1. Policy Statement
The University of Dundee upholds the right of each member of the University community to be treated with dignity and respect. It is committed to fostering an environment in which staff, students, visitors and sub-contractors can work and study free from harassment, bullying, intimidation and victimisation. This policy applies to all members of the University community. Any incident of harassment or bullying will be regarded extremely seriously and can be grounds for disciplinary action including dismissal or expulsion.

2. Definitions and Examples
Harassment may be physical (e.g. unnecessary body contact), verbal (e.g. offensive jokes) or non-verbal (e.g. ostracising an individual or unwanted e-mail messages). Harassment is characterised by being unwanted by the recipient and continues after objection has been made, although a single incident may be serious enough to justify a complaint. It is unacceptable behaviour which subjects an individual to unwelcome attention, intimidation, humiliation, ridicule, offence or loss of privacy and would be regarded as such by any reasonable person. Differences in culture, attitudes and experience can mean that what is perceived by one person as harassment may be perceived by others as normal social exchange, but the perception of the complainant will be taken seriously.

Each member of the University community is entitled to be treated with dignity and respect; they will be valued and honoured as individuals.

Types of Harassment and Bullying
The following are some examples of harassment and bullying although this is not an exhaustive list. Please seek help if you are not sure whether what you are experiencing is harassment or bullying (see section 4 - Sources of Help).

Sexual Harassment e.g.

- unwanted physical contact
- the display of sexist pin-ups or pornographic material
- unwelcome advances, attention, invitations or proposals
- sexual innuendo
- suggestive comments, looks or attitudes or jokes
- ridicule of people who are gender reassigning
- stalking
Racial Harassment e.g.

- name calling or ridicule resulting from cultural differences
- verbal abuse or racist jokes
- references to an individual's skin colour
- unnecessary comments or intrusive questioning about racial issues or origins

Harassment on Grounds of Health or Disability e.g.

- offensive behaviour relating to HIV or AIDS
- offensive language, mockery taunts or jibes
- uninvited, patronising or unnecessary assistance
- prejudging an individual's capabilities without reference to them
- excluding a person with a disability from social events or meetings

Harassment Relating to Sexual Orientation e.g.

- homophobic remarks or jokes
- innuendo, gossip or expressing stereotypical assumptions
- threats of disclosing sexual orientation

Ageist Harassment e.g.

- derogatory remarks or behaviour
- expressing prejudicial assumptions about abilities based on chronological age

Harassment on the Grounds of Religious or Political Affiliation or Conviction e.g.

- membership or non-membership of a Trade Union
- embarrassing or derogatory comments
- drawing unwelcome attention to an individual's religious or political convictions
- religious or political jokes

Personal Harassment e.g.

- spreading malicious rumours
- bullying an individual because of personal dislike, personality clash
- indiscriminate bullying because of own levels of stress, workload or pressure
Bullying e.g.

- abuse of power, position or knowledge
- threats relating to academic progression, promotion or ongoing employment
- persistently setting objectives with impossible deadlines or setting unachievable tasks
- excessive and unwarranted supervision or monitoring
- inappropriately removing duties and/or responsibilities
- derogatory remarks or unwarranted criticism
- refusal to delegate, where appropriate
- physical violence
- shouting and sarcasm
- isolation

Line Managers are responsible for ensuring that the staff who report to them perform to an acceptable standard. Bullying does not, therefore, include legitimate, justifiable, and appropriately conducted criticism of an employee's behaviour or job performance.

3. Rights and Responsibilities
   . Your Rights

   As members of the University community, members of staff, students, visitors and sub-contractors have rights that they can expect to be upheld under the Dignity at Work and Study Policy.

   In all circumstances, you have the right to:

   - be treated with respect and dignity
   - work and study in an environment free from harassment, bullying, intimidation and victimisation
   - expect the appropriate level of confidentiality to be extended to you equitable treatment, irrespective of status
   - request education about the policy
   - be accompanied to any meeting, relating to circumstances of alleged harassment or bullying by an Harassment Contact, work colleague, Trade Union representative if you are a member of staff, or friend: internal or external to the University, if you are a student.

