



**University of  
Nottingham**

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**Dignity at Nottingham: Staff & student policy  
in harassment, bullying and victimisation**

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**Contents**

**Dignity at Nottingham: Staff & Student Policy on Harassment, Bullying & Victimisation**

1. Introduction and Scope of Policy	2
2. Harassment	2
3. Bullying	3
4. Victimisation	4
5. Harassment & Bullying Examples	4
6. Bullying and Harassment Examples Relevant to Students	5
7. Harassment, Bullying and Victimisation by Electronic Methods	6
8. What to do if you are being harassed or bullied	6
9. Support and Further Information for Staff	7
10. Support and Further Information for Students	7
11. Guidance for those accused of Bullying, Harassment or Victimisation	8
12. Procedure For Raising a Complaint Against a Member of Staff	9
13. Procedure For Raising a Complaint Against a Student	12
14. Staff/student and student/staff complaints	14

## 1. Introduction and Scope of Policy

- 1.1 The purpose of this policy is to assist in establishing an environment in which harassment, bullying and victimisation are regarded as unacceptable across the University. Individuals should have the confidence to complain about harassment or bullying, and lack of consideration, in the knowledge that their concerns will be dealt with appropriately and fairly. This policy outlines procedures to be followed if anyone at the University feels they are being harassed, bullied or victimised.
- 1.2 The principles of this policy apply to all staff, students, associates and any contractors working on campus. It is the responsibility of the [Human Resources Department](#) to issue this to all staff. Heads of School/Department must make sure that their staff have received awareness training and understand the context of this policy. The Director of Student Operations and Support will ensure this policy is referred to within the relevant student publications.
- 1.3 All employees and students involved in the harassment and bullying complaints procedure and/or the investigation process are required to respect the need for confidentiality.
- 1.4 We will keep information confidential if it has been given in confidence, however, there may be cases where information provided is of a serious nature and we are under an obligation to use this information in order that we fully discharge our duty of care.

## 2. Harassment

- 2.1 Equality legislation makes harassment on the grounds of a protected characteristic unlawful. This protection includes people who find the behaviours offensive even if it is not directed at them and even if they do not possess the characteristic.
- 2.2 The Equality Act 2010 offers protection from:
  - Unwanted conduct that is related to the protected characteristics of: age; disability; gender reassignment; race; religion or belief; sex; sexual orientation and that violates the person's dignity or creates an intimidating, hostile, degrading, humiliating or hostile environment for that person
  - Unwanted conduct of a sexual nature (sexual harassment)
  - Less favourable treatment for rejecting/submitting to sexual harassment
  - Less favourable treatment or harassment related to sex or gender reassignment
- 2.3 Harassment that is targeted at an individual or group of individuals may occur on the grounds of:
  - A person's **actual** personal characteristics - for example, a person's views are persistently ignored or not sought because they have a diagnosis of mental ill health
  - A person's **perceived** personal characteristic – for example, homophobic/derogatory remarks are made to a person assumed to be gay, whether they are or not
  - The characteristic of a person with whom someone is **linked** – for example, a person is harassed because of the religious or philosophical beliefs of a relative or friend

- 2.4 Alternatively, harassment may not be personally targeted **at** an individual at all. For example, if, in a particular team, a culture exists which permits offensive or stereotypical jokes, then a person may have a valid complaint of harassment, even if these do not relate directly to the complainant. For instance, a racist work culture which denigrates minority ethnic groups may create an offensive environment for staff of all races. People of any race or ethnic background would have a right to complain even where the offensive remarks were aimed only one particular race.
- 2.5 Harassment can take a variety of different forms ranging from repeatedly ignoring a colleague or subjecting them to unwarranted attention, to intimidation, humiliation, ridicule or offence. Harassment may not be deliberate; someone may harass another person unintentionally.
- 2.6 Differences of attitude 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. People should feel comfortable about explaining why particular words or conduct are unacceptable to them, and should be able to expect that others will treat their views seriously.
- 2.7 People in positions of trust and authority and those with a pastoral role have a particular obligation to ensure that they do not use their power to harass other staff or students of the University.

