

DIGNITY AT WORK POLICY

1 POLICY STATEMENT AND SCOPE

- 1.1** It is the intention of The Royal Veterinary College to provide a working and learning environment which promotes equality and diversity in all aspects of College life and activity, and to be a community which is safe, supportive and free of intimidation, bullying or harassment.
- 1.2** This Policy applies to all employees and students of the College and they are expected to comply with it. Its purpose is to:
- promote an ethos and culture that is inclusive and safeguards the dignity and well-being of everyone;
 - create a climate in which harassment and bullying are unacceptable behaviours which will not be tolerated;
 - give individuals the confidence that any concerns they may have will be considered fairly and appropriately and that complaints can be brought in good faith without fear of detriment.
- 1.3** Employees, students, visitors, consultants, clients and contractors to the College should be treated with courtesy, fairness and respect and are expected to treat others in the same way. This policy will apply to all College premises, and all College Employees and Students working at other premises.
- 1.4** The College gives an assurance that there will be no victimisation against an employee or student making a complaint in good faith under this policy.
- 1.5** The College will seek to prevent harassment and bullying by publicising and communicating this policy widely; by providing training for those involved in advising on or dealing with complaints of harassment and bullying. The College will review the policy and its implementation in the light of experience, and within the context of external developments.
- 1.6** Nothing in this Policy & Procedure is intended to restrict or undermine the right to academic freedom, as set out in section 2 (1) (ii) of the University of London Statute.

2 DEFINITIONS

The effects of harassment and bullying can be very damaging to the physical and/or emotional well-being of the recipient, and, if unaddressed, can have longer term implications for the individual's career, prospects and health. Some forms of unacceptable behaviour such as victimisation or harassment are unlawful. There are many definitions of harassment and bullying, but for the purposes of this document, the following definitions will apply:

- 2.1** **Harassment** is unwanted, uninvited and unwarranted conduct or behaviour which has the purpose, or the effect, of intimidating, humiliating, degrading, being offensive to or distressing the recipient(s). It may be related to age, sex, marriage & civil partnership, race, disability, religion or belief, gender reassignment, sexual orientation, pregnancy & maternity or any personal characteristic of the

individual and may be persistent or a single incident. Harassment may constitute unlawful discrimination. If sufficiently serious, intentional harassment can be a criminal offence.

2.2 For illustration, examples of harassment may include: conduct (ranging from lewd, suggestive or over familiar behaviour to serious assault); unwelcome sexual advances; promises made in exchange for sexual favours; offensive remarks, gossip, insensitive jokes or pranks; obscene gestures or language; spreading malicious rumours or insulting someone; the display or electronic transmission of offensive material, pictures or graffiti; speculation about a person's sexuality; isolation or exclusion from social activities.

2.3 **Bullying** is the abuse or misuse of power through means intended to undermine, humiliate, demean, denigrate or injure the recipient. It often takes the form of aggressive, offensive, intimidating, malicious or insulting behaviour. Bullying whether obvious or insidious is unacceptable.

2.4 Examples of bullying may include: public reprimand, ridicule, sarcasm or humiliation; verbal or physical intimidation which undermines a person's confidence or competence; unnecessary or unreasonable shouting; repeated or constant unreasonable criticism; making threats about job security or expulsion; ostracism.

2.5 Managers and those with responsibility for the academic requirements of a programme of study are required to monitor the performance of employees and students respectively. It should be noted that legitimate actions, associated with delegating work or actions for addressing poor performance, will not in themselves constitute bullying provided that they are carried out in a reasonable manner and are justified by the professional relationship.

3 GENERAL PRINCIPLES

3.1 The College recognises that harassment and bullying can affect working, learning and social conditions for employees and students. Its position is that no-one should experience either, and the College will therefore treat any complaints extremely seriously and deal with them fairly, confidentially and sensitively.

3.2 The College is committed to achieving informal resolution of complaints relating to harassment and bullying wherever possible. Most people who experience harassment or bullying just want it to stop. Informal approaches can often be effective in achieving this, particularly where the person being complained about is genuinely unaware of the effect of their behaviour, and wants to re-establish a good relationship with the complainant. However, where the incident is more serious, or an informal approach has not succeeded in resolving the situation, then a formal complaint may be appropriate. Such complaints may lead to formal disciplinary action which in some cases may result in dismissal or expulsion.

