



Queen Margaret University  
EDINBURGH

# Dignity at Work Policy and Procedure

<b>Policy Summary:</b>	The Dignity at Work Policy and Procedure provides guidance on the University's policy for protecting QMU employees against harassment and bullying.
<b>Policy Owner:</b>	Human Resources
<b>Approved By:</b>	Executive Board: 8 <sup>th</sup> August 2012
<b>Consultation Completed:</b>	Trade Unions: November 2012
<b>Equality Impact Assessed:</b>	16 <sup>th</sup> of October 2012
<b>Date of Issue:</b>	April 2013 / Update August 2017
<b>Review Period:</b>	Annual or as required by legislation

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## **1.0 Principles**

Queen Margaret University recognises the fundamental importance of a harmonious working environment in the delivery of the University strategy and in support of its commitment to equality and respect for diversity. The University is wholly committed to promoting and maintaining a good and harmonious working environment for all its employees and considers any form of unwanted, unreasonable and offensive behaviour<sup>1</sup>, that may be harmful to an individual's wellbeing or self esteem as unacceptable.

This Policy is designed to be pro-active and to encourage positive behaviour by supporting the creation of an environment which respects, nurtures, values and caters for difference amongst its employees whilst striving to eliminate harassing, bullying, victimising or discriminatory behaviour.

To support a harmonious working environment, the University recognises that practical steps must be taken to maintain and promote good workplace behaviours and prevent the occurrence of unwanted forms of behaviour. This Policy has been developed to ensure that every employee understands their right to dignity and respect in the workplace, as well as their role in ensuring a respectful and inclusive workplace. It also provides a framework to complain should any unwanted, unreasonable or/and offensive behaviour occur.

## **2.0 Aims and Objectives**

The aim of this Policy and procedure is to:

- protect the dignity of those who work for QMU or for those who interact with its employees, for example contractors.
- provide guidance on the resolution of any Dignity at Work problems and prevent recurrence
- ensure all people managers support an environment which respects, values, nurtures and caters for difference for all staff
- ensure all employees are encouraged to apply their diverse talents, skills and experience
- ensure all employees respect the diverse talents, skills and experience of their colleagues and customers
- resolve problems as quickly as possible.

## **3.0 Scope of the Policy**

This policy applies to all employees. Employees who wish to make a complaint about student behaviour or indeed a student who wishes to make a complaint about staff behaviour should refer to the Student Conduct, Complaints and Disciplinary Procedures or contact the University Secretary .

## **4.0 Data Protection**

All information gathered on individuals as part of the Dignity at Work Policy will be processed in accordance with the provisions of the Data Protection Act.

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<sup>1</sup> including harassment, bullying, victimisation and indirect or direct discrimination.

## **5.0 Monitor and Review**

Human Resources is responsible for monitoring the effectiveness of this policy and supporting procedures and will conduct an annual review. HR will update policies in line with new or updated Employment Legislation.

Anyone who feels they have been unfairly treated or discriminated against as part of recruitment and selection process, should notify the Head of Human Resource. While those dealing with such unacceptable behaviour must strive to observe and follow the procedures closely, any failure to follow them to the letter will not necessarily render the investigation and action taken void, unfair or unreasonable..

## **6.0 Equality Statement**

QMU recognises the diverse world in which we all work and live. The University is committed to ensuring that no employee is harassed, bullied, victimised or discriminated against. It is the responsibility of both the University and all employees to promote respect in the workplace and not to apply bullying behaviour to individuals or to discriminate on any equality grounds. The Equality Act 2010 defines the protected equality strands as age, disability, gender reassignment, marriage/ civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

## **7.0 Responsibility for this Policy**

Human Resources. Any changes to this policy and supporting procedures will be made in consultation with appropriate bodies.

## **8.0 Public Interest Disclosure Act/Whistleblowing**

If a member of staff wishes to report an incident which they feel is alleged wrongdoing by their employer, those employees who make such disclosures are protected by the Public Interest Disclosure Act 1998. The Public Interest Disclosure Act 1998 gives a worker who has made a protected disclosure the right not to be subjected to any detriment, bullying or harassment from both their employer and/or their co-workers on the ground that they have made a protected disclosure.

