



Senate

Paper Title	Dignity at QMUL: statement on preventing harassment, bullying and hate crime, together with draft guidance for staff and guidance for students.
Outcome requested	Senate is asked to consider the Dignity at QMUL statement for approval alongside the guidance for students. The guidance for staff is for information only at this stage as the document is due to be considered by the staff unions early in 2018.
Points for Senate members to note and further information	<p>Senate considered the Dignity at QMUL statement at its meeting on 12 October 2017. Senate approved the statement, subject to its consideration and approval of the supporting guidance for staff and students.</p> <p>The guidance for students is on pages 62-63. This has been drafted by ARCS, with input from QMSU, and Senate is asked to consider this for approval in order that it can be made available to students.</p> <p>The guidance for staff is a working draft only. This document will be considered by the unions in the early part of 2018, before being subject to a final review by the Equality and Diversity Steering Group. It will be considered by Senate at its meeting in March 2018.</p>
Questions for Senate to consider	Is Senate content to approve the guidance for students independently of the staff guidance? This document could stand alone until it is linked with the wider work on Dignity at QMUL which should be launched after Senate's consideration in March 2018.
Regulatory/statutory reference points	<p>QMUL Equality Diversity and Inclusion Objectives 2016-2020</p> <p>Equality Act 2010</p> <p>Education Act (No 2) 1986</p> <p>Human Rights Act 1998</p> <p>Committee of University Chairs, <i>Higher Education Code of Governance</i></p> <p>UUK report, <i>Changing the Culture, report of the taskforce examining violence against women, harassment and hate crime affecting university students.</i></p>
Strategy and risk	<p>2.01 Student experience</p> <p>3.01 High quality staff</p> <p>8.01 Public engagement</p> <p>15.01 Security of people, data and assets</p>

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DIGNITY AT QMUL

STATEMENT ON PREVENTING HARASSMENT, BULLYING & HATE CRIME

QMUL is committed to creating an environment for work and study where staff and students are treated with dignity and respect, and where bullying and harassment are not tolerated. This statement reflects QMUL's approach to ensuring that its community is free from all forms of prejudice, discrimination, harassment and bullying.

QMUL's values shape and influence the life of our institution, guiding behaviour in all of our endeavours:

- We act with integrity and to the highest ethical standards in all that we do.
- We adhere unequivocally to our fundamental academic mission.
- We promote a strong collegial community through openness, listening and co-operation
- We are diverse and inclusive, recognizing talent and nurturing the best and brightest, regardless of background.
- We support and engage with our local community, and more widely with London, the UK and internationally.
- We foster innovation and creativity, responding to new opportunities to further our academic ambitions and our wider purpose.

In support of its values, QMUL takes a zero tolerance approach to all forms of behaviour from staff, students or visitors that might violate the dignity of others. Zero tolerance means that QMUL will never tolerate, condone or ignore bullying, harassment or hate crime of any kind. We recognise that these behaviours can take many forms, they may be carried out face-to-face or through electronic media (cyber bullying), they may be subtle or overt abuses of power. All members of QMUL have a collective responsibility to encourage a culture of dignity and respect; to treat others fairly, with courtesy and consideration; and to challenge inappropriate behaviour when it is safe to do so. Managers, tutors and supervisors have a particular responsibility to lead by example; identifying inappropriate cultures and behaviours when these occur and taking prompt action to stop or prevent them.

QMUL recognises that any form of harassment, bullying or discrimination can seriously harm working, learning and social conditions. The impact of these unwanted behaviours can be severe, leading to the loss of self-confidence and self-esteem, stress related ill health, trauma, poor work quality, reduced outputs and lower motivation.

Any allegation of harassment, sexual harassment, hate crime, bullying or victimisation will be treated seriously, regardless of the seniority of those involved, and anyone found to have behaved unacceptably may be the subject of disciplinary action up to and including dismissal (colleagues) or expulsion (students).

This statement is supported by a detailed procedures for staff ([insert link](#)) and students ([link](#)) which includes information about how to access support or guidance, or to contact a QMUL Dignity Disclosure Officer

([web link to be inserted](#))

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Dignity at QMUL Policy

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Dignity at Work

Recognising the right of all colleagues and students to be treated with dignity and respect in a safe working environment which is free from all forms of bullying, sexual harassment and harassment.

Rights and Responsibility

Everyone who has a connection with Queen Mary, has the right to be treated fairly, a responsibility to encourage a culture of dignity and respect and a responsibility to challenge inappropriate behaviour.

Queen Mary Senior Executive (QMSE) are responsible for ensuring that the behaviours detailed in Appendix 1 are unacceptable and that this is communicated and understood by all colleagues. They are also responsible for setting an example by ensuring that their own behaviour is of the highest standard and that appropriate and prompt action is taken if unacceptable or offensive behaviour is identified.

All Managers are responsible for leading by example by treating all colleagues with dignity and respect. They are responsible for ensuring that all their colleagues are aware of the behaviours expected of them and that unacceptable behaviour is challenged and corrected.