Please see section [5. Harassment and Bullying Examples](#) for the most prevalent forms of harassment.

### **3. Bullying**

- 3.1 Bullying is the exercise of power over another person through negative acts or behaviours that undermine him/her personally and/or professionally. It is often characterised by inconsistent treatment of people. Bullying can be threatening, insulting, abusive, disparaging or intimidating behaviour; placing inappropriate pressure on the recipient, which can affect self-confidence or has the effect of isolating or excluding them. It involves behaviour that is unacceptable to the recipient and creates an intimidating, hostile or offensive environment for employment, study or related social activities.
- 3.2 Bullying may consist of a single incident, sporadic events or a continuing process. Behaviour that may appear trivial as a single incident can constitute bullying when repeated.
- 3.3 As with harassment, bullying is not always deliberate; someone may demonstrate bullying behaviour without intending to. Whichever form it takes it will often cause embarrassment, fear, humiliation or distress to an individual or group of individuals.
- 3.4 Bullying may be by an individual against another individual (perhaps by someone in a position of authority such as a manager or tutor) or groups of people (perhaps a person will act in a bullying manner towards several colleagues). Similarly, a group of people may also be responsible for bullying behaviour towards an individual (for example, if a group of staff members act in a way that leaves an individual feeling isolated or excluded). People in positions of authority can be bullied by those who are not.

- 3.5 Harassment and bullying are to be distinguished both from the sort of vigorous academic debate which is to be encouraged in a University, and from the actions of a manager or tutor making reasonable and appropriate (but perhaps unpopular) requests of his/her staff or students. These are examples of conduct that (whether or not acceptable to the recipient) are warranted in the circumstances. Management actions that go beyond reasonable and appropriate requests within the context of the staff /student relationship may be considered to be harassment or bullying.
- 3.6 The defining features of harassment and bullying are therefore that the behaviour is both unacceptable to the recipient and unwarranted by the circumstances of the relationship between the parties.
- 3.7 Please see section [5. Harassment and Bullying Examples](#) for specific examples of harassment and bullying behaviour.

#### 4. Victimisation

- 4.1 Victimisation occurs when a person is treated less favourably because they have, in good faith, made an allegation of harassment, or has indicated an intention to make such an allegation, or has assisted or supported another person in bringing forward such an allegation, or participated in an investigation of a complaint, or participated in any disciplinary hearing arising from an investigation
- 4.2 We will not tolerate any victimisation of anyone raising a concern under this policy.

#### 5. Harassment & Bullying Examples

- 5.1 Some of the most prevalent forms of harassment include the following:

**Sexual harassment** can take the form of ridicule, sexually provocative remarks or jokes, comments about dress or appearance, the display or distribution of sexually explicit material, sexual advances or physical contact, demands for sexual favours, or assault.

**Racial harassment** may include jokes about, or gratuitous references to a person's colour, race, religion, or nationality; and assumptions based on racial stereotypes. It can also include offensive remarks about dress, culture, or customs that have the effect of ridiculing or undermining an individual or fostering hatred and/or prejudice towards individuals or particular groups.

**Harassment of people with disabilities** can take the form of individuals being ignored, disparaged or ridiculed because of mistaken assumptions about their capabilities. Their disability rather than their ability can become the focus of attention and harassment can include inappropriate personal remarks, jokes or inappropriate reference to an individual's appearance. People may be wrongly excluded from activities because their requirements have not been considered.

**Harassment on the grounds of a person's sexual orientation** may be aimed at heterosexual people but is more usually experienced by the LGBTQ community. Examples of harassment relating to **sexual orientation** include homophobic remarks or jokes, offensive comments relating to a person's **sexual orientation**, and threats to disclose a person's **sexual orientation** to others. People's responses to or reporting of harassment may also be complicated by the fact that in order to raise issues or confront it, they may feel it necessary to be open about their **sexual orientation** where they would not have otherwise chosen to do so.