If you believe you are being harassed or bullied, you have the right to:
• seek support and assistance from identified sources (see Section 4 - Sources of Help)

• decide the level of action you wish to take if you believe you are being harassed or bullied i.e. informal action, formal action or no action

• raise a complaint, be heard and be taken seriously

• make a formal complaint

• to be protected from victimisation, due to raising a complaint.

If you have had a formal complaint made against you, you have the right to:

• an initial assumption of innocence pending the outcome of an investigation

• be clear about the nature of the complaint

• have a copy of the written complaint together with any relevant documentation and material

• a fair hearing

a. Your Responsibilities

To ensure that individuals' rights are upheld and that an environment free from harassment and bullying can be achieved and maintained, members of the University community have responsibilities that must be fulfilled.

Staff, Students, Visitors and Sub-Contractors

All members of staff, students, visitors and sub-contractors have responsibility for:

• familiarising themselves with the Dignity at Work and Study Policy

• contributing towards a positive culture in the University

• respecting the dignity of all members of the University community

• contributing towards preserving individuals' confidentiality by not participating in rumours or gossip

• challenging instances of harassment and bullying, where they feel able to do so

• co-operating, as necessary, with investigations into complaints of harassment or bullying

• identifying institutional issues and raising any concerns.

If, as a member of staff, student, visitor or subcontractor, you believe you are being harassed or bullied and wish to have the situation resolved, you are responsible for:
- identifying the problem and playing your part in resolving the issue
- seeking help and support as soon as possible
- providing the evidence of your complaint in the recommended format (see Section 6(a) - Preparatory Action)
- giving the University the opportunity to resolve the issue, at the lowest level you feel is appropriate
- seriously considering the options for resolution
- making reasonable efforts to make the recommended solution work
- accepting that if you decide to take no action, it may not be possible for the problem to be resolved.

In addition to the responsibilities that apply to them as members of staff, managers of people have responsibility to:

- ensure that the workplace is free from harassment and bullying
- support the institutional culture of respecting the dignity of the individual, and to act as a role model
- discuss and raise awareness of the Dignity at Work and Study Policy
- provide guidance to staff on acceptable and unacceptable behaviour at work
- challenge instances of harassment and bullying that occur within their own area of management responsibility
- enable complainants to take action without fear of repercussions or victimisation.

Where appropriate, there will be occasions when it is necessary for a manager of people to:

- support the complainant
- educate the alleged harasser or bully
- make a decision about an informal complaint in the absence of clear evidence by weighing the balance of probabilities, based on the information presented
- attempt to achieve a quick, low level resolution, wherever possible
- arbitrate between staff
- work with the parties to re-establish working relationships.
4. **Sources of Help**

If you believe you are being subjected to harassment or bullying it can help to talk about the situation. A wide range of support is available to you within and outside the University.

**Harassment Contacts**

The University has a network of Harassment Contacts: volunteer members of staff who are available and willing to provide support to members of staff and students who feel they are being harassed or bullied. You are chosen Harassment Contact will listen to you and you can expect not to be blamed, judged or have assumptions made about you. The Harassment Contact will help you review your options and support you through the process of deciding upon, and taking, any appropriate action. Harassment Contacts will agree confidentiality parameters as outlined in Section 5.

a. **Other Internal Assistance**

There are many other sources of assistance accessible within the University that can be offered, including the Counselling Service, the University Health Service, the University Chaplaincy and your Head of Department. Staff can contact their Trade Union representative or Personnel Services for support. Students can contact their Dean of Students, Adviser of Studies, Personal Tutor, the Students' Association or the Student Advisory Service. If preferred, a friend: internal or external to the University, can provide the support you may need.

b. **External Assistance**

External and voluntary agencies are a source of useful assistance, particularly as they tend to have expertise in specific areas. Information and contact details are outlined in Appendix A.