## 8.0 Discrimination Defined

Discrimination can be direct, associative, perceptive or indirect. It is important to remember that the legislation focuses on the outcome of discriminatory behaviour over the motive or intent.

Concept	Definition
<b>Direct Discrimination</b>	This occurs when an employee is treated less favourably than others are, or would be, treated in similar circumstances due to one or more protected characteristic.
<b>Associative Discrimination</b>	This occurs when an employee is treated less favourably than another employee because of the protected equality characteristics of the person they are associated with.. This is a form of direct discrimination. The key point to note is that the person bringing the claim does not need to have the protected characteristic (i.e. the protected characteristic can belong to another person). It is sufficient that the treatment is because of a protected characteristic. An individual may also be able to bring a claim for harassment in those situations.
<b>Perceptive Discrimination</b>	This occurs when the protected characteristic is a perceived characteristic which the employee does not actually have. An employee may also be able to bring a claim for harassment in those situations.
<b>Indirect Discrimination</b>	This occurs when a condition is applied equally to all employees but one group is particularly disadvantaged, and this disadvantage cannot be justified as being necessary for the efficient running of the University.

For examples of workplace discrimination please see appendix 1.

## 9.0 Harassment Defined

The Equality Act definition of harassment is wide. It is 'where a person (A) engages in *unwanted* conduct *related to a relevant protected characteristic* and the conduct has the *purpose* or *effect* of:

- (a) violating another person's (B's) dignity, or
- (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for B

It should be noted that 'unwanted' **does not** mean express objection has to be made and a serious one-off incident can amount to harassment.

It is important to note that differences of personality traits or culture and the misinterpretation of social signals can mean that what is perceived as harassment by

one person may not seem so to another. The defining feature, however, is that if the behaviour is offensive or intimidating to the recipient, and as such would be regarded as harassment by any reasonable person. It would need to be considered that, if the **purpose** of conduct was to violate the employee's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment, then this is sufficient to establish harassment. However if harassment was not the purpose, but the employee argues this was the **effect** of the conduct, the Equality Act says that in deciding whether conduct has that effect, consideration must be given to:

- the perception of the claimant
- the other circumstances of the case, and
- whether it is reasonable for the conduct to have had that effect.

Forms of harassment involve offensive conduct or behaviour directed at a person's racial origin, religion and beliefs (including non belief), gender, disabilities, sexual orientation, age, family status (including their role as a carer or as a part-time worker, fixed term worker), marital status, political opinion, socio-economic status, or because he/she are a member of a trade union or similar associations or some other personal characteristic. It can also include the inappropriate use, or threat of use, of physical and mental power, authority or through social media.

With regard to religion and belief it should be noted that there may be cultural differences which make some forms of behaviour generally regarded as acceptable by one group and unacceptable to another because, such behaviour does not form part of the normal social interaction of that particular group

**Third Party Harassment** occurs when an employee experiences harassment (due to a protected characteristic) by the action of a third party to the University (with a third party as a body who is not an employee of the University such as such as students, consultants).

See appendix 2 for examples of potential harassment.

## 10.0 Bullying Defined

Bullying is behaviour that is characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient<sup>2</sup>. It may be by an individual against an individual or involve groups of people. It may be obvious or it may be insidious (such as ignoring a person).

Bullying can result from a misuse of individual power derived from perceived superior status/position, physical strength or force of personality. It can also arise from the collective power that arises out of strength of numbers.

Bullying is normally characterised by the emergence of a pattern of behaviour, however if one act is deemed serious enough, this could amount to bullying.

See appendix 3 for example of types of bullying.

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<sup>2</sup> ACAS. (2009) Bullying and harassment at work: guidance for employees. London: Acas.

### **11.0 Victimization Defined**

Victimization occurs when someone is treated less favourable than they would otherwise have been, because:

- they have brought a complaint or grievance, or,
- it is known or suspected that they are contemplating bringing a complaint or grievance; or,
- they are, or may be assisting someone else with information in relation to a complaint or grievance, or
- they are acting on behalf of someone else making or contemplating a complaint or grievance.

