

Dignity and Respect Policy

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Statement from Vice-Chancellor

I am delighted to introduce the Dignity and Respect Policy for the University of Bradford. In our mission of 'Celebrating Diversity and Confronting Inequality' we commit as an institution to treat all of our staff, students and visitors with dignity and respect. Everyone who works, studies or comes into contact with the University ought to feel valued, treated fairly, and respected and I hope that the values of the University, coupled with the policies and procedures that are at the heart of this policy document, provide a strong and secure framework determining how we deal with each other.

I do hope that this Dignity and Respect Policy provides both a statement of how we should behave, together with a practical and clear indication of what people should do if they feel they have been treated badly. As an institution I do hope that we can continue to reflect on both our strengths and our shortcomings so that the diversity which is at the heart of our institution becomes a real source of both pride and strength.

1. Purpose of the Policy

The University of Bradford is committed to promoting a work and study environment which provides the support and ongoing well-being of staff and students. The Policy is based on the principles of sound people management and ethical behaviour and underpins the University's values to nurturing a learning and working environment based upon self respect, tolerance and support.

The Dignity and Respect Policy applies to the broad University community which includes all staff, students, applicants, lay members, agency workers, contractors, sub-contractors and visitors. This includes members of organisations, groups or businesses that make use of the University's facilities. All staff, students and others coming into contact with the University are expected to comply with the requirements of this policy.

Managers need to implement and actively promote the Dignity and Respect Policy in ensuring that staff and students behave ethically and professionally. All staff and students must clearly understand the requirements and responsibilities to treat each other with dignity and respect.

The Dignity and Respect Policy enables managers to act in response to a situation that violates a person's dignity, outlines the support available to all the people concerned (this includes the complainant and the person alleged to have breached the policy) and explains the University response to complaints. All staff, students and others coming into contact with the University have a personal and legal responsibility to comply with this policy on University premises or in other locations in relation to University business, for example student placements or fieldwork. Deans, Directors and Managers have a responsibility to ensure that complaints are investigated in accordance with the appropriate complaints procedure and to ensure that all staff and students are made aware of this policy.

2. Aims of the Dignity and Respect Policy

- Ensure all individuals are treated with dignity and respect;
- Support a learning and working environment based on principles of self respect and tolerance;
- Promote good relations to the benefit of all;
- Respect and value difference and differing views;
- Facilitate a culture whereby people feel confident to believe appropriate action will be taken.

3. Breach of Dignity and Respect Policy

The University will not condone any form of inappropriate behaviour that is deemed as offensive as illustrated in the examples below. The legal framework which sets out a person's protected rights is included in this Policy. The complainant is strongly encouraged not to suffer in silence as the University will investigate allegations made in breach of this Policy. Any reported incident will be taken seriously by the University and be investigated. If upheld appropriate action will follow when any individual:

- Experiences unreasonable or unacceptable behaviour/s;
- The behaviour occurs on University premises or in relation to University activities;
- Reports observing a breach of policy or reports on behalf of an individual experiencing unacceptable behaviour;
- Engages in conduct or activities which is contrary to the University's Dignity and Respect Policy or which is likely to bring the University into disrepute.

The expected outcome of any complaint upheld under the University's Dignity and Respect Policy is that people against whom complaints are made will change their behaviour to remove the cause of the unacceptable or unreasonable behaviour. A breach of the University's Dignity and Respect Policy may lead to disciplinary proceedings for staff and students.

4. The Legal Position – Your Protected Rights

The University has a responsibility to advance an organisational culture that supports wellbeing and provides a healthy and safe working environment that is free from unreasonable or unacceptable behaviour/s in accordance with the following protected rights:

- gender
- gender identity
- pregnancy
- race
- disability
- sexual orientation
- religious belief
- age

This policy is part of the University's Equality and Diversity Policy Framework which is available on the internet at: <http://www.brad.ac.uk/admin/equalopp/policies/>.

The legal framework for the protected rights are The Sex Discrimination Act 1975 (as amended by the Equality Act 2006) gives protection against discrimination and victimisation on the grounds of sex, marriage or because someone intends to undergo, is undergoing or has undergone gender re-assignment. The current legal framework can be accessed through the Equality for Human Rights (ECHR) at: <http://www.equalityhumanrights.com/your-rights/>.

The Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000) gives protection against discrimination and victimisation on the grounds of colour and nationality. The Regulations that amended the Act (Race Regulations 2003) also give a stand alone right to protection from harassment on the grounds of race, ethnic or national origin.

The Disability Discrimination Act 1995 gives protection against discrimination and victimisation.

The Employment Equality (Sexual Orientation) Regulation 2003 gives protection against discrimination and harassment on the grounds of sexual orientation (orientation is defined as 'same sex'-lesbian/gay - 'opposite sex' - heterosexual -'both sexes' – bisexual).

