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Dignity and Respect Policy

Bullying and harassment will not be tolerated at SOAS.

1. Policy Statement

1.1 Bullying and harassment of any kind will not be tolerated at the School. SOAS is committed to creating and sustaining a working and learning environment where people can achieve their full potential, free from any form of harassment, bullying, sexual abuse and coercion, discrimination and victimisation. The School is committed to creating an environment which is free from such behaviour and promotes a culture of accountability, dignity and respect for all.

1.2 For the purposes of this Policy, references to 'the SOAS community' includes all students, staff and lay governors of the School. The School will try to ensure relevant parties (such as third party contractors) comply with the required standards of behaviour in this Policy by way of contract.

2. Aims of this Policy

2.1 The aims of this policy are to:

- Promote the principles of dignity and respect towards one another;
- Assist in maintaining a healthy learning and working environment where unacceptable behaviour is identified;
- Proactively work towards the elimination of bullying, harassment and victimisation, by building an inclusive culture, raising awareness and ensuring transparent effective mechanisms by which complaints can be addressed;
- Encourage everyone to play a role in creating and maintaining an environment in which harassment, bullying and victimisation are understood to be unacceptable and people feel able to raise complaints, be heard and know that appropriate action will be taken.

3. Action Against Bullying and Harassment

3.1 It should be noted that a member of the SOAS community is 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.

3.2 The School and the SOAS Students' Union will use their own separate procedures to investigate and take appropriate action to resolve the same allegation of bullying or harassment (i.e. the School in considering a student's status at SOAS, the Union considering a student's membership of its organisation).

3.3 The School will take appropriate steps to deal with behaviour, intentional or unintentional, that result in a breach of this Policy. The School will conduct confidential and impartial investigations into allegations of bullying and/or harassment. It will at all times comply with the General Data Protection Requirement framework.

4. **Scope of Policy**

4.1 The School will not tolerate any form of bullying or harassment within its community or against its members, which may go beyond the physical premises and normal business hours of the School, such as conduct at events and trips abroad or on social media.

4.2 This Policy applies to the SOAS community and relates to bullying or harassment perpetrated by:

- a student against a student, member of staff or lay governor;
- a member of staff against a student, member of staff or lay governor, and
- a lay governor against a student, member of staff or lay governor.

The above examples also include bullying and harassment by or against any other party who is contracted to abide by this policy including visitors and third party contractors.

4.3 Discriminatory behaviour can occur on the basis of perceived group membership, affiliation or association. The Equality Act 2010 legally prevents those who share protected characteristics from discrimination on the basis of their shared characteristic.

These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including ethnic origin, nationality and colour), religion or belief, sex, sexual orientation. Transgender includes those who have undergone, are undergoing or intend to undergo gender reassignment.

4.4 Unacceptable behaviour can take many forms and can range from physical attack to more subtle conduct such as remarks or jokes.

It can also include behaviour which deliberately or inadvertently excludes individuals from normal activities.

4.5 Unacceptable behaviour includes, but is not limited to, bullying, harassment and victimisation

5. **Definition of Bullying and Harassment**

Bullying and harassment are not necessarily confined to the behaviour of senior staff towards more junior staff, or indeed staff towards students; it can take place between persons at the same level or involve staff or students behaving inappropriately towards more senior members of the School.

5.1 For the purpose of this Policy: the following terms are defined as:

5.1.1 **Bullying** is defined as offensive, intimidating, malicious or insulting behaviour, which may include an abuse or misuse of power, through means that threaten, undermine, humiliate, denigrate, take advantage of, or injure the recipient. 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.

5.1.2 **Harassment** is defined as unwanted conduct that has the purpose or effect of:

- violating a person's dignity; and/or
- creating an intimidating, hostile, degrading, humiliating or offensive environment which relates to one of their protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

5.1.3. **Sexual harassment** is defined as unwanted conduct of sexual nature that has the purpose or effect of:

- violating a person's dignity; and/or
- creating an intimidating, hostile, degrading, humiliating or offensive environment.

'Of a sexual nature' can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, inappropriate touching, forms of sexual assault, sexual jokes, displaying pornographic photographs, drawings or videos, or sending emails with material of a sexual nature.

5.1.4 **Victimisation** is defined in the Act as:

Treating someone badly because they have done a '**protected act**' (or because you believe that a person has done or is going to do a protected act).

A '**protected act**' is:

- Making a claim or complaint of discrimination (under the Equality Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that you or someone else has breached the Act.
- Doing anything else in connection with the Act.

If you do treat a person less favourably because they have taken such action then this will be unlawful victimisation. There must be a link between what the person did and your treatment of them.