### **12.0 Firm and Fair Management/Leadership / Team effectiveness**

All employees are expected to perform their duties professionally, to an acceptable standard and managers are responsible for assisting and ensuring that this is maintained. Within QMU, this incorporates a variety of tools such as Performance Enhancement Review (PER) in which employees are expected to take a lead in enhancing their own performance and managers are expected to facilitate this process, by agreeing clear objectives and supporting development and career plans. It is expected that employees and their managers conduct periodic discussions to agree standards of performance and levels of intervention appropriate for staff to fulfil their duties professionally.

Where performance falls below an acceptable standard, then it is appropriate for managers to intervene, and where necessary, apply Management of Performance Procedures.

These policies aim to ensure the legitimate, justifiable and appropriately conducted review of an employee's performance. Their application in a fair and consistent approach does not constitute bullying or harassment by the line manager.

It is important for both the employee and the line manager to differentiate between firm, fair management style and a bullying/harassing management style. It is in the interests of the University that managers and employees carry out their required duties without threat of ill-intentioned, malicious or vexatious complaints or interference and it is important that employees and managers are clear about the responsibilities and expectations of each other's roles.

Because of differences in perception, it may be difficult to differentiate between firm/fair management and bullying/harassment management- examples can be found appendix 4.

### **13.0 Roles and Responsibilities**

QMU will apply the Dignity at Work Policy and Procedure to investigate all complaints thoroughly whilst providing support for the complainant **and** the respondent, ensuring both parties are treated with respect.

QMU recognises that making a complaint under this Policy may be a difficult experience, for a variety of reasons. The University also realises that, in some instances, it may not be appropriate for an employee to raise complaints directly with their line manager and should approach a Trade Union representative or Human Resources in the first instance.

It should be noted that if Human Resources, a line manager or a Trade Union Representative are made aware of a situation which has, or could cause, serious harm to the complainant or others the matter will be reported to HR and action will be



taken immediately. Such situations will be reported to the Health and Safety Advisor and trade union safety representative, who will conduct a risk assessment as soon as is reasonable.

Please see appendix 5 for more information on Dignity at Work Roles with Responsibilities.

#### **14.0 Work-related Social Events**

External work-related events are considered under legislation as a continuation of the workplace. Any inappropriate behaviours including harassment or bullying which occurs at such social events, such as Christmas parties, may constitute unlawful discrimination in the same way as if the inappropriate behaviour had occurred in the workplace. Complaints of any such inappropriate behaviour will be subject the provisions of this procedure.

#### **15.0 Malicious Complaints**

The presumption will always be that complaints are made in good faith and that the complainant genuinely believes that they have grounds for raising a grievance. All cases will be investigated on this basis. An unfounded complaint will not be considered as malicious unless a deliberate attempt to mislead or of dishonesty is shown. However should an investigation reveal a complaint to be malicious, this will be treated seriously and may lead to disciplinary action against the complainant.

#### **Linked Policies/Documents**

- Grievance Procedure
- Disciplinary Procedure
- Performance Enhancement Review
- Management of Performance
- Health, Safety and Wellbeing policies and procedures
- Employee Assistance Programme

## **16.0 The Procedure**

All Dignity at Work complaints should be raised as soon as possible through the Dignity at Work policy and procedure following the recent act of unacceptable behaviour. If a member of staff believe that they have experienced or witnessed discrimination, harassment or bullying, there are two procedures for raising such concerns about Dignity at Work: through an informal procedure or through a formal Dignity at Work complaint. Where appropriate, it is recommended that complainants use the informal stage of the Dignity at Work policy and procedure, in the first instance. Any employee who wishes to raise a complaint or concern related to Dignity at Work should do this within 3 months of the incident. This will enable the matter to be resolved swiftly and decisively. Only in exceptional circumstances, such as a period of prolonged absence, will a complaint be considered outside the timescale.

Every effort should be made for parties to aim to resolve issues informally in the first instance

It is accepted that there may be instances where the nature of the complaint is too serious to be dealt with informally and it is necessary to undertake a formal investigation of the complaint. Formal proceedings may also be more appropriate where a previous attempt to an informal resolution has been unsuccessful.