**Harassment relating to gender reassignment** may be aimed at someone who is, or is perceived to be, transitioning from one gender to another or who has already transitioned. Examples of harassment relating to **gender reassignment** include transphobic remarks or jokes, offensive comments relating to a person's appearance, voice or manner of dress, their use of toilets, threats to disclose a person's **gender reassignment** to others, refusal to use correct (ie the person's) pronouns where these can be reasonably known, and referring to the person by any other forenames whether the person has ever been known by these or not. Response to or reporting of harassment may also be complicated by the fact that in order to complain about it or confront it, they may feel it necessary to be open about their **gender reassignment** where they would not have otherwise chosen to do so.

**Harassment on the grounds of age** may include jokes about a person's age or the age of those with whom the individual associates. It may not be targeted at an individual(s) but consist of a general culture which, for instance, appears to tolerate the telling of ageist jokes. Harassment may also take the form of individuals being ignored or overlooked because of mistaken assumptions about the person's capability and/or willingness to take part in activities, for example, exclusion of those near retirement from training and development opportunities.

**Harassment on the grounds of religion or belief** may include any behaviour, language or conduct relating to a person's religion or belief, or to their not following a religion or belief. Examples of harassment include offensive remarks or jokes about items of clothing and religious artefacts; refusing to work with a person because of their religion or belief; or excluding someone from workplace activities.

The above list of examples is not exclusive and harassment can also take place on other grounds, such as a person's religion, or any other characteristic, whether or not it makes them different from the majority or from the person who harasses them.

5.2 Bullying is more than a break down in working relationships. Examples of bullying can include:

- Derogatory name-calling;
- Derisory remarks, verbal abuse, insults and threats;
- Ridiculing or belittling of an individual;
- Repeated comments in reference to personal traits or appearance;
- Assumptions based on stereotypes;
- Verbal or practical jokes;
- Exclusion from normal workplace conversation or social events — this may be implicit in where or when a social event is held;
- Offensive graffiti or insignia;
- Display or electronic transmission of offensive material;
- Physical attack;
- Incitement of others to do any of the above.

## 6. Bullying and Harassment Examples Relevant to Students

6.1 **Chanting:** Rivalry during week one between halls of residence leads to X Hall of residence chanting derisory comments at Y Hall residents. Beginning as 'banter' the behaviour becomes more aggressive and protracted – chants aimed at members of 'X' hall become obscene personal insults and the aim is to humiliate any student from that hall.

- 6.2 **Exclusive behaviour:** A club/society, which is affiliated to the Students' Union. Consumption of alcohol is seen by one group of students as the way to 'belong' – pressure is brought upon any student wanting to be part of this group to take part in drinking of alcohol. This excludes any student who does not wish to drink alcohol at social events or on sports tour or event to be a part of the team.
- 6.3 **Abusive Communication:** An individual student receives a text message from another student, the text contains language, which is offensive and alludes to violence.
- 6.4 **Threatening behaviour:** A student is the victim of a physical or verbal attack – this is misconduct and should be reported to campus security.

All conduct described above is contrary to the [Code of Discipline for Students](#) and this policy.

See section [10: Support and Further Information for Students](#) for information on where you can find support and advice at any stage of the process

## 7. Harassment, Bullying and Victimisation by Electronic Methods

- 7.1 Electronic bullying and harassment can take place through electronic media, for example, instant messaging, social networking websites (e.g. Facebook, Twitter, blogs) or text messages. In sending emails, all staff and students should consider the content, language and appropriateness of such communications.
- 7.2 You should be familiar with the following policies:
- [Code of Practice for Users of the University Computing Facilities](#)
  - [Information Security Policy](#)
  - [Regulations governing the use of the University Computing Facilities](#)

For members of staff you should also refer to the [Policy for Electronic Mail Usage](#).