QMUL expects all members of the university to recognise their responsibilities and to:

- behave in a way that respects the rights and dignity of others
- reinforce an environment which values all people
- not cause embarrassment, harassment, alarm or distress to another colleague nor discriminate unfairly or unlawfully on any grounds;
- display courtesy and good manners in every interaction appreciating that individuals have different styles and expectations
- value differences in others and the contribution they make
- work and study within the university on a co-operative basis
- demonstrate a commitment to upholding the university's [policy on equality, diversity and inclusion](#)

Violent physical crimes and crimes of a sexual nature will never be tolerated by the university and Victims always have the option of reporting such crimes to the Police and to someone in authority in the university, e.g. Security, the Head of Residential Support (if you live on campus), Personal Tutor, Head of Department/ School, line manager.

Reasonableness

On occasion, individual perceptions of behaviour may differ - perhaps due to differences in attitude, experience or culture - and what one person would consider acceptable behaviour may be unacceptable to another. The defining factor in determining if behaviour amounts to harassment is that the behaviour is unacceptable to the recipient and could 'reasonably be considered' to amount to harassment. The intention of the person engaging in the behaviour – whether or not they meant to harass – is not a primary factor in determining if harassment has taken place.

When considering allegations of harassment, the university will therefore apply a test of 'reasonableness' to determine if harassment has taken place. That is, with due regard to the

circumstances, including in particular the perception of the Complainant, could the behaviour in question 'reasonably be considered' to cause harassment, e.g. could it reasonably be considered to:

- violate the Complainant's dignity, or
- create an intimidating, hostile, degrading, humiliating or offensive environment for them.

The university recognises harassment as distinct from vigorous academic debate, which is characterised as being respectful, encouraging a variety of viewpoints and having the effect of stimulating and encouraging thought and discussion. Whilst colleagues and students will clearly hold a range of views on a variety of issues, they are expected to treat all members of the university community with dignity and respect and ensure that the expression of their views is not manifested in such a way that creates an environment that is intimidating, hostile, degrading, humiliating or offensive to others.

Differences between Harassment / Bullying and Assertive Management

There are differences between harassment and bullying and assertive management. Harassment and bullying is always unfair and may undermine someone's efforts to perform well. Assertive management, on the other hand, may involve setting demanding – but fair and achievable – targets and standards of behaviour appropriate to someone's job, grade and level of responsibility. It is important for managers to ensure that when it is necessary to address performance concerns, give critical feedback, or take disciplinary action in relation to a colleague, it is done fairly and constructively, and the university's procedures and guidance are followed.

It is also important for colleagues and students to recognise every individual has a responsibility to understand that views and opinions held by others and decisions made by managers and supervisors may not always coincide with their own; such differences are unlikely to constitute harassment and bullying unless they are raised, or dealt with, in an unfair way

Confidentiality

Any information concerning allegations of harassment will, so far as reasonably possible, be held in confidence by those that colleagues or students choose to confide in. Unnecessary disclosure of such allegations may attract a disciplinary sanction. Information will be shared on a need –to-know basis, including as appropriate, with the individual against whom a complaint is brought. Once a formal complaint is pursued, it is likely to be appropriate and/or necessary for certain information to be provided to others within the university or to external bodies. QMUL will not normally report a matter to the police without the complainant's agreement except in those rare circumstances where there is sufficient evidence to suggest that an individual poses an extreme risk.

Monitoring

QMUL will collect information relating to staff and students experience through surveys and specific questions relating to harassment will be included where appropriate. Indications that harassment may be the underlying cause of a problem, will lead to further investigation and management action to improve the situation.

What do we mean by a zero tolerance approach?

QMUL is committed to taking action to, wherever possible, resolve disputes and conflicts early on and work in partnership with key parties across the university, including Human Resources, Occupational Health, Students Services, Academic Registry, Schools and Institutes, the Student's

Union and recognised trade unions, to develop and deliver comprehensive and evolving approaches to prevention, reporting, investigation and resolution. We will work proactively to eradicate behaviours that infringe people’s dignity. (see xx for unacceptable behaviours)

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Procedure for dealing with complaints of discrimination, harassment or bullying. Guidance for Colleagues

Responsibility

QMUL encourages colleagues to take action against harassment or bullying using the guidance set out below. No person will be treated less favourably or suffer any detriment for having raised or supported an allegation made in good faith. All colleagues are encouraged to examine their own behaviour, particularly if they are in a position of authority over other colleagues, students or third parties.

What can I do if I am experiencing an infringement of my dignity by another colleague?

If a colleague considers that they are experiencing harassment, bullying, and/or victimisation it is recommended that, where possible and appropriate those involved should attempt to resolve the situation informally in the first instance. It is, however, up to the complainant to decide how they wish to proceed.

Whichever approach is chosen, it is recommended that a written record of any incident of Harassment is made as soon as possible after an incident occurs. This should be signed, dated and kept for future reference and should include:

- Details of when and where the Harassment took place, including dates and times;
- Details of the behaviour; and
- Details of any witnesses to the behaviour

If the way you are being treated at work or in a work-related context, either by an individual or a group, causes you concern you may wish to seek advice or help in the following ways:

- Contact a colleague who has been trained to help in this type of situation. A list of colleagues trained as Dignity Disclosure Officers and Sexual Violence Officers can be found in Appendix 2
- Contact your [Assistant HR Partners](#) for advice
- Self-refer to [Occupational Health](#)
- Contact the [colleague assistance programme, Workplace Options](#)
- Speak with your line manager, or another manager in your locality
- Contact a trade union

If you opt for an informal route, this will not prejudice your right to submit a formal complaint at a later stage. QMUL recognises that it is not always appropriate to use the informal procedure e.g. a serious sexual assault.

