

THE UNIVERSITY OF MANCHESTER

Dignity at Work and Study Policy

Alternative formats

This policy is available in a number of alternative formats.

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<http://www.studentsupport.manchester.ac.uk/taking-care/imworriedabout/>

Report and Support:

<https://www.reportandsupport.manchester.ac.uk/>

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Dignity at Work and Study Policy

Foreword

The term 'Dignity at Work and Study' emphasises that everyone has the right to be treated with respect at The University of Manchester.

It is vital that we strive for an environment within the University in which discrimination, harassment, bullying and victimisation are simply not tolerated. Such unacceptable behaviour must be identified early and managed effectively. We must also support any member of staff or student who is subjected to such behaviour and encourage them to report this as early as possible.

There are three key ways in which we ensure that this environment exists at the University. The first is by charging managers and advisors with the responsibility for ensuring that staff and students are not subject to unacceptable behaviour. The second is to foster an environment in which there is no tolerance of unacceptable behaviour from any member of staff or any student. The third is by having in place a supportive, confidential and transparent process that proactively tackles unacceptable behaviour and encourages respect and trust.

Professor Dame Nancy Rothwell
President and Vice-Chancellor

Purpose and Scope

1. All members of the University community, whether staff or students, are required to treat each other in a friendly, courteous and dignified manner. This requirement also applies to visitors and those otherwise associated with the University.
2. The University will not tolerate any form of discrimination, harassment, bullying or victimisation (**'unacceptable behaviour'**) by or against any members of its community, whether on or off campus, in or out of working hours or through electronic communications (including social media platforms).
3. Such unacceptable behaviour is contrary to the Equality Act 2010 and the values of the University set out in the [Equality and Diversity Policy](#).
4. All staff and students have a right to complain if they believe that they are being, or have been, subjected to unacceptable behaviour whilst working or studying at the University.

Acceptable behaviour

5. All members of the University community are responsible for ensuring that they behave in an acceptable manner, showing respect for staff, students, and visitors. They should consider their own behaviour and the impact it can have on others.
6. Legitimate, reasonable and constructive criticism of performance or behaviour, or reasonable instructions given to staff or students at the University, will not amount to unacceptable behaviour on their own.

Definitions

Discrimination

7. Unlawful discrimination takes place when an individual or a group of people are treated less favourably than others based on a protected characteristic such as age, disability, gender reassignment, pregnancy and maternity (including treating a woman less favourably because she is breastfeeding), race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation and in relation to direct discrimination only, marriage and civil partnership.
8. Direct discrimination occurs where someone is treated less favourably because of one of the protected characteristics set out above; this can include association with or a perception of a particular characteristic.
9. Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criteria or practice that puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic.

Bullying

10. Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined threatened or socially excluded. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.
11. Bullying can take the form of physical, verbal and non-verbal conduct. Non-verbal conduct includes postings on social media outlets. Work-related bullying may include, but is not limited to:
 - a) setting up someone to fail by giving them unachievable tasks, an unmanageable workload or impossible deadlines, or making unreasonable demands;
 - b) inappropriate monitoring of work or overbearing supervision;
 - c) giving someone too little work or work that is below their competence;
 - d) removing or reassigning a person's responsibilities without justification;
 - e) deliberately withholding training or resources from someone that are necessary for them to perform the role, or opportunities for advancement or promotion;
 - f) making inappropriate threats or hints about job security;
 - g) withdrawing or refusing reasonable support.

Harassment

12. Harassment is unwanted physical, verbal or non-verbal conduct which may (intentionally or unintentionally) violate a person's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment, which interferes with an individual's learning, working or social environment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
13. Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to a protected characteristic such as age, disability, gender reassignment, gender expression or identity, pregnancy or maternity (including breastfeeding), race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories.
14. Harassment may include, for example:
 - a) unwanted physical conduct or 'horseplay', including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space and more serious forms of physical or sexual assault;
 - b) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless), and suggestions that sexual favours may further a career or that a refusal may hinder it;

- c) continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
 - d) sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
 - e) offensive or intimidating comments or gestures, or insensitive jokes or pranks;
 - f) mocking, mimicking or belittling a person's disability;
 - g) racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
 - h) outing or threatening to out someone as gay, lesbian, bisexual or trans;
 - i) ignoring or shunning someone, for example, by deliberately excluding them from a conversation or a workplace social activity.
15. A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if they create an offensive environment.

