

## Dignity and Respect at Leicester Staff Procedure

For use in:	All Colleges/Schools/Departments/Divisions of the University
For use by:	This procedure applies to University staff
Joint Owners	The University of Leicester
Dates of Trade Union Consultation:	Ongoing throughout development as part of Anti-Bullying Working Group
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Contact – Consultees:	Staff Health and Wellbeing Lead Head of Equality, Diversity and Inclusion Trade Unions – Unison, Unite and UCU
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## 1. DIGNITY AND RESPECT STATEMENT

- 1.1. The University is firmly committed to sustaining an inclusive learning and working environment characterised by respect and dignity, and free from harassment, bullying, abusive behaviour and discrimination as detailed in the [Dignity and Respect at Leicester Definitions Document](#).
- 1.2. All members of the University community are expected to behave with respect and courtesy at all times, as these are the behaviours that demonstrate due regard for the feelings and rights of others, and in turn create an environment where dignity can be preserved and enhanced.
- 1.3. It is expected that each member of the University community will contribute to ensuring that the University of Leicester is a safe, welcoming and productive environment, where there is equality of opportunity and valuing of diversity, fostered in an environment of mutual respect and dignity.
- 1.4. Staff and students, when in positions of authority, have a particular responsibility for leading by example and guiding others to do the same.
- 1.5. The University will attempt to resolve issues of unacceptable behaviour and will support individuals to address such behaviour where appropriate, however, breaches of the Dignity and Respect at Leicester Policy ('the Policy') may ultimately lead to dismissal or termination.

## 2. SCOPE

- 2.1. This procedural document aligns with the [Dignity and Respect at Leicester Policy](#) which applies to all members of the University community. This procedure applies to staff only. For the student process go to [Student Report and Support](#). For a procedure relating to visitors, contractors and sub-contractors who are temporarily deemed part of our community, go to the [Dignity and Respect at Leicester Third Party Procedure](#).

## 3. WHAT CAN I DO IF I AM AFFECTED?

- 3.1. If you are a member of staff and feel that you are being subject to unacceptable behaviours, as outlined in the [Policy](#), you should, in the first instance and where appropriate, seek to resolve the matter informally.
- 3.2. You are encouraged to raise issues with the relevant individual(s) before they escalate. The University encourages the constructive discussion of differences of views and approaches.
- 3.3. You should keep a record of events that have caused concern or distress and the effect they have had on you, to inform your discussion with the alleged perpetrator.
- 3.4. You may wish to seek advice or help in the following ways:
  - You could seek support or advice from a friend, a work colleague, trade union representative, line manager or Human Resources.
  - You may contact the University's [Dignity and Respect Contact Service](#).
  - You may contact [Validium](#), the University's Staff Employee Assistance Programme.



- 3.5. If you do follow an informal route, this will not prejudice your right to submit a formal complaint at a later stage. The University recognises that it is not always appropriate to use the informal procedure, e.g. a sexual assault.
- 3.6. The University will respect the particular sensitivity of dignity and respect complaints and their consequences, wherever possible, as well as the need for the confidentiality of records concerning allegations or complaints of this nature. Please note that if a case moves to a formal complaint under the grievance ordinance or disciplinary ordinance then records and statements will be shared with relevant people i.e. investigating officer, chair and the alleged perpetrator.
- 3.7. It is important for staff to recognise that every individual has a responsibility to understand that views and opinions held by others and decisions made by managers and supervisors may not always coincide with their own; such differences are unlikely to constitute unacceptable behaviour unless they are raised, or dealt with, in an unfair way.

#### **4. INFORMAL RESOLUTION OPTIONS**

4.1. There are a number of possible informal options to address your concerns, including:

- If you feel comfortable, try to raise the matter informally by making the person causing the offence aware that you are finding their behaviour inappropriate and want it to stop. If you are able to explain to the person that their behaviour is offensive to you and why, this may be sufficient to resolve the problem.
- If you do not feel able to make a direct approach to the person concerned, this will not constitute consent to the alleged inappropriate behaviour, nor will it prejudice any formal complaint you may bring.
- Another option could be for you to write directly to the person causing the offence explaining what behaviour you are finding offensive, and how their behaviour is affecting you. You should consider carefully the content of the letter and the context in which the message is delivered, and whether you are able to meet with the person causing the offence to discuss the issues raised. If not, you may ask for a written response.
- If the alleged unacceptable behaviour is occurring within a team, you may wish to speak to your team leader or other appropriate line manager.
- If the offender is a third party or contractor, the Head of Department (or other appropriate manager) should also be informed.
- You could seek support or advice from a friend, a work colleague, trade union representative, line manager or Human Resource.
- You may contact the University's [Dignity and Respect Contact Service](#).
- You may contact [Validium](#), the University's Staff Employee Assistance Programme.

## 5. DIGNITY AND RESPECT CONTACTS

- 5.1. The University has implemented a Dignity and Respect Contact Service as a support and signposting service for staff who feel they may be subject to or who are responding to allegations of engaging in unacceptable behaviours as outlined in the Dignity and Respect at Leicester Policy.
- 5.2. Dignity and Respect Contacts are members of staff who have received specialist training in providing confidential support, information and an impartial listening service to staff who feel they may be subject to unacceptable behaviours and also to people responding to complaints about unacceptable behaviours.
- 5.3. Dignity and Respect Contacts have been given appropriate training in relation to the Policy and any relevant areas of legislation. They will also be provided with ongoing support and confidential advice, where appropriate, from the [Equality, Diversity and Inclusion Team](#).
- 5.4. They may provide guidance on possible options open to you but it will be for you to decide if you wish to pursue any of the options open to you.
- 5.5. Dignity and Respect Contacts provide an informal and timely source of information which will enable you to consider appropriate pathways for resolution in accordance with the University's policies and procedures. Further details about the service can be found [here](#).