3.3 The College understands that individuals who believe they are being harassed or bullied may be reluctant to make their concerns known or to take any action for a variety of reasons. For example; they may be embarrassed, worried that they will be accused of overreacting and will not be believed or anxious that they may be victimised or isolated as a result of reporting incidents or making a complaint. Employees or students who are experiencing harassment will be given advice and support by the College. To this end, this procedure provides a variety of measures (see Appendix A) to enable employees or students to be supported. This support will be provided to complainants, those individuals being complained about and any witnesses.

3.4 The College recognises its equal duty of care both to the complainant and the person against whom the complaint has been made, and allegations will not be presumed proven until properly investigated using the appropriate procedures. All complaints will be handled with consideration to both sides, regardless of status.

- 3.5** Confidentiality will be respected and maintained by anyone dealing with a complaint of harassment or bullying, unless this would create an unacceptable risk to the complainant, another person or the College. It should be recognised that a satisfactory outcome is more likely if the complainant also maintains confidentiality and does not discuss the situation widely with colleagues. In the conduct of investigations, the College will be mindful of the need to balance respect for confidentiality with the need to preserve natural justice and to ensure that a full and fair investigation is carried out.
- 3.6** If either of the parties involved is unable to maintain the usual work or study relationship, the College will seek to address this in a way which causes minimum distress or disruption. In cases which appear to involve serious misconduct and there is a necessity to separate the parties, a short period of suspension of the alleged bully/harasser may need to be considered as a neutral measure while the complaint is being investigated. Formal complaints will be investigated objectively and as promptly as possible within an agreed timescale.
- 3.7** Both the complainant and the person against whom the complaint has been made have the right to be accompanied at any formal meeting (including an investigatory meeting) by a trade union representative or work colleague, or, in the case of students, by a member of the SUS or appropriate student advisor. Investigations into alleged harassment or bullying are internal proceedings, therefore solicitors, family members and all other external representatives will be excluded from any formal meeting held in connection with the investigation.
- 3.8** All disciplinary hearings arising from a formal complaint of harassment or bullying will be conducted in accordance with the relevant College Disciplinary Procedure.
- 3.9** Any allegations proven to be malicious, mischievous, vexatious or frivolous will lead to the invoking of the relevant Disciplinary Procedure.
- 3.10** Employee and students who feel that they are being subjected to any form of harassment or bullying should use the procedure set out in Section 4 below. Guidance notes are set out in Appendix B.
- 3.11** Employees or students accused of harassment or bullying have the right to be informed of the basis of the complaint immediately, and to receive written confirmation of it within five working days. They will also be given the opportunity to state their own case. Guidance notes are set out in Appendix C.

4 PROCEDURE FOR DEALING WITH COMPLAINTS

- 4.1** The working/study environment encompasses a range of diverse people who must all co-exist and are co-dependent on each other. Whilst the way in which a person behaves and interacts with other people is something which is very personal to them, no employee or student is working entirely on their own, and it is incumbent on each individual to treat others reasonably. It is usually most productive if incidents of unacceptable behaviour are dealt with firmly but informally whenever possible.
- 4.2** Anyone who finds themselves in a situation of apparent harassment or bullying is advised to keep a record of the incident(s), to seek support and information from an appropriate person (for a list of Harassment Advisors, trained for this purpose, see the HR pages of the College intranet). The advisor will provide support and information on the best possible way forward in dealing with the problem, and can be consulted at any stage during this process. Taking advice does not oblige the individual to take any action, but it does provide an opportunity to discuss their perception of events and the effects of these and to consider the options available:
- To do nothing at this stage; or
 - To try and deal with it informally – personally, either (i) alone or (ii) accompanied; or

- To try and resolve it informally through a facilitated approach involving a third party conciliator/mediator¹;
- To bring a formal complaint (either because an informal approach has been tried but proven unsuccessful, or the alleged incident may be so serious that informal resolution is inappropriate) (see Section 7).