5. **Confidentiality**

Confidentiality is an area of concern for most people when they decide to discuss a problem of harassment or bullying. You can be assured that when you approach an Harassment Contact or an internal contact, as detailed in Section 4 (b) - Other Internal Assistance, your confidentiality will be respected. Everything you discuss will remain confidential, if that is what you wish, unless the Harassment Contact or internal contact judges that there is an unacceptable risk to you, another person, or to the University. If this is the case the situation will be discussed with you.
and your contact will refer the matter to the University Secretary, if you are a member of staff, or to the Vice-Principal (Educational Development), if you are a student. There may also be occasions when, in order to give you the best possible support, your Harassment Contact or internal contact may need to seek advice from someone else in the University. If this is the case, your permission will first be sought and your identity will not be conveyed to the third party. Confidentiality will be maintained as far as reasonably possible during the investigation into an informal or formal complaint but there may be a need to refer to witnesses or directly involve others.

1. Are you being Harassed or Bullied?

Your Options
If you feel you are being harassed or bullied, do not feel that you must tolerate it, or that it is your fault. Harassment or bullying is most effectively resolved if it is dealt with as early as possible and at as low a level as possible. If issues are ignored, endured or allowed to escalate, problems can be more difficult to solve.

a. Preparatory Action

Prior to taking action you may wish to keep a diary of the instances of harassment or bullying to which you believe you have been subjected. It is important to note the date, time and place of the incident, exactly what was said or done, the context in which it was said or done, how it made you feel and the action you took (if any). You should also note the names of any witnesses who were present and retain any related documents. This information will be relevant if you decide to make a formal complaint at a later stage. At this point you may wish to seek help and talk through the issue with a Harassment Contact who will explore options with you and respect any decision you come to.

b. Informal Action

Your Harassment Contact will clarify your options for informal action, which are:

- meeting with the alleged harasser or bully, making it clear you find their behaviour unacceptable and asking them to stop. If it seems daunting to do this alone your Harassment Contact can accompany you and facilitate the meeting or act in a supportive/advisory capacity.
- writing a letter to the alleged harasser or bully, outlining the problem and explaining your feelings. Your Harassment Contact can help you compose the letter. On receipt of a letter an individual usually asks to meet to discuss the letter, so you should be prepared for this possibility.

- asking someone to speak to the alleged harasser on your behalf. It is rare that this resolves the problem and it is much better if you can keep control of the situation yourself. If you feel intervention on your behalf would be helpful, it is preferable that you approach Personnel Services or the Student Advisory Service.

- taking no action. This means not going ahead with informal or formal action. Some people find it helpful simply to talk over the problem and take no action. This is perfectly acceptable. Alternatively, you may decide to adopt an appropriate response to the harasser or bully that can help resolve the situation. However, if this is what you decide upon, you need to recognise that the situation may continue and the University will not be able to resolve the problem for you without your permission.

If you decide to take informal action, ideally your approach should be assertive, confident and direct. Assertiveness is about upholding your own integrity and dignity whilst, simultaneously, recognising the right of others to behave in the same way. Some basic guidance for behaving assertively when speaking to an individual you feel has harassed or bullied you is given in Appendix B.

As stated in Section 5 - Confidentiality, your Harassment Contact will maintain confidentiality except where they judge there is an unacceptable risk to you, another person or to the University.

c. **Formal Action**

Where informal action has proved ineffective, is inappropriate, where there has been a recurrence of previous harassment or bullying, or where a serious incident has occurred you have the option of raising a formal complaint. Once raised, the University has responsibility for investigating the formal complaint in order to protect the complainant and give the alleged harasser or bully a fair hearing.

Procedure to be followed to investigate a Formal Complaint

A detailed procedure is followed by the University to investigate a formal complaint of harassment or bullying. An investigation is normally completed within 20 working days of receipt of the formal complaint.

The procedure is:
1. The complainant submits a letter of formal complaint to the Equal Opportunities Officer (Staff) if the alleged harasser or bully is a member of staff, or the Equal Opportunities Officer (Students) if the alleged harasser or bully is a student. The letter should be as concise as possible and contain details of the incident/s as indicated in Section 6(a) - Preparatory Action. Care should be taken that the content of the letter focuses on the actual complaint/s and is not defamatory because, in the interests of natural justice, the alleged harasser or bully will be allowed to receive a copy of the formal letter of complaint.