- 7.3 The use of online social networking sites has grown considerably over the last few years. The following guidance is relevant for both students and staff:
- avoid using language which would be deemed to be offensive to others in a face-to-face setting as the impact on the individual will be much the same
  - avoid forming or joining an online group that isolates or victimises fellow students or colleagues
  - avoid using such services in classes unless tutors have given express permission
  - ensure that you never use such sites to access or share illegal content
- 7.4 If occasions of what might be online bullying, harassment or victimisation are reported, they will be dealt with the same way as if it had taken place in a face-to-face setting.

## 8. What to do if you are being harassed or bullied

- 8.1 Anyone who considers that they may have been the subject of harassment or bullying has the right to be listened to and to be given informed advice on how the matter may be resolved. There are usually a number of options. Anyone who feels they have been harassed or bullied is likely to wish to speak to someone with whom they feel they share something in common.

For this reason, they should be able to approach one of a number of different people within the University who have been specifically trained for this role (see section [9. Support and Further Information for Staff](#) and section [10. Support and Further Information for Students](#)).

- 8.2 If you feel that you are being subjected to harassment, bullying or victimisation in any form by another member of staff or student they should refer to the relevant procedure contained in this policy:
- [Procedure for raising complaints against a member of staff](#)
  - [Procedure for raising complaints against a student](#)
  - [Staff/students and student/staff complaints](#)
- 8.3 There is a section on examples of what may constitute [harassment or bullying behaviour](#).
- 8.4 If you have been accused of bullying, harassment or victimisation, please see section [11. Guidance for those accused of Bullying, Harassment or Victimisation](#).

## **9. Support and Further Information for Staff**

- 9.1 We provide a number of services, which you can access if you believe you are experiencing the bullying, harassment and victimisation issues identified in this policy and guidance.
- Your line manager: ideally, you should talk to your manager if you have experienced or observed harassment, bullying or victimisation, or if a complaint is made against you under this policy.
  - The HR Employment Relations Team (HR ERA) are available for a confidential chat if you do not initially want to involve your line manager. The ERA can sensitively discuss your concerns relating to harassment, bullying or victimisation.
  - The University's [Dignity Advisers](#), consists of a group of people who are trained to advise on matters relating to this policy. Staff and students can seek advice, support and guidance from a member of the network if they have a concern about bullying, harassment and victimisation. Advisers from the network are available to assist both the complainant and person accused. Further guidance on the role of the Adviser and who they are can be found at the University's Dignity Adviser link above or can be requested from the Human Resources Department.
  - The Adviser will treat the complaint and the discussion in a confidential manner and further action will not be taken without the express permission of the individual. Complaints of harassment and bullying can only be progressed under the procedure detailed on [page 9 below](#).
  - The Adviser may take notes of the meeting and in all cases; those notes would be mutually agreed with the individual. No other party will have access to those notes.
  - Trade Unions (for those who are members): Trade Unions are able to provide assistance and support to members in relation to issues involving bullying, harassment and victimisation. The University recognises the following trade unions: University and College Union (UCU), Unite and UNISON. Further information is available on the HR web site.
  - University Counselling Service: Staff and students can access the [University Counselling Service](#) for free confidential advice and support.
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## 10. Support and Further Information for Students

