

Dignity at Work and Study-Bullying, Harassment & Discrimination Policy

1. Introduction

“Open to all and dedicated to the pursuit of truth in the service of others.” Bishop Elphinstone, 1495.

The University of Aberdeen is fully committed to securing the highest standards of equality, diversity and inclusion, for staff and students.

Our staff and students are our greatest assets and all members of the University should expect to be respected and valued for their unique perspective and contribution. The concept of ‘Dignity at Work and Study’ reflects that everyone has the right to be treated with dignity and respect. The University strives to maintain a working environment where staff and students are listened to and where they may study, work and advance their career regardless of who they are, where they come from or what position they hold. Everyone is entitled to fair, respectful and dignified treatment whatever their level within the University or whatever point they are at in their career. It is the responsibility of all members of the University community to behave professionally, courteously and respectfully towards each other as guided by the Codes of Conduct for staff and students.

Strategic Objectives

Within the Inclusivity commitments of Aberdeen 2040, it is an important strategic objective of the Senior Management Team to care for the wellbeing, health and safety of our diverse community, supporting and developing people to achieve their full potential.

This policy will set out a framework for the type of behaviour which is expected from staff and students. Everyone should be free to work and study in an environment free from bullying, harassment or intimidation. Achieving this involves working together as a community rather than as individuals and helping support a culture where everyone considers the challenges facing one another. Demonstrating kindness is the key to achieving dignity at work and study.

Any form of bullying, harassment and/or discrimination are unacceptable. This policy will provide advice about raising, addressing and resolving issues which may arise when members of the community do not act or behave in accordance with the individual and/or organisational behaviour which could reasonably be expected. The policy will also signpost areas where people can find guidance material or get help and assistance.

2. Scope

This policy is applicable to all staff and students within the University and covers all behaviour within the University related to dignity at work and study. This includes business trips, field trips and University related social events.

3. Responsibilities

3.1 We all have a responsibility to help create and maintain a work and study environment which is free of bullying, harassment, and discrimination. You can help to do this by:

- setting a good example of how people should be treated
- being mindful of the workloads and priorities of others

- considering the impact your behaviour may have on others
- behaving in a way that respects the rights and dignity of others
- treating others fairly and with respect
- valuing the differences in others and the contribution they make
- being open and constructive in any communications
- demonstrating a commitment to upholding the University's policies on equality, diversity and inclusion
- challenging harassing or bullying behaviour, as and when appropriate and safe to do so.

3.2 Supervisors/Line Managers/Lecturers have a particular responsibility to:

- Set a good example by their own behaviour
- Ensure that there is a supportive working environment
- Make sure that staff and students know what standards of behaviour are expected of them
- Intervene to stop bullying, harassment or discrimination
- Report promptly to Human Resources or Student Services any complaint of bullying, harassment or discrimination, or any incident of bullying, harassment or discrimination witnessed by them. Guidance on how to do this is included in the Guidance Note – How to deal with reports of bullying, harassment or discrimination.

4. Harassment, Bullying and Discrimination

Harassment, bullying and discrimination can have a serious detrimental effect on the health, confidence, morale and performance of those affected by it, and on the working, learning and home environment. One of the aims of this policy is to highlight and underline the University's stance that behaviour which can be construed as harassment, bullying or discrimination is not acceptable and will not be tolerated. Should a member of staff or a student report such incidences these will be taken very seriously and will be treated with sensitivity. Issues will be responded to promptly and sensitively and, following thorough investigation, any appropriate action will be taken.

4.1 Bullying & Harassment

Bullying occurs when a person engages in offensive, intimidating, malicious or insulting behaviour which intentionally or unintentionally undermines, humiliates, denigrates or injures the recipient of the behaviour.

Harassment is deemed to have occurred when a person engages in unwanted conduct which has the purpose or effect of violating another person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other person. Harassment may be directed at an individual or a group of people. It can take many forms and may be written, contained in e-mails or experienced face to face. It is illegal under the *Protection from Harassment Act 1997*. Harassment can be discriminatory, where it is directed against people because they belong (or are believed to belong) to a group with one or more of the characteristics protected by the *Equality Act 2010*. In such cases, it is also illegal under the Act. The protected characteristics listed in the *Equality Act 2010* are:

- Age
- Disability
- Gender Reassignment

- Race
- Religion or Belief
- Sex
- Sexual Orientation
- Pregnancy & Maternity
- Marriage & Civil Partnership

Bullying or harassment can be experienced by people for lots of different reasons, many of which are not linked to protected characteristics. These can include their social background, their perceived status, or lack of, within the University or their nationality. Bullying can be defined as frequent or infrequent threatening, abusive, intimidating, cruel, vindictive or humiliating behaviour, (which may be an abuse of power, position or knowledge and information) towards a student, or member of staff, which erodes their self-confidence and self-esteem. Examples of the different types of harassing behaviour can be seen in Appendix 1.