2. The University Secretary will appoint a senior official of the University to investigate the complaint, supported by a member of Personnel Services, if the alleged harasser or bully is a member of staff. Where the alleged harasser or bully is a student, the Vice-Principal (Educational Development), will appoint a senior official who will be supported by a member of academic staff. The senior official is known as the Investigating Officer. The University Secretary or the Vice-Principal (Educational Development), will also advise the complainant's Head of Department of the formal complaint and clarify his/her role in the investigation.

3. The Investigating Officer will interview the complainant to clarify any points in the letter of complaint, to request the names of witnesses to the incident/s and any relevant material.

4. The Investigating Officer will meet with the alleged harasser or bully and apprise him/her of the nature of the complaint. A copy of the formal letter of complaint will be provided to the alleged harasser or bully at this stage. He/she will also be asked for the names of witnesses to the alleged incident/s.

5. The Investigating Officer will scrutinise the complaint and materials provided and, on this basis, formally interview the alleged harasser or bully and the witnesses.

6. From the information obtained from the investigation the Investigating Officer will prepare a report, with conclusions and recommendations for action for the University Secretary or Vice-Principal (Educational Development), as appropriate.

7. The University Secretary or the Vice-Principal (Educational Development), will consider the information in the report and arrive at independent conclusions based on the evidence collected. These may be the same as, or different from, the conclusions and recommendations contained in the Investigating Officer's report.

8. Based on conclusions arrived at, the University Secretary or the Vice-Principal (Educational Development), will decide on the appropriate action to be taken. Examples of action might include:
• further discussion between the complainant and the alleged harasser or bully
• providing guidance to the complainant and/or the alleged harasser or bully
• staff development for either or both of the parties (e.g. team building, anger management)
• no action
• disciplinary action. If disciplinary action is decided upon, the appropriate Disciplinary Procedure will be adhered to.

This is not an exhaustive list. Action will be decided upon, taking account of the circumstances of individual cases.

Where there is insufficient corroborated evidence produced, it may be necessary for the University Secretary or the Vice-Principal (Educational Development), to decide on the merits of the case, based on the 'balance of probabilities'. This is an established principle enshrined in employment law, which enables the University to weigh the information obtained and, on this basis, reach a judgement.

9. Where a formal complaint has been made at the point at which a member of staff or student is leaving the University, the complaint will be investigated. If the complainant is unavailable, the University Secretary or the Vice-Principal (Educational Development), will decide upon the most appropriate method of investigation.

2. If you are accused of Harassment or Bullying

This policy makes it clear that any form of harassment or bullying is a serious offence.

a. Your Rights

If you are accused of harassment or bullying you have rights that you can expect to be upheld by the University. These include the right to:

• be considered innocent of the alleged offence unless an investigation leads to a different conclusion
support from a Harassment Contact, work colleague, Trade Union representative if you are a member of staff, or friend: internal or external to the University, if you are a student
- defend yourself
- a fair hearing
- an appropriate level of confidentiality
- request training or personal development to resolve the issue.

If a formal complaint is brought against you, you have the additional rights to:

- obtain copies of all relevant documents and materials pertaining to the complaint
- refer the Investigating Officer to witnesses
- discuss the conclusion and decision with the University Secretary or Vice-Principal (Educational Development),
- expect the University to address any instance of unfounded or malicious complaint against you.

If the outcome of an investigation results in disciplinary action against you, you have the right to:

- expect the University to fully comply with the appropriate Disciplinary Procedure
- representation from a Harassment Contact, work colleague, Trade Union representative if you are a member of staff, or a friend: internal or external to the University, if you are a student
- appeal.

b. Acceptable Behaviour

Types of behaviour that constitute harassment or bullying are outlined in Section 2 - Definitions and Examples.

Many cases of alleged harassment are 'not meant to be taken seriously' by the harasser. However, the University believes that someone experiencing such incidents is often far more adversely affected by them than the alleged harasser thinks. Where the problem is bullying, it may be that a particular management style is having a detrimental effect on the individual. In either case, the individual's work, study and/or health may be suffering. The Dignity at Work and Study Policy is intended to stop any form of behaviour that is felt by the individual involved to be unacceptable. What is acceptable to one person may
not be so to another. If someone believes you are harassing or bullying them, they may take informal or formal action against you.

c. Informal Action

If you are approached informally, the aim of the meeting is to resolve the issue and to avoid formal action. If you are approached informally, look at the behaviour under question and consider whether you can modify it. You should bear in mind that it is how the other person feels about the incident/s, not what you intended, that leads to the allegation of harassment or bullying. If you believe you are being wrongly accused and therefore are not prepared to change your behaviour, you may find the complainant wishes to take the matter further.

