



DIGNITY AT WORK POLICY

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1. About this policy

1.1. The purpose of this policy is to assist in developing and encouraging a working and learning environment in which harassment is known to be unacceptable and where individuals have the confidence to deal with harassment without fear of ridicule or reprisals.

1.2. This policy applies to all St George's, University of London employees including temporary staff and staff employed by Kingston University working in the Faculty of Health, Social Care and Education. All employees of St George's, University of London are expected to work within this set of principles. Managers have a critical role in ensuring that no form of bullying, harassment or victimisation specifically that relates to a person's protected and/or other characteristics is tolerated within our community, either between or towards; employees, students, contractors, consultants or visitors to the university.

1.3. In addition, all those contracted by St George's, University of London to deliver a service including casuals, consultants, contractors and agency workers are also be covered by this policy.

1.4. Employees of NHS Trusts or other organisations which host St George's, University of London students, including those on placements, will be governed by the particular Trust's policies and guidance on appropriate conduct.

1.5. Students studying at St George's, University of London will be signposted to the relevant student policies available on the website.

1.6. This policy applies to the conduct of employees in the context of their university work, or other activities which affect the working, learning or social environment of the institution. It includes bullying and harassment in the workplace and in any work-related setting outside the workplace, eg business trips, or work-related social events,

or locations such as placements or fieldwork. It also includes online bullying and harassment.

2. Our commitment

2.1. St George's, University of London is committed to providing a second to none quality academic and work environment for its employees. St George's, University of London values and celebrates its diversity and strives to create a positive working environment that is free from harassment and bullying, where all people are treated with dignity and respect.

2.2. We want to enable all employees to fulfil their personal potential and will not tolerate bullying and harassment of any kind. All allegations of bullying and harassment will be promptly and thoroughly investigated and, if appropriate, disciplinary action will be taken.

2.3. Harassment or bullying can have very serious consequences for individuals and the University and undermines St George's, University of London's CORE values:

- Commitment

Working effectively and with dedication to perform to the highest standards. Being responsible and accountable for our choices and decisions.

- Openness

Listening, treating each other fairly and honestly. Learning from experience and reflecting on our choices and decisions.

- Respect

Shaping an inclusive environment in which diversity is valued. Communicating openly and transparently.

- Engagement

Participating in life at St George's and, through education and research, empowering our people to contribute to, influence and improve society and communities. Influencing effectively across the sectors in which we operate.

3. Rights and Responsibilities

3.1. St George's, University of London has a duty of care to its employees; it is legally responsible for ensuring that the behaviour and conduct of employees in the course of their work is acceptable. Failure to recognise or investigate incidents of unacceptable behaviour does not excuse St George's, University of London from liability and could have serious legal consequences under health and safety, employment, and anti-discrimination legislation.

3.2. All employees are personally responsible for their behaviour towards others and are expected to demonstrate active commitment to this policy and its aims. They may be held personally liable for any unlawful discrimination as well as, or instead of, St George's, University of London. Employees who commit serious acts of bullying and harassment may be guilty of a criminal offence.

3.3. Everyone has a responsibility to acknowledge that the views and opinions held by others may not coincide with their own. Equally, employees may not always agree with decisions made by managers and supervisors. Actions or views which are not agreed with by others do not in themselves constitute bullying or harassment.

3.4. All employees as individuals and as managers with line management or supervisory duties have a responsibility to promote a culture free from unacceptable behaviour. This includes identifying unacceptable behaviour in themselves and others when it occurs and taking reasonable corrective or preventative action. It is not acceptable for any manager to ignore unacceptable behaviour.

3.5. All employees are expected and encouraged to be active bystanders and to identify and challenge unacceptable behaviour that they witness. This means that employees actively address and challenge unacceptable behaviour that they witness taking place. As active bystanders, we create a safe and supportive culture and environment for everyone in our community.

3.6. Senior managers have the responsibility to communicate this policy to their employees and ensure that where it is necessary to take remedial or disciplinary action against an employee, this is done fairly and in accordance with St George's, University of London's procedures.

3.7. There are professional as well as ethical reasons for employees to maintain an appropriate formal relationship between themselves and students. All members of the university should manage their relationships in an appropriate manner in line with the code of conduct which can be found on the [website](#), as well as the [Conflicts of Interests policy](#).

4. Reasonable management practices

4.1. Reasonable management and academic guidance is defined as legitimate, constructive and fair criticism of employee performance/conduct. This will not be considered bullying or harassment provided that those involved are treated with dignity, courtesy and respect. Firm management or academic guidance and the use of reasonable measures to improve the quality of work is not bullying or harassment.

4.2. Examples of reasonable management practices include:

- setting realistic work objectives, targets and deadlines;
- monitoring output and supporting employees to enable them to develop;

- setting reasonable standards for work and conduct and monitoring for compliance.