- 10.1 Students may refer to the [University Student Code of Discipline](#), which outlines expected behaviour for advice.
- 10.2 A number of services are available at the University which may be accessed if you believe you are experiencing the bullying, harassment and victimisation issues identified in this policy and guidance notes:
- University's [Dignity Advisers](#): consists of a group of people who are trained to advise on matters relating to this policy. Staff and students can seek advice, support and guidance from a member of the network if they have a concern about bullying, harassment and victimisation.
  - [University Counselling Service](#): This is a confidential service for students and staff where any personal issues, including bullying and harassment can be discussed.
  - Support in halls: Wardens and hall tutors are available to students to help manage all aspects of living in Hall including problems related to bullying and harassment. Contact via your hall office.
  - [Security](#): The security team are not only available to help keep our campuses safe but also to support students who feel threatened or concerned about their safety
  - Personal Tutor: Your departmental personal tutor is someone who can advise you about sources of support as well as support your academic studies. Contact via your school.
  - [Student Services Centres \(SSC\)](#): There are SSCs at University Park, Jubilee and Sutton Bonington for advice and information about all aspects of student life
  - [Student Advice Centre](#) provide information and advice on a wide range of issues affecting students
  - [International Office](#)
- 10.3 If a student wishes to seek advice and support about making a complaint against a member of staff or student, they may contact the Students' Union – Student Advice Centre. An Adviser will be able to provide advice regarding the options available and support if the student wants to raise a complaint under this policy.

## 11. Guidance for those accused of Bullying, Harassment or Victimisation

- 11.1 If you are approached informally by a member of staff or student about your behaviour, do not dismiss the complaint out of hand. Remember that all people find different things acceptable and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. You may be offending them without intending to in such a scenario and a simple apology may resolve the matter.
- 11.2 You may seek confidential advice. You will find information in section [9. Support and Further Information for Staff](#) and [10. Support and Further Information for Students](#). It would be advisable to do this before taking any other steps. Any discussion will be confidential but you should be aware of the limits to confidentiality. If necessary, request a statement setting out limits of confidentiality from whatever source you are seeking advice.
- 11.3 If you come to realise that you have harassed or bullied another person be ready to change the behaviour causing offence. Training, coaching and counselling may be available to support you to change behaviours that may have caused offence or distress.
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- 11.4 If after reflection you believe the accusation is unfounded, you should say so and participate fully in the proceeding so that any matter can be resolved as quickly as possible. Mediation and informal resolutions can be effective in resolving any matter informally; therefore, these should be considered a serious attempt to mend working relationships.
- 11.5 For members of staff, if a formal procedure is invoked both you and the complainant have a right to be accompanied at meetings by a work colleague or trade union representative.
- 11.6 Malicious<sup>1</sup> or vexatious<sup>2</sup> allegations of harassment or bullying may give grounds for disciplinary proceedings against the complainant.
- 11.7 For members of staff, regardless of the outcome of the complaint, you will be required to take reasonable steps to restore adequate working relations between yourself and the person who made the complaint.

## **12. Procedure for Raising a Complaint against a Member of Staff**

- 12.1 This process may be subject to review and revision by the University as necessary for the effective operation of the policy.

### **12.2 Supported Personal Action – members of staff**

- 12.2.1 If you feel that you have been, or are being, subjected to harassment, bullying or victimisation, we would strongly advise you to take 'Supported Personal Action' as an early intervention for minor issues by talking to the person to make them aware of the effect of their behaviour on you.

If you are a member of staff and do choose to contact the person, you might wish to seek advice or support (see section [9. Support & Further Information for Staff](#)) beforehand from:

- Your line manager
- Dignity Adviser
- HR ERA
- A trade union representative (if you are a TU member)

If you are a student, you might wish to seek support as in 13.6.1 below.

- 12.2.2 It is very important that the person accused knows that their behaviour is perceived as unacceptable by another individual. People often do not realise they are offending others and will change their behaviour as soon as they know.

In many situations, this can be the most effective way to raise concerns. However, you should not feel pressurised to raise concerns this way and should be aware of options available, such as mediation, informal and formal complaints.

If you decide to take Supported Personal Action, you are advised to make a note of factual information about the discussion that takes place, any agreed outcomes, and you should keep copies of relevant pieces of written or email correspondence.