It should also be noted that if Human Resources, a line manager or Trade Union Representative are made aware of a situation which has caused (or could cause) harm to the complainant (or others), the matter must be reported to HR and action will be taken immediately, potentially bypassing the informal stage.

Throughout the informal and formal process, the respondent has the same right as the complainant to contact HR, line manager or Trade Union Representative for guidance and support. The entitlement of the respondent to a fair hearing should not over-ride the provision for safety and duty of care for the complainant.

### **16.1 The Informal Procedure**

In many cases issues may be resolved informally with no recourse to the formal procedure.

The informal stage can apply where the complainant simply wants a behaviour, including an observed behaviour, to stop, or where the behaviour does not pose a serious threat to employee/s or where the behaviour is not of a kind which has been consistently repeated..

The informal stage aims to resolve issues by adopting a variety of approaches which may include

- A facilitated / accompanied meeting between complainant and respondent;
- Communication between complainant and respondent through a third party without face-to-face meeting;
- Mediation provided by a trained mediator;
- Modification of working patterns to avoid potential conflict situations;
- The opportunity for reconciliation through apology and agreement of standards of behaviour to be observed in the future;
- Agreement of review period for assessing changed behaviour;

- Involvement of line manager, where appropriate, to create a conducive atmosphere for better working relationships.

Human Resources will facilitate and if required, attend any informal meetings. The aim of meeting is to make clear to the respondent that the complainant finds the behaviour unacceptable and should be stopped immediately. It is hoped that both parties will suggest ways in which the behaviour could be modified to become acceptable and mutual agreement can be reached. It is expected that the successful conclusion to this informal stage be resolved within a four week period subject to mutually agreed timescales

### **16.1.1 Outcome One – Successful resolution**

On occasion individuals may be unaware that their behaviour is unwelcome and the informal meeting may create an enhanced understanding of personal style and its impact. This may lead to an agreement that the behaviour will be modified. The individual may be comfortable to undertake this on their own or they may request support that is available from a variety of sources such as their line manager, HR/training and personal development options as well as the counselling service. In this instance, the matter will be concluded.

### **16.1.2 Outcome Two – Unsuccessful resolution**

If however, the respondent denies behaviour as inappropriate or is not prepared to consider modifying aspects of their behaviour, then HR in consultation with the complainant may instigate an investigation to determine whether a formal process is required.

The employee will be advised that:

- a) a formal investigation (and possible disciplinary action) can only occur if the complaint is investigated under the formal procedure;
- b) a written record of the action taken will be made and filed with HR, to assist in any formal proceedings which may arise if the unwanted behaviour does not stop. Failure to maintain such a record will not invalidate proceedings at the formal stage.

Before embarking on the formal procedure and subsequent investigation Human Resources will offer conciliation or mediation services to try to bring the complaint to a successful resolution.

## **16.2 The Formal Procedure**

### **Stage 1: Written Dignity at Work complaint**

If the informal approach does not resolve the issue and you wish to raise a formal complaint you must notify HR of your intention to raise a formal complaint within three months of the most recent incident of unacceptable behaviour. HR will provide advice and guidance on the nature of your complaint prior to the employee completing and sending a Written Dignity at Work Complaint Form (Appendix 7) to Human Resources.

You can raise a complaint individually or as part of a group acting together. If you raise a complaint, it is normal for you to attend a meeting to give your side of events. The respondent(s) named in your complaint will be advised that a Dignity at Work

Complaint has been raised and will receive a copy of the Written Dignity at Work Complaint Form for information. Where any issue is already the subject of consultation or negotiation with trade unions or a grievance is being raised on behalf of two or more employees by a representative of a recognised trade union, this procedure is not appropriate and employees should refer to the Collective Grievance Policy and Procedure.

HR will appoint an investigating officer from a list of staff members trained in undertaking investigations. The purpose of the investigation is for the University to establish a fair and balanced view of the facts relating to your complaint and to establish whether disciplinary action is required or if another policy/procedure is more appropriate. The amount of investigation required will depend on the nature of the allegations and will vary from case to case.