Microaggressions and Gaslighting are also forms of bullying and harassment. More information regarding these types of behaviour can be found in the Guidance Note – Microaggressions and Gaslighting.

Differences of attitude or culture and misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another. Behaviour shall be regarded as harassing if, having looked at all the circumstances, including the perception of the person who is being harassed, it can reasonably have been expected to have that effect.

The University recognises harassment as distinct from rigorous 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 staff 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.

4.2 Racial Harassment

Harassment may include behaviour linked specifically to colour, nationality or ethnic origins. It can be a regular pattern of racist behaviour or a one-off incident. A common example is racist language. If you feel you may have experienced this type of behaviour, please also refer to the Guidance Notes in the Dignity at Work and Study Toolkit, for additional information and support.

4.3 Sexual Harassment & Gender Based Violence

Harassment on the grounds of a person's sex, sexual orientation or gender reassignment, harassment of a sexual nature and treating a person unfavourably because they have either rejected or submitted to harassment will not be tolerated within the University. Sexual harassment occurs when a person's unwanted conduct on these grounds could reasonably be considered by the recipient as having the effect of either violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. If you feel you may have experienced this type of behaviour please also refer to the [Addressing GBV and Sexual Harassment Policy](#) for additional information and support.

4.4 Cyberbullying

Cyberbullying is bullying and harassment using technology. This includes bullying online and any form of anti-social behaviour over the internet or via a mobile device. It is an attack or abuse, using technology, which is intended to cause another person harm, distress or personal loss. In many cases, the spreading of offensive jokes or shocking or sexual material via phone or e-mail may also constitute cyber-harassment. The University has issued guidelines in respect of how to protect yourself and these can be found [here](#).

4.5 Discrimination

Discrimination occurs when an individual is treated unfairly because they have, or are perceived to have, a protected characteristic, or by the application of unnecessary criteria which some members of the University would find easier to meet than others. Discrimination can be direct or indirect.

Discrimination can also be by association. This is if someone is treated negatively because they are associated or connected with someone with a protected characteristic, e.g. their child is gay, their spouse is from an ethnic minority group, or their parent is disabled.

Discrimination can be due to perception. This is if someone is treated negatively because they are perceived to have a protected characteristic when they do not, e.g. an employee or student is thought to be Jewish or is perceived to be transgender.

4.6 Victimisation

Victimisation involves treating someone less favourably than another because they have, in good faith, made a claim of harassment, bullying or discrimination under this policy. It also applies to those who may have assisted an individual who is making a claim. Victimisation is unacceptable and any complaints in relation to such behaviour will be dealt with promptly. Any complaints of alleged victimisation will be investigated and, if proven, will lead to the disciplinary process being invoked.

4.7 Legislation

Harassment and discrimination are covered by a number of pieces of legislation. For the purposes of this policy the most relevant issues are covered by the following Acts:

- *The Health and Safety at Work Act 1974* – under Section 2 staff are entitled to a working environment which is safe and has arrangements in place for their welfare at work.
- *The Protection from Harassment Act 1997* – under Sections 8 – 10 it is unlawful to pursue a course of conduct which you know, or ought to know, would be classed as harassment. This includes causing someone alarm or distress, and covers speech as well as actions
- *The Equality Act 2010* – this Act specifically gives protection against direct and indirect discrimination, harassment and victimisation related to identified protected characteristics, which are detailed in Section 4.1.

5. What to do if you are being bullied, harassed or discriminated against

There are two routes to take if you feel you are being subjected to bullying behaviour. You can choose to take an informal approach or a formal approach. The approach you decide to take can depend on a number of factors such as the seriousness of the issue or whether behaviour which had previously

been dealt with, continues to take place. Information regarding the resources available to help you through each of these approaches are detailed in the appropriate Guidance Notes.

5.1 Informal Approach

- Keep a note of the details of the behaviour that is causing you distress
- It may help to talk it over with someone such as a friend, colleague, someone from the Workplace Dignity Network or a Student Support Advisor.
- If you feel up to it, and only ever when you feel safe to do so, you can approach the person concerned either in person or by e-mail to highlight your areas of concern. This may be enough to make them aware of their behaviour and stop it continuing.
- If this informal approach does not alleviate the behaviour you may need to move to a more formal route. For staff, where a grievance has been considered informally, and the employee believes that it has not been resolved, a formal grievance can be raised. For students, where an issue has been considered informally, and the student believes that it has not been resolved, a formal complaint can be raised.
- Where, on the face of it, there appears to be evidence at the informal stage of potentially serious harassment or bullying, this may proceed directly to the Disciplinary Procedure for appropriate investigation.
- Full details of what to expect from the process can be found in the Guidance Note for Staff – Informal approach to dealing with unacceptable behaviour and the Guidance Note for Students – Informal approach to dealing with unacceptable behaviour.

