

UNIVERSITY OF ABERDEEN

POLICY AGAINST DISCRIMINATION, HARASSMENT AND BULLYING IN THE WORKPLACE

1 INTRODUCTION

As part of its commitment to equal opportunities, the University of Aberdeen aims to develop and encourage a working environment and culture in which harassment of members of staff is neither tolerated nor acceptable and where individuals have the confidence to complain of harassment without fear of intimidation or reprisals.

It is the responsibility of all members of staff to behave courteously and respectfully towards each other and to ensure that their behaviour does not cause unnecessary offence or upset.

The University undertakes to continuously publicise, disseminate, monitor and review the policy to ensure that it continues to adhere to recognised standards of best practice.

2 WHAT IS DISCRIMINATION?

Discrimination may involve the favouring of one employee over another as a direct result of age, colour, ethnic or national origin, nationality, disability, health, sexual orientation, marital status, family responsibilities, gender (including gender reassignment), religion or political beliefs and affiliations or socio-economic background or by the application of unnecessary criteria which some members of staff will find easier to meet than others.

3 WHAT IS HARASSMENT?

Harassment can take many forms and may be directed at an individual or group of individuals. A perception of harassment can be the result of various types of communication, including face to face exchanges, email correspondence and written correspondence. Harassment occurs when someone's actions or words, based on the relevant grounds (some examples are listed below), are unwelcome and violate another person's dignity or create an environment that is intimidating, hostile, degrading, humiliating or offensive. Differences of attitude or culture and mis-interpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another. Behaviour shall be regarded as harassing if, having regard to all the circumstances, including in particular the perception of the person who is the subject of the harassment, it should reasonably be considered as having that effect.

3.1 Examples of Harassment

Personal harassment occurs when one person's behaviour towards another creates an intimidating, hostile, degrading, humiliating or offensive environment for employment, for study or for social life. Personal harassment can be the result of prejudice on a number of grounds including disability, age, religion or belief and sexual orientation. The University will not tolerate any form of harassment.

Examples of Harassment may include:

- Spreading malicious rumours or insulting someone
- Ridiculing or demeaning someone or setting them up to fail
- Exclusion e.g. withholding information, not talking to someone, not including someone in discussions or meetings, exclusions from social occasions
- Overbearing supervision or other misuse of power or position e.g. making threats or comments about job security or performance without foundation
- Unwanted physical contact including the invasion of personal space and/or inappropriate touching
- Intrusion by pestering, spying, following, stalking etc.
- Deliberately undermining a competent worker by setting an unrealistic volume of work tasks and constantly criticising
- Preventing individuals progressing by intentionally blocking promotion or training opportunities
- Making derogatory remarks, jokes, insults, offensive language, gossip and slander in verbal and written communication, including by email.

In addition, it should be noted that harassment on the grounds of a person's sex or gender reassignment, harassment of a sexual nature and treating a person unfavourably because he or she has either rejected or submitted to harassment will not be tolerated within the University. Sexual harassment occurs when a person's unwanted conduct on the grounds of sex or a sexual nature could reasonably be considered by the recipient as having the effect of either violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

4 WHAT IS BULLYING?

Bullying can be defined as frequent or infrequent threatening, abusive, intimidating, cruel, vindictive or humiliating behaviour, (which may be an abuse of power, position or knowledge and information) towards a member of staff which erodes their self-confidence and self-esteem. It should be noted that academic debate and legitimate and reasonable management of staff performance must be distinguished from bullying.

5 WHAT TO DO IF YOU ARE BEING DISCRIMINATED AGAINST, HARASSED OR BULLIED

5.1 Personal Action

If you feel that you are being subjected to harassment in any form, do not feel that you are to blame for the situation or that you have to tolerate it. Act promptly - don't wait until a situation reaches an intolerable level or your personal wellbeing is put in jeopardy.

You can seek advice on courses of action open to you from the following University sources:

- Human Resources Officer
- Supervisor/Head of School/Head of Section/Head of College
- Trade Union Representative
- You can seek support from the following University Sources:
- University Counselling Service
- Chaplaincy

- Occupational Health Service
- Alternatively, you may wish to contact your GP or a trained counsellor

5.2 Harassment Advisers

Harassment Advisers will provide you with the opportunity to talk to someone who is willing to listen and offer help and support, whether or not you want to make a formal complaint. All discussions with these people will be treated in the strictest confidence and allegations will not be made known to any other department or individual within the University without your express consent. The only time this confidentiality may not be maintained is if the allegation contains information which constitutes an unacceptable risk to yourself, another member of staff or the University.

The names of staff members who are trained as Harassment Advisers are listed on noticeboards across the University and are available online at:

<http://www.abdn.ac.uk/hr/policies/harrassment.shtml>

5.3 Informal Action

You should keep a note of details and dates of any incidents which distress you, including a note of the ways in which the incidents cause you to change your normal pattern of work or social life.

You may be able to deal with many of the forms in which harassment occurs by making it clear to your alleged harasser that you find their behaviour unacceptable and that it is causing you offence. If you feel you need help or advice, you could seek the involvement of a friend or colleague or any of the sources mentioned above. If you wish, a Human Resources Officer can facilitate a meeting with your alleged harasser. Alternatively, you may wish to write to your alleged harasser explaining that their behaviour is causing upset and requesting it to stop.

If you think that your attempts to resolve the situation informally have not succeeded or if you feel unable to personally confront your alleged harasser, you should contact either:

- Supervisor/Head of School/Head of Section/Head of College
- Human Resources Officer
- Trade Union Representative

Wherever possible, allegations of discrimination, harassment or bullying will be resolved at a School/Section level. You may wish to be accompanied by a friend or colleague at this meeting. During the course of any subsequent investigation, the alleged harasser may also be accompanied at meetings by a friend or colleague.

5.4 Formal Action

If a solution is not reached, or if you feel that the matter should be taken further, you should raise it in writing with the University Secretary or Director of Human Resources who will arrange for further investigation under the Disciplinary Procedures. Harassment is a serious breach of the Equal Opportunities Policy and will be viewed very seriously by the University. Discrimination, harassment or bullying may result in action being taken up to and including dismissal. Both you and your alleged harasser will have the opportunity to be represented, accompanied and to make a case.

The purpose of any formal action taken will be to investigate the problem and to arrive at a solution. All allegations will be taken seriously and in good faith and will be investigated thoroughly.

If the alleged harasser is a student, the matter will be referred to the Director of Student Support Services and will be dealt with under Student Procedures.

If a criminal offence e.g. harassing phone calls, physical assault takes place, you should not feel that this Policy is intended to prevent or dissuade you from contacting the Police. Matters referred to the Police as criminal offences will be dealt with in parallel by the University under the Disciplinary Procedures.

5.5 Confidentiality

The University will treat as confidential all records concerning allegations or complaints of discrimination, harassment or bullying. When complaints are made, confidentiality will be maintained wherever possible; however, if an allegation contains information which constitutes an unacceptable risk to yourself, another member of staff or the University, action may be taken.

5.6 Training & Development

An awareness of best practice in relation to anti-discriminatory behaviour and an appreciation of how to deal with complaints of harassment or bullying will be incorporated into staff training where appropriate. If you feel you would like personal development in this area, you should contact your line manager or any of the Human Resources or Development Officers.

All new staff will undergo an induction process and this will include being informed about the University's Equal Opportunities Policy.