

Dignity at Work and Study Policy and Procedure

Content	Page
1. Introduction and statement of intent	2
2. Scope of the Policy	2
3. The Policy	3
3.1 University Responsibilities	3
3.2 Individual Responsibilities	3
4. Definition of harassment and bullying	4
5. Procedures	4
5.1 Informal procedures for students	4
5.2 Formal procedures available for students	5
5.3 Informal procedures for employees	5
5.4 Formal procedures for employees	6
6. Confidentiality	6
7. Monitoring of this procedure	7
8. Other relevant University Policies	7
8.1 Student Policies	7
8.2 Employee Policies/Procedures	7
9. Useful contacts	8
9.1 For Students	8
9.2 For Employees	8
10. Appendices – Guidance and Further information	10
Appendix A: The Equality Act 2010	11
Appendix B: Definitions of harassment and bullying	13
Appendix C: Respect Advisers Network	13
Appendix D: Procedure for Complaints relating to external providers	14

Original Approved by	Date	Review Date	Responsible Department
Court	June 2012	3 years (or earlier if there are significant legislative changes)	Equality and Diversity Unit

Version Control

Version	Approved by	Date	
4.0	EDSC	05/03/18	3 year review undertaken

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's vision is to be a world-class, world-changing university. The University recognises that productive employees and students are vital to achieve this. Our values represent the shared motivations and beliefs which bring our community together, these values are passionate, professional and progressive. Defining our professional value, the University states:
Embracing diversity and difference and treating colleagues, students, visitors and others with respect.

This value emphasises to our community everyone 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 procedures¹ 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, online and distance learners
- Contractors working at the University (Appendix D only)

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 we embrace diversity and difference; harassment and bullying are known to be unacceptable; allegations are dealt with in fair and timely fashion, without fear of victimisation.

The University recognises harassment is unlawful as outlined in the Equality Act 2010.

¹ 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.

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.²

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.

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.

Examples of what may constitute harassment and bullying are provided in Section 4.1 and [Appendix B](#). These are not exhaustive lists, but provide examples of what is considered to be harassing or bullying behaviour. It should be noted that claiming something was 'banter' is not an excuse for bullying or harassing behaviour.

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

² This would be through the Code of Practice on Unacceptable Behaviour, the Code of Student Conduct or staff Disciplinary Procedure.

firm management by another.³ 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.

4.1 Code of Practice on Unacceptable Behaviour

The [Code of Practice on Unacceptable Behaviour](#) is detailed in the University Calendar, with an associated procedure, however the cross over with the Dignity at Work and Study Policy is vital. Therefore, examples from the Code of what the University considers to be unacceptable behaviour are shown below.

Aggressive/Abusive Behaviour (Section 37.3.2 of University Calendar)

Any behaviour or language (spoken or written) which causes staff or students to feel unduly concerned, afraid, threatened or abused is not acceptable. Aggressive/abusive behaviour might include any of the following:

- demeaning, abusive, indecent or offensive language or comments (including those in writing)
- unwelcome sexual advances – stalking, touching, standing too close, display of offensive materials, asking for sexual favours/coercion
- threatening behaviour or language, or actual threats, including in relation to job security, promotion or continuation
- written, verbal or physical harassment
- comments that discriminate on the basis of sex, sexual orientation, race and ethnicity, age, disability, religion and belief or other irrelevant distinction
- unsubstantiated allegations
- use of aggressive or inappropriate gestures.

Disruptive Behaviour (Section 37.3.4 of University Calendar)

Behaviour which disrupts or interferes with any academic, administrative, sporting, social or other University activity is not acceptable. This may include:

- persistently interrupting others
- behaviour which distracts others from the main activity, or disrupts the good order of the event
- engaging in antisocial behaviour.

This list is not exhaustive and other examples of what may constitute harassment and bullying are provided in [Appendix B](#).

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 support measures in place 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 procedures for **Students**.

³ <http://www.acas.org.uk/index.aspx?articleid=1864>

If you are an employee and your allegation relates to a University student, follow the procedures for **Students**.