### **12.3 Staff Mediation Service**

- 12.3.1 'Mediation is a dispute resolution process whereby a neutral 3<sup>rd</sup> party is invited to intervene in a workplace situation to assist with the constructive resolution to a specific dispute'

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<sup>1</sup> Malicious - motivated by wrongful, vicious or mischievous purposes

<sup>2</sup> Vexatious – not having sufficient grounds for action and seeking only to annoy or cause embarrassment to the recipient

<sup>3</sup> 'A practical guide to mediators for HR and business leaders' – [www.thetcmgroup.com](http://www.thetcmgroup.com)

- 12.3.2 The focus of mediation is to create open, honest dialogue within a safe environment. It is voluntary on both parts, confidential and solution focussed. There is evidence that it delivers more sustainable outcomes than those imposed on the parties (for example by line managers or through official disciplinary sanctions).
- 12.3.3 Mediation is not arbitration ie the focus is not to decide whether one individual is "right" and the other "wrong" but to allow each person to be heard and to facilitate the parties exploring a pragmatic solution.
- 12.3.4 The University has a number of staff within HR and Professional Development who have been trained in mediation skills. Alternatively, should the situation warrant it, a School or Department may consider funding external mediation. HR can assist in arranging this.
- 12.3.5 Mediation can be used at any stage of the procedure from supported personal action up to and including receipt of a formal complaint. However, once action as a result of a formal complaint has commenced, mediation will not normally be available.
- 12.3.6 Mediation may not be appropriate in certain situations, for example where there is clear evidence of serious misconduct.

## **12.4 Informal Complaint**

- 12.4.1 If you do not wish to take supported personal action to raise concerns, or have done so but the behaviour has continued, you can make an informal complaint.
- 12.4.2 The objective of the informal stage is to help to accommodate differing views and perceptions so no one needs to feel uncomfortable about their treatment in the workplace.
- 12.4.3 To inform the person accused, it may be possible to:
- talk to them, with or without a University's [Dignity Adviser](#) present; or
  - write to them - a [Dignity Adviser](#) can help to draft a letter
- 12.4.4 If someone has acted in such a way that an immediate response was given for example, "Don't do that", "I don't like the use of that expression" etc and it may still be advisable to follow this up with a written message stating what was objected to.
- 12.4.5 This informal process may be used more than once to address the same issue, up to the point where it is felt that no progress is being made and/or that the concerns expressed are not being treated seriously. At that point, the person may wish to make a final effort to resolve the matter without invoking the formal procedure in which case they should (see section [9. Support and Further Information for Staff](#)):
- seek the support of a [Dignity Adviser](#) (if they have not already done so);
  - write to the person accused asking for a meeting to make a final effort to resolve the matter informally; and (re)stating the nature of the complaint, inviting them to be accompanied by a [Dignity Adviser](#) or an HR ERA.
- 12.4.6 The objective of meeting in this way is to allow the issues to be discussed and enable a resolution of the problem. The meeting could be facilitated by the accused person's line manager or by the complainant's line manager. There is no obligation upon the person accused to agree to such a meeting.

