Dignity at Work and Study Policy and Procedure

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Titles used in this policy may be subject to change. The titles are accurate at the time of approval.

Please feel free to use the information contained within this Policy by acknowledging the University of Glasgow and/or the appropriate source.
Dignity at Work and Study Policy and Procedure

1. Introduction and statement of intent

The University of Glasgow vision is to enhance its position as one of the world’s great, broad based, research-intensive universities. The University recognises that productive employees and students are vital to achieve this. Underpinning this vision are four values – integrity, credibility, openness and success.

*Our inclusiveness embraces diversity by valuing and respecting the perspectives and contributions of all our colleagues and students.*

This is supplemented by emphasising that all colleagues and students should be treated with dignity and respect within their working and learning environment and that harassment or bullying in any form will not be tolerated by the University.

2. Scope

The behaviours in this Policy cover all members of the University community, including:

- All members of staff holding a contract of employment, and staff from other institutions on placement at, or visiting the University
- All students, including visiting and placement students
- Visitors, including external persons using the University’s premises
- Contractors working at the University
- Individuals working or acting on the University’s behalf, including suppliers of goods and services
- Employees working within the Students’ Representative Council and student unions.

The procedures relating to this Policy cover;

- All members of staff holding a contract of employment, and staff from other institutions on placement at, or visiting the University
- All students, including visiting and placement students
- Contractors working at the University (Appendix D only)

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1 [http://www.gla.ac.uk/media/media_410447_en.pdf](http://www.gla.ac.uk/media/media_410447_en.pdf)

2 All other University community members not covered below should follow the University’s Complaints Procedure should they wish to make a complaint about a University employee or refer to the Code of Practice on Unacceptable Behaviour or the Code of Student Conduct if they wish to raise a concern regarding a student.
3. Policy

The University of Glasgow is committed to fostering a working, learning and research environment where mutual respect and dignity is experienced by and between employees and students.

The University aims to promote a culture where differences are welcomed, harassment and bullying are known to be unacceptable and where allegations are dealt with in fair and timely fashion, and without fear of victimisation.

The University recognises harassment is unlawful as outlined in the Equality Act.

Harassment and bullying can have a serious detrimental effect on the health, confidence, morale and performance of those affected by it, and on the working, learning and living environment.

3.1 University responsibility

The University will ensure that:

- Staff, students, visitors and external contractors/suppliers are treated fairly irrespective of any protected characteristics as outlined in the Equality Act 2010 (see Appendix A).

- Incidents of harassment or bullying are taken seriously and dealt with promptly.

- University employees or students who report harassment or bullying are not victimised.

- It will act promptly when allegations of harassment by external parties are reported by employees or students (see Appendix D), in relation to the working or studying environment, and where reasonable.

- Employees and students are made aware of this equality policy through the University’s web pages, publications and general training, where appropriate.

- Malicious, vexatious or spurious allegations will be dealt with in the appropriate manner.3

3.2 Individual responsibility

University employees, students, contractors and visitors will ensure that they:

- Treat others with dignity and respect.

- Participate in training to support the implementation of the Policy where appropriate.

- Challenge harassing or bullying behaviour as and when appropriate.

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3 This would be through the Code of Practice on Unacceptable Behaviour, the Code of Student Conduct or staff Disciplinary Procedure.
4. Definition of harassment and bullying

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.

For practical purposes those raising a concern usually define what they mean by bullying or harassment – 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, i.e. a reasonable person in possession of the same information would regard it as harassment.

Examples of what may constitute harassment and bullying are provided in Appendix B. This is not an exhaustive list, but it provides examples of what is considered to be harassing or bullying behaviour.

5. Procedures

The University encourages individuals to solve issues informally as this is often the quickest and most effective method of dealing with harassment or bullying: the University has in place support measures to reflect this. The informal procedure for students and employees are very similar and are outlined below.

If you are a student and your allegation relates to an employee of the University or another University student, follow the student procedure.

If you are an employee and your allegation relates to a University student, follow the student procedure.

5.1 Informal procedure for Students

If a student thinks they are being subjected to harassment or bullying in any form, they may wish to consider the following course of action:

If possible the student should tell the alleged harasser that they perceive their behaviour as harassment, and that they would like them to alter this behaviour. This can be done in person, or by letter/email. It is helpful if the student has specific examples, or evidence of the unwanted behaviour, and can say why this has made them feel uncomfortable. A record of the discussion, and copies of any

correspondence, should be kept by both parties in the event that follow-up action becomes necessary.

If the student finds this too difficult they may ask for support in writing to, or accompanying them to a meeting with, the alleged harasser. This support may be provided by the Respect Advisers Network (see Appendix C), the student’s Advisor of Studies, the SRC Advice Centre, Head of Subject or School.