4.3 In any event, the complainant should keep a written note of the incident(s). This should detail the particular behaviour(s) encountered; dates, times and any witnesses; their feelings and/or responses at the time, as appropriate.

5 INFORMAL ACTION – Personal Resolution

5.1 Some people are not aware that their behaviour in some circumstances is causing offence or distress, and, if this is clearly pointed out to them, then they will stop and the problem can be resolved.

5.2 If the employee or student feels able to, they should:

- (i) explain directly to the person responsible for the behaviour: that they find it unacceptable, the effect it is having on them and make it clear that they want it to stop. This approach could be face-to-face (in which case, the person is strongly advised to be accompanied by a friend) or, if this is too difficult, then expressed in writing;
- (ii) be clear to the person that if it continues then they will make a formal complaint.

5.3 If the direct personal approach results in the person being aggressive or threatening, then the employee or student should be prepared to walk away making it clear that they do not wish to be spoken to in that way.

6 INFORMAL ACTION – Facilitated by a Mediator

6.1 If the situation does not improve following an attempt at personal resolution, or this is unrealistic, then, as part of the informal procedure, the person will be encouraged to use informal conciliation via a third party as a way of settling the matter. The College expects, wherever possible, that this route will be followed. Employees choosing not to do so will be expected to say why, and this may be taken into account during the investigation of any formal complaint (see 7 below).

6.2 The Mediation process is aimed at resolving a difficult situation through the intervention of a neutral third party, who is trained to work with both parties (ie: the complainant and the person against whom the complaint has been made) in order to facilitate communication between them that is geared towards reaching an agreed and a lasting outcome. Both parties have to agree to enter into the process to resolve their difficulties in good faith.

6.3 The College Mediator, a person who would need to be identified, would normally meet with both parties separately before advising on the steps of the mediation process. It would then usually involve a meeting between both parties, facilitated by the College Mediator, where both sides can discuss the situation from their different perspectives, with the aim of achieving a resolution (perhaps an apology) and agreement about future behaviour. Both parties are entitled to be accompanied by a trade union representative or work colleague at mediation meetings.

¹ College Mediators have been specially trained to facilitate informal outcomes where possible between those who have raised concerns and the person(s) that they have concerns about. Mediators will normally be sourced from outside the College to ensure impartiality, but on occasion, and with the agreement of all parties, may be drawn from Human Resources or trade unions. In such cases, HR or trade union mediators will operate in confidence and independently of their normal roles. Where an external mediator is appointed, HR is responsible for the negotiation and management of such provision.

- 6.4** Any discussions and/or resolution at this stage will usually be confidential. The Mediator will make a record of the process and the outcome, with each party receiving a copy of this. This will not be placed on either individual's personal file.
- 6.5** The mediation process will not in itself result in any further informal internal investigation or in any disciplinary action.
- 6.6** Where, however, having tried an informal approach – directly or through mediation - the person feels dissatisfied that their complaint remains unresolved, the complainant may wish to consider taking formal action.
- 7 FORMAL COMPLAINT**
- 7.1** Where informal resolution is not appropriate (for example because of the seriousness of the allegations) or if informal attempts to resolve the situation have not been successful, an individual may bring a formal complaint.
- 7.2** Formal complaints must be made using the College's Complaint Form (Appendix D) and lodged with the individual's Manager or Head of Department or Academic Director of Studies, (ie: the Recipient), as appropriate, and be copied to the Director of HR, in the case of an employee, or the Chief Operating Officer and Secretary to Council, as appropriate.
- 7.3** The recipient of the formal complaint will, as appropriate and before taking any informal action, take legal advice through the Director of HR or Assistant Principal & Secretary to Council as appropriate.
- 7.4** The recipient will meet with the complainant to discuss the complaint and explore the scope for any informal resolution or other appropriate action.
- 7.5** The recipient will decide if a formal investigation should be undertaken. If this is deemed appropriate, the investigation will be conducted independently and impartially by an Investigating Officer(s) (*for employees: a line manager supported, as appropriate by HR*) (*for students: a senior academic and/or a Student Counsellor*).
- 7.6** The investigation will comply with the principles set out (in Section 3) to ensure swift, objective and appropriate consideration of the circumstances and will focus on the facts of the complaint. Investigations should normally be completed and a report prepared for the Recipient of the complaint within twenty (20) working days of the date on which the formal complaint was lodged. Where longer time scales are necessary – perhaps because of the availability of those involved – these will be notified to both parties to the complaint.
- 7.7** The Investigating Officer(s) will submit a formal written report to the Recipient. This will set out the extent of the investigation, their findings and their assessment as to whether or not there are reasonable or sufficient grounds, on the balance of probabilities, to believe that harassment or bullying occurred.
- 7.8** The Recipient will use the investigators' report to reach a decision, and inform the parties to the complaint in writing of the decision. The Recipient will give the reason for the decision and will give a copy of the Investigator(s)' report to the individual raising the complaint and the person(s) complained about.
- 7.9** If the Recipient regards the complaint as well-founded, the matter will proceed to a disciplinary hearing under either the College's employee or student disciplinary procedure. The initial investigation will contribute to the investigation requirement under the College's disciplinary procedures. The outcome of that disciplinary hearing, but not usually details of any disciplinary action taken, will normally be made