You must co-operate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending investigative interviews if required. The information gathered during the investigation will remain confidential unless specific permission is granted by all relevant parties (complainant, respondent and investigation interviewees) to share the information.

Both parties may be accompanied at all stages of the process by a work colleague or trade union representative (including full time officials).

The Investigating Officer will conduct a full and thorough investigation as speedily as possible and document the results. The investigation may involve interviewing and taking statements from the employee and any witnesses and/or reviewing relevant documents.

The investigation will seek to:-

- establish the nature and circumstances of the alleged offence or problem
- allow the complainant, the respondent and any witnesses to give their version of events to the investigating officer.
- Consider each allegation and set out what evidence there is to support it or reject it.
- take into account any personal or mitigating factors that may come to light during the investigation.
- assess whether this justifies suspending the grievance procedure and applying another more appropriate policy.

After completing the investigation, the investigating officer will provide the Head of HR with an investigation report to enable the Head of HR to decide:-

- that no action is required
- whether it would be more appropriate to use other related procedures
- whether there are grounds for formal disciplinary action and to refer the matter to a disciplinary hearing for consideration

In the event of a recommendation for formal disciplinary action, all information gathered during the investigation will be shared with the Disciplinary Panel members, the complainant and those responding to the complaint.

## **Stage 2: Dignity at Work Meeting**

Having investigated your complaint, Human Resources will invite you to a meeting to discuss the outcome of the investigation with you. This meeting will normally take place 5 working days after the conclusion of the investigation. Human Resources will also meet with the respondent to inform them of the outcome of the investigation.

In some circumstances a meeting may not be the preferred option to communicate the outcome and in this situation every effort will be made to ensure that the most appropriate form of communication is used.

### **The Decision**

The recommended outcome of your complaint and the action the Head of HR intends to take together with the right to appeal will be notified to you at the Dignity at Work Meeting.

Where a grievance is taken out by an employee against a colleague and the decision of the Head of HR is to refer the complaint to a disciplinary hearing, the investigating officer shall attend the disciplinary hearing to present the findings of the investigation.

## **Stage 3: Appeal**

Both the complainant and the respondent have the right of appeal against the decision to uphold or not uphold the complaint.

The appeal should not amount to a re-hearing of existing evidence and an appeal must be based on the following grounds:

- (a) substantive – new evidence has come to light
- (b) procedural – the policies and procedures were not observed correctly
- (c) inaccurate – the investigation report misinterprets the information provided
- (d) inconsistent – the decision does not follow logically from the investigation
- (e) incommensurate - the outcome of the decision is in appropriate to the scale of the behaviour

The appeal must state the grounds for the appeal and must be submitted in writing within 5 working dates from being informed of the outcome of the Investigation report.

The appeal must be sent to the Head of HR, who will appoint an Appeal panel to hear the appeal. Members of the Appeal panel hearing the appeal should not have had any involvement in the initial complaint. They will comprise three members of staff who have completed probation, acceptable to both sides in the dispute and selected from a pool of staff who have undergone suitable training. Reasonable grounds must be provided to support any rejection of a panel member. The outcome of the appeal hearing will be given in writing within 5 working days of the date of the appeal.

The outcome of the appeal hearing will be given in writing within 5 working days of the date of the appeal. The decision at the appeal hearing is final and there is no further right of appeal.

## Mediation

Where the Dignity at Work policy and procedure fails to resolve the issue, the University may consider the use of conciliation or mediation to try and resolve the problem. This provision is not a formal requirement of the Dignity at Work policy and but may be used in exceptional circumstances.

## Appendix 1

Concept	Workplace Example
Direct Discrimination	An example would be denying an employee learning and development opportunities or a promotion because of their sex.
Associative Discrimination	Examples of associative discrimination are an employee with a disabled child who is subjected to unpleasant comments about disabled people in general, or, an employee who is a carer for an elderly parent who has a flexible working request declined, and the employer grants a similar requests to employees who care for children.
Perceptive Discrimination	An example of perceptive discrimination is when the recruiting manager does not offer an employment vacancy to the most suitable candidate because in the interview they take the incorrect view that the candidate is gay (this is direct discrimination because of sexual orientation). A further example is when an employee is subjected to religious abuse on the basis that she supports a particular football team, even though she does not actually belong to the religion associated with that football team.
Indirect Discrimination	An example of indirect discrimination would be when a manager organises early morning meetings in which employees with caring responsibilities are unable to attend.

