

## **DIGNITY AT WORK AND STUDY POLICY**

### **Introduction**

1. The purpose of this policy is to help maintain a working and learning environment where employees and students are treated with respect and courtesy. Bullying, harassment, discrimination and sexual misconduct are unlawful behaviours and contrary to the Equality Act 2010 and/or the Protection from Harassment Act 1997.

### **Scope**

2. This policy applies to bullying, harassment, and sexual misconduct by:
  - 2.1 An employee against another employee
  - 2.2 A student against another student
  - 2.3 An employee against a student, or vice-versa
  - 2.4 Third parties, such as consultants, contractors, agency workers, customers, visitors, apprentices, interns and service providers, against employees or students, or vice-versa.
3. We recognise that bullying, harassment and sexual misconduct can occur both in and outside the workplace and the work environment includes virtual and physical settings, work related settings outside the workplace such as field trips/events, business trips, social events or functions and social media relating to work.
4. No member of the Richmond community is expected to tolerate unlawful behaviour, whether by a member of the Richmond community, or by a third party such as a supplier or visitor to the University, or a member of the public. This policy seeks to ensure that students, employees and the wider Richmond community are protected from bullying, harassment and sexual misconduct. Employees and students have the right to disclose experiences of unlawful behaviour experienced while studying or working, and to be listened to, and to seek support. [Report and Support](#) tool is also available if an individual wishes to report anonymously.

### **Freedom of Speech and Expression and Academic Freedom**

5. One of the University's core values is upholding freedom of speech, academic freedom and freedom from discrimination, in order to provide and encourage a supportive environment and infrastructure that promotes expression, debate and deliberations of all ideas and for peaceful protests within the law.
6. The University has a duty to protect its staff from unlawful discrimination, harassment, intimidation or threats of violence on the grounds of race, sex, age, religion or philosophical belief, sexual orientation, disability, gender reassignment, marriage and

civil partnership, or pregnancy or maternity. However, the provisions of the Equality Act 2010 should not be interpreted to undermine freedom of speech and academic freedom. As a result, the working environment of staff may include exposure to research, course material, discussion or speaker's views that they find offensive, contentious or unacceptable, but are nonetheless within the law, and unlikely to be considered unlawful harassment or discrimination under the Equality Act 2010.

## Definitions

7. The Equality Act 2010 states that it is against the law to treat any person unfairly or less favourably based on a protected characteristic. The 9 protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including ethnic origin, nationality and colour), religion or belief, sex and sexual orientation.
8. Discrimination can be direct or indirect by treating someone less favourably than another person because of a protected characteristic mentioned above.
9. According to the Equality Act 2010, harassment, including conduct of a sexual nature (sexual harassment), includes unwanted or attempted unwanted physical, verbal or non-verbal behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the 9 protected characteristics. A single incident can amount to harassment under the Equality Act 2010.
10. Harassment also includes treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex in the past.
11. Harassment may include, for example:
  - 11.1 offensive emails, text messages or social media content;
  - 11.2 racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group, religion or belief, or gender; or
  - 11.3 mocking, mimicking or belittling a person's disability.
12. A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.
13. Harassment and victimisation are unlawful and will not be tolerated. Incidents of harassment and/or victimisation may lead to disciplinary action up to and including dismissal if committed:

- 13.1 In a work situation;
  - 13.2 during any situation related to work, such as a social event with colleagues;
  - 13.3 against a colleague or other person connected to the University outside of a work situation, including on social media; or
  - 13.4 against anyone outside of a work situation where the incident is relevant to suitability to carry out your role.
14. According to the Protection from Harassment Act 1997, harassment is a course of conduct conducted on at least two occasions that harasses one other person, or a course of conduct that harasses two or more persons at least once each. References to harassing a person include alarming the person or causing the person distress.
15. Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Sexual harassment is dealt with under our separate
- ### Our Practice
16. Breaches of this policy by employees or students will be investigated under the relevant employee disciplinary procedure or [Student Code of Conduct](#) which may result in disciplinary action up to and including dismissal or expulsion and referral to the police. Breaches by members of the public will be referred to security and/or the police.
17. The University aims to deal with complaints promptly and confidentially, with due respect for the privacy of all individuals involved.
18. We will take active steps to help prevent harassment, bullying and sexual misconduct. Anyone who is a victim, or witness to, harassment, bullying or sexual misconduct is encouraged to report it in accordance with this policy to enable us to take appropriate action and provide support.
19. The University expects individuals to give a reasonable level of consideration to the informal options before resorting to the formal resolution process.
20. The University's Grievance Procedure can be used to raise any workplace related problems, complaints, or concerns. Any concerns about wrongdoing or malpractice at work can be dealt with the University's Whistleblowing Policy.
21. policy. Harassment is unacceptable even if it does not fall within any of these categories.
22. Sexual misconduct is any unwanted or attempted unwanted conduct of a sexual nature. This includes, but is not limited to sexual harassment, sexual assault, and rape.

23. Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:
- 23.1 Bringing proceedings under the Equality Act 2010.
  - 23.2 Giving evidence or information in connection with proceedings under the Equality Act 2010.
  - 23.3 Doing any other thing for the purposes of or in connection with the Equality Act 2010.
  - 23.4 Alleging that a person has contravened the Equality Act 2010.
24. Victimisation may include, for example:
- 24.1 Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment.
  - 24.2 Excluding someone because they have raised a grievance about harassment.
  - 24.3 Failing to promote someone because they accompanied another staff member to a grievance meeting.
  - 24.4 Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.
25. Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.
26. Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, for example:
- 26.1 Physical or psychological threats;
  - 26.2 Overbearing and intimidating levels of supervision; or
  - 26.3 Inappropriate derogatory remarks about someone's performance.
27. Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.
28. Harassment, bullying, sexual misconduct and victimisation will not be tolerated. They may lead to disciplinary action up to and including dismissal.
29. Third-party harassment occurs where a person is harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, derogatory comments about a person's age, disability, pregnancy, colour, religion or belief, sex or sexual orientation, by a client, customer, student or supplier visiting the employer's premises, or where a person is visiting another location in the course of their employment.

30. Third-party harassment can result in legal liability and will not be tolerated. Although a claim for third-party harassment cannot be brought alone, it can still result in legal liability for an employer when raised in other types of claims. Colleagues, students and third parties are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy.
31. If any third-party harassment occurs, we will take steps to remedy any complaints and prevent it from happening again. These may include warning the harasser about their behaviour, banning them from campus, reporting any criminal acts to the police and sharing information with other departments.
32. Abuse of power means a situation where a relevant faculty or staff member exploits a position of power in relation to a student to apply pressure in a way which:
- 32.1 may result in the student doing something, or refraining from doing something, that they may not have otherwise done; and
  - 32.2 that action or inaction could reasonably result in something that falls within the scope of an intimate personal relationship. Please read more about this in the University's [Consensual Relationships Procedure](#).
33. **We will take into account any aggravating factors, such as abuse of power over a more junior colleague or in the situation of an employee and a student, when deciding appropriate disciplinary action to take in relation to unlawful behaviour.**

## **Roles and Responsibilities**

34. The University is committed to preventing incidents of bullying, victimisation, harassment or sexual misconduct where reasonably possible; and to provide educational and preventative training programmes regarding such behaviours. The University also commits to make available timely support for those who have been affected by such behaviours; and to provide prompt and equitable methods of investigation and resolution to stop bullying, harassment and sexual misconduct, to remedy any harm, and to prevent its recurrence.
35. All members of the Richmond community have a responsibility to ensure a working and studying environment where everyone is treated with respect, courtesy and consideration. Each member is expected to contribute to preventing unlawful behaviours, including bullying, victimisation, harassment or sexual misconduct through self-awareness; and by modelling positive behaviour for others, and raising any concerns. If members of the community witness bullying harassment or victimisation, and it is safe to intervene, they are encouraged to be active bystanders.
36. The University's faculty and professional services staff members and peer leaders are in a position of trust. It is important that exemplary behaviour is demonstrated. Due

consideration should always be given as to what is an appropriate environment and what is appropriate conduct in relation to the activities which are being undertaken.