4.3. Vigorous speech and comments, academic debate and legitimate management of the performance of employees can be distinguished from bullying behaviour. However, care should be taken to ensure that employees are not made to feel intimidated.

5. Confidentiality

5.1. St George's, University of London's aim is to deal with bullying and harassment complaints sensibly and with due respect for the confidentiality of those individuals involved. All employees must treat as confidential any information communicated to them in connection with a bullying and harassment complaint.

5.2. There may be a need to disclose confidential information in circumstances where a matter is considered to involve a potential criminal action or breach of the university's duty of care and in such cases the information will be divulged only to those who need to know.

6. Informally discussing concerns

6.1. An informal process is in place to provide support and advice to employees prior to (or instead of) using the [Grievance Procedure](#), which is outlined below. A grievance is defined as a concern or complaint an employee wishes to raise in writing with their employer. This provision of informal discussion sits outside the Grievance Procedure and does not involve discussions with managers or management.

6.2. This early intervention includes support for employees who wish to confidentially discuss incidents they have experienced or witnessed. This includes the impact incidents may have had on the individual, as well as how incidents might be defined, for example where an employee may be unsure whether behaviour constitutes as harassment or bullying. This support can also provide guidance on the routes to raise and report concerns and can assist an individual with deciding whether they wish to raise a grievance or not.

6.3. Below is a list of places employees can go to for informal discussions, advice and guidance, which will remain anonymous and confidential. The chosen point of contact will listen to the individual and understand their experience and their concerns or complaints. They can provide advice and guidance on the employee's options to address an incident(s).

6.4. The point of contact can also discuss with the individual how these incidents would be defined and therefore dealt with under existing policies and definitions. They can also talk through the reporting process with the employee, outlining how it works

and what outcome they might expect, also helping them to decide whether they wish to report a grievance or not.

6.5. Staff from The Joint Faculty of Health, Social Care & Education and staff from St George's National Health Service (NHS) Trust may approach these contacts for advice, however as their contracts of employment are managed outside of St George's University of London, and they are subject to their policies and procedures, they would be referred to their relevant Human Resources (HR) Team in order to follow their guidance and procedures.

6.6. Points of Contact

- Diversity and Inclusion Adviser - lgrand@sgul.ac.uk
- Race and Ethnicity Network – renetwork@sgul.ac.uk
- Staff Disability Network - disabilitynetwork@sgul.ac.uk
- Staff LGBT+ Network - lgbtstaffgroup@sgul.ac.uk

Please note, the individuals listed above can only support employees in this initial informal stage; they would not be able to go through the grievance procedure process with an individual, or take an issue forward on an employee's behalf, should they decide to report the concern via the Grievance Policy for action to be taken. The individuals listed above are required to act impartially when providing advice and guidance and will have received training to support them in this role.

- Trade Unions – trade union members can seek help from their relevant trade union. More information on the trade unions and relevant contacts can be found on the website [here](#).
- HR – hrhelp@sgul.ac.uk

Employees are also able to discuss concerns they may have with a member of HR. This would usually remain confidential, however where an employee consents for HR to take action (eg talking to their manager or Director) confidentiality would not be able to be maintained. Please note that it would be unlikely that HR could take forward an anonymous complaint.

6.7. Information on the number and general theme of incidents reported to the above contacts will be recorded anonymously. This information will be reported annually to the Director of HR&OD who can then include this aggregate data in HR updates to Executive Board and Council. In cases where there are multiple concerns raised regarding a specific individual, these will be raised with the Director of HR&OD who will then take appropriate follow up action, which may involve speaking to the individual's line manager, for example.

6.8. Whistleblowing incidents, which may encompass information provided in 6.7 above, is reported to the Risk Audit and Efficiency Committee annually.

6.9. This monitoring will ensure anonymity is maintained and will provide the university with an essential understanding of prevalence of incidents as well as any common or recurring themes. This information is integral in enabling the university to better support its employees and further develop an inclusive and respectful workplace culture and environment.

7. Making a complaint

7.1. St George's, University of London encourages the resolution of all complaints on an informal basis wherever possible. In some cases, it may be possible for matters to be resolved informally. Employees have the right to access the policy and procedures for dealing with breaches and complaints.

7.2. If it is not possible to resolve concerns informally, a formal complaint may be lodged through the relevant university procedure.

7.3. If employees wish to raise a complaint of bullying and harassment, either informally or formally, they should do so in accordance with the university's [Grievance Procedure](#). This procedure outlines the process through which complaints are handled as well as what individuals can expect from this process.

7.4. Employees may wish to use this policy alongside the Grievance Procedure when raising complaints relating to bullying and harassment.

