

Dignity and Respect at Work

Introduction

The University of Suffolk is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.

The University is committed to maintaining a working and learning environment that is free from harassment or bullying. Harassment and Bullying adversely affects working and social conditions for staff and students and is unacceptable. Harassment or bullying will be treated very seriously and may be grounds for disciplinary action including dismissal.

It is important to highlight that by treating dignity at work as a serious issue the following benefits are likely: higher morale and improved performance, reduced absence levels (particularly stress related), reduced turnover and better staff retention rates, improved service delivery and better industrial relations.

What is Harassment and Bullying

Harassment is unwanted conduct related to a protected characteristic*: sex, gender reassignment, race or ethnic or national origins, disability, sexual orientation, religion or belief, age or any other personal characteristic which:

(* Although Harassment does not specifically apply to pregnancy and maternity or marriage and civil partnerships these would be protected under the sex and sexual orientation characteristics.)

- has the purpose, or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, threatening or offensive environment for that person which interferes with their learning, working or social environment. Harassment can cause stress, anxiety, fear or sickness on the part of the harassed person.
- or is reasonably considered by that person to have the effect of violating his or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her, even if this effect was not intended by the person responsible for the conduct.

Bullying or harassment can be between two individuals or it may involve groups of people. It might be obvious or insidious and may be persistent or an isolated incident. It can also occur in written communications, by phone or email, not just face-to-face actions.

A single incident can be harassment if it is sufficiently serious.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Different people find different things acceptable. Everyone has the right to decide what reasonable behaviour is acceptable to him or her and to have his or her feelings respected by others.

Differences of attitude, background or culture and the misinterpretation of social signals can mean that what is perceived as harassment or bullying by one person may not seem so to

another; nevertheless, this does not make it acceptable. Such behaviour can be deemed as unacceptable if it appears or feels offensive or intimidating to the recipient and would be regarded as such by any reasonable person.

Bullying or harassment could be by students, suppliers, vendors or visitors to University of Suffolk and, in these cases, you should report any such behaviour to your manager who will take appropriate action. Bullying or harassment of students, suppliers, vendors or visitors or others will be dealt with through the disciplinary procedure.

Bullying

Bullying is offensive behaviour, which violates a person's dignity, or creates an intimidating, hostile, degrading, threatening or offensive environment or which humiliates or undermines an individual or group. It can happen in public or private.

Bullying can be carried out by an individual or a group of people. It frequently involves someone in a position of authority bullying someone who is in a more junior position.

Bullying is typically unpredictable, irrational and sometimes unseen by others.

Examples of bullying or harassment

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to) the following:

- demeaning comments about a person's appearance;
- unwelcome jokes or comments, for example of a sexual or racial nature or about an individual's age;
- questions about a person's sex life;
- unwanted nicknames
- the use of obscene gestures;
- the open display of pictures or objects with protected characteristic overtones, even if not directed at any particular person, e.g. magazines, calendars or pin-ups;
- spreading malicious rumours or insulting someone;
- picking on someone or setting him or her up to fail;
- making threats or comments about someone's job security without good reason;
- ridiculing someone;
- isolation or non-cooperation at work; and
- excluding someone from social activities
- physical conduct ranging from unwelcome touching to serious assault;
- unwelcome sexual advances;
- the offer of rewards for going along with sexual advances, e.g. promotion, access to training;
- threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment, evaluation, pay, advances, assigned work, or any other condition of employment or career development; and
- Inappropriate use of the policy

Assault and Criminal Offences

It is particularly important that in cases of assault or other criminal offence, you do the following:

If you have been attacked, you should seek help immediately. You may ask someone to assist you; you should inform Human Resources as soon as possible. You should report any attack to the Police both for your own protection and the protection of others. If you have been sexually assaulted or raped the Police, as part of their investigation, will offer you medical help as soon as possible. The University is able to investigate incidents of alleged serious misconduct and, where appropriate, institute the disciplinary procedures. However, in the event of a serious offence against you such as physical assault, indecent exposure or sexual assault the University would encourage you to report the attack/assault to the Police.

Victimisation

Victimisation is treating someone less favourably than others because he or she has, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing him or her or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because he or she has made a complaint or giving him or her worse work.

University of Suffolk will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint which you know to be untrue, or giving evidence which you know to be untrue, may lead to disciplinary action being taken against you.

Procedures for dealing with Harassment and Bullying

Informal Steps

If you feel that you are being subjected to harassment or bullying in any form by a member of staff, student or third party (not an employee or student of University of Suffolk, ie visitor, supplier), do not feel that it is your fault or that you have to tolerate the behaviour. The Institution's primary concern is that the harassment or bullying should stop and that there is support and assistance when needed.

There are various places you might wish to seek support and/or advice from (see list below) and they can advise you on a course of action suggest a way of resolving the situation or help you to obtain specialist advice.

If at all possible you should make clear to the person causing the offence that such behaviour on that person's part is unacceptable to you. Alternatively you may find it easier to make clear how you feel about the situation by writing to the person who is causing offence (in which case you should keep a copy). In some cases all these approaches may be sufficient to stop the unacceptable behaviour.

It is important to make a note of the details of any relevant incidents which distress you – particularly if you feel unable to speak to the person concerned or if, having spoken, the behaviour persists. You should include a note of ways in which the incidents cause you to change the pattern of your work or social life. If the harassment continues (or is of a more serious nature than can be dealt with by means of the above) you are strongly advised to

seek the help of Human Resources if you have not already done so. This will enable you to discuss the nature of your complaint in confidence and consider whether it may be possible to arrive at an acceptable solution on an informal basis.