## 12.5 Formal Complaint

- 12.5.1 The University will deal with cases of alleged harassment or bullying impartially and sensitively. A formal complaint should be put in writing and forwarded to the Director of Human Resources, who will nominate an HR ERA to make arrangements for the complaint to be investigated.
- 12.5.2 The letter of complaint should state times, events and witnesses of events, how the complainant was feeling and any action they have taken. It should be noted that this letter of complaint will be forwarded in full to the person being complained about.
- 12.5.3 The Human Resources Department will acknowledge the complaint and notify the person being complained about that a formal complaint has been made against them. A senior member of the School/Department will be identified by the Head of School/Department to be the Investigating Officer. Where the complaint is against the Head of School/Department, another Head of School/Department will be responsible for the investigation. The Investigating Officer will send a copy of the complaint to the person being complained about who will be asked to provide a statement of response to the allegations, which should be returned within 5 working days to the Investigating Officer. The response will be forwarded to the complainant. Both parties will be given an opportunity to submit any supporting documentary evidence and a list of any witnesses. The Investigating Officer will request statements/accounts from witnesses.
- 12.5.4 Once the Investigating Officer has collated all the necessary evidence and carried out a preliminary assessment, they will determine with advice from HR if there is a case to answer and either:
- Submit the case to a Dignity Panel; or
  - Where evidence of issues arise that cannot appropriately be addressed under this policy (eg misconduct which is more than/other than those issues addressed under the Dignity at Nottingham Policy) refer the case for consideration under the Disciplinary and Grievance procedures as appropriate; or
  - In exceptional circumstances and after gaining formal advice from Human Resources where there appears to be no case to answer or the complaint is manifestly inappropriate, or trivial, it will be dismissed without a hearing
- 12.5.5 Where at the conclusion of the investigation, the Investigating Officer believes there is no case to answer, they will forward their assessment to a relevant Dignity Panel member for confirmation. Where the panel member agrees, the case will be dismissed without hearing. HR will be notified of the case being dismissed. The Investigating Officer will write to both parties setting out their reasons for dismissing the complaint without a hearing.
- 12.5.6 For cases that are submitted to a Dignity Panel, both parties will be advised that a Dignity Panel will be convened to hear the complaint. The Human Resources Department, in cases where the person accused is a member of staff, will convene the Dignity Panel consisting of:
- i) Professor or equivalent (Chair). This may be the Dean (Chair) in cases involving an academic member of staff
  - ii) a senior member of staff (not from the School/Department or Central Services Department of either party)
  - iii) another specially trained member of staff (not from the School/Department or Central Services Department of either party) eg [Dignity Advisers](#)

- 12.5.7 Members of the Dignity Panel will be appointed by the Human Resources Department, with an HR ERA attending in an advisory capacity.
- 12.5.8 Members of the Dignity Panel will be sent the original complaint, the response from the person accused, any documentary evidence and recommendations from the Investigating Officer. The Chair may identify additional information that is required and request this from the HR ERA. This information will be circulated to both parties.
- 12.5.9 At the hearing, the Dignity Panel will hear evidence from the complainant, the person being complained about and any witnesses. In certain cases the complainant may be unable to be present in the room and therefore will be available to respond to questions from an alternative site.
- 12.5.10 Based on the evidence heard and considered it is the Dignity Panel's responsibility to determine whether the complaint of harassment or bullying should be upheld or dismissed. In arriving at this decision, the standard of proof of dispute facts is on the balance of probabilities. In addition, the Dignity Panel may make recommendations for consideration by the appropriate Head of School/ Department or Central Services Department.
- 12.5.11 If the complaint is upheld and the Dignity Panel believes that the findings warrant a disciplinary sanction the Dignity Panel may issue the person accused with a formal disciplinary warning (see [Disciplinary Procedures](#)) with any supplementary action that is deemed appropriate. Where dismissal is being contemplated, advice must be sought from HR as to how this may be effected in line with the relevant Disciplinary procedure.
- 12.5.12 If the Dignity Panel believes that the complaint of harassment is brought with malicious or vexatious intent, the Dignity Panel may refer the issue for consideration under the appropriate Disciplinary Procedure for staff and students. It does not follow that if a complaint is dismissed it was necessarily brought maliciously or vexatiously.
- 12.5.13 Individuals may appeal against the disciplinary warnings and decisions in accordance with the appeals mechanisms within the relevant disciplinary procedure.
- 12.5.14 The HR ERA is responsible for ensuring that all recommendations are considered and addressed as appropriate.

## **12.6 Rights of Representation**

In a hearing held in accordance with section 12: Staff may be accompanied at the meeting by a Trade Union representative or official (certified by a relevant trade union to act in the capacity of 'companion' under Section 10 (3) of the Employment Relations Act 1999) or a work colleague. Staff who have a disability may also be accompanied by a support worker (eg a sign language interpreter or mental health worker) as appropriate to their requirements.