5.2 Formal Action

If you have tried the informal approach and the unacceptable behaviour continues or the issue is very serious to begin with, you may wish to use a more formal approach. Any action you may have taken informally will be considered within the formal process.

If you are a member of staff:

- Continue to keep a note of the details of the behaviour that is causing you distress
- If you decide to take formal action this will take the form of submitting a Grievance. Your concerns should be put in writing to your Line Manager, or the next level of Management if more appropriate.
- If the alleged incident involves students, the matter will be referred to the Student Support Management Team and will be dealt with under the relevant student policy/procedures.
- The matter will be investigated confidentially, and action taken if appropriate, at the end of the process.
- Full details of what to expect from the process can be found in the Guidance Note for Staff – Formal approach to dealing with unacceptable behaviour.

If you are a student:

- Continue to keep a note of the details of the behaviour that is causing you distress
- If you decide to take formal action this will take the form of submitting a complaint, in writing, under the appropriate procedure:

- If you are submitting a complaint about a member of staff, or general issues in your University life, submit a complaints form to academicservices@abdn.ac.uk
- If you are submitting a complaint in respect of another student, please submit an email to studentconduct@abdn.ac.uk.
- Full details of what to expect from the process can be found in the Guidance Note for Students – Formal approach to dealing with unacceptable behaviour.

Those reporting issues will be given support throughout the formal process. Staff and students should have confidence that should they receive detrimental treatment as a result of raising their concerns, this will not be tolerated and will be dealt with as detailed in Section 4.6.

The policy Guidance Note - How to deal with reports of bullying, harassment or discrimination provides some helpful information on what to do if you receive an allegation of bullying or harassment against someone else.

5.3 Online Reporting – Using ‘Online Report. Real Support’

If you have been subjected to sexual violence or any type of harassment or bullying you can submit an online report via the [University website](#). There are two options with this tool. You can submit an anonymous report (see Section 4.4) or you can submit a report and be put in contact with an Adviser. Both methods are confidential, with no details being stored until you submit the report. If you wish to be contacted by an Adviser you will be asked to provide your contact details. Submitting a report does not automatically start a complaints process. An adviser will talk you through the options and you will be able to decide how you wish to proceed, including if you wish to take further action.

5.4 Anonymous Reporting

Staff and students can submit anonymous reports regarding any kind of harassment using the [online confidential reporting tool](#) on the University website. If reports are made using this tool the University can only use the information for data collection purposes. This means that staff and students will not be contacted by an Adviser, although support mechanisms will be signposted. Staff and students are encouraged to make contact if they require support. We would encourage staff and students to use the informal or formal approaches detailed above to address any issues in relation to bullying, harassment or discrimination. Data collected via the anonymous reporting tool is reviewed by appropriate groups within the University.

5.5 Reporting Concerns to Police

Staff and students should be aware that some of the behaviours associated with breaching this policy may also make the perpetrators liable to criminal prosecution.

Where an employee or student is subject to a breach of this policy which constitutes a criminal offence or an immediate threat to their safety, we would encourage them to report the matter to the police. Individuals should inform the University through the routes set out in this policy so that appropriate support can be given.

5.6 Complaints against Third Parties

Any complaints regarding harassment instigated by third parties such as a contractor or visitor, whilst working or studying on University premises should be directed to your HR Partner, or Student Advice & Support if you are a student.

6 Confidentiality

The University will treat all records concerning allegations or complaints of discrimination, harassment or bullying as confidential.

7 What if I have been accused of bullying?

Further guidance on what to do if you are accused of bullying can be found in the Staff and Student Guidance Notes – What to do if you are accused of bullying, harassment, or discrimination.

8 Training & Monitoring

The University is committed to ensuring that all staff and students undertake the appropriate training in respect of equality, diversity and dignity at work and study. Outside of structured training sessions there are many online tools and resources available on the University website.

The Senior Management Team will monitor and review its performance on the promotion of Dignity and Respect, the effectiveness of this policy and associated procedures on an ongoing basis. Formal reports will be provided at regular intervals to the Equality, Diversity & Inclusion committee.

