



Leeds Trinity
University

Protection of Dignity at Work and Study Policy

POLICY FOR THE PROTECTION OF DIGNITY AT WORK AND STUDY

1. POLICY STATEMENT

- 1.1 Leeds Trinity University aims to provide a working and learning environment which is free from harassment, including bullying and unfair discrimination. The University expects that all individuals will be treated with respect and consideration.
- 1.2 The University recognises that harassment can have a detrimental effect upon the performance, morale, confidence, health and learning of those who are affected by it. The University wishes to support and encourage a culture in which harassment is known to be unacceptable and where individuals can approach the problem without fear of ridicule or reprisal.
- 1.3 The purpose of this policy is to minimise the possibility of harassment occurring and to ensure that, if harassment does occur, adequate procedures are readily available to deal with the problem and prevent its recurrence.
- 1.4 The University regards any incident of harassment as a serious matter which could lead to disciplinary action being taken against the harasser. Disciplinary action may include dismissal or expulsion from the University.

2. DEFINITIONS OF HARASSMENT

2.1 General definition:

Harassment is unacceptable behaviour, which can range from violence and bullying to more subtle behaviour such as persistently ignoring an individual. It may subject an individual or group of individuals to unwelcome attention, intimidation, humiliation, ridicule, offence or loss of privacy. It is unwanted by the recipient(s). It is usually characterised by persistent behaviour, although a single incident may be serious enough to constitute harassment and justify a complaint.

2.2 Sexual harassment:

- 2.2.1 Sexual harassment is unwanted conduct of a sexual nature which is offensive to the recipient.
- 2.2.2 Sexual harassment often, but not always, arises between people of unequal organisational status. The University will regard the abuse of a position of authority very seriously.
- 2.2.3 The most common form of sexual harassment is of women by men, but sexual harassment of men by women or within the same sex does occur. All are equally unacceptable.
- 2.2.4 Examples of sexual harassment include the following:
 - Unnecessary and unwanted physical contact
 - Sexual innuendo and sexual expletives

- Unwelcome advances, attention, invitations or propositions
- Unwelcome or lewd references to a person's physical features, figure or dress
- Suggestive and unwelcome comments, looks, attitudes or jokes
- Sexist graffiti or the display of pornographic, degrading or indecent material
- Electronic transmission of pornographic, degrading or indecent material
- Threats of academic failure or promises of promotion/training in exchange for sexual favours
- Indecent assault or rape

2.3 **Racial harassment:**

2.3.1 Racial harassment is conduct based on race, colour, nationality or ethnicity, which is offensive to the recipient(s). It can be racial discrimination and can include hostile or offensive acts or expressions by a person or group against another person or group, or incitement to commit such an act. Racial harassment can also arise from exclusion and/or omission.

2.3.2 Examples of racial harassment include the following:

- Derogatory name-calling
- Insults or racist jokes
- Racist graffiti or the display or transmission of offensive material
- Verbal abuse or intrusive questioning about racial issues or racial origins
- Gestures or physical threats or attacks
- Deliberate exclusion from activities, social or otherwise
- Ridicule of an individual for cultural differences such as appearance, dress, diet, religion or ethnic background

2.4 **Bullying**

2.4.1 Bullying is threatening, abusive, intimidating or insulting behaviour which may be an abuse of power, position or knowledge. It can happen in public or in private and may arise from the combination of an authoritarian personal style in the bully and a lack of assertiveness and self-confidence in the person(s) being bullied. An assertive management style would in itself not constitute bullying but where assertiveness gives way to aggression it is likely to become destructive rather than constructive, and this is unacceptable to the University.

2.4.2 Examples of bullying behaviour include the following:

- Shouting
- Sarcasm
- Threatening behaviour or remarks
- Derogatory or belittling remarks regarding appearance, job performance or personal attributes
- Persistently ignoring or patronising a person/persons
- Subjecting someone to unreasonable group pressure

2.4.3 Bullying is not confined to open, derisory remarks or aggression, but can also be subtle and devious, resulting in an individual being singled out, demeaned and devalued.

2.4.4 Bullying can be carried out by an individual or a group of individuals. It frequently involves someone in a position of authority bullying someone in a more junior position. However, bullying of people in a more senior position by people in a more junior position and between people in equal positions could occur. All are equally unacceptable.

2.4.5 Vigorous speech and comment, academic debate and legitimate management of the performance of staff or students can be distinguished from bullying behaviour. However, care should be taken to ensure that neither staff nor students are made to feel intimidated.