37. Line managers and Heads of Departments have a duty to implement this policy, and make every effort to ensure that bullying, victimisation, harassment and sexual misconduct does not occur. Any concerns must be investigated thoroughly and effectively. It is not acceptable for any manager to ignore unlawful behaviour.
38. The University has a responsibility to ensure that employees and students are not subjected to unlawful behaviour by contractors or service providers. Any complaints about such behaviour or conduct should be made to the relevant manager who will be responsible for taking it forward. Contractors or service providers breaching this policy may be regarded as in breach of contract, which may lead to the removal from the University's campus of an individual, or termination of the contract.
39. Employees and students are required to disclose criminal convictions acquired during employment or study at the University, see the [University's Safeguarding Policy](#).
40. All members of the Richmond community are personally liable for their actions, which in some instances could lead to criminal or civil action in the Courts under the Protection from Harassment Act 1997, Equality Act 2010 or other relevant legislation, such as the Crime and Disorder Act 1998.
41. [Report and Support](#) is a platform available to all members of the Richmond's community. Reports can be made anonymously, or individuals can give their contact details. Report and Support will provide information on support options, internal and external to the University, and will direct the individuals on how to take the informal or formal complaint forward. **Report and Support is not intended for emergencies. For urgent help, please call 999.**

### Informal Resolution Stage

42. A person affected by bullying, victimisation, harassment or sexual misconduct under this policy may wish to resolve the behaviour informally if it is a one-off occurrence or is not considered serious. However, the University may be under a duty of care to investigate the behaviour if there are concerns for safety.
43. An employee is expected in the first instance to raise a matter of concern informally with their line manager. If the employee feels it would be inappropriate to raise the matter with their immediate manager as it relates to their behaviour, they should raise the concern with the next appropriate senior manager, with a view to seeking an amicable resolution.
44. Employees should consider mediation to aid resolution where appropriate. Mediation involves the appointment of a third-party mediator, who will discuss the issues raised by

the grievance with all parties involved and seek to facilitate a resolution impartially. Mediation will be used only where all parties involved agree.

45. Students are encouraged to speak to a member of the Student Affairs team, [studentaffairs@richmond.ac.uk](mailto:studentaffairs@richmond.ac.uk).
46. The University recognises it is for the person affected to determine the preferred pathway for resolution, and that engaging in informal resolution is not a barrier to bringing a formal complaint later.
47. If a person is experiencing bullying, harassment or sexual misconduct by a contractor or service provider, they should report this to their manager if they are an employee or the Student Affairs team if they are a student, [studentaffairs@richmond.ac.uk](mailto:studentaffairs@richmond.ac.uk) without delay.
48. Individuals can also access internal and external support options available on [Report and Support](#) tool.

### **Formal Resolution Stage**

49. If the outcome of an informal process is unsatisfactory or if the Reporting Party feels it is not appropriate to approach the issue informally, they may decide to raise it formally.
50. An employee who feels they have experienced or witnessed bullying, harassment or sexual misconduct may make a formal complaint against another employee by using this policy. The procedure is detailed under Appendix A. Alternatively, the complaint may be raised via [Report and Support](#) tool.
51. An employee may make a formal complaint against a student by contacting the Student Affairs team by emailing them on [studentaffairs@richmond.ac.uk](mailto:studentaffairs@richmond.ac.uk). This may also be initiated through [Report and Support](#).
52. Students who feel they have experienced or witnessed bullying, harassment or sexual misconduct by another student may make a formal report to the Student Affairs team by emailing them on [studentaffairs@richmond.ac.uk](mailto:studentaffairs@richmond.ac.uk). This process may also be initiated through [Report and Support](#).
53. Students who feel they have experienced or witnessed bullying, harassment or sexual misconduct by an employee may make a formal report to HR through [Report and Support](#).
54. Employees or students who feel they have experienced or witnessed bullying, harassment or sexual misconduct by a third party, or a member of the public should discuss this with their line manager or a member of Student Affairs team in the first instance. This may involve notifying third parties and using their complaints procedure or notifying Security and/or the police when involving members of the public.