The university will respect the particular sensitivity of harassment complaints and their consequences as well as the need for the confidentiality of records concerning allegations or complaints of harassment.

Informal Options

If you feel you have been or are being subjected to harassment or bullying by a colleague, a student, or any other party, do not feel that it is your fault or that you should have to tolerate it. Possible informal options to address your concerns include:

- make it clear to the person or persons causing the offence that their behaviour is unacceptable to you
- approach the person directly, or ask someone to do so on your behalf
- ask someone to attend a meeting with you for moral support. If you are able to explain to the person that their behaviour is offensive to you and why, this may be sufficient to resolve the problem
- write directly to the person causing the offence explaining what behaviour you are finding offensive, and how their behaviour is impacting on you. You should consider carefully the content of the letter and the context in which the message is delivered, and whether you are able to meet with the person causing the offence to discuss the issues raised. If not, you may ask for a written response
- seek support or advice from a friend, a work colleague or trade union representative
- contact a colleague who has been trained to help in this type of situation. Information about Dignity Disclosure Officers can be found at Appendix 2
- if the alleged harassment and/or bullying is occurring within a team, you may wish to speak to your team leader or other appropriate line manager.
- if the behaviour persists following an approach, or if such an approach is not possible, begin to take a note of the date and details of any relevant incidents which distress you, including a note of the impact the incidents have on you.
- It can be very difficult to approach someone you believe has been harassing or bullying you. This is understandable and this document outlines the support mechanisms that are available to help you. However, if you feel unable to approach the person concerned, it does not constitute consent to the harassment or bullying, nor will it prejudice any formal complaint you may bring.

If the offender is a third party or contractor, the Head of School/Department (or other appropriate manager) who has engaged the third party/contractor should also be informed.

Mediation

Mediation is a process of dispute resolution in which an impartial third party (the mediator) facilitates a series of private and joint meetings (if appropriate) with the parties to identify a mutually acceptable and appropriate resolution.

The mediator will help to identify what has happened by speaking confidentially to all parties, assess the best way to bring the parties together, explore the issues and build the agreement for future working relationships. No information is reported back to the university and/or line managers without the participants' permission, as mediation is viewed as confidential between the parties involved. Further advice on mediation is available at

<http://www.hr.qmul.ac.uk/procedures/policies/medn/index.html>

Making a Formal Complaint

If the issue is not resolved by an informal approach you may decide to raise the matter formally under the university's arrangements for dealing with grievances. These may be found at

<http://www.hr.qmul.ac.uk/procedures/policies/grieve/index.html>

In bringing a formal complaint of harassment/bullying, you will need to provide:

- the name of the person whose conduct you consider amounts to harassment or bullying;
- the type of conduct that is causing offence, together with specific examples if possible;

- dates and times when incidents of harassment or bullying occurred, and where they occurred;
- the names of any colleagues or other students who witnessed any incidents, or who themselves may have been the victims of harassment or bullying by the same person;
- any action that you have already taken to try to deal with the issues raised.

During the process of dealing with the grievance, the Head of School/Department (or nominated representative) should take appropriate and reasonable steps to minimise and/or supervise any contact between the relevant parties and to keep them informed of these steps at all times. The university reserves the right to suspend any colleague on normal full pay during any investigation process to protect individuals (suspension on normal full pay is not a disciplinary sanction).

Every safeguard must be made against the possibility of recrimination or victimisation, particularly in cases where a grievance is upheld. The Head of Department (or nominated representative) has a duty to monitor the longer term situation as far as possible, both with respect to day to day working relations within the department and in the wider community.

Possible Outcomes of a Complaint

- No further action may be taken where the claim(s) of harassment were not upheld. However, where there is a continuing working relationship between both parties the Head of School/Department must ensure that appropriate steps are taken to help to restore a reasonable working relationship between the parties.
- Where the allegation(s) of harassment have been upheld relevant actions in line with the university's disciplinary procedures may be implemented.

What If I Have Been Physically Attacked?

If you are physically attacked you should seek help immediately. If you have been sexually assaulted or raped it is particularly important that you should seek advice and medical assistance immediately. Any one of the suggested contacts named in these guidelines will willingly offer you support and will help you decide what you want to do. If you do consult any of these contacts, no one else will normally be involved without your permission. If there is a serious risk of harm to yourself or others information may need to be passed on, but attempts to obtain your permission for this first would always be sought. In cases of this nature you will almost certainly be the victim of a crime and you are encouraged to consider reporting the incident to the police as soon as possible. For your own protection and that of others it is important that an offender is caught.

What Happens If I Am Accused Of Harassment Or Bullying?

If you are approached informally by someone or on behalf of someone about your conduct or behaviour, do not dismiss the complaint. Remember that people find different things acceptable and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. You should carefully consider the information provided as it may be that you have upset or offended someone unintentionally. If that is the case the person who approached you may be content with your explanation and an apology, together with an assurance from you that you will not repeat the conduct or action. If accused of harassment or bullying you may wish to;

- Contact a colleague who has been trained to help in this type of situation. A list of colleagues trained as Dignity Disclosure Officers can be found in Appendix 2

- Contact your [Assistant HR Partners](#) for advice
- Self-refer to [Occupational Health](#)
- Contact the [colleague assistance programme, Workplace Options](#)
- Speak with your line manager, or another manager in your locality
- Contact a trade union

If you are approached about informal allegations in relation to your conduct or behaviour and mediation is proposed as an option then you should carefully consider this as a helpful way forward to resolve the concerns raised. Mediation will only be viable where both parties agree to mediation.