2.5 **Other Forms of Harassment:**

2.5.1 Other forms of harassment may constitute the inappropriate introduction of comments or activities into working or learning environments concerning, for example, an individual's disability, age, socio-economic group, sexual orientation or religion.

2.5.2 Examples of these forms of harassment include the following:

- Offensive language, derogatory name-calling or 'sick' jokes
- Mockery, taunts or jibes regarding personal attributes or personal circumstances
- Unwelcome discussion of the effects of a person's disability, age, socio-economic group, sexual orientation or religion on an individual's personal life
- Homophobic remarks
- Drawing unwelcome attention to an individual's religious beliefs
- Expressing prejudicial assumptions about someone's abilities

3. **RESPONSIBILITIES**

- 3.1 All University staff and students have a responsibility for taking all reasonable steps to ensure that individuals do not suffer any form of harassment, and that they are encouraged and supported if they wish to make a legitimate complaint.
- 3.2 The University recognises that harassment, bullying and discrimination are sometimes linked to equality and diversity issues. All staff are responsible for familiarising themselves with the University's Equality and Diversity Policy.
- 3.3 Managers have a particular responsibility for taking all reasonable steps to ensure that harassment does not occur in the area of work for which they are responsible. Managers should also be responsive and supportive to any member of staff who complains about harassment, provide full and clear advice on the procedure to be adopted and ensure that there is no further problem of harassment or victimisation after the complaint has been resolved.
- 3.4 It must be recognised that those in positions of authority have both a right and a responsibility to discharge managerial duties. In so doing they may need to adopt a firm or assertive style, but they should take care not to demean, devalue or intimidate staff or students.

4. **PROCEDURES FOR DEALING WITH HARASSMENT**

Anyone who believes that he/she is the subject of harassment in any form can take the following steps:

4.1 **Informal action:**

- 4.1.1 If at all possible, those who believe they are the subject of harassment should tell the person(s) concerned that their behaviour is causing offence and ask them to stop. It may be useful to have a note of incidents including times and dates in order to be able to give examples of the behaviour that may have caused offence.
- 4.1.2 If an individual has attempted to address the issues or alternatively does not feel able to do so without support and assistance, he/she may seek confidential help and advice from any of the following:
 - His/Her Head of Department
 - An appropriate trade union representative
 - A University counsellor
 - The University Chaplain
 - A member of the Human Resources Department or, for students, the Director of Student Support or an appropriate officer of LTU executive

4.2 Formal action:

- 4.2.1 If the problem persists, or if an incident is sufficiently serious, the individual should submit a complaint in writing. The written complaint should include details of what has happened and how this is affecting the individual. Staff should address a written complaint to the Director of Human Resources, or, if the conduct of the Director of Human Resources is the subject of complaint, to the Vice Chancellor. Students should address a written complaint to the Director of Student Support, or, if the conduct of the Director of Student Support is the subject of the complaint, to the Vice Chancellor. There will normally be an initial response to the complaint within ten working days.
- 4.2.2 An investigation will be undertaken which will be appropriate to the nature of the complaint. Both parties may be accompanied at all times by a work colleague, union representative or fellow student.
- 4.2.3 When an alleged harasser has been made aware of a complaint, he/she will be given the right of reply, and will have the opportunity to consider the complaint and take advice before doing so.
- 4.2.4 In most cases the individuals concerned will be able to continue working or studying pending the outcome of the investigation. In exceptional circumstances it may be necessary for the Director of Human Resources or Director of Student Support to review these arrangements with the individuals concerned.
- 4.2.5 Where possible, and subject to third-party rights, the complainant will be notified of the outcome of the investigation.
- 4.2.6 If, at the conclusion of the investigation, it is judged that the matter is of a sufficiently serious nature as to warrant consideration of disciplinary action, then no such action will be taken without invoking the appropriate disciplinary procedure.

5. CONFIDENTIALITY

- 5.1 Wherever possible, issues of harassment will be dealt with in a confidential manner and the decision as to whether or not a complaint should be taken forward will rest with the complainant.
- 5.2 It must be recognised that there may be instances in which confidentiality cannot be maintained. In exceptional circumstances action may be taken against the wishes of a complainant in order to address an unacceptable risk. Where possible, confidentiality will not be compromised without the complainant being consulted and having the opportunity to take advice.

6. CRIMINAL OFFENCES

If a criminal offence such as harassing phone calls, physical assaults, indecent exposure or rape take place, nothing in the University's policies is intended to prevent or dissuade an individual from contacting the Police.

7. **VEXATIOUS COMPLAINTS**

Complaints of harassment are treated seriously by the University. It should therefore be noted that anyone found to be making mischievous or malicious complaints will be subject to the appropriate disciplinary procedures.