Formal steps - Making a Complaint

Managers have a responsibility to prevent bullying or harassment, wherever possible. If your concerns cannot be resolved by your own efforts – (with or without the support of anybody else) to explain to the person causing offence that his or her behaviour is unacceptable to you, you should seek a confidential meeting with your line manager, or the Dean of School or any other member of management you feel able to approach (accompanied, if you wish). The purpose of the meeting will be to discuss the nature of the problem and to agree a way forward, which is likely to involve a preliminary investigation by the senior manager; overseen by Human Resources. The complaint will be addressed promptly, see attached appendix for guidance. The intention will be to arrive at a solution acceptable to all parties. It may however, lead to the initiation of disciplinary procedures. If your complaint of harassment has not been addressed to your satisfaction, you have the right to register a grievance in accordance with the grievance procedure. In these circumstances the procedure would be initiated at the next level beyond that at which the issue has already been dealt with informally.

Managers have a duty to manage and the right to do so. The legitimate management of staff should not be confused with bullying. Equally, however, those with supervisory management responsibilities must not abuse their authority and use it as a basis for bullying or other forms of genuine harassment. If you believe you are being harassed or bullied by someone who supervises or manages your work you are strongly encouraged to seek the support of Human Resources with a view to raising the issue with someone at a more senior level, or outside, the management line.

Confidentiality

As a general principle, confidentiality will be agreed and maintained wherever possible during and after any complaint of harassment or bullying. However, University of Suffolk has an obligation to protect both you and other members of the campus community and for this reason there may be situations where confidentiality has to be broken. You will, however, be advised of this before this happens.

The decision about whether to progress a complaint normally rests with you, but the Institution will have to act if it judges there to be an unacceptable risk; though will normally seek for you not to be involved unless you agree. It is important for you and the University to recognise that the alleged harasser must not be prejudged and he or she has rights – including being informed of any allegations which are to be investigated and having the chance to state his or her case. A complaint which is found to have been brought with mischievous or malicious intent may itself provide grounds for disciplinary action against the complainant.

Advice and Support

- Any member of the Human Resources Department; general number 01473 338351
- The Dean of School/Department/Directorate or area in which you work
- Local Officers of the Trade Unions: UCU, Unison & ACM
- The Chaplaincy
- Staff Counselling Facility - details can be found on the intranet or via HR.

Formal Steps – Making a Complaint Procedure

The Complaint

The complaint should be made in writing to your line manager or to another manager you feel able to approach, providing the following details: -

- When the incident(s) happened (date and time);
- Who the complaint is being made against;
- The nature of the incident and specific details;
- The names of any witnesses to the incident; and
- Any action which has already been taken.

Please note that a copy of the complaint will be provided to the person the complaint has been made against.

Next Step

Following receipt of the complaint the appropriate manager has the following options taking account of the seriousness of the allegation(s):

- An initial discussion with the complainant;
- A discussion with both parties separately, to try to agree resolution;
- A joint meeting to resolve the issues together;
- Following initial discussions with both parties, and with agreement, mediation through Human Resources to resolve the issue;
- Arrange a preliminary investigation to help decide what action to take; or
- Approach Human Resources for guidance, as necessary

It may be appropriate for several of these options to be worked through before satisfactory resolution. A copy of this policy should be provided to all parties.

Any steps will be taken without delay and within a timescale set by the manager at commencement of the process as far as is practically possible. Any meetings as set out above will normally take place within 10 working days of the complaint being received.

Possible Outcomes

Possible outcomes are:

- Commitment that action will not be repeated;
- Resolution, e.g. through mediation;
- Referral to other formal procedures i.e disciplinary (Serious cases of harassment, bullying or discrimination will be treated as gross misconduct); or
- Misunderstandings clarified and resolved.

The outcomes of the formal processes will be notified to both parties in writing by the manager.

If the complainant is dissatisfied with the outcome of the formal process, the matter should be referred to the grievance procedure.

Equality Impact Assessment – Initial Screening

1. About this assessment

Policy/Procedure Title:	Dignity and Respect at Work
Name of the manager responsible for this assessment:	Teresa Steward
Name(s) of any other people involved in this assessment:	Jo Campbell
Date of assessment:	29 October 2011
Aims and objectives of this Policy/Procedure:	To outline informal and formal procedures when dealing with related complaints. It is also to promote the university's commitment to creating an environment free from harassment and bullying.

2. Data

Identify any baseline data available about the impact of this policy/procedure in relation to equality groups (eg monitoring data, student/staff surveys).	To recommend monitoring the usage of this policy and provide statistics in the future.
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3. Impact on students, staff and the wider community

Is the Policy/Procedure likely to have negative consequences on grounds of:	Y/N	Comments
Disability	N	
Gender	N	
Race	N	
Religion/belief	N	
Sexual Orientation	N	
Age	N	

4. Opportunities for positive action

What steps have been taken to positively promote equality on grounds of:	
Disability?	Policy applies equally to all staff.
Gender?	Policy applies equally to all staff.
Race?	Policy applies equally to all staff.

5. Outcomes

As a result of this assessment, have you identified any opportunities to improve the inclusivity of this policy? If so, what are they?	No
Do you consider this policy should be the subject of a more detailed Impact Assessment?	No
What is your rationale for this outcome?	No adverse trends identified. Human Resources are involved in formal processes to ensure fairness and consistency.
Do you plan to revisit this assessment? If so, when?	Review within 3 years