8 Related Policies and Guidance

Staff Only	Staff and Students	Students Only
Disciplinary Procedure	Equality, Diversity and Inclusion Policy	Code of Practice on Student Discipline (Non-Academic)
Grievance Policy	Addressing GBV and Sexual Harassment Policy	Guidance Note for students – Informal approach to dealing with unacceptable behaviour
Staff Code of Conduct	Mental Health and Wellbeing Policy	Guidance Note for students – Formal approach to dealing with unacceptable behaviour
Guidance Note for staff – Informal approach to dealing with unacceptable behaviour	Religion and Belief Policy	Guidance Note for students – What to do if you are accused of bullying, harassment or discrimination
Guidance Note for staff – Formal approach to dealing with unacceptable behaviour	Personal Relationship Policy	Support for Study Policy
Guidance Note for staff – What to do if you are accused of bullying, harassment or discrimination	Transgender Policy	
	Neurodiversity Equality Policy	
	Antiracism Strategy	
	University Complaints Handling Procedure	
	Information Security Campaign – Cyberbullying and Harassment	
	Guidance Note – Examples of unacceptable behaviour	
	Guidance Note – Microaggressions and Gaslighting	
	Guidance Note – How to deal with reports of bullying, harassment or discrimination	
	Guidance Note – Dealing with difficult conversations	
	Guidance Note – Staff Networks and Student Forums	

Appendix 1

Harassing Behaviour

Examples of Harassment may include:

- Isolation, non-cooperation or exclusion from social activities for a reason related to a protected characteristic
- Unwanted physical contact including invasion of personal space and/or inappropriate touching
- Unwelcome sexual advances
- Threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect an employee's or student's employment, evaluation, advancement, assigned work, or any other condition of employment or study/development;
- Intrusion by pestering, spying, following, stalking etc.
- Making derogatory remarks, insults, offensive language, gossip and slander in spoken and written communication, including e-mails and social media
- Posting embarrassing or humiliating images or videos without consent
- Deception, intimidation, coercion or blackmail
- Deliberate and continual mis-gendering of a colleague or student
- Giving unwanted nicknames related to a person's age, race or disability
- Making jokes or comments of a sexual or ethnic nature or about an individual's gender, sex, age, disability, sexual orientation, religion or nationality
- The open display of pictures or objects with negative connotations in respect of any protected characteristic, even if not directed at any particular person, e.g. magazines, calendars or pin-ups.
- Microaggressions and Gaslighting

Bullying Behaviour

Examples of Bullying may include:

- Spreading of malicious rumours or insulting someone
- Ridiculing or demeaning someone or setting them up to fail
- Exclusion, isolation or non-cooperation at work e.g. withholding information, not talking to someone, not including someone in discussions or meetings, exclusions from social occasions
- Overbearing supervision or misuse of power or position, e.g. making threats or comments about job security or performance without foundation
- Deliberately undermining a colleague by setting an unrealistic volume of work and constantly criticising
- Preventing individuals progressing by intentionally blocking promotion or training opportunities
- The use of obscene gestures or language

Discriminatory Behaviour

- Examples of Discrimination may include:

- Blocking promotion or training opportunities specifically because someone has one of the protected characteristics e.g. a member of your department isn't put forward for training because they are "too old"
- An internal job applicant not being offered a vacant position because they are pregnant

Other Unacceptable Behaviour

Sometimes behaviour doesn't need to be harassing, bullying or discriminatory to affect the dignity of a colleague or fellow student. Take some time to think about what you are saying and whether it has the potential to cause offence. Examples of these types of comments include:

- Congratulating someone for doing well "despite having attended a 'bad' school"
- Passing judgement on the appropriateness of someone's clothing
- Passing judgement on someone's weight or appearance

This list is not intended to be exhaustive.

What Does Not Constitute Unacceptable Behaviour?

Examples of what **does not** constitute unacceptable or harassing behaviour:

Line Management

- A Manager/Lecturer providing clear and constructive feedback on performance
- A Manager/Lecturer acting in relation to a member of staff's or student's conduct and performance

Providing that the above is done in a fair, consistent and reasonable way which is in line with related University policies it should not constitute a breach of this policy.

The Charter for Responsible Debate

Debate, and looking at issues from all perspectives is an everyday part of university life. This should be undertaken in a way which is respectful of everyone's views. Approaching debate in the manner promoted by the Young Academy of Scotland will help to ensure that behaviour cannot be construed as unacceptable. The Charter for Responsible Debate is based on the principle that debate and joint decision-making should be informed, respectful and inclusive. Using the principles of the Charter should ensure that people listen well to each other, even when they disagree, and find a way to work together to find common ground and a sense of shared purpose. This is key to improving the culture of debate in all areas of our lives: in person and on social media, locally, nationally and internationally. More information on the Charter for Responsible Debate can be found [here](#).