## Appendix 2

Types of Harassment	
Sexual or Sexist	<ul style="list-style-type: none"><li>• unwelcome physical contact ranging from touching to physical assault. This could also encompass invading someone's "personal space" by standing very close to him/her where this is unnecessary or intentionally brushing against someone.</li><li>• unwelcome verbal conduct including remarks and comments about appearance, lewd comments, sexual advances, sexual innuendo and banter, offensive jokes or songs, intrusive questioning about or discussion of sexual orientation, sexual practices or beliefs either directly with the recipient or with others about the recipient.</li><li>• written/visual/physical interaction including sending unwelcome emails, notes or pictures, looking at material which is offensive to them or where such material is by its nature obviously offensive, downloading such material in the presence of others or sending it by means to others who have indicated that it is offensive to them or where it is obviously by its nature offensive, displaying pin-ups of males or females in states of undress, making obscene or sexual gestures, sending unwanted gifts, following/spying/stalking/leering</li><li>• bullying behaviour – linked in some way to the sex or sexual orientation/gender identity of the recipient</li><li>• exclusion of the recipient from activities (work or social activities related to work) or conversations as a result of the recipient's sex, sexual orientation/gender identity</li></ul>
Racial	<p>This can include the same range of conduct set out as sexual/sexist harassment. However, the behaviour will be linked in some way to racial group (including race, nationality, ethnic or national origin)</p> <p>Racial harassment would include:</p> <ul style="list-style-type: none"><li>• physical assault, threats, exclusion from activities or conversations, circulation of offensive material jokes, remarks, insults, gibes or bullying, which is linked in any way to the racial group of the recipient</li></ul> <p>It should be noted that there may be cultural differences which make some forms of behaviour generally regarded as acceptable by one group and unacceptable to another because such behaviour does not form part of the normal social interaction of that particular group.</p>

Disability	<p>This can include the same range of conduct set out as sexual/sexist harassment. However, the behaviour will be linked in some way to the fact of disability.</p> <p>Harassment on the grounds of disability could include:</p> <ul style="list-style-type: none"> <li>• jokes about disabled people</li> <li>• unwanted or patronising comments which repeatedly draw attention to an impairment</li> <li>• excluding a disabled colleague from workplace conversations or activities</li> </ul>
Harassment or unequal treatment on other grounds	<p>Additionally, research also shows cases where employees have made complaints for the following reasons:</p> <ul style="list-style-type: none"> <li>• Faith and Belief Systems – Prejudices/perceptions about people who have a particular faith or belief systems which is different “from the norm” or “their own”</li> <li>• Sectarian – Insensitive or derogatory remarks in relation to football and associated religions. Perceptions/prejudices about particular religions/faiths stemming from childhood influences.</li> <li>• Ageist – Avoiding the recruitment/promotion of someone because he/she are a carer or child bearing age. Avoiding involving people in work tasks/projects because he/she are perceived to be too young or too old.</li> <li>• Family status (including their role as a carer or as a part-time worker) – Avoiding employing/promoting someone because he/she having caring responsibilities and perceiving he/she will need lots of time off and aren’t as flexible as someone who has no dependants</li> <li>• Marital status – Avoiding recruiting/promoting someone who is married and perhaps have children or is of child bearing age.</li> <li>• Political opinion – Prejudices/perceptions about people who have particular opinions.</li> <li>• Socio-economic status – Prejudices/perceptions about people who live in particular areas or educated in particular schools or perhaps because of lack of educational qualifications.</li> <li>• Membership of a trade union or similar associations – Prejudices/perceptions about people who are members of trade unions.</li> <li>• Physical appearance – Prejudices/perceptions about people who look a particular way. For example all overweight people are lazy, or she/he isn’t good looking enough for that customer facing role or negative views on body piercing or tattoos.</li> </ul>
Third Part Harassment	<p>An example of third part harassment is a female lecturer who has complained on several occasions to her Line Manager that a particular student has been making sexist remarks to her. The Line Manager should take steps to protect the employee from such ‘third-party harassment’.</p>