55. Where the student, employee or member of the public who has experienced bullying, harassment or sexual misconduct is under the age of 18 or is deemed to be an “adult at risk”, the [University’s Safeguarding Policy](#) should be referred to.
56. The University will investigate complaints in a timely, respectful and confidential manner as per the procedure outlined in Appendix A for employees or [Student Code of Conduct](#) for students.

## Report and Support

57. Reports can be made via [Report and Support](#) anonymously, or individuals can leave their contact details if they would like the University to follow up and take further action(s). This does not mean that the individuals must report via [Report and Support](#) to access the services signposted in there; they can still contact services directly if they prefer to. Information on internal support and specialist external support is available on <https://reportandsupport.richmond.ac.uk/> even if they do not wish to make a report.
58. For example, students who wish to make a complaint about bullying or harassment can contact the Student Affairs team directly at [studentaffairs@richmond.ac.uk](mailto:studentaffairs@richmond.ac.uk) The team investigates formal complaints and can advise on whether informal action may be taken. If appropriate, HR and Student Affairs will work together on cases involving both employees and students.
59. If an anonymous report is received, the report will be viewed by a Report and Support Administrator that have permission and access to see the reports submitted. The Administrator will first review the report to identify any risks that relate to the University’s duty of care. If no immediate risk is identified, no further, direct action will be taken. The information kept will be for statistical reporting and to help identify trends for better prevention and intervention methods. If someone is named or identified within a report, the identifiable information will be removed and not stored.
60. If a named report is received, the Administrator will assign a case to HR or Student Affairs who are provided with a login and can only access cases that are assigned to them. HR or Student Affairs receives an email notification that a case has been assigned to them – no identifiable information is provided within this email alert. HR or Student Affairs logs into Report and Support to access information provided using their personal login details. They then make contact with the Reporting Party to discuss the case.
61. If a report is found to be malicious or vexatious, such reports will be addressed under existing University's procedures namely [Student Code of Conduct](#) and employee's Disciplinary Procedure.



62. HR or Student Affairs team will contact the Reporting Party within 5 working days of their report submission. Where support has been requested, a relevant team will contact the Reporting Party and outline the support that is available.

### Interim Measures

63. Reports which are referred for internal investigation will be subject to the process detailed under Appendix A for employees or [Student Code of Conduct](#) for students.
64. The University may determine it necessary to introduce temporary safeguarding measures to ensure the safety of Richmond's community while the investigation (whether internal or criminal) is carried out. Interim measures may include alternative working arrangements, provision of support, or a recommendation to partially or fully suspend an employee or student.
65. The University understands that this can be distressing and will only take these measures if they are considered urgent and necessary to ensure a fair and transparent investigation.

### Outcome of a Formal Complaint

66. The Reporting Party and any persons directly affected by the outcome of the complaint will be told confidentially whether the complaint has been upheld or not and the reasons for the decisions. The Reporting Party and any other persons directly affected will also be told information which is relevant to them such as any actions taken to ensure their safety or support in their studies or work.
67. The Reporting Party and any persons directly affected by the outcome of the complaint will be told if the University has taken remedial action against the Reported Party, but they may not be told all the details about the action if this does not relate to them.
68. Confidentiality is very important in dealing with cases of alleged unlawful behaviour. The Reporting Party, the Reported Party and senior manager handling the report should only divulge information to relevant people on a 'need-to-know' basis. Breach of confidentiality may give rise to disciplinary action.
69. Information collected in the process of investigating allegations under this policy is collected sensitively and confidentially irrespective of the mechanism used to make a report or disclose information (for example, in person or online).
70. All information handed in relation to an allegation of bullying, harassment, sexual misconduct or victimisation is handled on the basis set out in the University's Data Protection Policy and data protection legislation.