If the outcome of this initial informal action fails to produce a resolution, then the student should proceed to one of the formal procedures set out at section 5.2.

5.2 Formal procedures available to Students

A formal procedure should be followed where a matter remains unresolved through the informal approach, if the problem continues after an agreed resolution, or if the matter is of a more serious nature that would not be appropriate to be dealt with by informal means. Procedures are in place to allow incidents of bullying or harassment to be investigated fairly and transparently.

For students the following procedures are available:

a) University Complaints Procedure: a student can raise an allegation of harassment or bullying by a member of staff under this procedure. If a complaint of harassment by a member of staff of this University towards a student is upheld, a report can be made to Human Resources for consideration under the Disciplinary Procedure.

The Complaints Procedure states that a complaint must be made within 6 months from the date of the most recent incident, but clearly it is desirable to address matters promptly.

b) Code of Practice on Unacceptable Behaviour (Section 37 in University Calendar) and Code of Student Conduct (Section 33 in University Calendar): an allegation made by a student or a member of staff concerning harassment by a student should be referred to the Senior Senate Assessor for Student Conduct. The Senior Senate Assessor will determine whether the allegation should be addressed with reference to the Code of Practice on Unacceptable Behaviour or in accordance with the procedures set out in the Code of Student Conduct.

5.3 Informal procedure for Employees

The University encourages individuals to solve issues informally as this is often the quickest and most effective method of dealing with harassment or bullying. If an employee thinks they are being subjected to harassment or bullying in any form, they may wish to consider the following course of action:

If possible, the employee should make it clear to the alleged harasser that they perceive their behaviour as harassment, and they would like them to alter this behaviour. This can be done in person, or by letter/email. It is helpful if the employee has specific examples, or evidence of the
unwanted behaviour, and can say why this has made them feel uncomfortable. A record of the
discussion, and copies of any correspondence, should be kept by both parties in the event that follow-
up action becomes necessary.

If the employee finds this too difficult they may ask for support in writing to, or accompanying them
to a meeting with, the alleged harasser. This support may be provided by the Respect Advisers
Network (see Appendix C), their line manager/supervisor, a colleague, trade union representative.

5.4 Formal procedure for Employees

If the outcome of this initial informal action fails to produce a resolution, if the problem continues
after an agreed resolution, or if the matter is of a more serious nature that would not be appropriate
to be dealt with by informal means, then the employee may proceed to the Formal Procedure, which
is the Grievance Procedure.

Where a grievance has already been considered informally (as outlined in section 5.3 of the Dignity at
Work and Study Policy), and the employee believes it has not been resolved, a formal grievance
should be raised within 10 working days of the outcome on the informal stage.

Where, on the face of it, there appears to be evidence at the informal stage of potentially serious
harassment or bullying at this may proceed directly to the Disciplinary Procedure for appropriate
investigation.

6. Confidentiality

It is important that any claims of bullying and harassment are treated seriously and confidentially.

Appropriate confidentiality will be observed for both complainant and alleged harasser.
Confidentiality in this context relates to the details of the case and investigation. Only those who are
required to know details of the case will have access to information including the complainant and the
alleged harasser.

There may however be circumstances where there is a legal obligation to share information with
another party. For example, where a line manager or Respect Adviser learns about something that
could seriously affect the wellbeing of an individual or group; they have a duty of care to advise a HR
Manager/Adviser of Studies or Head of School/ Research Institute/Service even though it may be
against the wishes of the student/employee. Except in these exceptional circumstances confidentiality
will be maintained where at all possible.
7. Monitoring of this policy

The Equality and Diversity Strategy Committee (EDSC) will monitor the implementation and revision of this Policy.

The University will collect anonymised statistical information on complaints made by students and employees including:

- Informal monitoring of the policy by the Respect Advisers Network.

- Formal monitoring of complaints handled under the Complaints Procedure, the Code of Practice on Unacceptable Behaviour and the Code of Student Conduct by the Senate Office and

- Formal monitoring of employees’ grievances by Human Resources.

8. Relevance to other Policies

8.1 Student Policies

- Complaints Procedure
- Code of Student Conduct (Section 33 of 2016-17 University Calendar)
- Code of Practice on Unacceptable Behaviour (Section 37 of 2015–16 University Calendar)

8.2 Employee Policies/Procedures

- Grievance Procedure
- Disciplinary Procedure
- Policy for Managing Stress in the Workplace
- Guidance for employees who have been accused of harassment or bullying
- Code of Practice on Unacceptable Behaviour (Section 37 of 2016-17 University Calendar)
- Social Media Policy (link to be included once agreed)

9. Useful contacts

Respect Advisers Network
www.gla.ac.uk/services/humanresources/equalitydiversity/policy/dignityatwork/ran/