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 to 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 Adviser of Studies, the [SRC Advice Centre](#), or 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; if the matter is of a more serious nature, which would not be appropriate to be dealt with by informal means, through Human Resources or Senate Office. 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 will be made to the relevant Head of School/Service or Director of Research Institute via 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 of [University Calendar](#)) and [Code of Student Conduct](#) (Section 33 of [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 this 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 of the informal stage.

Where, on the face of it, there appears to be evidence at the informal stage of potentially serious harassment or bullying 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 which could seriously affect the wellbeing of an individual or group, they have a duty of care to advise a Head of HR/HR Adviser/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, in consultation with Trades Unions and the SRC.

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.
- 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 [University Calendar](#)
- [Code of Practice on Unacceptable Behaviour](#) (Section 37) of [University Calendar](#)
- [Personal Relationship Policy](#)

8.2 Employee Policies/Procedures

- [Grievance Procedure](#)
- [Disciplinary Procedure](#)
- [Personal Relationship Policy](#)
- [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 [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)

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

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 arranged 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/

PAM Assist

PAM Assist is an external and independent counselling service for employees of the University.

Tel: 0800 882 4102

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: 0141 330 5375

Email: ucug@gla.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: 0141 330 5570

Email: guunison@udcf.gla.ac.uk

GMB Union – University of Glasgow

Jim Steele

GMB Convener - University of Glasgow

Email: gmbg@glasgow.ac.uk

Telephone: 0141 330 6568

Mobile: 07713465037

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 (ethnic origin, nationality and 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 duty⁴, 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/en/commission-scotland/public-sector-equality-duty-scotland

⁴ Applies to all protected characteristics other than marriage/ civil partnership.

Appendix B: Definitions of bullying and harassment and types of discrimination

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)
- unwelcome sexual advances – stalking, touching, standing too close, display of offensive materials, asking for sexual favours/coercion
- 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 individual's 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
- 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:

- **Direct discrimination** - Direct discrimination occurs where someone is treated less favourably directly because of:
 - a protected characteristic they possess – this is ordinary direct discrimination; and/or
 - a protected characteristic of someone they are associated with, such as a friend, family member or colleague – this is direct discrimination by association (see below); and/or
 - a protected characteristic they are thought to have, regardless of whether this perception by others is actually correct or not – this is direct discrimination by perception (see below).

Direct discrimination in all its forms could involve a decision not to employ someone, to dismiss them, withhold promotion or training, offer poorer terms and conditions or deny contractual benefits because of a protected characteristic.

- **Indirect discrimination** - This type of discrimination is usually less obvious than direct discrimination and can often be unintended. In law, it is where a provision, criterion or practice is applied equally to a group of employees/job applicants, but has (or will have) the effect of putting those who share a certain protected characteristic at a particular disadvantage when compared to others without the characteristic in the group, and the employer is unable to justify it.
- **Harassment** is defined as ‘unwanted conduct’ and must be related to a relevant protected characteristic or be ‘of a sexual nature’. It must also have the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
- **Victimisation** is when an employee suffers what the law terms a ‘detriment’ - something that causes disadvantage, damage, harm or loss - because of:
 - making an allegation of discrimination, and/or
 - supporting a complaint of discrimination, and/or
 - giving evidence relating to a complaint about discrimination, and/or
 - raising a grievance concerning equality or discrimination, and/or
 - doing anything else for the purposes of (or in connection with) the Equality Act 2010

Victimisation may also occur because an employee is suspected of doing one or more of these things.

- **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 - Respect Adviser 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 Respect Adviser Network (RAN) is available here - www.gla.ac.uk/myglasgow/humanresources/equalitydiversity/policy/dignityatwork/ran/

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 and harassment. Respect 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.

Respect 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 recognised within the Adviser's 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 Respect 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 or decide on the validity of a complaint.
- To decide whether the behaviour / conduct of an individual(s) constitutes harassment.
- To take action against an alleged harasser.
- To represent or accompany individuals who choose to follow a formal procedure.
- 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 infrastructure 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 Respect 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 and are independent from the University.

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.