If a formal complaint is made about your behaviour this will be investigated under the university's arrangements for dealing with grievances. These may be found at <http://www.hr.qmul.ac.uk/procedures/policies/grieve/index.html>

You will have the right to be accompanied by a trade union representative or work colleague in any formal meetings you are invited to attend in relation to the allegations, to receive relevant information on the allegations, and the right to respond to the allegations.

The university will take appropriate action to ensure that anyone who believes that they are the subject of harassment or bullying does not suffer victimisation for having brought the complaint.

The university will respect the particular sensitivity of harassment complaints and their consequences as well as the need for the confidentiality of records concerning allegations or complaints of harassment.

Wherever possible, the university will try to ensure that during investigations the relevant parties are not required to work together. If the allegation is of gross misconduct, you may be suspended on full pay during the investigation and until the disciplinary proceedings have been concluded.

If a complaint is upheld, a disciplinary sanction may be imposed up to and including dismissal without notice. If the complaint is upheld, but you are not dismissed, the university could decide to transfer you to another role.

In addition or as an alternative to a disciplinary sanction, guidance or counselling may be offered to support you to understand how your behaviour affected the complainant.

What can I do if I am experiencing an infringement of my dignity by a student?

Should a colleague wish to make a complaint against a student, they should first raise the issue with their line manager so that the necessary support and guidance can be given and so that a decision can be made on whether to refer the complaint to the Student Appeals, Complaints and Conduct Unit.

What can I do if I am experiencing an infringement of my dignity by a third party?

If a colleague believes they are being harassed whilst at work or study by someone who is not employed or studying at the university but are associated with it (i.e. contractors or visitors) they should report such incidents to their Head of School/Department or a relevant manager.

Vexatious or Malicious Complaints

If at any time there is evidence that complaint have been made vexatiously or maliciously or the complaint is deemed not of genuine substance by the member of staff hearing the complaint, no further action will be taken regarding the complaint

Disciplinary action may be taken in relation to the complainant if the complaint is considered to be vexatious or malicious.

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DIGNITY AT QMUL – guidance for students

1. QMUL is dedicated to creating a safe, welcoming, inclusive and diverse community which allows its students to thrive without fear of any form of harassment or bullying. The Dignity at QMUL statement reflects the values which shape and influence the life of our institution, and describes our zero tolerance approach to all forms of behaviour from staff, students or visitors that might violate the dignity of others.

This guidance provides advice on what to do next if you have experienced harassment or bullying.

2. What does QMUL consider to be harassment or bullying?

Bullying, harassment, sexual harassment, discrimination and victimisation are contrary to the [Equality Act 2010](#) and to [QMUL's values](#) and [Dignity Statement](#). The terms harassment and bullying are often used interchangeably. Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel humiliated, undermined or threatened. Harassment occurs when someone intentionally or unintentionally violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment, which interferes with an individual's learning, working or social environment.

Harassment may involve sexual harassment or be related to a protected characteristic under the Equality Act 2010, including age, race, gender identity, disability, pregnancy or maternity, nationality, religion or belief, sex or sexual orientation. If you believe that you have suffered sexual harassment, please see [here for further information](#).

Some forms of harassment are considered to be a Hate Crime. A hate crime or incident is any act of violence or hostility towards a person or property that is motivated by hostility or prejudice towards a person due to a particular protected characteristic. [Find out more on hate crime](#).

3. What to do if you are experiencing harassment or bullying?

- If you are in immediate danger or have been seriously injured call 999
- Talk to a friend or approach someone from QMUL who can help you. This may be a Dignity and Disclosure Officer; a trusted member of academic staff from your school or institute; the Advocacy and Representation Manager of Queen Mary Students' Union; staff in the Appeals, Complaints and Conduct Office; the Head of Residential Support; staff in the Advice and Counselling team.
- It may be possible for you to address the issue informally, either by speaking to the person concerned or by writing to them. It may be that the person does not understand the impact that their behaviour is having on you and sometimes explaining that this behaviour is unwanted may be enough to stop further incidents of the behaviour.
- Keep a record of the behaviour that has taken place, including times, dates locations and details of those involved.
- QMUL recognises that not everyone will feel able to resolve the issue informally and if you choose not to follow this route, or if it proves to be ineffective, then you may wish to submit a formal complaint.

4. Mediation

QMUL offers a mediation service which may be of benefit in some types of situation, particularly those where you as a complainant and the other person (or respondent) can explore issues and concerns in a safe and confidential environment. Mediation can be used in place of the informal stage, or as an agreed action after it. It can also be used during any part of the formal complaint procedure; where this occurs, the complaints process will pause until the outcome of the mediation process is complete. [For more information on mediation see here.](#)

5. Submitting a formal complaint

5.1 If you feel that the informal procedure is not appropriate, or has not been effective, you can submit a formal complaint to the [Appeals, Complaints and Conduct Office](#) using the [Student Complaints Policy](#). In order to support your complaint you should include as much detail as possible about the issues that you wish to be considered. This should include, where possible: a description of the conduct; dates and times when the incidents occurred; specific detail of the conduct; any action that you may have undertaken to try to address the issues.