Equality and Diversity Unit
(main office is not on main campus – meetings can be arranged by appointment)
Humans Resources
6th Floor, Tay House
Glasgow G12 8QQ
Tel: 0141 330 1887
Email: equality@glasgow.ac.uk
www.gla.ac.uk/services/equalitydiversity/
9.1 For Students

The Students’ Representative Council – Advice Centre
John McIntyre Building
University Avenue
Glasgow G12 8QQ
Tel: 0141 330 5360
Email: advice@src.gla.ac.uk
www.glasgowstudent.net/advice/

Counselling and Psychological Services
67 Southpark Avenue
Glasgow G12 8LE
Tel: 0141 330 4528
Email: studentcounselling@glasgow.ac.uk
www.gla.ac.uk/services/counselling/

Senate Office
Level 6, South Front
Gilbert Scott Building
Glasgow G12 8QQ
Tel: 0141 330 6063
www.gla.ac.uk/services/senateoffice/

9.2 For Employees

Human Resources Department
(main office is not on main campus – meetings can be arrange by appointment)
Human Resources (Tay House)
University of Glasgow
Glasgow G12 8QQ
Tel: 0141 330 3898
Email: humanresources@glasgow.ac.uk
www.gla.ac.uk/services/humanresources/

Optum
Staff counselling service - external and independent service.
For more information - www.gla.ac.uk/services/health/staffcounselling/
Tel: 0800 282 193

Counselling and Psychological Services
67 Southpark Avenue
Glasgow G12 8LE
Tel: 0141 330 4528
Email: studentcounselling@glasgow.ac.uk
www.gla.ac.uk/services/counselling/
Occupational Health Unit
63 Oakfield Avenue,
Glasgow G12 8LP
Tel: 0141 330 7171
Email: ohu@admin.gla.ac.uk
www.gla.ac.uk/services/occupationalhealthunit/

University and College Union – Glasgow
UCUG Office
68 Oakfield Avenue
University of Glasgow
Glasgow, G12 8QQ
Tel & Fax: +44 (0)141 330 5375
Email: ucug@glau.ac.uk
www.gla.ac.uk/services/organisations/ucug

Unison – University of Glasgow
Unison Office
University of Glasgow
68 Oakfield Avenue
Glasgow G12 8QD
Tel & Fax: +44 (0)141 330 5570
Email: guunison@udcf.gla.ac.uk

Unite the Union – Glasgow University Group
Email: Unite@glasgow.ac.uk
10. Appendices

Appendix A: The Equality Act 2010

The Act introduced protected characteristics for which discrimination is unlawful. The protected characteristics under the Act are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief (including lack of belief)
- sex
- sexual orientation

The legislation applies to both staff and students, before, during and after the relationship with the higher education institution (HEI).

The legislation covers employment, education, the provision of goods, facilities and services, the management of premises and the exercise of public functions.

The Act places general and specific duties on public authorities.

Under the general duty\(^5\), public authorities are required to:

- promote equality of opportunity
- foster good relations between diverse groups
- eliminate discrimination, harassment and victimisation

The specific duties for Scotland came into force on 27 May 2012.

For more information on the specific duties for Scotland see www.equalityhumanrights.com/scotland/public-sector-equality-duty/non-statutory-guidance-for-scottish-public-authorities/

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\(^5\) Applies to all protected characteristics other than marriage/ civil partnership.
Appendix B: Definitions of bullying and harassment

Bullying and harassment are defined by 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.

Examples of harassing or bullying behaviour could include:

- spreading malicious rumours, or insulting someone (particularly on the grounds of age, race, sex, disability, gender identity, sexual orientation and religion or belief)
- copying information which is critical about someone to others who do not need to know
- racist jokes and ridiculing relating to cultural differences
- ridiculing or demeaning someone – picking on them or setting them up to fail
- abuse or harassment relating to an individuals disability, sexual orientation (e.g. homophobia/biphobia) or relating to gender reassignment/identity (e.g. transphobia), which under recent legislation changes are now considered hate crimes.
- email, text or online abuse
- exclusion or victimisation
- inciting others to harass
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours
- making threats or comments about job security without foundation
- deliberately undermining a competent employee/student by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion/progression or training opportunities
- violence
- shouting and sarcasm
- constant destructive criticism
- ignoring, patronising and ostracising
- setting a person up for failure with impossible workloads and deadlines.

Bullying or harassment do not need to take place face to face, but can happen within written correspondence, on the telephone and through visual images.
Types of discrimination

Since the implementation of the Equality Act 2010, the types of discrimination have been extended from direct, indirect, harassment and victimisation to also include associative and perceived discrimination. Definitions are supplied below:

- **Associative discrimination** – This is direct discrimination and happens where someone is treated less favourably because they associate with another person who possesses a protected characteristic.