## Criminal Investigation

71. The University's procedures consider whether the University's regulations may have been breached. The University does not make decisions about whether a criminal offence has occurred and any judgments reached as part of an internal investigation do not constitute a legal-ruling on whether or not criminal activity has taken place.
72. The University's investigation is not a court of law and does not consider cases in the same way as a court, nor make decisions based on what a court may do in the same case.
- 72.1 If a report has also been made to the police, the University's investigation may be put on hold.
  - 72.2 The University will cooperate with police to ensure that any criminal matter is not jeopardised.
  - 72.3 The University may proceed with an internal investigation if the police are content for this to happen, or the police investigation or criminal proceedings are concluded.

## Support Available

73. Students can contact the Student Affairs team at [studentaffairs@richmond.ac.uk](mailto:studentaffairs@richmond.ac.uk) or further details can be found on <https://www.richmond.ac.uk/student-life/student-affairs/>
74. The University's [Health Assured Employee Assistance Programme](#) can offer free professional and confidential help. A free 24-hour confidential advice line is available for practical and emotional support. Please refer to HR for further details.
75. Anyone who complains or takes part in good faith in a discrimination, harassment, bullying or victimisation investigation must not suffer any form of detrimental treatment or victimisation. If a member of the Richmond's community feels they have suffered such victimisation, they should inform their line manager or HR if they are an employee or Student Affairs, [studentaffairs@richmond.ac.uk](mailto:studentaffairs@richmond.ac.uk) if they are a student, as soon as possible.
76. Information about a complaint by or about an employee or student may be placed on the employee's or student's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.

## Related Policies

77. The University's Grievance Procedure for employees is designed to resolve any workplace problems, complaints or concerns.
78. The University's Disciplinary Procedure for employees can be found on the Policy folder on the HR Intranet.

79. The University operates a separate Whistleblowing Policy to enable employees to report illegal activities, wrong-doing or malpractice within the University.
80. The University's Social Media Policy, and Consensual Relationships Procedure can be found [here](#).

## Appendix A

1. This appendix outlines the procedure for managing a formal complaint relating to bullying, harassment and sexual misconduct if the Reported Party is an employee.
2. If an employee has not been able to resolve a complaint informally, they may submit their formal grievance in writing to their line manager as soon as possible and copied to HR. If the grievance concerns their manager, the employee should submit it to HR only.
  - a. Employees should set out clearly the nature of grievance (including a summary of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, any other relevant facts, dates, times at which it occurred, names of individuals involved and any action that has been taken so far to attempt to stop it from occurring) and indicate the outcome that they are seeking. If their grievance is unclear, HR may ask to clarify it before holding a grievance meeting.
3. As a general principle, the decision whether to progress a complaint is up to the complainant. However, we have a duty to protect all staff and students and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

## Investigation

4. Before proceeding to a formal meeting, an investigation may be carried out. The scale of investigation will be determined by the nature of the complaint and will be determined by the manager, with advice from HR. Employees are expected to co-operate fully and promptly in any investigation. This may include divulging the names of alleged bully/harasser and any relevant witnesses, disclosing any relevant documents and attending interviews, as applicable.
5. All complaints will be investigated fully in an objective and confidential way, while also ensuring that the rights of both Reporting Party and Reported Party are respected. The University will make every effort to complete an investigation as quickly as possible.
6. Wherever possible, the University will try to ensure that during investigations the relevant parties are not required to work together. If the allegation is of gross misconduct, the employee may be suspended on full pay during the investigation and until the disciplinary proceedings have been concluded. Any suspension will be conducted in accordance with our Disciplinary Procedure.
7. Where the Reported Party is a contractor or service provider, the University may need to adjust the procedure under this policy to ensure it conducts appropriate investigations.