5.2 If your case relates to a complaint about another student, a Casework Officer from the Appeals, Complaints and Conduct Office will meet with you in order to discuss the issues that you have raised and will explain to you how your case will be handled. It may be that you have already provided names of those involved, or of any witnesses, and the Casework Officer may need to make further enquiries as part of the investigation. You will be kept informed of the process that will be undertaken with regard to your case and will be able to review a summary of your case before this is considered further.

5.3 Following the investigation of your complaint, it may be that a breach of the Code of Discipline has been identified. If this is the case, you will receive a formal outcome of your complaint and the incident (s) will be considered under the relevant section of the [Code of Discipline](#).

5.4 In the event that your complaint is not upheld, there may be some issues to address with regard to you as the complainant and the other person involved (the respondent). This may involve a suggestion that mediation could be considered (on a voluntary basis) or a recommendation that mechanisms are put in place to support both you and the other person in managing your relationship in the future.

5.5 If you are unhappy with the outcome of your complaint you can request a review of the outcome using [Stage 3](#) of the complaints process. If you are still concerned about the outcome after the completion of the Stage 3 process you may submit a complaint to the [Office of the Independent Adjudicator for Higher Education](#).

5.6 If your case relates to a complaint about a member of QMUL staff then it may be that your case will be considered by the [Human Resources Directorate](#). You will receive a full response to the concerns that you have raised through the Student Complaints Policy but any subsequent action in relation to the respondent (e.g. under the Human Resources Code of Practice on Discipline) will remain confidential although the details of the complaint may be used as evidence for subsequent proceedings.

5.7 The Student Complaints Policy makes it clear that any student who submits a complaint in good faith will not suffer any detriment as a result of any action taken under the Student Complaints Policy. However, QMUL may consider taking action under the Code of Student Discipline in the event that a complaint is brought in bad faith or is vexatious.

Appendix 1 Definitions

Harassment

Unwanted conduct related to a relevant protected characteristic that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating the complainant's dignity.

It may be intentional bullying which is obvious or violent, but it can also be unintentional or subtle and insidious. It may involve nicknames, teasing, name calling or other behaviour which may not be intended to be malicious but nevertheless is upsetting.

Harassment can be based on an actual or perceived protected characteristic that an individual may have under the Equality Act 2010 this includes:

- ❖ Age
- ❖ Disability
- ❖ Gender reassignment (transgender)
- ❖ Marriage & Civil partnership
- ❖ Pregnancy, Maternity and Paternity
- ❖ Race
- ❖ Religion or belief (including no belief)
- ❖ Gender (Gender Identity)
- ❖ Sexual Orientation

Harassment may not be targeted at an individual or individuals but consist of a general culture which, for instance, appears to tolerate the telling of racist or sexist jokes. A more detailed list of examples of harassment relating to protected characteristics can be found in the section headed Unacceptable Behaviours.

Bullying

Intimidation on a regular and persistent basis or as a one off, which serves to undermine the competence, effectiveness, confidence and integrity of the person on the receiving end. Bullying and harassment may be by an individual against an individual or involve groups of people.

Examples include but are not limited to:

- Psychological intimidation, humiliation, excessive and/or unreasonable criticism or fault-finding
- Preventing an individual progressing by deliberately blocking opportunities
- Unfair allocation of work and responsibilities or setting unreasonable goals or targets in work or study
- Asserting a position of intellectual superiority in an aggressive, abusive or offensive manner whether orally or in writing, publicly or in private.

Upwards Bullying

This occurs when a junior person bullies a more senior person, such as when a colleague bullies their line manager, or a student bullies a member of staff.

Examples of Upward Bullying:

- Attempting to undermine a manager in front of his/her team.
- Sabotaging initiatives or ideas.
- Disruptive behaviour such as during team meetings.
- Not passing on important messages.
- Unnecessary escalation of issues or copying of e-mails.
- Public criticism.
- Refusal to carry out legitimate requests.
- Hostile or aggressive communication style.

For the purposes of this policy, **both** bullying and harassment are used interchangeably and are not necessarily the same. They may occur in written or face to face communications, electronic communication or by phone. Whatever form it takes, it is unacceptable, unwarranted and unwelcome.

Victimisation

Victimisation is defined as treating people less favourably because of action they have taken (or are suspected to have taken) under or in connection with legislation on bullying, harassment or discrimination – for example, if someone made a formal complaint of discrimination or gave evidence in a tribunal case. Victimisation will be treated as a form of harassment under this policy.

Sexual Harassment

Sexual harassment is unwanted and/or persistent behaviour of a sexual nature (which can be verbal) which you may find offensive or which makes you feel intimidated and/or humiliated. You do not need to have previously objected to something for it to be unwanted.

Hate Crime

Hate Crime is defined as crimes committed against someone because of their disability, gender-identity, race, religion or belief, or sexual orientation.