The Employment Equality (Religion or Belief) Regulations 2003 gives protection against discrimination and harassment on the grounds of religion or belief.

The Employment Equality (Age) Regulations 2006 gives protection against discrimination and harassment on the grounds of age.

Health and Safety at Work Act 1974 – Harassment is recognised as a serious health hazard because of the stress it can cause.

A streamlined equality legislation framework will be contained within a Single Equality Act (expected to come into force in autumn 2010). Updates will be available on the internet at: <http://www.brad.ac.uk/equality/>.

5. What is Bullying, Harassment and Victimisation

Behaviour may be regarded as harassment or bullying if, having regard to all the circumstances, including in particular the perception of the person who is the subject of the harassment, it could reasonably be constructed as harassment and bullying. This includes behaviour which is directed towards a person or which is an indirect consequence of actions resulting in bullying, harassment or victimisation as defined below.

5.1 Bullying

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 (as defined by ACAS). Workplace bullying includes unfair or unjustified behaviour, decisions or assessments. It can range from extreme forms of bullying and intimidation to less

obvious actions. Whatever form it takes, it is unwarranted and unwelcome to the individual; for example:

- Demeaning, ridiculing or deliberately ignoring someone at work, or study;
- Shouting or swearing, or anti-social behaviour towards people or use of offensive language in public and/or private;
- Undermining a person by inappropriate comment or action outside University policy;
- Unreasonably excluding a person or a group of people;
- Persecution through threats and instilling fear;
- Spreading malicious rumours;
- Constantly undervaluing effort or contribution;
- Failing to appropriately respond to complaints;
- Spontaneous rages, often over trivial matters;
- Withholding information or deliberately supplying incorrect information;
- Deliberately sabotaging or impeding work performance or study;
- Imposing unreasonable targets and/or demands;
- Failing to consult appropriately before implementing decisions;
- Unreasonably refusing requests for holidays, training and development or opportunities for promotion;
- Inappropriate use of power between colleagues; between staff and students; between students;
- Unwanted sexual advances or physical contact.

5.2 Harassment

Harassment in general terms occurs where, on grounds of race, ethnic or national origin, sex, disability, sexual orientation, religion or belief, or age a person is subjected to unwanted conduct which has the purpose (intentionally) or effect (unintentionally) of:

(i) violating that person's dignity; or

(ii) creating an intimidating, hostile, degrading, humiliating or offensive environment to the recipient. (as defined by ACAS).

This includes any unwanted conduct, incident or behaviour which is perceived by the complainant or any other person to be motivated by prejudice, or which results in discrimination and is based on sex (including gender reassignment), race, ethnic origin or national origin, age, disability, sexual orientation, religion or belief, or other personal characteristics. The following are examples of behaviours or actions covered by this policy which if proven may be construed as harassment, whether they are persistent or an isolated incident:

- Verbal and written forms of harassment through crude language, offensive jokes, expression of racist/sexist or similarly offensive views, pranks, uneducated stereotyping, suggestive remarks, innuendoes, lewd comments, wolf-whistles, gossip, offensive letters, offensive songs and various forms of offensive, threatening or demeaning electronic/mobile communications;

- Physical contact ranging from unnecessary touching, patting, pinching or brushing against another employee's body through to assault and physical coercion, rape or violence;
- Display of offensive posters or pornographic material, obscene gestures, graffiti and offensive objects;
- Coercion ranging from pressure for sexual favours to pressure to participating in political, religious or trade union groups etc;
- Intrusion by leering, following, pestering, spying or stalking;
- Harassment by means of email, graffiti, letters, texting or inappropriate use of social networking sites including anonymous incidents.

This is not an exhaustive list of the different types of bullying and harassment that can occur, as bullying and harassment can take many forms.

5.3 Victimisation

Staff, students and visitors to the University should not be treated less favourably as a result of raising a matter of concern or for providing evidence in a case of alleged harassment. If a person raises a protected right with the University and then believes they are penalised or treated unfavourably in any way, that person can claim to have been victimised.

Once a complaint of harassment and bullying has been made, any form of victimisation resulting from the complaint will be taken seriously by the University and can itself lead to disciplinary action.

6. Dealing with harassment, bullying or victimisation incident

The Dignity and Respect Process in Appendix 1 demonstrates the process in responding to incidents.

Complainants are asked to complete a monitoring form as part of the collection of information by the University. The information collected will be used to monitor the effectiveness of the Policy.

6.1 Direct Action

In the first instance, an individual is encouraged, where appropriate, to attempt to resolve the matter through direct action by informally approaching the person concerned and informing the person that their behaviour is unacceptable and that they want the behaviour to stop.

