

Dignity & Respect Policy

Policy Statement

The University of Exeter aims to create a working and learning environment that respects the dignity and rights of all staff and students and where individuals have the opportunity to realise their full potential.

The University will not tolerate any form of harassment or bullying and is committed to ensuring that staff and students can work and study without fear of harassment, bullying or victimisation, recognising its duty of care to staff, students and visitors under health and safety, equality and employment legislation.

The University regards any incident of harassment or bullying as a serious matter and will respond promptly and sensitively to all complaints. Staff and students will be encouraged to resolve concerns informally through a network of trained Dignity and Respect Advisors. Where this is not appropriate, or fails to resolve the issue and a formal complaint is received (see 'reporting bullying and harassment' below) the University will take steps to address this, and where appropriate, take disciplinary action, which could result in dismissal or expulsion from the University.

Aims of this Policy

- Promote an environment and culture in which bullying, harassment and victimisation are known to be unacceptable, and proactively work towards eliminating them by creating an inclusive culture, raising awareness within our community and where reporting routes are transparent.
- Individuals have the confidence to raise genuine concerns of bullying or harassment without fear of ridicule or reprisal and know that appropriate action will be taken [1].

Scope

The University will not tolerate any form of bullying, harassment or victimisation of its staff or students. This Policy covers bullying or harassment which occurs at work or out of the workplace, such as to conduct at work or study related events and trips abroad, social functions or on social media, including in halls of residence.

This Policy applies to the University community and relates to bullying, harassment or victimisation perpetrated by:

- a student against a student or a member of staff
- a member of staff against a student or a member of staff

'Staff' includes consultants, contractors and agency workers.

Any visitors and third-party contractors who violate the essence of this policy will be subject to appropriate sanctions, including, but not restricted to, the potential for a campus ban to be applied

Understanding Bullying and Harassment

If a member of staff or a student feels they are being treated unfairly it is important to understand whether they might be experiencing bullying, harassment or victimisation. Support can be obtained through the Dignity & Respect advisors or for staff, the Speak out Guardians and for students, Wellbeing.

Definitions

Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength or popularity and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:

- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- unwarranted criticism about someone's performance;
- spreading a false rumour about someone
- excluding someone from team meetings, a group or social events

In respect of staff, legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

Harassment

Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment or there may be a pattern of behaviour.

It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

The behaviour can amount to harassment even if the person didn't mean to cause offence, if the harassment has the effect referred to above. In deciding whether conduct shall be regarded as having the effect referred to above, the University will take into account the circumstances and whether it is reasonable for the conduct to have that effect.

Unlawful discrimination by harassment under the Equality Act 2010 is where the harassment relates to a 'protected characteristic' and may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include, for example:

- unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender, including gender identity;
- outing or threatening to out someone as gay or lesbian;

- offensive e-mails, text messages or social media content; or
- mocking, mimicking or belittling a person's disability.

This list is for illustrative purposes only and is not exhaustive.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

Victimisation

Less favourable treatment of someone because they have made, or have helped someone else make, a complaint of bullying and/or harassment.

Staff or students who raise genuine concerns (including genuine counter complaints) or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our staff or student Disciplinary Procedure.

Communication of this policy

The University undertakes to communicate this policy fully to ensure that staff and students understand their rights and responsibilities. The University will also monitor incidents of harassment and bullying and the effectiveness of this policy and procedures.

Staff and students have an important role to play in creating an environment where everyone is enabled to achieve their full potential and mutual respect is the norm where harassment is unacceptable.

In particular, Pro-Vice Chancellor and Executive Deans/Directors of Professional Services, all managers and others in positions of authority will be expected to promote a culture free from unacceptable behaviour, leading by example and identifying unacceptable behaviour when it occurs, taking prompt action to address it.

Reporting Bullying or Harassment

Where a member of staff or a student is concerned that they have witnessed or been subject to any form of harassment, bullying, intimidation or discrimination then they are encouraged to report it and to seek the help or advice. Information on reporting can be found at: <https://www.exeter.ac.uk/about/speakout/report/> including how to make a formal complaint through the staff Grievance Procedure or the Student Complaints Procedure.

Where following investigation under the HR Grievance Procedure or following an HR Grievance there is found to be evidence of bullying and harassment, then this could result in action being taken under the HR Disciplinary procedure.

Exceptional cases involving staff

In exceptional cases, where the University becomes aware of concerns of bullying or harassment in relation to staff members, the University may investigate the situation in accordance with its duty of care to ensure the safety and wellbeing of all staff and/or students who may be affected by the alleged behaviour, even if an individual decides not to make a formal complaint under the HR Grievance procedure. Where, following investigation, there is found to be evidence of bullying and harassment then this could result in action being taken under the HR Disciplinary procedure.

[1] A staff member will not be penalised for having raised a genuine grievance, even if it subsequently turns out they were mistaken. However it will be a disciplinary offence for an employee or student to raise a malicious grievance, vexatious grievance, or one which they know to be false, and/or to encourage any employee to give a misleading statement or to withhold evidence in the course of a hearing or investigation.