known only to the people directly involved (ie: the original complainant, the person against whom the complaint was made and their representatives) and any organisation, if required by statute or regulation.

7.10 If the complaint is not upheld, the Recipient will inform the complainant of the right to appeal the decision under the appropriate College Grievance Procedure.

7.11 If the Recipient considers that the allegations were malicious, mischievous, vexatious or frivolous, the relevant disciplinary procedure will be invoked against the complainant.

8. EQUALITY MONITORING

The application of this policy and procedure will be monitored and reported on annually to Council as part of the Equality & Diversity Report.

SOURCES OF SUPPORT AND ADVICE

1. The College is committed to achieving informal resolution of complaints relating to harassment and bullying wherever possible. In line with this approach, the College has put in place a variety of measures to provide support. This support will be provided to complainants, those persons against whom complaints have been made and any witnesses.

External organisations can also prove a useful source of information and support. A list of organisations is provided at the end of this section. This list provides some suggestions but is not exhaustive.

2. **INTERNAL SOURCES**

Managers

All managers have a responsibility to implement the College's Dignity at Work Policy and to bring it to the attention of employees in their work area in order to create and maintain a work and learning environment where harassment and bullying are not tolerated.

All complaints will be treated seriously and dealt with promptly and confidentially.

3. **Nominated Harassment Advisors** (*Names are published on the College intranet: <http://www.roc.ac.uk/>*)

Named Harassment Advisors are drawn from a wide range of roles across the College and have been provided with specialist training. They are an independent and confidential resource, and can be relied upon to provide support and assistance to employees and students who raise with them concerns about harassment and bullying. Their role is to explain how the procedures operate both informally and formally. They can provide support throughout the process.

4. **HR (For Employees)**

The HR Department has a responsibility for seeing that the policy and procedures are followed fairly and consistently. HR Advisors, as part of their professional remit:

- advise managers (ie: in their capacity as recipients of complaints) on the application of the policy; or
- give advice to employee where individuals feel that they are being harassed or bullied in the course of their employment.

[Note: An HR Advisor involved in advising an individual would not have any involvement with the Recipient of a formal complaint].

The HR Department monitors the incidence of formal harassment and bullying complaints and is responsible for biennially reviewing and amending the policy in the light of experience and within the context of legal and best practice developments outside the College.

5. **Counselling**

The College offers a free, impartial, confidential Counselling Service, provided by Care First. This service provides unlimited free-phone access 24 hours a day, every day of the year for personal and work related issues. The service is available via telephone (free phone 0800 174 319) or online. Care First also provides a free advice and information service, which can also be accessed on the same free phone number. For further information, visit the Care First page on the HR website.

Other sources of confidential support for students include: Student Counsellors and Tutors, the SUS Student Welfare Office and Nightline.

6. Occupational Health Service

If a manager/tutor is concerned about the health of an employee or student, they should consider referring the person concerned to the Occupational Health Service. Alternatively, if an employee or student believes their health is being adversely affected by their work, they should discuss this with their line manager/tutor in the first instance and can then request a referral to Occupational Health. Further information on the Occupational Health Service can be provided by the Corporate Health and Safety Office.

