encourages positive, supportive and open interactions. All University staff play a critical role in demonstrating appropriate behaviour and setting the expectations they have of students' colleagues and visitors.

7.2 The following is an indicative list of positive and negative behaviours provided for guidance purposes only.

7.2.1 Positive behaviours which can work with the principles of dignity at work and study include:

- Clear and open communication;
- Thinking inclusively, to promote a supportive workplace and learning culture;
- Respect and value of individual differences and contributions;
- Understanding the importance of different views and ideas in connection with individual contributions and high performance;
- Working collaboratively with each other;
- No tolerance of prejudice;
- Every individual has a responsibility to behave in ways that are not offensive to others, and to acknowledge that views and opinions held by others may differ from their own.

7.2.2 Negative behaviours which can work against the principles of dignity at work can be:

- open and obvious, for example: shouting at people, threats or physical intimidation, personal/offensive remarks, physical touching;
- hidden, disguised or not immediately apparent, for example: innuendo, excluding someone or other methods of ostracism, the telling of offensive jokes, intrusively questioning a person regarding their personal circumstances;

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- through verbal exchanges, face to face conduct, cyber or electronic exchanges including through the use of social media, or the display or circulation of material in any media which could be offensive;
- harassment or intimidation arising from current or historical conflict between people of different ethnic or religious groups;
- displaying prejudiced attitudes or behaviours, including sexism, ageism, racism, intolerance of other faith groups, homophobia including the disclosure of individual sexual orientation or gender identity status (outing someone), or the disclosure of, or intolerance of disability. Related to matters of personal intrusion, including forms of pestering, spying and stalking
- deliberate or unintentional harassment brought about by differing perceptions of attitude, culture and/or the misrepresentation of social signals. What one person believes is harassment or bullying may not seem so to another, however the underlying factor is whether the behaviour is unwanted or unwelcome in the recipient's perception.

7.3 This list is by no means exhaustive.

8 Procedures for Dealing with Harassment and Bullying

8.1 Informal Stage (Staff and Students)

8.1.1 In the first instance, you may wish to discuss your concerns with a colleague whom you trust in a relaxed and informal manner. This individual could be from your own department/school or elsewhere within one of the support services within the University. You may also wish at this stage to contact your Line Manager; an HR representative; someone from the Student Health and Wellbeing team; Occupational Health, a Trade Union Representative, a Personal Tutor, any member of Student Services or any Students' Union representative (**for Contact Details see Appendix 1**).

8.2.2 After discussion, you may decide to take further steps to address the issue. Wherever possible you are encouraged to talk to the person causing the problem, making it clear that you find their behaviour towards you unacceptable and that it is interfering with your work, study or social life. If you would find it easier to do this by letter you are advised to keep a copy.

Alternatively, you may prefer to get support from a colleague, friend or peer to help you explain your concerns and feelings to the person you feel is harassing you.

8.3.3 It is important to record the details of any relevant incidents which cause distress, particularly if you feel unable to talk to the person concerned or, if having raised the issue, the behaviour persists. This written record should include a note of the way in which the incidents cause you to change the pattern of your work, study or social life.

8.2 Formal Stage for Cases between Members of Staff

8.2.1 If the informal stage has not resolved the issues, you have the right to submit a grievance in line with UEL's Staff Grievance Policy.

8.3 Formal Stage for Cases between Students

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- 8.3.1 If informal discussions do not result in a satisfactory outcome, you may raise a formal complaint through the Student Disciplinary Regulations and Procedures (incorporating the student code of conduct)

9.4 Cases involving Staff and Students

Where a student feels that s/he has been harassed or bullied by a member of staff, the student should invoke the student-related procedure. Where a member of staff feels harassed or bullied by a student, s/he should invoke the staff-related procedure.

9 What happens if I am accused of bullying or harassment?

- 8.1 Complaints of bullying, harassment or victimisation can be difficult for all those involved, and can come as a shock to those against whom an allegation is made. It is, however, critical that all allegations of bullying or harassment are treated seriously and remedial or other action taken as appropriate to the case.
- 9.2 All parties will have an opportunity to input into any process before any outcome is established. Advice through the support networks outlined in this document is available to those who are subject to a complaint as well as those who make the complaint.
- 9.3 Further guidance on the formal and informal procedure of a disciplinary investigation can be found within the relevant disciplinary processes, which outline the steps taken during an investigation.

11. Confidentiality

- 11.1 All discussions regarding complaints under this policy will be treated confidentially, unless the safety of students or staff is at risk.
- 11.2. All individuals should recognise that to address concerns it is necessary to share some information regarding the specific complaint with the person or people against whom the complaint is made. This sharing of information will be kept strictly to those directly involved in the investigation or remedial processes and will be discussed with the person raising the complaint in the first instance. Individuals who consider that they are the subject of bullying or harassment may seek advice from a colleague or any of the sources of advice listed in **appendix 1**.

12. Monitoring and review

- 12.1. The University is committed to ensuring that no details are communicated or distributed outside of those immediately involved in the investigation or remedial process, in line with the principles around confidentiality.
- 12.2. Information will be kept anonymous and collated on an annual basis in order to fulfil UEL's obligations for monitoring and reporting. High level complaint information will be used to support the identification of inequalities and improvement of University practice as appropriate. This information is likely to include number and type of cases, level of action, and outcome, and will be reported annually to the Equality and

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Diversity Committee and published as part of the UEL's annual equality and diversity reporting commitment.

- 12.3 This policy will be reviewed by the Equality and Diversity lead at least every three years to ensure it remains compliant with any employment legislation revisions and good employment practice. Consultation on any changes will be held our Trade Unions, Students Union and other stakeholders.