In many cases the individual's manager/personal tutor or a representative of student services will be the first point of contact and support for direct action. There are additional support services available including Trade Union representatives.

Where:

- an individual is unable or unwilling to take direct action
- direct action has been unsuccessful

- direct action is not appropriate
- a resolution can be sought through seeking support by contacting one of the following:
 - Human Resources
 - Student Advisers at the University
 - Mediation Service
 - Dignity and Respect Support Contact Persons
 - Trade Unions
 - Student Union Sabbatical Officer
 - Student Union Welfare Office
 - Equality and Diversity Unit

In many cases an appropriate resolution can be achieved without a formal written complaint. Any action taken will be discussed with the complainant, who will be kept informed throughout the process.

6.2 Mediation

Mediation is a process which both parties agree to and includes an impartial third party helping disputing parties to work out an agreement. The disputants, not the mediator, decide the terms of this agreement. Mediation empowers individuals to discuss conflict or disagreement with a view to resolving the issues in a non adversarial manner. To access the University's mediation services contact the University Equality Unit: <http://www.brad.ac.uk/equality/>

If an individual is accused of breaching the policy they should familiarise themselves with this policy and access appropriate support from their Dean, Director or other appropriate Manager. (Also see section 8 below).

6.3 Anonymous or third party reporting of incidents

In cases where the harasser is not known, all reasonable steps will be taken by the University to identify the source of anonymous harassment or to identify the unknown person and take appropriate action.

6.4 Timescale

The time required to resolve with the complainant a course of action to be taken should not exceed 21 days from the date of reporting the incident.

7. How to make a formal complaint

In cases of serious complaint (or where direct action is considered inappropriate or has been unsuccessful) a formal investigation will be conducted. In these cases the complainant will be required to make a formal written complaint. The complaint should be addressed to one of the following: the Dean, Director or appropriate Manager, who will consider the complaint. The appropriate formal University procedure to be followed to resolve or conclude the complaint will be identified i.e. either the grievance procedure for staff or the students complaints procedure for students, in accordance with the respective timescales.

Grievance Procedure: <http://www.brad.ac.uk/human-resources/information-for-current-staff/terms-and-conditions-of-employment-for-all-staff/discipline-and-grievance/>.

Students Complaints Procedure: <http://www.brad.ac.uk/admin/student-engagement/complaints/>.

7.1 Malicious Complaint

Where there is a deliberate intention to deceive or mislead the investigation of a complaint or in the case of a malicious complaint this will be taken very seriously by the University and can itself lead to disciplinary action.

7.2 Confidentiality

Confidentiality is important to all the parties concerned in any complaint. The University will, as far as possible, protect a complainant's wish for confidentiality within the University's legal obligations. The information supplied by a complainant will be treated as personal and sensitive information for the purposes of data protection. The University will observe confidentiality of all parties involved as appropriate to the particular circumstances.

8. Who to contact for support

The following specialised services are available to support both complainants and individuals accused of breaching of this policy.

- Human Resources: <http://www.brad.ac.uk/human-resources/index.php>
- Student Advisers at the University: <http://www.brad.ac.uk/hub/>
- Mediation Service: <http://www.brad.ac.uk/equality/>
- Dignity and Respect Support Contact Persons:
<http://www.brad.ac.uk/admin/equalopp/policies/DignityandRespectSupportContactPersonsList2009-2010.pdf>
- Trade Unions: <http://www.brad.ac.uk/jobs/trade.pdf>
- Student Union Sabbatical Officer:
http://www.ubuonline.co.uk/content/30475/full_time_officers/
- Student Union Welfare Office:
http://www.ubuonline.co.uk/content/30645/what_we_do/
- Counselling Service: <http://www.brad.ac.uk/admin/counselling/>
- Equality and Diversity Unit: <http://www.brad.ac.uk/equality/>

9. Training

Training is integral to developing a work and study culture that encourages dignity and respect. Training builds staff and student confidence and better equips managers to understand prevention strategies. The University has developed a training and development programme to support managers and staff to appropriately respond to such incidents.

10. Monitoring

The complainant is strongly encouraged to report any complaint which falls within the definition of the Dignity and Respect Policy. This can be done anonymously on a self reporting basis where direct action is successful.

If the individual takes direct action, it may not be necessary for an individual to contact any third party. When it becomes necessary to access support, it will be necessary to monitor the incident to ensure that there is coordination between the various parties involved and that the correct procedures are followed and outcomes are achieved.

A record of reported incidents will be maintained by the Equality and Diversity Unit independently of all other personal records relating to any case or individual.