Hate crimes can include:

- threatening behaviour
- assault
- robbery
- damage to property
- inciting others to commit hate crimes
- harassment

Hate speech is dehumanising and degrading words about or to someone with a protected characteristic. Any hate crime will be treated as a form of Harassment under this Policy and the University reserves the right to report to the Police any incident which it believes may constitute a criminal offence

Cyber Bullying and the Use of Social Networking Sites

Cyber bullying is a term used to refer to bullying through electronic media, usually via social networking sites, personal web pages, emails, twitter, text messages, personal space provided by internet providers, and internet presence including blogs such as Facebook, MySpace and Web2, and all other social media whether private, personal or public.

When using social media or posting online colleagues and students should consider the content, language and appropriateness of such communications.

The following guidance is relevant for both students and colleagues in relation to online behaviour:

- avoid using language which would be deemed to be offensive, threatening or humiliating to others in a face-to-face setting as the impact on an individual may be much the same or worse as it may not be possible to delete online information
- avoid forming or joining an online group that isolates or victimises fellow students or colleagues
- ensure that social networking sites are not used to access or share illegal content
- avoid defamatory comments in relation to colleagues, students, customers or suppliers of the university
- do not share confidential information regarding a university colleague, student, customer or supplier.

Colleagues and students are encouraged to report incidences of inappropriate on-line behaviour. If alleged cyber bullying or harassment is reported it will be dealt with in accordance with this Policy and may lead to disciplinary action in the same way as incidents that take place in a face-to-face setting.

Colleagues and students should ensure they comply with the university's Regulations governing the use of university Computing Facilities [\(add hyperlink\)](#)

Examples of Unacceptable Behaviour

The list of examples are not exhaustive but, provide an overview to assist understanding of what may be found offensive whether intentional or not.

Harassment on Grounds of Age

Ageism can affect anybody, regardless of their age. Harassment on grounds of age may include:

Non-Verbal

- Exclusion from normal work place conversation or activities
- Denying training/development/promotion opportunities due to age
- Sending emails or displaying material containing ageist content
- Making assumptions regarding an individual's inability to learn

Verbal - making patronising comments

Physical - setting unrealistic challenges

Harassment on the grounds of disability

Otherwise known as ableism, this form of harassment is based on the individual(s) having a physical or sensory impairment, learning difficulties or experiencing mental health issues. The behaviour results in the individual(s) feeling threatened or compromised.

It may include:

Non-Verbal

- Making inappropriate gestures or mimicking behaviour
- Refusing to make reasonable adjustments
- Exclusion from normal work place conversation or activities
- Holding events at inaccessible venues
- Denying training/development/promotion opportunities because of the need to act as a carer for a disabled person i.e. having a family member, partner or child with a disability
- Sending emails or displaying material containing offensive content relating to disabled people
- Making assumptions about someone's abilities based purely on their disability or perceptions about their disability

Verbal

- Making fun of an impairment
- Mimicking speech impairment
- Inappropriate personal questioning relating to disability

Physical

- Unwanted touching, groping or the invasion of personal space (getting too close)
- Inappropriate practical jokes

Harassment on the grounds of gender reassignment (To get advice from ECU re wording for this section –)

Relates to behaviour including derogatory remarks, ridicule, jokes or stereotypes of any individual's perceived or actual gender reassignment or through association with someone who has undertaken gender reassignment.

Non-Verbal

- Refusing to treat a person as their new gender once the reassignment process is complete
- Refusing access to appropriate toilets and changing facilities which reflect their acquired gender
- Exclusion from workplace conversations or activities
- Making assumption about lifestyle/interests
- Sending emails or displaying material containing offensive content
- Making assumptions based on grounds of gender identity

Verbal

- Disclosing the person's gender identity to others
- Making inappropriate comments about the person's lifestyle choice
- Intrusive personal questions relating to a person's gender identity and gender reassignment
- Unwanted comments on dress and appearance
- Actual or threatened disclosure of prior gender identify

persistently misgendering someone (using the wrong name or pronoun)

Physical

- Unwanted touching, groping or inappropriate invasion of personal space (getting too close).

Discrimination on the basis of marriage and civil partnership

This relates to direct or indirect discrimination and victimisation on the grounds of marriage and civil partnership. It relates to behaviour which inadvertently or deliberately excludes an individual on the basis of actual or perceived marital or civil partnership status.

Non-Verbal

- Inadvertently or deliberately excluding same-sex partners from social events
- People in civil partnerships not being accorded the same rights as married people for work related benefits, such as flexible working, adoption leave, paternity pay and leave
- Civil partners being denied benefits that are automatically given to married people in the same job, such as employment or training opportunities.

Discrimination on the grounds of Pregnancy and Maternity

This relates to direct discrimination and victimisation on the grounds of pregnancy and maternity.

Non-Verbal

- Being demoted or prevented from having training or promotion opportunities because of becoming pregnant or being on maternity leave.
- Being dismissed/made redundant while on maternity leave without following correct and fair procedures.
- Being disciplined for having performance issues due to illness connected with pregnancy.
- Being refused sick leave due to illness connected with pregnancy.
- Being dismissed or treated unfavorably while undergoing IVF treatment without following correct and fair procedures.

Verbal

- Making inappropriate comments about amount of absence/toilet breaks.
- Unwanted comments on dress and appearance.

Physical

- Setting unrealistic challenges.
- Unwanted touching, groping or the inappropriate invasion of personal space (getting too close).