The less favourable treatment does not need to be linked to a protected characteristic.

For example:

A tutor shouts at a student because he thinks she intends to support another student's sexual harassment claim. This would amount to victimisation.

Who is not protected?

A student who in bad faith gives false information or evidence (that is, they knew that it was false) or makes an allegation that was false and given in bad faith would not be protected against victimisation.

For example:

A student with a grudge against his tutor knowingly gives false evidence in another student's discrimination claim against the university. He is subsequently excluded from the course for supporting the claim. This treatment could not amount to victimisation because his evidence was untrue and given in bad faith.

It doesn't matter whether the original complaint/claim is upheld as long as it was not made in bad faith.

5.2 In deciding whether conduct is bullying or harassment, the School will take account of the following factors:

- the alleged victim's (or victims') perception of the conduct;
- the other circumstances of the case;
- whether it is reasonable for the conduct to have had the effect of bullying or harassment.

5.3. Examples of the different types of bullying and harassment will be developed and added to this policy during 2018-19 academic year

6. Responsibility of the SOAS Community

6.1 All members of the SOAS Community can help to:

- prevent bullying and harassment by being sensitive to the reactions and needs of others, and ensuring that their conduct does not cause offence;
- discourage bullying and harassment by others by making it clear that such conduct is unacceptable, and supporting colleagues and peers who are taking steps to stop the harassment;

- understand bullying and harassment by attending training sessions and/or seeking advice from the School's Anti-Harassment Contact Officers or Students' Union.

6.2 The School is responsible for:

- taking steps to eliminate bullying and harassment and other unlawful discrimination, as well as to actively promote equality to provide a collegiate, lawful and harmonious working environment;
- taking appropriate action when it is aware that bullying or harassment may be or is taking place;
- raising awareness to help members of the SOAS Community identify and deal with bullying and harassment.

7. Monitoring of Bullying and Harassment Cases

The School will compile anonymous information about the number, nature and outcome of bullying and harassment cases each academic year, including from formal grievance procedures, as well as from the anonymous report and support recording tool, with a view to keeping the relevant School Committee updated.

The School intends to use Report and Support - an online educational and reporting tool that enables staff and students to anonymously report unacceptable behaviour. Further information can be found here: <https://reportandsupport.co.uk/>

8 Equality and Diversity

8.1 SOAS is committed to ensuring that protected characteristics are taken into consideration in the development and implementation of any policy, process or procedure, and in its decision making.

8.2 This policy has been developed in accordance with the terms of the SOAS Equality, Diversity and Inclusion Strategy and the Equality Impact Assessment procedure. This will help ensure that the School meets the Public Sector Equality to:

- Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Equality Act (2010);
- Advance equality of opportunity;
- Foster good relations between people who share a protected characteristic and those who don't.

8.3 If you have any queries regarding this policy, or its application, and you are a student, please contact either The Student Advice and Welfare Team, or the Students' Union, or the Equality, Diversity and Inclusion Manager.

If you are a member of staff, please contact your Employee Relations Consultant or the Human Resources Equality Adviser.

8.3 The procedures outlined here should be carried out with due regard to any diversity issues which may have affected either the original situation or the current process.

Students are advised to liaise with the Disability/ Dyslexia Team in Student Advice and Welfare and their Academic Advisor if they need adjustments to be put in place.

Staff are advised to contact the Human Resources Directorate for support in this area.

8.4 Where a diversity issue (e.g. a disability, including chronic physical or mental health conditions) has been disclosed to the School, whether prior to the situation which triggered this process or during the process, the line manager co-ordinating the process is responsible for checking with the employee to determine their needs and for making the appropriate arrangements.

8.5 Employees who have not previously disclosed a diversity issue which may be relevant to this process are encouraged to do so, as early as possible, so that it can be taken into account.

You are encouraged to approach one of the following members of School staff if you have any concerns about harassment and bullying:

- Your Academic Adviser, Supervisor or Departmental Tutor
- The Student Advice and Wellbeing Team

To help ensure better understanding, we will also be creating and providing flowcharts (for students and staff) to show the steps someone should take if they want to report an incident.

9. Policy ownership & review

This policy is owned by Human Resources who will ensure a review every two years unless changes to statute necessitate an update prior to this date.

Staff can seek support through Trade Union officials, a colleague or the Students Union as appropriate and refer to the following guidelines

- [Staff Grievance Procedure](#)
- [Student Complaints' Procedure](#)
- [Student Disciplinary Procedure](#)

If you have any queries regarding this policy, or its application, and you are a student, please contact either The Student Advice and Welfare Team, or the SU, or your HR Business Partner.