13. Additional advice on cases of serious assault and rape

- 13.1 All forms of assault, including sexual and racial assault, female and male rape, and assaults within relationships, are serious and traumatic crimes. If you have been attacked, please seek help from Security who will provide immediate support.

14. Relevant Legislation

- 14.1 This Policy complies with relevant legislation including:

- The Health and Safety at Work Act 1974
- The Equality Act 2010
- Human Rights Act 1998
- Data Protection Act 1998

Policy Approved by:
Date:
Review Date:

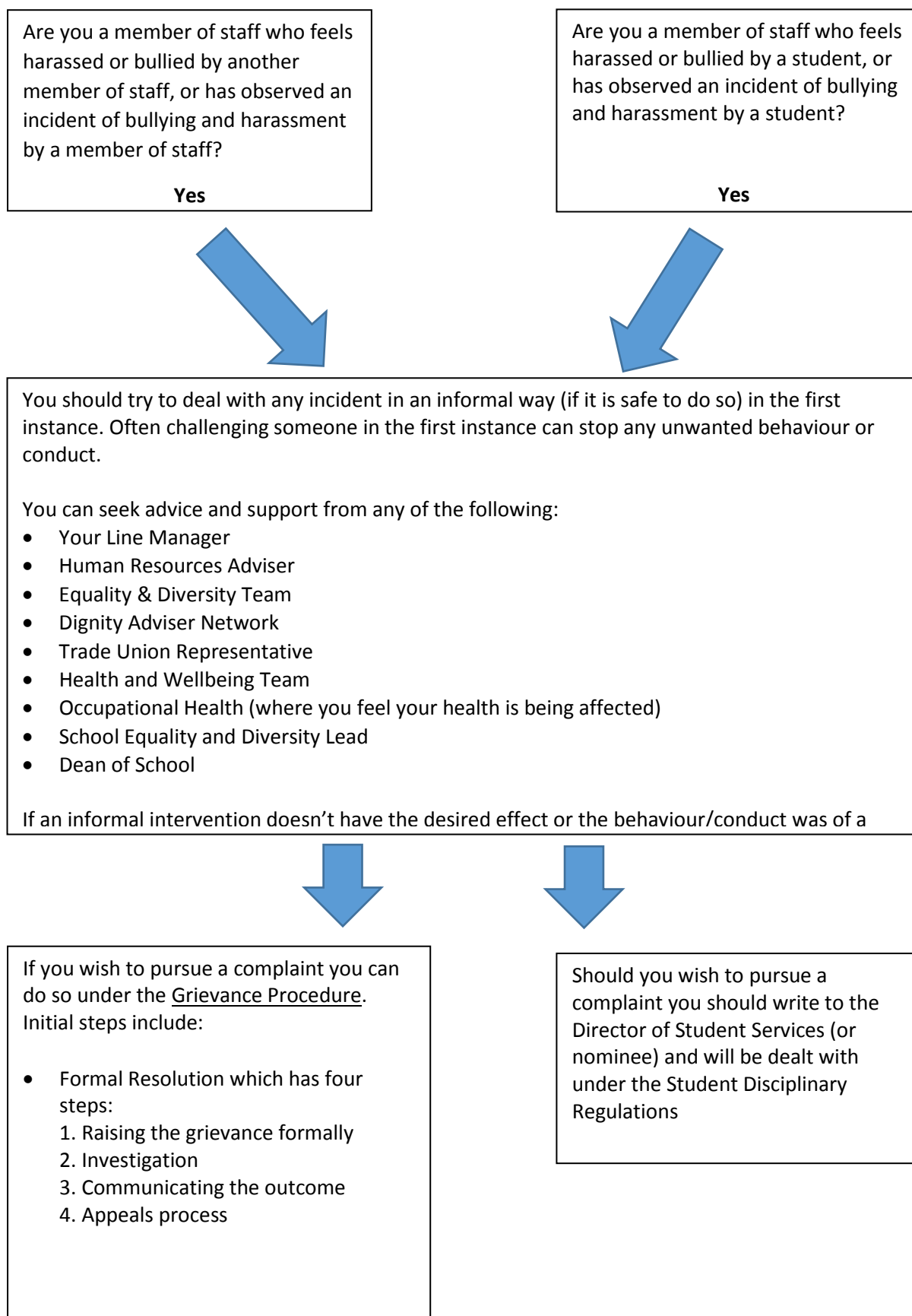
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Appendix 1 – Sources of advice and support

Support	Telephone	Web/Email Address
Security	020 8223 7771	http://www.uel.ac.uk/facilities/securityservices/
Security Docklands	020 8223 5599	secudl@uel.ac.uk
Security Stratford	020 8223 4073	secust@uel.ac.uk
University Square Stratford	020 8223 7888	reception.uss@uel.ac.uk
Equality and Diversity	020 8223 4661	equality.diversity@uel.ac.uk
Trade Unions	Unison Unite UCU	Susan5@uel-exchange.uel.ac.uk g.bhattacharyya@uel.ac.uk j.j.dickson@uel.ac.uk j.daniels2@uel.ac.uk k.j.head@uel.ac.uk p.a.duff@uel.ac.uk
Student Hubs	020 8223 4444	thehub@uel.ac.uk
HR team	Refer to website for your School/ Service HR Business Partner	https://uelac.sharepoint.com/HRServices/Pages/contact-us.aspx
Students Union	020 8223 7025	studentadvice@uel.ac.uk
Chaplaincy	TBC	TBC
Rape Crisis East London – NIA	0207 683 1210	http://www.niaendingviolence.org.uk/rapecrisis@niaendingviolence.org.uk

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Appendix 2 – Dignity at work and Study Guidance Flowchart – Staff



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Dignity at work and Study Guidance Flowchart – Students