Harassment on the basis of race (including ethnicity, nationality and colour)

Relates to derogatory remarks, racist statements, graffiti, jokes, or any other action of a racist nature based on an individual's perceived or actual race, ethnicity, nationality and colour or through association with someone from a particular ethnicity, nationality and colour. This pertains to any action which results in the individual(s) feeling threatened or compromised

Non-Verbal

- Exclusion from normal work place conversation or activities
- Inappropriate gestures
- Sending emails or displaying material containing racist content
- Making inappropriate assumptions based on ethnicity, nationality or colour
- Making assumption about lifestyle/interests

Verbal

- Using inappropriate terms when referring to race (including ethnicity, nationality and colour)
- Using derogatory nicknames
- Making racist comments or jokes
- Stereotyping
- Mimicking someone's accent

Physical

- Inappropriate physical contact

Harassment on Grounds of Religion or Belief

This is harassment on grounds of religion, religious belief or other similar philosophical belief (or lack of). It may include behaviour which fails to tolerate or acknowledge the rights or needs of individuals with different and dedicated religious convictions, beliefs and practices. Islamophobia and antisemitism are two examples that may be experienced through:

- offensive jokes;
- ridicule or name-calling;
- display of or circulation of offensive written or visual materials;
- derogatory comments;
- intrusive questioning about a person's beliefs;
- incitement of others to commit any such acts.

Harassment on the grounds of sex

Sexual harassment is any harassing conduct based on the gender, gender identity or sexuality of the recipient. It relates to any individual's perceived or actual gender, gender identity or through association with individuals of a particular gender, gender identity or sexuality. It includes behaviour which results in the individual feeling threatened or compromised. Sexual harassment can be experienced by women and men. Transgender people may also experience sexual harassment based on perceptions or assumptions about them in relation to their appearance or sexuality

Non-Verbal

- Unnecessarily requiring individuals to work full-time or insisting on colleagues working long hours. This may disadvantage more women than men as women are more likely to have primary responsibility for childcare so cannot work full-time or long hours.
- Exclusion from normal work place conversation or activities
- Inappropriate gestures, suggestive looks or unwelcome sexual advances
- Sending emails or displaying material containing sexist content

Physical

- Inappropriate physical contact

Harassment on the basis of sexual orientation

Relates to behaviour which condemns or ridicules people because of their perceived or actual sexuality or through association with someone of a particular sexual orientation. This could include derogatory remarks, jokes, graffiti which results in the individual feeling uncomfortable, excluded, threatened or compromised.

Non-Verbal

- Inadvertently or deliberately excluding same-sex partners from social events.
- Making assumptions based on sexuality
- Sending emails or displaying material containing offensive content

Verbal

- Using inappropriate terms
- Using derogatory nicknames
- Inappropriate personal questioning relating to sexual orientation or domestic circumstances
- Stereotyping
- Actual or threatened unwanted disclosure of sexuality
- Unwanted comments on dress and appearance

Physical

- Unwanted touching, groping or the invasion of personal space (getting too close)

Interpersonal relationships

QMUL values and relies upon the professional integrity of interactions between colleagues and between colleagues and students. In order that these interactions be conducted in a professional and proper manner it is necessary to distinguish between, and take account of, personal relationships which overlap with professional ones ensuring no unfair advantages or abuse of power are taking place or perceived to be taking place.

In the context of this document, a **personal** relationship is defined as:

- a family relationship,
- a business/commercial/financial relationship
- a close personal friendship or
- a sexual/romantic relationship

Relationships between colleagues and students

QMUL believes that the professional relationship between a student and a member of staff is vital to a student's educational development and affirms that the teaching relationship is based on trust and confidence. In this context a professional relationship is defined as one where there is an assessing, supervising, tutoring, teaching or pastoral role or a role providing administrative or technical support. Students are entitled to equality of treatment and it is important that a personal relationship between a member of staff and a student is not perceived by others to prejudice that equality of treatment.

Colleagues are strongly advised not to enter into a sexual/romantic relationship with a student for whom they have a responsibility for assessing, supervising, tutoring, teaching, for pastoral care or for whom they are required to provide administrative or technical support. Further, colleagues should not enter into a business, commercial or financial relationship with a student which could

compromise, or could be perceived to compromise, the objectivity and professional standing of the teaching relationship.

QMUL recognises, however, that such relationships may exist when a colleague is appointed or when a student enrolls, or that a relationship may develop between a colleague and a student during a programme of study. Where a colleague has a professional role in relation to a student with whom they have a personal relationship, it is the colleague's responsibility to inform their line manager, in order that alternative teaching, tutoring or assessment arrangements may be made.

Relationships between colleagues

Although the existence of a personal relationship between colleagues does not necessarily constitute a bar to the employment or promotion of either party, colleagues should declare to their line manager any personal relationships which may give rise to a real or perceived conflict of interest, trust, breach of confidentiality or is open to abuse of power.

Where a personal relationship exists or develops between colleagues who are in a line management or supervisory relationship at work, they must not be involved in recruitment, selection, appraisal, promotion or in any other management activity or process involving the other party. Additionally, colleagues in a personal relationship should not work together in any circumstance whereby a conflict of interest, breach of confidentiality or unfair advantage may be perceived to be gained from the overlap of a personal and professional relationship. In any such circumstances, the relationship must be declared in confidence, to the line manager. The manager to whom the information is disclosed will then make alternative management arrangements and confirm them in writing to the individuals concerned. If it is considered unavoidable to inform other members of colleagues about the relationship in order to explain a change in management arrangements, this will be discussed with the individuals concerned, before it is disclosed.