If you are approached informally about an alleged offence, it may be helpful to obtain the support of an Harassment Contact, work colleague, Trade Union representative if you are a member of staff, or friend: internal or external to the University, if you are a student. This person is entitled to accompany you, if you wish, at any informal meeting.

d. Formal Action

If you are approached as part of a formal complaint against you, you are advised to seek the support of an Harassment Contact, Trade Union representative or work colleague if you are a member of staff, or a friend: internal or external to the University, if you are a student. You are entitled to be accompanied by this person in either a representative or supporting role at any formal investigation into an allegation of harassment or bullying. The procedure adhered to when investigating a formal complaint of harassment or bullying is explained in Section 6(c) - Formal Action. Possible outcomes are also outlined. If the outcome of the investigation results in the University Secretary or the Vice-Principal (Educational Development), considering that a malicious complaint has been made against you, appropriate action will be taken against the instigator.

e. Malicious Complaints

The Dignity at Work and Study Policy exists to provide fair means of resolving genuine complaints. The raising of unfounded allegations for mischievous or malicious purposes will be viewed as grounds for possible disciplinary action.
3. **Police Involvement**

The University reserves the right to involve the police in the event that information relating to a possible criminal offence is brought to its attention.

**APPENDIX A**

**INTERNAL ASSISTANCE**

a. **Harassment Contact**

Mr Davidson Chademana, Nursing & Midwifery, Fife Campus, Tel: 5913, e-mail d.g.chademana@dundee.ac.uk

**Other Internal Contacts**

b. Chaplaincy Centre Cross Row Tel: 344157 www.dundee.ac.uk/chaplaincy/
Counselling Service Old Technical Institute Tel: 344164 www.dundee.ac.uk/counselling/
Disability Support Service Old Technical Institute Tel: 345402 www.dundee.ac.uk/disabilitysupport/
Health Service Old Technical Institute Tel: 344164 www.dundee.ac.uk/studentservices/healthservice/

**APPENDIX B**

**THE ASSERTIVE APPROACH**

It can be difficult to speak to a person you believe has harassed or bullied you, but it can be very effective, especially if addressed at an early stage. It can also help you regain control of the situation and improve your self-esteem, which may have been affected by the incident/s. To explain the effect the alleged harasser or bully is having on you, consider the following strategies for preparing for the discussion and expressing yourself assertively.

- Identify your personal rights, wants and needs.
- Identify how you feel about the incident/s. Do you feel angry, embarrassed, humiliated or what?
- When describing your feelings, use 'I' statements instead of blaming the other person (e.g. 'I feel hurt', rather than 'You hurt me'). This helps to avoid defensiveness on the part of the person you are speaking to.
- Relate your statement about your feelings to some specific behaviour in the other person (e.g. 'I felt hurt when you said I had not completed the project on time without giving me the
opportunity to explain the reason it was behind schedule'. This is clearer to the person you are speaking to than 'I felt hurt because you humiliated me').

- Be direct: deliver your message to the person for whom it is intended. Express your request in one or two easy-to-understand sentences. Complicated explanations can mean that the person you are speaking to may not understand what you are trying to tell him/her.
- Try not to make assumptions about what the other person is thinking or feeling, about what their motives might be, or how they may react. Check things out with them first.
- Avoid sarcasm, character assassination or absolutes (absolutes often involve using words like 'You never ..' or 'You always ..').
- Avoid labelling.
- Ask for feedback: 'Am I being clear?'; 'How do you see this situation?' Asking for feedback helps correct any misinterpretation people may have as well as helping others realise that you are open to communication, and are expressing an opinion, feeling or desire, rather than a demand.
- Evaluate your expectations. Are they reasonable? Are you willing to compromise, if appropriate, in order to reach a resolution with the other person?