### Appendix 3

Examples of Types of Bullying and Potential Bullying	
Types of Bullying	<ul style="list-style-type: none"> <li>• Verbal abuse</li> <li>• Intimidating behaviour such as flying off into sudden rage over trivial matters</li> <li>• Inconsistent behaviour, being warm and friendly one minute and cold and unfriendly the next minute</li> <li>• unwarranted disparaging, ridiculing, or making comments and remarks, often made in front of others and designed to undermine an individual</li> <li>• Steps taken to make someone's work-life extremely difficult including setting of impossible deadlines, objectives or targets, constantly changing objectives and goals, deliberately imposing an intolerable workload, unreasonable removing areas of responsibility, deliberately blocking advancement without cause</li> </ul>
Examples of unacceptable bullying behaviour	<ul style="list-style-type: none"> <li>• Shouting at a colleague or raised voices</li> <li>• Persistently negative and inaccurate attacks on a colleague's personal or professional performance</li> <li>• Criticising or humiliating a colleague in front of others</li> <li>• Spreading malicious rumours or making malicious allegations</li> <li>• Threatening behaviour, both verbal and physical</li> <li>• Persistently setting objectives with impossible deadlines or achievable tasks</li> <li>• Removing and replacing areas of responsibility with menial or trivial tasks and taking credit for work achieved</li> <li>• Undervaluing a colleague's contribution</li> <li>• Placing unreasonable demands on a colleague</li> <li>• Over-monitoring a colleague's performance</li> <li>• Withholding information with the intent of deliberately affecting a colleague's performance</li> <li>• Excluding colleagues by talking solely to a third party in order to isolate another</li> <li>• Isolating employees by treating them as non-existent and preventing them from accessing opportunities</li> <li>• physical contact which is unwanted</li> <li>• unwelcome remarks about a person's age, dress, appearance, race or marital status</li> <li>• jokes, offensive language, gossip, slander, sectarian songs and letters</li> <li>• offensive posters, graffiti, obscene gestures, flags, bunting and emblems</li> <li>• isolation or non-cooperation and exclusion from social activities</li> <li>• coercion for sexual favours</li> <li>• pressure to participate in political/religious groups</li> <li>• intrusion by pestering, spying and stalking</li> <li>• failure to safeguard confidential information</li> <li>• shouting at staff</li> <li>• setting impossible deadlines</li> <li>• persistent criticism</li> </ul>

## Appendix 4

### Comparisons of Firm and Fair Leadership

The list below provides examples of management behaviours for guidance. It is accepted that these descriptions represent extremes of behaviour. In practice things will not be so clear and the accused may display characteristics which fall somewhere in the middle<sup>3</sup>.

<b>Firm/Fair Manager</b>	<b>Bullying/Harassing Manager</b>
Consistent and fair	Aggressive, inconsistent and unfair
Determined to achieve the best results, but reasonable and flexible	Unreasonable and inflexible
Knows their own mind and is clear about their own ideas, but willing to consult with colleagues and employees before drawing up proposals	Believes that he/she are always right, has fixed opinions, believes he/she know best and is not prepared to value other people's opinions
Insists upon high standards of service in quality of and behaviour within the team. Will discuss, in private, any perceived deterioration before forming any views or taking action and does not apportion blame on others when things go wrong	Insists on high standards of service and behaviour but blames others if things go wrong. Loses temper regularly, degrades people in front of others, threatens official warnings without listening to any explanation
Asks for people's views, listens and assimilates feedback	Tells people what will be happening, does not listen

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<sup>3</sup> Created by the UK Benefits Agency Equality Team.