7. Recognised Trade Unions and the Students' Union Society

The College recognises and values the important role which trade unions play in eradicating harassment and bullying from the workplace. To this end, the College's employee recognised trade unions (UCU, UNISON, UNITE) and the Students' Union (SUS) have been fully consulted in the drawing up of this policy and procedure. Union Members are encouraged to approach their representatives regarding any concerns.

8. College Mediators

College Mediators have been specially trained to facilitate informal outcomes where possible between those who have raised concerns and the person(s) that they have concerns about. Mediators will normally be sourced from outside the College to ensure impartiality, but on occasion, and with the agreement of all parties, may be drawn from Human Resources or trade unions. In such cases, HR or trade union mediators will operate in confidence and independently of their normal roles. Where an external mediator is appointed, HR is responsible for the negotiation and management of such provision.

9. EXTERNAL SOURCES

There are a number of external sources of help and assistance. Advice can be obtained from the following and other similar organisations:

Andrea Adams Trust Helpline (re: Bullying)
British Association for Counselling;
Citizens Advice Bureaux
Commission for Equality & Human Rights
Lesbian and Gay Employment Rights
Samaritans
Stonewall
BIS
UCU Colleges and Universities Support Network

Up to date websites and current telephone numbers are best obtained from using search engines, eg: Google.

GUIDANCE FOR EMPLOYEES AND STUDENTS WHO FEEL THEY ARE BEING HARASSED OR BULLIED

1. Bullying and harassment can make individuals feel anxious and humiliated. They may have feelings of anger and frustration at being unable to cope with the situation. Some people may try to retaliate in some way. Others may be frightened and become de-motivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, withdrawal from work or study, and even resignation or dropping-out of College.
2. Employees and students who are experiencing, or who have experienced, harassment should not feel that they are to blame. Sometimes people are unsure whether or not the way they are being treated is acceptable. Concern over what constitutes bullying and harassment should not deter them from discussing their concerns with an appropriate person (for example: manager or supervisor; HR Advisor; Harassment Advisor; union representative).
3. If you find yourself in this situation:
 - Take any action you decide upon as quickly as possible;
 - Seek advice from someone with whom you feel comfortable to discuss the problem confidentially;
 - Keep a diary of all incidents – records of dates, times, any witnesses, your feelings. Keep copies of anything that is relevant (eg: letters, e-mails; notes of meetings). Keep records and let your Manager/Director of Study know of any medical help you seek;
 - If you can, an informal approach can often resolve the situation. Try and tell the person to stop whatever it is they are doing which is causing you distress, otherwise they may not be aware of the effect of their actions. If you find it difficult to confront the person alone or directly face-to-face, then consider either asking a friend to accompany you or write a note (e-mail, text, memo) making it clear what it is you object to in their behaviour. Keep a copy of this and any reply;
 - If you do not feel able to raise the issue personally, or, having tried this, the situation still does not improve, then you may wish – as part of the informal procedure – to consider a mediation process involving a neutral third party. This process requires both you, and the person against whom you are making the complaint, to agree to enter into the conciliation process with the genuine view of seeking a resolution to your difficulties;
 - If you decide to make a formal complaint, follow the Procedure set out in Section 7 of the Policy document. This will give you information about whom to complain to and how your complaint will then be dealt with;
 - Remember, you have the right to be accompanied to any meetings dealing with your formal complaint (including investigatory meetings).
 - You will be informed of the outcome of the investigation into your complaint:
 - a. If the investigation into your complaint reveals that some form of unacceptable behaviour has taken place, then prompt action will be taken to bring this to a halt immediately, and prevent its re-occurrence. Depending upon the findings, disciplinary action against the bully/harasser may be taken in accordance with the College's appropriate procedure. If this were to happen, then you would be required to give evidence, and would be given appropriate support;
 - b. If the investigation reveals that your complaint cannot be upheld, then no further action will be taken (other than if it is considered that your complaint was malicious or in bad faith).
 - If you have grounds to complain that the investigation came to an unreasonable conclusion, then you have the capacity to register a formal complaint under the College's Grievance Procedure.

