

Dignity at work and study Policy

Policy Statement

The University of South Wales (USW) is committed to creating a safe, inclusive and welcoming environment for all members of our community. All members of our community should be respected and valued for their unique perspectives and contributions. We operate a zero-tolerance approach to discrimination, bullying, harassment (including sexual harassment and misconduct) and victimisation in accordance with the Equality Act 2010 and the Worker Protection (Amendment of Equality Act 2010) Act. Complaints will be taken seriously and not ignored, regardless of role or status.

We promote a positive culture which celebrates differences, challenges prejudice and ensures fairness. We regard any incident of discrimination, bullying, harassment and victimisation as a serious matter and potentially unlawful. We will thoroughly consider and respond to all concerns raised to ensure the preservation of a safe work and study environment.

Anyone who is a victim of, or witness to, discrimination, harassment, bullying or victimisation is encouraged to report it in accordance with this policy. The appropriate procedures for raising formal complaints/allegations are noted within this policy. This will enable us to take appropriate action and provide support. Discrimination, harassment, bullying and victimisation may result in disciplinary action up to and including dismissal.

Purpose

The purpose of this Dignity at work and study Policy, is to set out expectations and responsibilities for staff and students and signpost to processes/procedures. We will:

- Promote an enabling and inclusive environment in which bullying, harassment (including sexual harassment and misconduct), victimisation and discrimination are understood to be unacceptable behaviour and where all individuals recognise their own responsibility to treat each other with dignity and respect
- Ensure that occurrences of bullying, harassment (including sexual harassment and misconduct), victimisation and discrimination are taken seriously, and dealt with promptly, with due sensitivity and support
- Foster a positive culture for studying and working which supports freedom of thought and expression within the law, and within a framework of respect for the rights of all people

Scope

The policy applies to all members of the USW community, including students, colleagues, volunteers, contractors, agency workers, apprentices, and third parties who act on behalf of or provide services to USW.

It is expected that those within the USW community will always maintain acceptable behaviours, for example at USW related social occasions, work or study related events and trips abroad, or on social

media (both work/study and personal). It should be noted that this is not an exhaustive list. This policy should be read in conjunction with the [Social Media Policy](#).

Responsibilities

All members of the USW community have responsibilities in line with this policy. This includes

- Demonstrating respect and integrity in all interactions with individuals and groups
- Behaving in a way that respects the rights and dignity of others and maintains appropriate boundaries
- Identify and report unacceptable behaviour when it occurs, even if it is not directed at ourselves. You can do so through [Report and Support](#) or to your line manager
- Address and resolve matters, where reasonably possible, in a positive and constructive way
- Modify behaviour should you become aware that you have behaved unacceptably, even if no complaint has been made
- Not participate in, encourage or condone the discrimination, harassment (including sexual harassment or misconduct), bullying or victimisation of others

Those members of the USW community who have **managerial or supervisory roles** have an additional responsibility for:

- Leading and promoting an inclusive culture of dignity and respect
- Taking prompt, relevant action to resolve concerns with sensitivity to the feelings and perceptions of all those involved
- Ensuring that this policy is communicated to all members of the USW community
- Challenging observed unacceptable behaviour, even where no complaint or concerns have been raised
- Ensuring that colleagues and students who bring complaints, or support others to do so, are not treated less favourably than others because of this (victimisation)
- Providing un-bias support to any member of the USW Community who feels they may have been subject to, or is the subject of a complaint/allegation of discrimination, harassment (including sexual harassment or misconduct), bullying or victimisation
- Actively listening to concerns, creating a safe space for open dialogue, and addressing issues without making assumptions, ensuring that every voice is heard and respected
- Taking reasonable steps to prevent sexual harassment of their teams in line with the Worker Protection (Amendment of Equality Act 2010) Act. This includes sexual harassment by third parties. Faculty/Departments should have systems in place to manage risk and as part of this process they should anticipate scenarios specific to their work areas where employees may be subject to sexual harassment, identify any risk factors and put preventative measures in place. If sexual harassment occurs, they must take action to stop it happening again. Risk factors include, but are not limited to:
 - Lone working
 - An environment where people are drinking alcohol
 - work-related social events
 - social media contact
 - power imbalance, where one person has significant influence or control over another

- travelling for work, including overnight stays
Examples of preventative measures include, but are not limited to:
- Making it clear that sexual harassment will not be tolerated
- encouraging staff to report any incidents of sexual harassment
- encouraging staff to report situations where they felt at risk, even if nothing happened
- setting standards of behaviour for work events

What to do if you have concerns as an individual?

