

*Approved by Trustee Board: XXX*

*Review Period: 3 Years*

hwunion.com

*Heriot-Watt Student Union*

***DIGNITY AT WORK POLICY***

### 1. Overview

1.1 This policy applies to all employees, apprentices, consultants, officers, contractors, interns, volunteers, job applicants, agency and casual workers of the Heriot-Watt University Student Union (HWUnion). All employees and those who work with the Union in any capacity have the right to be treated with dignity at work. If you are an employee, this policy does not form part of your employment contract and we may update it at any time.

1.2 You should read this policy in conjunction with our Equality, Diversity and Inclusion Policy, Grievance Policy and Disciplinary Policy.

1.3 We want to provide a working environment free from harassment, bullying and intimidation. This policy applies in respect of allegations of bullying or harassment by members of the Student Union in the following contexts:

* Anywhere on HWUnion or University premises;
* Anywhere off HWUnion premises, for example, during work-related social events, business events or business trips;
* Online on HWUnion email, intranet and internet systems. This policy extends to online communication, communication by text, email and instant message which are made through official and personal media accounts and directly linked to content published by Heriot-Watt Student Union

1.4 We will not tolerate any forms of bullying and harassment. Complaints of this nature will be dealt with in a sensitive and confidential manner. We will also treat anyone accused of bullying or harassment with fairness and sensitivity during any investigation. Being found to have taken part in any of the following types of behaviour will lead to action under our Disciplinary Policy, and could potentially lead to dismissal for misconduct or gross misconduct:

* Harassing or bullying anyone (see paragraphs 3 and 4 below);
* Threatening anyone who raises an allegation of harassment or bullying;
* Retaliating against anyone who raises an allegation of harassment or bullying;
* Making allegations maliciously or in bad faith; and/or
* Giving false or intentionally misleading information during any investigation.

1.5 We have a duty to maintain dignity at work and to protect all our employees and others listed in paragraph 1.1 of this Policy. This means that if you change your mind about wishing to proceed after having raised an allegation of harassment or bullying (even where you have done so informally or in confidence), we may choose to investigate in any case. We will always speak to you about this decision first and take your views into account.

### 2. RESPONSIBILITIES

2.1 Both management and all staff have responsibilities for creating an environment at work free from bullying & harassment. You have a personal responsibility for applying this policy and for interacting in a fair and respectful way with your colleagues, our students, partners, suppliers and other stakeholders.

2.2 You also have a responsibility to “call out” bullying and harassment that you witness. You will:

* Treat colleagues and stakeholders with fairness and respect;
* Report any suspected bullying and / or harassment, or inappropriate behaviour
* Attend training on request of your Line Manager

2.3 If you raise a concern about harassment or bullying, we will take any steps necessary to ensure that you are not victimised as a result. If you believe that has happened to you, you must tell your line manager as soon as possible.

2.4 If you are concerned about the way a colleague is being treated, the best approach may be for you to challenge the behaviour – but do not do so if you are anxious about your own safety. If you do not feel comfortable about challenging the behaviour yourself, or you have tried doing so but it has not worked, you should speak to your line manager or a member of the Senior Management Team for further guidance and support.

### 3. What is harassment?

3.1 Harassment is any form of uninvited conduct that — as an intended or unintended consequence — violates an individual’s dignity. This may be in connection with a protected characteristic. Our Equality, Diversity and Inclusion Policy defines ‘protected characteristic’. Harassment could be carried out by a colleague or by a third party. Examples of uninvited conduct can be found in the appendix.

3.2 We also define harassment as behaviour that creates a hostile, humiliating, degrading or similarly offensive environment. This may be in relation to a protected characteristic. Examples of hostile, humiliating, degrading or similarly offensive environment can be found in the appendix.

3.3 Sexual harassment is unwanted conduct (as described in 3.1) that creates an unwanted environment (as described in 3.2) through conduct of a sexual nature. The conduct doesn’t need to be sexually motivated, only sexual in nature. An individual can experience unwanted conduct from someone of the same or different sex. It can be considered sexual harassment if the behaviour:

* has one of these effects even if it was not intended; or
* intended to have one of these effects even if it did not have that effect

Examples of sexual harassment can be found in the appendix.

3.4 Physical, verbal and non-verbal conduct can also amount to harassment, as can things you say or do online, especially on social media.

3.5 This policy covers isolated or ongoing incidents of offensive behaviour. When someone treats another person less favourably because they either submit to such behaviour or refuse to do so, this is also viewed as harassment.

3.6 The impact on the victim is very important. A person’s behaviour can amount to bullying or harassment even if they had no idea it would be perceived in that way.

### 4. What is bullying?

4.1 Bullying at work is repeated, inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, undertaken by one or more individuals in the work place, which could reasonably be considered as undermining the right to dignity at work. This may be in connection with a protected characteristic.