Victimisation

16. Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination, bullying or harassment, or supported someone else's complaint.

Procedures

17. All reported cases of unacceptable behaviour will be taken very seriously by the University and the appropriate procedures will be used to investigate complaints. The University will not assume guilt of either party and will support all students and staff members involved in a case of alleged unacceptable behaviour.
18. There are two procedures and one Regulation associated with this policy:
- 18.1. [Dignity at Work and Study Informal Procedure for Staff and Students](#) which sets out the support available and the informal procedures including mediation;
 - 18.2. [Dignity at Work and Study Procedure for Staff](#) which sets out the formal procedures for investigation of complaints of unacceptable behaviour, where the complaint is made by a member of staff; and
 - 18.3. [Regulation XVIII Student Complaints Procedure](#) which sets out the formal procedures for investigation of complaints, including complaints of unacceptable behaviour, where the complaint is made by a student.

19. Similar arrangements to those set out in the procedures mentioned above will be used in dealing with complaints made by members of the public against members of the University community.
20. Before initiating the formal procedures, staff and students are encouraged to seek impartial advice and support and if appropriate, to use the University's informal procedures for resolving instances of unacceptable behaviour. Details of the advice and support available, as well as the informal procedures, are set out in [Dignity at Work and Study Informal Procedure for Staff and Students](#).
21. Unacceptable behaviour may be treated as a disciplinary offence. Serious cases could result in dismissal for staff members or expulsion for students.
22. Making false or unsubstantiated allegations with malicious intent, could, if proven, lead to disciplinary action being taken, up to and including dismissal or expulsion.
23. In some circumstances it may be appropriate to remove an individual from the situation causing conflict. This may include the reassignment of tasks. Where there is a serious allegation, an individual may be suspended from work during an investigation as set out in the University's disciplinary procedure. Similarly, a student may be suspended from their studies or excluded from access to the campus or part(s) of the campus under the provision of [Regulation XVII Conduct and Discipline of Students](#).
24. Every effort should be made to keep the matter confidential to those who are directly involved.

Internal monitoring and auditing

25. The following section outlines internal monitoring and auditing procedures.

25.1. Staff

- The number and nature of formal complaints made by staff about unacceptable behaviour and any subsequent policy reviews or actions, will be included in the Equality, Diversity and Inclusion Annual Performance Review to HR Sub-committee.
- The University will also monitor the application of this policy through the Staff Survey.

25.2. Students

- The number and nature of formal complaints made by students about unacceptable behaviour, and any subsequent reviews or actions will be included in the Registrar's Annual Report to Senate on Student Complaints, Appeals and Discipline cases.

25.3. Review and update arrangements

- The effectiveness of this policy will be reviewed every three years and the policy will be amended from time to time as changes in legislation occur.

Document control box	
Policy title:	Dignity and Work and Study Policy
Effective Date:	February 2019
Approving body:	Planning and Resources Committee Senate
Version:	3
Supersedes:	Dignity and Work and Study Policy October 2014
Previous review dates:	January 2012
Next review date:	Every third year, or upon any significant change in consultation with the recognised campus trade unions and the students' union)
Related Statutes, Ordinances, & General Regulations	<ul style="list-style-type: none"> • University Statute XIII Part III Disciplinary Procedures & Part VI Grievance Procedure • University Ordinances XXIV Staff Disciplinary Procedures pursuant to Statute XIII Part III & XXVIII Staff Grievance Procedure pursuant to Statute, XIII Part VI • University General Regulation XVIII Student Complaints Procedure • University General Regulation XVII Conduct and Discipline of Students
Equality relevance outcome:	High
Related policies:	Equality and Diversity Policy for Staff and Students Conduct & Discipline of Students Regulation XVII Nov 2016 Consensual Relationships Policy
Related procedures	Dignity at Work and Study Informal Procedure for Staff and Students Dignity at Work and Study Procedure for Staff Disciplinary and Dismissal Procedure for Support Staff Grievance Procedure for Support Staff Student Complaints Procedure Regulation XVIII
Related information:	Reporting: Student report to senate http://www.staffnet.manchester.ac.uk/supporting-students/complaints-discipline-appeals/reports/ Staff Survey www.staffnet.manchester.ac.uk/staff-survey/
Policy owner:	Director of Human Resources
Lead contact:	Head of Equality, Diversity and Inclusion