## Appendix 5

Role	Responsibility
<b>Leaders, Managers</b>	<p>All employees who have people management responsibility must ensure that unwanted, unreasonable and offensive behaviours does not occur in their areas of responsibility. Managers must be actively responsive and supportive of any employee, student, visitor or contractor who complains of such inappropriate behaviour. This will include providing full clear guidance on the procedure to be adopted, guaranteeing confidentiality in all cases and ensuring that there is no further problem or victimisation once the complaint has been dealt with.</p> <p>Where a complaint is brought to the attention of management, prompt and appropriate corrective action will be taken. This action could conclude in disciplinary measures up to and including dismissal for serious misconduct.</p> <p>The Line Manager is responsible for:</p> <ul style="list-style-type: none"> <li>• Being a positive role models in respect of acceptable workplace behaviours</li> <li>• Implementation of this policy and procedure in partnership with HR</li> <li>• Promoting positive workplace behaviours</li> <li>• Identifying and eliminating instances of unacceptable behaviour or conduct</li> <li>• Is supportive and neutral to provide support to the complainant and, also the respondent</li> </ul>
<b>Employees</b>	<p>It is the responsibility of all employees to ensure that their behaviour is appropriate and does not contribute to the creation of an environment where, for example, harassment or bullying is condoned, endorsed or encouraged. Employees should challenge unwanted, unreasonable and offensive behaviour or bring it to the notice of management and should always support any colleague who is being subjected to misconduct.</p> <p>The employee is responsible for:</p> <ul style="list-style-type: none"> <li>• Adhering to the principles of the policy</li> <li>• Taking personal responsibility for ensuring their actions, attitudes or behaviours do not cause distress or upset to colleagues</li> <li>• Not to condone harassment, bullying or victimisation by others</li> <li>• Not participating in, encouraging or condoning gossip related to cases of alleged or actual bullying, harassment or victimisation</li> <li>• To report any observed incidents of bullying, harassment or victimisation to HR or their Line Manager</li> </ul>
<b>Human Resources</b>	<ul style="list-style-type: none"> <li>• Are custodians of policies which promote and nurture positive workplace behaviours.</li> <li>• To advise all employees on the interpretation and</li> </ul>

	<p>implementation of this policy and procedure</p> <ul style="list-style-type: none"> <li>• To provide management development guidance which supports the aim of identifying, developing and maintaining acceptable workplace behaviours</li> <li>• Provide fair, unbiased and confidential advice and support to all employees.</li> </ul>
<b>Trade Unions</b>	<p>To work in partnership with HR and the QMU Equality and Diversity Committee to develop policies and procedures in support of Dignity at Work and the supporting infrastructure</p> <ul style="list-style-type: none"> <li>• Give confidential guidance to their members who require it</li> </ul>
<b>Employee Counselling Service</b>	<ul style="list-style-type: none"> <li>• Give confidential counselling support to QMU Employees</li> <li>• Support QMU Employees whose mental health may be adversely affected due to bullying and harassment</li> </ul> <p><i>(more information available from HR on this service)</i></p>

## Appendix 6 Written Dignity at Work Complaint Form



Queen Margaret University  
EDINBURGH

Written Dignity at Work Complaint	
Employee's name:	
Employee's job title:	
Employee's School/ Department:	
Date:	
Does your Dignity at Work Complaint relate to your line manager?	Yes/No
<b>Summary of complaint:</b>	
Please set out the details of your complaint (providing as much detail as possible, particularly dates, times, locations and the identities of those involved). You may attach additional sheets if required.	
<b>Individuals involved in the alleged incident/complaint:</b>	
Please provide the names and contact details of any people involved in your complaint, including witnesses.	
<b>Outcome requested:</b>	
Please set out how you would like to see your complaint dealt with, and why and how you believe that this will resolve the issue.	

<b>Declaration:</b>	
<p>I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that making any false, malicious or untrue allegations may result in disciplinary action being taken against me by the University. (In the most serious cases, making false, malicious or untrue allegations can be treated as gross misconduct.)</p>	
<b>Form completed by:</b>	
<b>Signature:</b>	
<b>For completion by Human Resources</b>	
Date form received by Human Resources:	
Name of relevant HR Partner:	
Signature:	