- **Perceived discrimination** – This is direct discrimination and happens where someone is treated less favourably because they are perceived to have a particular protected characteristic. So it still applies even if that person does not have the protected characteristic.
Appendix C - Harassment Volunteer Network

The University has a volunteer network of employees who support staff and students who think they may be experiencing bullying or harassment.

The contact details for the HVN is available here - www.gla.ac.uk/services/humanresources/equalitydiversity/policy/dignityatwork/hvn/contact/

The University has a duty of care for students, staff and visitors and is committed to maintaining a professional working, learning and social environment that is free from any form of bullying & harassment. Volunteer Harassment Advisers play a vital role in promoting this environment by being a useful support contact person for staff and students who have an issue with bullying or harassment.

Volunteer Harassment Advisers are provided with training which covers the law in relation to discrimination, harassment and bullying, the University's Dignity at Work and Study Policy and their role.

The University recognises and appreciates the value of the contribution of this role and reasonable time off normal duties to fulfil this function will be given.

The role is voluntary and there is no remuneration for these duties, however it is expected the role will be recognized within the advisers Performance and Development Review.

Purpose of the role is

- To raise awareness of the University’s Dignity at Work and Study Policy.
- To provide a confidential, as appropriate, listening service for staff and students who think they may be being bullied or harassed.
- To facilitate informal resolution in cases of harassment in line with the University’s Dignity at Work and Study Policy.
- To advise on the role of Volunteer Harassment Adviser and provide guidance, assistance and advice on the courses of action available.
- To identify, and refer, serious allegations to the appropriate University authority.

Purpose of the role is NOT

- To undertake any investigations.
- To represent or accompany individuals who choose to follow a formal procedure.
- To decide whether the behaviour / conduct of an individual(s) constitutes harassment.
- To provide counselling
Appendix D

Procedure for Complaints relating to external providers

1. Introduction

1.1 This procedure is intended to outline the process dealing with harassment or bullying complaints concerning contractors and suppliers.

1.2 The University is committed to eliminating all forms of direct, indirect, associated or perceived forms of harassments, discrimination, and victimisation of employees and students, as outlined in the Equality Act 2010.

1.3 The University as part of its daily business conducts campus infra-structure development and maintains regular contact with contractors and suppliers. Many have tendered for work and through this process are advised of information on the University Policies and Regulations, including those related equality and diversity.

1.4 The University has developed a specific Dignity at Work and Study Policy for students and employees. A network of Volunteer Harassment Advisers operates on the campus to support students and employees alleging bullying and harassment.

1.5 The University expects that contractors and suppliers will behave with dignity and respect towards students and staff. However, where allegations of bullying, harassment or discriminatory remarks are made, the University has a duty to investigate the allegation.

2. Responsibility

Students, employees, contractors and suppliers should demonstrate respect for all parties in their dealings.

Students, employees, contractors and suppliers should take responsibility for their own actions and decisions.

3. Lodging complaint

Complaints will be handled in accordance with the University’s Complaints Procedure. It is therefore important that the complainant seeks to note the time and place of the alleged incident, and if possible note the name of the contractor. Please note for the purposes of this procedure the Students’ Representative Council and student unions are not considered contractors.

4. Dealing with complaint(s)

4.1 The University will inform the appropriate contractor and/ or supplier about the complaint received.
4.2 The University will investigate the matter in accordance with the Complaints Procedure (see section 5).

4.3 The complainant and the alleged harasser will receive a decision in writing from the University as soon as the investigation is complete.

4.4 Where a serious incident takes place (for example physical assault) then the matter may be referred to the police after seeking advice from the University Security Service. The University may invoke its right to suspend work until the contractor and/ or supplier can provide evidence that possible precautionary actions have taken place to prevent harm and violation to the University community (staff and students).

5. Procedure

5.1 The University will take action which may:

- require an investigation
- resolve the matter without the need for investigation
- require urgent action being taken before any investigation is conducted.

5.2 The individual should be prepared to provide the following information:

- a description of what happened
- the date and place of the occurrence
- the people involved
- relevant documents (notes, signs, letters) or names of witnesses.

5.3 Possible outcomes include the decision to:

- take no further action, because the complaint is not founded, or there is insufficient evidence
- uphold the complaint and inform the contractor and/ or supplier about the outcome
- work with the contractor and/ or supplier to remove the offending worker(s)
- ensure that the contractor and/ or supplier provides evidence of appropriate training and policy put in place as a result to prevent repeat of such behaviour
- invoke the University’s formal disciplinary procedure against the complainant if the complaint is found to be vexatious or malicious
- terminate the contract where gross misconduct/ negligence is proven.