## Formal Meeting

8. A meeting will be held as soon as possible after receipt of a written complaint and usually within 10 days of receiving the complaint. However, if this is not possible, the relevant parties will be informed of the reason for any delay.
9. Both Reporting Party and Reported Party will be entitled to be accompanied by a work colleague or trade union representative. They must notify HR of the name of their representative before any meetings and representatives must respect the confidentiality of the investigation.
10. The University may, at its discretion, allow the employee to bring a companion who is not a colleague or union representative (for example, a member of their family), but the employee will not have the right to be accompanied by a legal professional (whether or not formally qualified) at any stage of the formal procedure.
11. In most instances, cases will be heard by the individual's manager, with HR present. If the complaint relates to their manager, these will normally be escalated to a more senior manager. The University will appoint at its discretion appropriate managers to investigate matters as required. The purpose of the meeting is for the employee to explain the nature of the complaint and what action they feel should be taken to resolve the matter. If more information comes to light, it may be necessary to adjourn the meeting to conduct a further investigation and reconvene the meeting when this has been done.
12. If any party is unable to attend the meeting because of circumstances beyond their control, they should inform the manager conducting the meeting as soon as possible.
13. Following the meeting and the investigation, the hearing manager will inform the Reporting Party and any persons directly affected by the complaint in writing as soon as possible and within [NUMBER] days of the outcome being determined, of the outcome, the reasons for the outcome and any action that will be taken as a result of their complaint.
14. Where it is found there is a case to answer, disciplinary action up to and including dismissal may be taken against the Reported Party of bullying, harassment and sexual misconduct in accordance with our Disciplinary Policy. We will also consider what additional measures need to be taken to prevent future harassment or bullying.
15. Whether or not a complaint is upheld, the line manager will take action to restore reasonable working relationships between the Reporting Party and Reported Party. It

may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties.

16. If the evidence suggests that the complaint was made vexatiously or maliciously (such as providing false information), disciplinary action may be taken against the Reporting Party up to and including dismissal in accordance with our Disciplinary Policy.

## Appeal

17. If the employee is not satisfied with the outcome of the hearing, they may submit a formal appeal in writing to HR within 5 working days of receipt of the outcome letter.
18. The appeal must set out the full grounds on which they are appealing.
19. HR will then arrange an appeal meeting, generally within 5 working days to consider the matter. However, if this is not possible, the employee will be informed of the reason for any delay.
20. Employees may be accompanied at the meeting by a work colleague or trade union representative. They will be entitled to speak and confer privately with the employee, but may not answer questions on behalf of the employee.
21. The appeal meeting will be conducted by a manager who has not previously been involved. The hearing manager will consider the grounds for appeal and review the conclusion reached in the original grievance meeting. Where appropriate, a member of HR may also be present.
22. If the employee is unable to attend the appeal meeting because of circumstances beyond their control, they should inform the hearing manager as soon as possible.
23. Following the appeal meeting, the hearing manager will inform the employee and any persons directly affected in writing, usually within 5 working days, of the outcome with reasons for the outcome. The outcome of the appeal is final.

## VERSION MANAGEMENT

<b>Responsible Department: Human Resources</b>			
<b>Approving Body: University Board (on recommendation of Operations Committee)</b>			
<b>Version no.</b>	<b>Key Changes</b>	<b>Date of Approval</b>	<b>Date of Effect</b>
1.0	Initial Version	19 September 2024	9 January 2025
1.1	Addition of Consensual Relationships Policy and clause on intimate personal relationships between staff and students. Formatted and reapproved for 2025-26 AY	24 July 2025	September 2025
		<b>Restricted Access?</b> <i>Tick as appropriate:</i> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	