The information will be used to monitor incidents in relation to gender, race, disability, sexual orientation, religious belief and age. This information will be used by the University to equality impact assess and take measures to reduce impact.

The anonymous information gathered is information for the purposes of the Freedom of Information Act and as such is liable to disclosure as a numerical report as outlined above.

11. Review

This policy will be reviewed in May 2011.

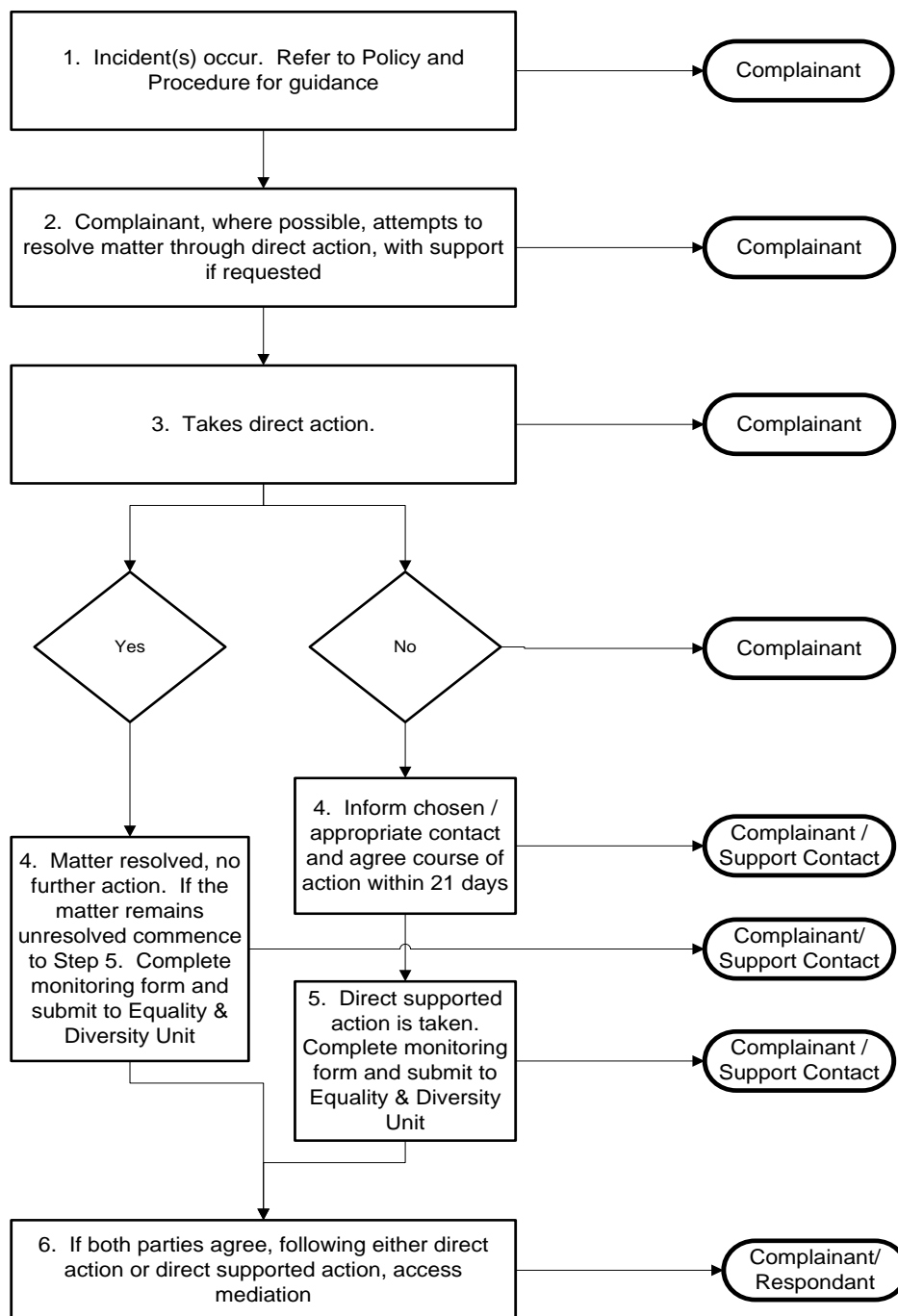
12. Useful contacts

- Dignity and Respect Support Contact Persons - details are available at: <http://www.brad.ac.uk/admin/qualopp/policies/DignityandRespectSupportContactPersonsList2009-2010.pdf>
- Security: tel. 6999
- ACAS help line: tel.08457 47 47 47
- City wide homophobic / racist helpline: tel. 0800 138 1625

Appendix 1

If you find the following Dignity and Respect Process inaccessible and require further guidance then please contact the Equality Unit.

Dignity and Respect Process



Dignity and Respect Process