## **13. Procedure for Raising a Complaint against a Student**

- 13.1 This section is to be read in conjunction with the [University's Student Code of Discipline](#).
- 13.2 The University is committed to the promotion of an inclusive, respectful and considerate community and will not tolerate harassment or bullying of one member of its community by another.

### 13.3 The University of Nottingham expects every student:

- To behave in a respectful, inclusive and responsible manner to all members of the University community
- Not to participate in, or condone any act of harassment or bullying.
- To modify their behaviour if they become aware that it is unacceptable in the light of this policy.

### 13.6 Dealing with Bullying and Harassment

13.6.1 Taking personal action: If you feel that you have been, or are being, subjected to harassment, bullying or victimisation, you should not feel that it is your fault or that you have to tolerate it without question. The behaviour in question could be coming from another student, a member of staff at the University or someone else associated with the University.

Generally, complaints are most easily resolved if they are raised at the time the problem first occurs and with the person/s directly involved. If you feel that you have been, or are being, subjected to harassment, bullying or victimisation, you may feel able to take action on your own to make the other person aware of the effect of their behaviour on you (we refer to this as “taking personal action”).

In many situations, this can be the most effective way to raise concerns; however, you should not feel pressured to raise concerns in this way and should also be aware of the other options open to you – namely, making a complaint to the relevant school or service or making a complaint about the behaviour of another student.

There are a variety of ways in which you might take personal action, some of which enable concerns to be raised without making reference either to the individual(s) concerned or to the specific nature of the complaint. Here are some examples of types of personal action, which might be worth considering:

- You can have a conversation with, or write to, the other person and explain, as clearly as possible, what it is that you consider unacceptable about their behaviour and ask them to stop behaving in this way.
- You could enlist the help of a peer to find ways of bringing the topic of harassment, bullying or victimisation into a conversation in the presence of the person causing offence.
- If you do choose to contact the person, you might wish to seek advice or support beforehand from:
  - your personal tutor or another member of staff within your school
  - your warden or Hall tutor
  - Student Advice Centre (SAC)
  - Student Union Rep
  - Student Services Centre (SSC)

If you do decide to raise your concerns directly with the person concerned, face-to-face, you might wish to invite someone else to be present when you are having the conversation. If you decide to raise your concerns in writing, you should keep copies of relevant pieces of correspondence. In either case, it may be advisable to note down factual information.

If you feel able to take personal action to raise concerns, and feel comfortable about doing so, this can often be an effective and relatively low-key method of resolving issues.

### 13.6.2 Complaints

To be read in conjunction with the [University's Student Code of Discipline](#).

If you feel that you have been, or are being, subjected to harassment or bullying and you cannot or have not been able to resolve this through personal action the matter may be considered as part of the University's disciplinary code. This applies when there is misconduct by another person, which contravenes this code.

- If you live within University Halls, the appropriate person to speak to is likely to be your Warden.
- If you live in other accommodation such third party halls or shared accommodation, you could try the Off-Campus Manager for Student Affairs or the manager of Third Party accommodation, or other advisors listed.
- The University Security service will respond to complaints relating to the University Disciplinary code.
- The contacts listed in section [10. Support and Further Information for Students](#) will also be able to support you in these circumstances

### 13.6.3 Personal Safety

If at any time you feel that your personal safety is threatened, please contact Security as soon as possible.

See examples of [bullying and harassment](#).

## 14. Staff/Student and Student/Staff Complaints

- 14.1 When deciding which procedure to use, the process, which relates to the person being complained about be used.

In the circumstances whereby one party is a student and the other a member of staff, the Department of Human Resources or Student Operations and Support, as appropriate, will ensure that their counterpart are informed of the matter (Director of Human Resources and Director of Student Operations and Support).