8. Test of reasonableness

8.1. The university will apply a "test of reasonableness" in responding to reports of harassment consistent with the Protection from Harassment Act 1997. This Act states that it is not necessary to prove an intention to harass, rather a court would have to be satisfied that the harasser had pursued a course of conduct which amounted to harassment of another and which the harasser "knows or ought to know amounts to harassment of the other."

8.2. St George's, University of London has an equal duty of care to both the individual alleging harassment and the alleged harasser and an allegation cannot be presumed proven until properly investigated and tested against this principle of reasonableness. There may be occasions where there are no witnesses to an incident of alleged harassment and it is one individual's word against another. Where this is the case the balance of probability can be taken into account. In other words, an investigator will take into account what they consider to have been the most likely course of events. This is not the same as for a criminal conviction where an allegation must be proven beyond all reasonable doubt.

9. Vexatious complaints

9.1. The deliberately false defamation of another person's character is equally unacceptable to the university. If it is established during the investigation that an individual has knowingly raised a mischievous or malicious accusation against another person, they may be the subject of disciplinary action.

10. Criminal offences

10.1. St George's, University of London expects employees may wish to exercise their legal rights so as to protect themselves in cases where a criminal offence may have been committed. If a criminal offence such as harassing phone calls, physical assault, indecent exposure, hate crime or rape takes place, nothing in any of St George's, University of London's policies or procedures is intended to prevent or dissuade an individual from contacting the police. It is for the employee to determine if they wish to report a crime to the police.

10.2. St George's, University of London will provide assistance to individuals who disclose an incident regardless of whether they decide to report it, including signposting the individual to relevant support groups and outlining reporting mechanisms.

11. Victimation

11.1. Victimation occurs when a person is put at a disadvantage or suffers reprisal for making, in good faith, a complaint of bullying or harassment, or for supporting someone else who has made a complaint. Individuals are protected against victimisation under the Equality Act 2010 and incidents of victimisation could result in disciplinary action, regardless of the outcome of the original complaint.

12. Monitoring

12.1. All formal complaints of bullying and harassment will be reported to the Principal. This is because the Principal is ultimately responsible for the duty of care to our employees as well as any liability for the university or potential reputational risks.

12.2. Information on the number and general themes of concerns and complaints raised via the discussion and advice points of contact, as outlined in section 6 above, will be reported annually to the Director of HR&OD who can then include this aggregate data in HR updates to Executive Board and Council.

12.3. HR will record demographic data such as race, gender, age, sexual orientation, gender identity, religion & belief/non-belief and disability of all individuals raising a claim of bullying and/or harassment irrespective of whether the disciplinary process

was subsequently invoked as a result of the claim. This information will be kept confidentially by HR and will be used for no other purpose than to enable the university to fulfil its obligations for monitoring and analysis to ensure that no one is afforded unfair treatment because of their protected characteristic.

12.4. This data as well as the number and type of cases (anonymised), level of action and outcomes will be reported to key Committees:

- Council.
- Executive Board.
- Diversity and Inclusion Steering Group.

12.5. Positive action will be taken in departments which have high levels of complaints about bullying or harassment. This will be discussed with management with a view to ensuring there is an improved inclusive environment. Individual cases will not be highlighted within this process.

13. Training and awareness

13.1. St George's, University of London offers training and support to assist employees and managers to comply with this policy. All employees should ensure they complete St George's, University of London's online equality, diversity and inclusion training every three years. This includes Diversity in the Workplace and Unconscious Bias. Unconscious bias training is also available face to face. Further information is available on the [Staff Development website](#).

APPENDIX 1: EXAMPLES OF BULLYING AND HARASSMENT

Bullying and harassment can occur based on the following protected characteristics (Equality Act 2010):

- Sex
- Race, ethnic origin, nationality or skin colour
- Disability
- Sexual orientation
- Age
- Religion or belief/non-belief
- Gender Reassignment
- Pregnancy and maternity
- Marriage and civil partnerships

It is equally unacceptable to bully or harass an individual on the basis of the following:

- Trade union membership (or non-membership)
- Part-time or fixed-time status
- Willingness to challenge harassment (leading to victimisation)
- Socioeconomic status
- Intersectionality

Harassment

Harassment as defined in the Equality Act is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

Harassment also includes domestic violence and abuse (which can also involve control, coercion and threats) and stalking.

Some examples of harassment are given below. These examples are not intended to be exhaustive but to illustrate the types of behaviours which are unacceptable. Please note, this also includes behaviour that takes place online.

On the grounds of sex:

- remarks or innuendoes which ridicule, embarrassing or insulting jokes of a derogatory nature, leering or whistling;

- unwanted or inappropriate comments on dress or appearance;
- unwanted physical contact ranging from unnecessary touching, pinching and brushing against another's body to sexual assault and rape;
- unwelcome sexual advances, propositions or pressure for sexual activity; suggestive remarks, innuendoes, lewd comments or unwanted comments about appearance;
- the display of pornographic or sexually suggestive pictures, offensive e-mails/text messages/ videos.