If you believe you are being subjected to treatment which goes against the principles of the University's Dignity at work and study policy, it's important to try and resolve the situation as early as possible. In many instances, this can be sufficient to bring an end to the unwanted/unacceptable behaviour.

Where you feel able and it is safe to do so, you should speak to the person causing offence and make it clear that their behaviour towards you is unacceptable. You could approach the person directly or ask someone else to do so on your behalf. 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.

You may also choose to speak to a [Dignity at work/study Advisor](#), your manager, course leader, HR or your trade union representative who will be able to discuss the various options available to you. Alternatively, you may wish to submit your concerns through the [Report and Support System](#) and an individual from one of the University's support services and/or Student Casework (for students) or HR (for staff) will contact you to provide advice and support.

What do I do if I haven't been able to resolve things informally, or the situation is more serious?

If you have not been able to resolve the problem informally, or you feel it cannot be resolved informally, then you can either raise your concern through the following relevant procedures or if you haven't already done so submit a concern through the [Report & Support](#) system.

- Staff/colleagues wishing to raise concerns about a member of staff would do so through the [Grievance Procedure](#). The Grievance Procedure outlines steps taken once a grievance is raised.
- Staff/colleagues wishing to raise concerns about a student would do so through the [Student Misconduct Regulations and associated Procedures](#). Specific advice for raising concerns about students on courses leading to professional registration ('Fitness to Practice') is available [here](#).
- Students wishing to raise concerns about a member of staff would do so through the [Students Complaints Procedure](#).
- Where a complaint is made by a student against a staff member, the HR department and Student Casework department will work together to ensure that appropriate procedures are utilised in relation to the individuals involved.

All parties involved in a formal procedure are expected to engage without unreasonable delay at all stages of the process.

Where a formal allegation/complaint is made, there is discretion for informal action to still be used under the relevant procedure (e.g. [Student Complaints Regulations and Procedure](#), or staff [Grievance/Disciplinary Procedures](#)) to try to resolve the situation at this stage.

If a counter allegation is made during an investigation, this will be addressed as part of the ongoing investigation, and it will be handled within the guidelines of the procedure(s) being followed.

You may be concerned about the consequences of making an allegation/complaint in case it affects your relationship with the person concerned, or you may be worried that you might suffer victimisation for having brought the allegation/complaint. If you are concerned about this, please make this known when you make your allegation/complaint, whether this is through Report and Support, or through your line manager/Course Leader/Tutor etc. University colleagues will then be able to work with you to decide how best to address your concerns.

Where can I seek support if I am being bullied / harassed / victimised or feel that I am being discriminated?

Being subjected to bullying, harassment (including sexual harassment and misconduct) or victimisation can be a distressing experience. There are several options for advice and support:

If you are a member of staff:

- Your line manager or head of department
- HR colleague
- Trade Union representative
- Talking to a work colleague
- [Employee assistance programme and Counselling Service](#)

If you are a student:

- Submit via Report and Support
- Submit an allegation of misconduct / student complaint form to Student Casework
- Use the Safezone App
- Talking to your Warden if you live in USW accommodation
- The University's [Counselling Service](#) for students
- [Student Support Services](#)
- [Student's Union](#)
- Your Course Leader
- Your personal tutor

In addition, for all:

- [Dignity at work/study Advisor](#)
- [Chaplaincy](#)
- Security (if you feel threatened or concerned about your safety)

Remember, you are not alone. These resources are here to support you through this difficult experience.