4.2 As with harassment, physical, verbal and non-verbal conduct can all amount to bullying. It can take various forms, from extreme behaviour involving violence and intimidation, through to subtle actions such as deliberate exclusion - ‘sending someone to Coventry’, for example. It can also take place online (cyberbullying).

4.3 Constructive and fair feedback about your behaviour or performance from your line manager or colleagues is not bullying. It is part of normal employment and management routine and should not be interpreted as anything different.

### 5. How we deal with harassment and bullying

5.1 Many issues can be resolved informally. Before you use this formal procedure, it is sometimes a good idea to speak with the person you feel is harassing or bullying you and explain that their behaviour is unwelcome, inappropriate, or that it upsets you. Surprisingly often, people think of their behaviour as 'banter' and have no idea that it is upsetting or unacceptable.

5.2 Sometimes it is difficult to speak with the person upsetting you directly. If that is the case, you should talk to your line manager informally and in confidence. If the issue is with your line manager — or there is another reason you would prefer not to discuss it with them — you should instead speak to their line manager or a member of the Senior Management Team.

5.3 If you prefer, we have an online reporting form you can use to notify us of harassing or bullying behaviours you have experienced or observed. This includes an option to make an anonymous report. Anonymous reports will be taken seriously, but due to the nature we will not be able to provide you with an outcome. Link to the form can be found at [www.hwunion.com/intranet](http://www.hwunion.com/intranet)

5.4 It is not always possible to resolve issues informally. If you find yourself in that situation, you should follow the procedures in our Grievance Policy. We will treat your allegation in confidence, as far as is possible, and where you have been the victim of harassment or bullying, we will take proactive steps to stop it continuing or recurring. If we think it necessary, we may consider taking steps to separate you from the person accused of bullying or harassment while we investigate. However, this would only be done in your best interests; it is not a pre-judgment of the allegation but simply a way for us to prevent the behaviours continuing or any opportunity for escalation of the situation during the investigation.

5.5 If, following investigation, the allegation is upheld, we will proceed under our usual Disciplinary procedures. This may lead to action being taken up to, and including, dismissal. Aggravating factors (such as abuse of power over a junior colleague) will be taken into consideration in deciding what disciplinary action to take.

5.6 If, following investigation, the allegation is not upheld, we will explain why. Either way, we will look at ways of addressing your relationship with the person accused. We may, for example, change your work pattern or theirs, or suggest counselling or mediation.

### 6. Protecting confidentiality

6.1 Harassment and bullying allegations can raise strong feelings and are always treated seriously. This is why both the Student Union and the person making the allegation have an obligation to maintain confidentiality as far as possible. This applies at every stage, including the investigation and the outcome.

6.2 If you raise an allegation of harassment or bullying and do not maintain full confidentiality at any time during the process, or you are interviewed in connection with someone else's allegation and likewise fail to maintain confidentiality, you may face action under our disciplinary procedures. This could lead to dismissal for misconduct or even gross misconduct.

6.3 Sometimes, we may decide that it is inappropriate to discuss the outcome of an investigation with you. We recognise that may leave you feeling dissatisfied and we would only do so in exceptional circumstances if there was a good reason not to keep you informed.

### Review Tracking

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| --- | --- |
| **Action** | **Date** |
| Creation & Approval | March 2021 |
| Reviewed | June 2025 |

### Appendix

#### Examples of “Uninvited Conduct”

Uninvited conduct covers a wide range of behaviours. It can include:

* spoken words
* banter
* written words
* posts or contact on social media
* imagery
* graffiti
* physical gestures
* facial expressions
* mimicry
* jokes or pranks
* acts affecting a person’s surroundings
* aggression
* physical behaviour towards a person or their property

#### Examples of behaviours that could create a hostile, humiliating, degrading or similarly offensive environment could include:

* name calling
* lewd comments
* excluding colleagues
* making insensitive jokes
* displaying pornographic material

#### Examples of sexual harassment could include:

* sexual comments or jokes
* displaying sexually graphic pictures, posters or photos
* suggestive looks, staring or leering
* propositions and sexual advances
* making promises in return for sexual favours
* sexual gestures
* intrusive questions about your private or sex life or a person discussing their own sex life
* sexual posts or contact on social media
* spreading sexual rumours about you or other individuals
* sending sexually explicit emails or text messages
* unwelcome touching, hugging, massaging or kissing

#### Examples of harassment related to race could include:

* use of racially abusive language or derogatory terms, including racially stereotyped remarks and racial slurs
* the display of positive representations of white supremacy or colonialism or negative representations of people from the Global Majority
* exclusion or other unfavourable treatment on the grounds of race
* physical abuse, intimidation and assault
* innuendo, mockery, offensive jokes or remarks
* intrusive questioning related to your race or ethnicity
* microinsults (subtle snubs, conveying a hidden insult)
* microinvalidation (negating or nullifying the thoughts, feelings or experiential reality of people from the Global Majority)