Harassment of a sexual nature is one of the most common forms of harassment and is specifically outlawed by the Equality Act 2010 as is harassment related to relevant protected characteristics.

On the grounds of race:

- racially derogatory name calling, insults, remarks or jokes, banter, ridicule or taunts;
- graffiti or slogans or the display of pictures, posters or web-sites with racial overtones, even if not directed at a particular person;
- using a disparaging or offensive tone or abusive language when communicating with people from certain racial groups.

On the grounds of disability:

- jokes about disability, disabled people or people with HIV/AIDS;
- mimicking the effect of a disability or speech impairment;
- use of offensive inappropriate terms;
- excluding individuals with disabilities from professional and social events by act of commission or omission.

On the grounds of sexual orientation:

- homophobic or biphobic remarks or jokes;
- threats to disclose sexual orientation;
- asking intimate questions about sexual activity;
- outing someone as lesbian, gay or bisexual without their permission.

On the ground of trans status:

- refusing to associate with or ignoring someone because they are trans;
- refusing to address the person using their new name and/or preferred gender pronoun;

- failure to keep confidential information about that person's trans status;
- refusal to allow use of sanitary facilities appropriate to the gender in which the person is living;
- Inappropriate comments or questions regarding a person's gender reassignment, appearance or dress.

On the grounds of age:

- use of ageist stereotypes;
- making assumptions about abilities or fitness on grounds of age;
- basing selection for training or development on the grounds of age (eg excluding those approaching retirement);
- correlating career progression with age (eg the assumption that someone should have reached a certain career point by age 40).

On the grounds of religion or belief:

- offensive remarks or jokes about religion or belief;
- refusal to work with a person because of their religion or belief (or lack of religion or belief);
- attempts to persuade an individual to change their religious or political beliefs or their way of living to your own;
- praying over an individual without their consent.

On the grounds of pregnancy or maternity:

- criticising an individual because they need to take a break to express breast milk.

On the grounds of marriage or civil partnership status:

- treating an individual differently because they have a same sex or opposite sex partner.

On the grounds of association with someone with a protected characteristic:

- making assumptions about an individual's commitment to their work because they care for a disabled person

Bullying

Bullying can be defined as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power that undermines, humiliates, denigrates or injures the recipient (emotionally or physically) - but it doesn't have a legal definition in the Equality Act. The above definition is supplied by ACAS.

Examples of actions or behaviours which may constitute bullying are set out below. These examples are not intended to be exhaustive but to illustrate the types of behaviours which the institution finds unacceptable. Please note, this also includes behaviour that occurs online.

- sending e-mails or hard copy documents that are critical of someone to others who do not need to know;
- repeatedly shouting or swearing at or humiliating an individual in public or private;
- persistent criticism or constantly undervaluing effort;
- ridiculing or demeaning someone;
- derogatory or belittling remarks in front of others as regards appearance, work or personal attributes;
- overbearing supervision or other misuse of power or position;
- making threats or comments about job security without foundation;
- increasing responsibility whilst decreasing authority;
- overruling, ignoring, marginalising, or excluding an individual;
- removing areas of responsibility and imposing menial tasks;
- deliberately sabotaging or impeding work performance;
- preventing individuals progressing by intentionally blocking promotion or training opportunities or withholding work related information;
- excluding individuals from work or team events or isolating an individual by refusing to speak to them.

Further information about the bullying and harassment is available on the website [here](#).

APPENDIX 2: USEFUL CONTACTS

Employees can contact Human Resources by emailing hrhelp@sgul.ac.uk or speak directly to any member of HR who will be able to advise of next steps.

Employees can also speak with the [Diversity and Inclusion Adviser, Liz Grand.](#)

Trade unions members (UCU, Unite or BMA) can find contact information via the [website](#).

If employees would like to talk confidentially to someone, St George's, University of London has a counselling service that can be contacted by [email](#) or 020 8725 3625.

Employees can also contact Confidential Care (an independent service) for counselling and emotional support on 0800 085 1376 or [assist@cic-eap.co.uk](#).

[Samaritans](#) offer a safe place for you to talk any time you like, in your own way – about whatever's getting to you – call 116 123.

[Mind](#) provides information on a range of topics including:

- types of mental health problems
- where to get help
- medication and alternative treatments
- advocacy.

Lines are open 9am to 6pm, Monday to Friday (except for bank holidays) 0300 123 3393, info@mild.org.uk, Text: 86463

For guidance and advice on bullying and harassment in employment, employees can contact [ACAS \(Advisory, Conciliation and Arbitration Service\)](#) helpline - 0300 123 1100.