We will take into account any aggravating factors, such as abuse of power over a more junior colleague or a vulnerable colleague when deciding the appropriate disciplinary action to take.

[Examples of inappropriate behaviour and relevant definitions linked with this policy can be found in Appendix 1 and 2 of this document below.](#)

Further information about how to deal with concerns can be found using the following links:

Links to Other Policies and Procedures

- [Grievance Procedure](#)
- [Disciplinary Procedure](#)
- [Freedom of Speech Code of Practice](#)
- [PREVENT protocol](#)

Appendix 1.

Unacceptable Behaviour

Bullying, harassment, victimisation and discrimination can occur in different types of relationships, regardless of prejudice and stereotypes. For example, it is possible for a junior colleague to bully a person in a senior role; for a student to harass a member of staff; or a woman to victimise a man.

We recognise that any of the examples set out, and other intimidating behaviour, may be demonstrated by one person or by more than one person in a concerted effort to create an intimidating, hostile, degrading, humiliating or offensive environment for another individual.

Behaviour may constitute harassment or bullying whether or not the person behaving in that way intends to cause offense. Unacceptable behaviour such as harassment or bullying creates conditions or an environment about which a person could justifiably complain and where a person's dignity is violated.

It is important to remember that messages in places such as WhatsApp groups or on Facebook, which exclude or denigrate a colleague, may also constitute unacceptable behaviour even if made in a non-work setting.

Examples of unacceptable behaviours include, but are not limited to the following:

- Unnecessary or unwanted physical contact ranging from unnecessary touching to serious assault
- Demeaning comments about a person's appearance
- Unwelcome attention or advances of a sexual nature
- Racial harassment – including racist jokes or graffiti
- Displaying material that is likely to cause offence to others
- Verbal or written abuse including non-communication and deliberate and/or inappropriate exclusion from social events or day to day activities
- Derogatory name-calling and insults
- Threats of a physical or psychological nature
- Intimidating or threatening behaviour or language that causes fear or distress to others
- Abuse of power by someone in a position of authority
- Incitement of others to commit harassment
- Cyber bullying for example by email or the use of social networking sites to post derogatory messages or distribute confidential information about someone
- Inappropriate and derogatory remarks made in connection with performance
- The use of inappropriate literature, pictures, books or tapes to bully or harass others, including the display or electronic transmission of offensive material
- Unwelcome jokes or comments of a sexual or racial nature, or about an individual's age, disability, gender reassignment, sex, sexual orientation, religion or belief, or any other protected characteristics

- Excluding an individual because they are associated or connected with someone with a protected characteristic, e.g. their child is gay, partner is black or parent is disabled
- Treating an individual differently because they are perceived to have a protected characteristic when they do not, in fact, have the protected characteristic
- Spreading malicious rumours or insulting someone
- Picking on someone or demonstrably setting them up to fail
- Refusal to use preferred pronouns or a colleague's preferred name, asking for inappropriate details about gender, or gender reassignment, or describing a transperson by using characteristics of their pre-trans gender e.g. saying your voice is very low for a woman.
- Disparaging, ridiculing or insulting behaviour, language or gestures
- Undermining of an individual through unfair work allocation or persistent unjustified criticism
- Physical attack

Appendix 2.**Definitions**

Terminology	Definition
Dignity	Dignity is the right of a person to be valued and respected for their own sake, and to be treated ethically.
Bullying	<p>Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.</p> <p>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. However, 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.</p> <p>Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:</p> <ul style="list-style-type: none"> • 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
Harassment	<p>Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, or offensive environment. It can be physical, verbal, or non-verbal, intentional or unintentional, and includes treating someone less favourably for submitting to or refusing such behaviour in the past. Examples include:</p> <ul style="list-style-type: none"> • Unwanted physical contact such as touching or invading personal space • Offensive or intimidating comments, gestures, or jokes • Mocking or belittling someone's disability • Racist, sexist, homophobic, or ageist jokes or remarks