## 6. MEDIATION

- 6.1. Mediation is a process of dispute resolution in which an impartial third party (the mediator) facilitates a series of private and joint meetings (if appropriate) with the parties to identify a mutually acceptable and appropriate resolution.
- 6.2. Mediation is entirely voluntary and may be considered as an option where it is agreed by both parties that this approach may be useful in resolving work relationship issues. The mediator will help to identify what has happened by speaking confidentially to all parties, assess the best way to bring the parties together, explore the issues and build an agreement for future working relationships.
- 6.3. No information is reported back to the University and/or line managers without the participants' permission as mediation is confidential between the parties involved.

## 7. FORMAL COMPLAINTS

- 7.1. If the issue is not resolved by an informal approach you may decide to raise the matter formally under the University's arrangements for dealing with grievances. The University's Grievance Ordinance Policy can be found [here](#).
- 7.2. The University has a duty of care to consider how to deal with grievances; responding quickly and treating them with due respect, appropriate confidentiality and fairness.



- 7.3. An investigation may be carried out with or without the complainant's cooperation if it is felt that there is an institutional risk or a risk to others. However, all attempts will be made to secure the complainant's agreement to an investigation.
- 7.4. During the process of dealing with the grievance, the Head of Department, equivalent level or nominated representative should take appropriate and reasonable steps to minimise and/or supervise any contact between the relevant parties and to keep them informed of these steps at all times. The University reserves the right to suspend any member of staff on normal full pay during any time during an investigation.
- 7.5. If, at any time, a complaint is deemed not of genuine substance no further action will be taken regarding the complaint and support will be given to both parties.
- 7.6. Disciplinary action may be taken in relation to the complainant if the complaint is considered to be vexatious or malicious.
- 7.7. In circumstances where complaints involve staff and students, the initial process to be followed will be the most relevant to the complainant, though any potential disciplinary action will be in line with the most appropriate procedure for that individual.
- 7.8. If the complainant is a student, the Student Complaints Resolution Pathway will apply, or if the complainant is a member of staff, the University's grievance procedure will apply.
- 7.9. An outcome of a grievance may be that no further action is taken where allegations are not upheld. However, where there is a continuing working relationship between both parties, the Head of Department or equivalent manager must ensure that appropriate steps are taken to help to restore a reasonable working relationship between the parties.

## **8. DIFFERENCES BETWEEN HARASSMENT/BULLYING AND ASSERTIVE MANAGEMENT**

- 8.1. There are differences between harassment or bullying and assertive management. Harassment or bullying are always unfair and may undermine someone's efforts to perform well. Assertive management, on the other hand, may involve setting demanding, but fair and achievable targets and standards of behaviour appropriate to someone's job, grade and level of responsibility.
- 8.2. It is important for managers to ensure that when it is necessary to address performance concerns, give critical feedback or take disciplinary action in relation to a member of staff, it is done fairly and constructively, and the University's procedures and guidance are followed.

## **9. WHAT HAPPENS IF I AM ACCUSED OF HARASSMENT, BULLYING OR OTHER UNACCEPTABLE BEHAVIOURS?**

- 9.1. If you are approached informally by someone, or on behalf of someone, about your conduct or behaviour, you should carefully consider the information provided as it may be that you have upset or offended someone unintentionally. If that is the case, the person who approached you may be content with your explanation and an apology, together with an assurance from you that you will not repeat the conduct or action.



- 9.2. If you are approached about informal allegations in relation to your conduct or behaviour and mediation is proposed as an option, you should carefully consider this as a helpful way forward to resolve the concerns raised. Mediation will only be viable where both parties agree to mediation.
- 9.3. If a formal complaint is made about your behaviour this will be investigated in line with the relevant ordinances. You will have the right to be accompanied by a trade union representative or work colleague in any formal meetings you are invited to attend in relation to the allegations, to receive relevant information on the allegations, and the right to respond to the allegations.
- 9.4. The University will take appropriate action to ensure that anyone who believes that they are the subject of inappropriate behaviour does not suffer victimisation for having brought the complaint.

## 10. CONTACTS AND FURTHER INFORMATION

- 10.1. UCU, Unison and Unite have representatives who specifically focus on equality, diversity and inclusion, and are willing to speak to members who may have concerns around dignity and respect at work. Contact details as follows:
  - UCU's branch website can be found [here](#) and they can be contacted [here](#).
  - Unison's branch website can be found [here](#) and they can be contacted [here](#).
  - Unite's website can be found [here](#) and can be contacted [here](#).
- 10.2. Further information about dignity and respect is available from your [HR Adviser](#), [Equality, Diversity and Inclusion Team](#) or [Staff Health and Wellbeing Team](#).
- 10.3. Sources of support:
  - University Counselling Service provided by [Validium](#).
  - [Leicester LGBT Centre](#), 0116 254 7412 – open Monday to Friday 9am–5pm
  - Domestic Violence (Women) - [Women's Aid Leicestershire](#), 0116 283 2225 – open Monday to Friday 9am–5pm
  - Domestic Violence (Men) – First Step, 0116 254 8535 – open Monday to Wednesday 9am–8pm and Thursday 9am–4pm
  - [Juniper Lodge](#) – Rape and Sexual assault centre, 0116 273 3330 – open Monday to Friday 8am–8pm, Saturday and Sunday 8am–4pm
  - [Equality and Human Rights Commission](#) – 0808 800 0082, text phone 0808 800 0084
  - [National Bullying Helpline](#)
- 10.4. This policy has been subject to equality analysis and will be monitored and reviewed on a regular basis.