Declaration of personal relationships where they overlap with professional roles

Colleagues who are uncertain about whether they should take action regarding a personal relationship, are invited to seek guidance in confidence, from HR or their trade union representative. A case whereby any personal relationship as defined within this policy, is not declared and results in an unfair advantage or disadvantage to either of the parties to the relationship (be they a colleague or a student), will be considered a serious matter and may lead to disciplinary action. While not a bar to employment with QMUL, applicants for employment will be asked to declare any personal relationship with existing members of colleagues, students, or members of Council.

Appendix 2

DIGNITY DISCLOSURE OFFICERS

What is a Dignity Disclosure Officer?

Dignity Disclosure Officers (DDO) provide confidential support to individuals who may be experiencing difficulties relating to harassment and/or bullying. Confidential support means that if a colleague or student consults a DDO, no one else will normally be involved without their permission. If there is a serious risk of harm to the colleague or others information may need to be passed on, but attempts to obtain the colleagues permission for this first would always be sought.

Dignity Disclosure Officers act as a sounding board by giving individuals an opportunity to talk through their concerns with a trained colleague who will respect their privacy, discuss options and implications, and generally provide confidential and informal support. They may also recommend the colleague talks to their trade union representative if they are a member of a union. It will be for the individual to decide if they wish to pursue any of the options open to them.

Who do DDOs report to?

The Dignity Disclosure Officers are part of a confidential volunteer network and as such do not formally report to anyone. They have support from the Diversity & Inclusion team and top level endorsement from management who recognise the valuable contribution these roles make. Any information shared with a DDO is confidential and, no one else will normally be involved without your permission. If there is a serious risk of harm to you or others, information may need to be passed on, but attempts to obtain your permission for this first would always be sought.

How does the DDO network relate to the Dignity at Work guidance?

Seeking support from a DDO does not form any part of formal procedures. No written records are kept by the DDO volunteers but individuals can take notes if they wish to. However, DDO's cannot be called as witnesses for the person making the complaint under the formal process.

Can anyone become a DDO?

All colleagues are welcome to apply to become a disclosure officer. Volunteers should register their interest with the Diversity & Inclusion Manager for training to be arranged. The process for selection and training includes pre and post interviews to assess suitability.

What qualifications do the DDOs have?

The role of the DDO does not include counselling so they do not require formal qualifications. All DDOs will go through a university supported training programme which includes regular refresher courses.

When should you contact a DDO?

Colleagues can contact a DDO whenever they feel that confidential support would be of use to them. It can be helpful to talk through any incidents at an early stage before the situation escalates.

Appendix 3 Sources of Support.

The university recommends the Dignity Disclosure Officers network as the first source of support and advice for anyone who believes they are being subjected to harassment.

The groups/people below will also be able to offer support, help and advice to those subjected to, witnessing or accused of harassment.

Service	Contacts
Dignity Disclosure Officers Network	Diversity & Inclusion Team (DDO list add hyperlink)
<p><u>The Havens</u>: specialist centres in London that provide medical help, counselling, practical advice and emotional support for anyone who has been raped or sexually assaulted. You do not need to report anything to the police to get support from the Havens. There is a Haven centre at the Royal London Hospital in Whitechapel. Tel (Whitechapel centre): 020 7247 4787 (staff on call 24 hours a day, every day of the week)</p> <p><u>East London Rape Crisis Service</u>: free, confidential specialist help for women who have been raped or experienced any form of sexual violence, whatever the assault and whenever it occurred. If you would like to access the service or would simply like more information call 0207 683 1210, if your call is unanswered leave a message with a safe telephone number and they will call you back.</p> <p><u>Being Heard</u>: A support group that runs weekly for young people aged 16-25 affected by sexual violence. Please refer to the website for more details</p> <p><u>CliniQ</u>: sexual health and well-being service for Trans people, their partners and friends based in Soho.</p> <p><u>Survivors UK</u> offers information, support and counselling to men who have been raped or sexually abused as adults or in childhood</p>	
<u>Specifically for Colleagues</u>	
Human Resources	http://www.hr.qmul.ac.uk/contact/whoswho/index.html
Occupational Health	http://www.hr.qmul.ac.uk/Occupational%20Health/about-us/index.html
Workplace Options	http://www.hr.qmul.ac.uk/Occupational%20Health/Colleagues-Support/index.html
Trade Union Representatives	http://www.hr.qmul.ac.uk/workqm/unions/index.html
Stop Hate UK	https://www.stophateuk.org/qmul-reporting-page/
<u>Specifically for Students</u>	
<p><u>Advice and Counselling Service</u>: counselling is available for confidential emotional support:</p>	

[Academic Advice Service](#), QMSU: Confidential advice and support about bullying and harassment, and support with submitting a complaint under the code of student discipline

[Residential Support](#): Pastoral support for students living in QMUL accommodation

[Student Support](#) within Academic Schools: Support with pastoral support for issues that affect your academic programme and studies

<http://www.qmul.ac.uk/studentlife/support/index.html>

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