	<ul style="list-style-type: none"> • Outing or threatening to out someone as part of the LGBTQ+ community • Deliberately excluding someone from conversations or activities <p>Staff and students are reminded that people of all belief backgrounds are protected under the Equality Act 2010, and that open, respectful discussion of differing beliefs is expected in a University context.</p>
Victimisation	<p>Victimisation occurs when a person is mistreated or subjected to detriment because they have made, or intend to make, a complaint of discrimination (including harassment and/or bullying) or have helped another person to make a complaint, as defined by the Equality Act 2010, and situations where a complaint hasn't yet been made but someone is victimised because it's suspected they might make one.</p> <p>It includes detriment as a result of the following protected acts:</p> <ul style="list-style-type: none"> (a) Bringing proceedings under the Equality Act 2010. (b) Giving evidence or information in connection with proceedings under the Equality Act 2010. (c) Doing any other thing for the purposes of or in connection with the Equality Act 2010. (d) Alleging that a person has contravened the Equality Act 2010. <p>Victimisation may include (for example):</p> <ul style="list-style-type: none"> (a) Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment. (b) Excluding someone because they have raised a grievance about harassment. (c) Failing to promote someone because they accompanied another staff member to a grievance meeting. (d) Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing. (e) It includes situations where a complaint hasn't yet been made but someone is victimised because it's suspected they might make one.
Discrimination	<p>The Equality Act 2010 defines discrimination as:</p> <p>Direct discrimination – treating someone less favourably than someone else because of a relevant protected characteristic. Relevant protected characteristics are:</p> <ul style="list-style-type: none"> • age,

	<ul style="list-style-type: none"> • disability, • gender reassignment (gender identity), • race, • religion or belief, including a lack of belief, • sex, • sexual orientation <p>Direct discrimination by perception – treating one person less favourably than someone else, because you incorrectly think they have a protected characteristic</p> <p>Discrimination arising from disability – treating a disabled person less favourably because of something connected with their disability when this cannot be objectively justified</p> <p>Indirect disability discrimination is when a working practice, policy or rule applies to everyone but puts a person or group at a disadvantage because of their disability.</p> <p>Direct discrimination by association – treating someone less favourably than another person because they are associated with a person who has a protected characteristic</p> <p>Indirect discrimination – happens when there is a practice, policy or rule which applies to everyone in the same way, but disadvantages a group of people who share a protected characteristic, and you are disadvantaged as part of this group.</p>
Freedom of Speech	<p>All members of the USW community have the ability to freely challenge prevailing orthodoxies, query the positions and views of others and put forward radical ideas that may sometimes be controversial. An environment of free and open discussion is essential to the development of lively, enquiring minds and the ability to question argue and listen that is a central element in university education.</p> <p>While academic freedom and freedom of speech are subject to legal limits (such as law against hate speech or incitement to violence), they are fundamental rights protected by the Education (No. 2) Act 1986 and Human Rights Act 1998. Staff and students have the right to express lawful views – even if controversial or offensive to some – so long as they do not amount to unlawful harassment, incitement, victimisation or discrimination.</p> <p>Staff and students are expected to respect the principles of the University’s Dignity at work and study Policy in the manner and tone with which they express their views. This principle extends to conduct online and on social media.</p>
	<p><i>The following are illustrative examples. Whether conduct constitutes harassment or discrimination depends on the context, frequency, and impact of the behaviour. Expressions of lawful opinion or belief –</i></p>

