

*Approved by Trustee Board: March 2021*

*Review Period: 3 Years*

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*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.

1.4 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 2 and 3 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.

1.6 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.

1.7 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.

### 2. What is harassment?

2.1 Harassment is where a person is subject to uninvited conduct that — as an intended or unintended consequence — violates their 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.

2.2 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. Name calling, lewd comments, excluding colleagues, making insensitive jokes, and displaying pornographic material are all examples of harassment.

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

2.4 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.

2.5 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.

### 3. What is bullying?

3.1 Bullying is any behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.

3.2 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).

3.3 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.

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

4.1 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.

4.2 Sometimes it is difficult to speak with the perpetrator 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.

4.3 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 if we find that 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 try to prevent any opportunity for escalation of the situation during the investigation.

4.4 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.

### 5. Protecting confidentiality

5.1 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.

5.2 If you raise an allegation of harassment or bullying t 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.

5.3 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.