GUIDANCE FOR THOSE ACCUSED OF HARASSMENT OR BULLYING

1. The College fully supports the right of all people to be treated with dignity and respect at work and study and is committed to promoting an environment where everyone can give of their best. Whilst every individual has a responsibility for conducting themselves with courtesy and respect, there will, from time to time, be situations where there is a level of disquiet or friction or where behaviours are unacceptable.
2. Within the context of a University environment, academic disagreement and even conflict are to be expected and are usually experienced as both productive and developmental. Most of the time, colleagues and students are able to overcome differences of opinion through tolerance, acceptance of diversity and debate. However, there are occasions when what may seem small differences are compounded, or more extreme activity occurs which moves beyond the boundaries of normally accepted behaviour.
3. The College welcomes and values the diversity of its community. Where disagreements or tensions arise as a result of differences in understanding about acceptable behaviours, everyone is expected to work together to resolve the issues fairly; to clarify and agree what behaviours are appropriate; to support individuals who may have been adversely affected, and, where appropriate, to modify the behaviour that has caused offence. The College believes that, if at all possible, an individual who has a complaint should voice his or her concerns or anxieties to the other person, as an awkward situation may be resolved through a timely word.
4. If **you** have been accused of harassment or bullying, you will be notified of this either:
 - a. **informally** by being approached directly by the person (perhaps with a companion or via a memo or e-mail), or via a College Mediator (see Section 5 of the Policy above); or
 - c. **formally** by being informed by your Manager or Academic Director of Studies of the nature of the complaint and of what will happen next under the College's Procedure (normally an investigation by an independent person).
5. **What to do?**
 - You should make sure that you read this Policy and guidelines which set out what can be expected at each stage of the procedure;
 - When advising you of a formal complaint, your Manager/Head of Department or Academic Director of Studies would have discussed contact issues with you and strategies to address this in a way which causes minimum distress or disruption. If contact would normally be inevitable or unavoidable, then it may be appropriate to have a third party present where it is necessary to hold work/study related meetings;
 - If a short period of suspension is considered appropriate during the investigation, then this will be with pay and will be regarded as a neutral measure. The period will be kept as short as possible. You will be expected to make yourself available to meet with the investigator(s);
 - You should make your own notes relating to any incidents that have occurred involving the person making the allegation, and be prepared to respond to questions relating to the incidents;
 - You should consider contacting your trade union, professional association or students' union for advice, as appropriate. There are also alternative forms of support, including various websites;
 - You will be given every reasonable opportunity to state your response to the allegations;
 - You have the right to be accompanied to meetings by a trade union representative or work colleague or, if you are a student, by a Student Union representative;

- You will be informed of the outcome of the investigation into the complaint against you:
 - a. If the investigation reveals that the complaint cannot be upheld, then no further action will be taken (unless it is considered that the complaint against you was malicious or in bad faith);
 - b. If the complaint is considered to be well-founded, a decision will be taken as to whether it warrants the convening of a disciplinary hearing. If this is the case, this will be conducted in accordance with the relevant College disciplinary procedure.

FORM FOR REGISTERING A FORMAL COMPLAINT OF HARASSMENT AND BULLYING

To be completed in accordance with Section 7 of the Royal Veterinary College's Dignity at Work Policy

** Please delete as applicable*

Employee Member/Student*	Course/Year (if applicable):
Name:	Job Title (if applicable):
Department and Campus:	Contact Tel. Nos.: Daytime: Mobile:
Briefly describe your complaint (include: where the incident(s) happened; date(s); time; names of any witnesses; the effect or impact this has had on you. Attach copies of any relevant documents). <i>Continue on separate sheet if necessary.</i>	
Name(s) of Person(s) against whom you are bringing the complaint:	
Is this person: a College employee*; a student*, a visitor* to the College?	
Have you read the Dignity at Work (Anti-Bullying & Harassment) Policy? Yes/No*	
Have you taken advice from anyone (eg: a College Harassment Advisor)? Yes/No*	
Have you tried to deal with the situation informally? Yes/No* If yes, how did you do this and what was the outcome? If no, why not?	
Have you considered College Mediation? Yes/No* If yes, what was the outcome?	
What outcome are you seeking?	

Signature of Complainant.....Date.....