	<p><i>especially those protected under the Equality Act 2010 – should not be assumed to be harassment unless they meet the legal threshold.</i></p>
<p>Examples of harassment and discrimination</p>	<p>Examples of Harassment and Discrimination related to Age</p> <ul style="list-style-type: none"> • Using ageist language or treating someone in an offensive way because of their age or perceived age. • Regarding someone as ‘too old’ or ‘too young’ to deliver certain tasks. • Refusing training, development or promotion opportunities to someone because of their age. • Using language that implies age e.g. “long in the tooth”, “no spring chicken”, “babe in arms” etc <p>Examples of Harassment and Discrimination related to Disability</p> <ul style="list-style-type: none"> • Mimicking, mockery, excluding or patronising behaviour. • Staring or asking invasive personal questions about someone’s disability. • Persistently using inappropriate terms. • Moving a wheelchair or hiding an impairment aid. • Refusal to work with a person due to a disability • Making assumptions about what a disabled person can or cannot do. <p>Examples of Harassment and Discrimination related to Gender Identity and Gender Reassignment</p> <ul style="list-style-type: none"> • Using offensive language or behaviour aimed at someone’s gender identity or gender reassignment. • Disclosing or threatening to disclose someone’s previous gender or name. • Persistently and deliberately using pronouns or names in a way that is intended to humiliate, degrade, or intimidate an individual may constitute harassment. • Deliberately and persistently using the wrong pronouns when conversing with or about someone e.g. continuing to say ‘he’ and ‘his’ when the person has requested to be referred to as ‘she’ and ‘her’ or as ‘they’ and ‘their’. • Transferring an employee off customer facing duties against their wishes because they have expressed their intention to

	<p>live as a different gender or have a non-binary or gender-fluid gender identity.</p> <p>Examples of Harassment and Discrimination related to Race</p> <ul style="list-style-type: none">• Use of racist words or derogatory language aimed at specific racial groups.• Ridicule of cultural differences.• Use of racist stereotypes• Refusal to work with someone because of their race, nationality or ethnicity.• Exclusion from team activities or social events on the basis of someone's race, nationality or ethnicity• Non-appointment on the basis of race, nationality or ethnicity <p>Examples of Harassment and Discrimination related to Religion and /or Belief, including non-belief or lack of religion or belief</p> <ul style="list-style-type: none">• Using offensive comments relating to someone's religion.• Making fun of clothes or jewellery worn for religious reasons.• Pressurising others to take on the same religious beliefs.• Unreasonably arranging meetings or events so that they exclude people on religious observance grounds. <p>Examples of Harassment and Discrimination related to Sexual Orientation</p> <ul style="list-style-type: none">• Persistent questioning someone about their sexual orientation or gossiping or speculating about someone's sexual orientation.• Using homophobic, or bi-phobic language or jokes.• Disclosing someone's sexual orientation in the workplace without their prior approval.• Denying a person an opportunity on the basis of their sexual orientation. <p>Examples of Harassment and Discrimination related to Sex and Sexual Harassment</p>
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- Sexual harassment can occur towards women by men, towards men by women or between members of the same sex.
- Unwanted sexual advances or requests for sexual favours.
- Displaying offensive posters or publications.
- Staring or leering.
- Sexually explicit jokes, language or innuendoes.
- Getting too close, deliberate body contact or unnecessary touching.
- Turning someone down for promotion after they have declined your advances or unfairly allocating them too much or too little work.
- Appointing a less qualified male candidate over a more qualified female candidate for a promotion or a job, simply because of their gender

Sexual harassment can also give rise to situations where there is coercive or predatory behaviour. If intimate relationships arise between colleagues and any person has concerns about any predatory or coercive element to such relationship, they are encouraged to report or disclose this to their course leader, line manager, or other relevant senior manager, who is obliged to ensure that such reports are recorded. The course leader/manager will liaise with HR for advice on next steps to ensure colleagues/students are safe.

Discrimination, harassment, victimisation, bullying or exclusion through medium of electronic communication

Unacceptable behaviour may occur face to face, but may also occur in written communications, email, phone, text message, [social media](#) and through supervision methods. For example, emails written in an inappropriate manner, a bombardment of messages containing demands and deadlines and emails that copy others into the conversation with the intent of humiliation. When using electronic communication, it is important to:

- be polite and adhere to the same standards of behaviour as you would when writing a letter or speaking to someone face to face
- use humour with care; not everyone will appreciate it and emails can be easily misinterpreted
- consider that it is difficult to convey a tone of voice and that it is therefore much easier to offend people

	<ul style="list-style-type: none">• not use capital letters out of context as they can be considered shouting• consider whether email is the most appropriate medium for the message you wish to deliver, or whether the matter is best dealt with in person.
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