

POLICY ON DIGNITY IN THE LEARNING ENVIRONMENT

Equality and Diversity

This Policy will be applied in a non-discriminatory way, irrespective of an employee's age, disability, gender, gender identity, gender reassignment, race, religion or belief or sexual orientation.

Accessibility

If you require any document in an alternative format, for example, in larger print, please the Equality and Diversity Advisor.

- 1 Goldsmiths is committed to ensuring that all students are treated with dignity and respect when they are at Goldsmiths or any of its locations, or in any interactions with Goldsmiths' staff or students even if these are not on Goldsmiths' sites.
- 2 Everyone is expected to behave towards each other with proper civility and respect in any dealings, even when disagreeing on work or any other matters.
- 3 Organisations or teams tend to flourish and provide an atmosphere of teamwork and partnership when people are treated with respect and civility, understanding and clarity of intention. Where there is a lack of respect and civility, poor relationships and treatment of people in a manner that undermines dignity, tend to be unhappy and unproductive through low morale and poor relationships. It is not only those who are at the middle of the problem that is affected. Colleagues and others also become demoralised, distressed and unhappy too.

Good practice

- 4 There are many ways that we can all help to maintain and enhance relationships built on respecting each other. We all spend a significant amount of our time at Goldsmiths and with other people – it's very important that we make this a positive experience.
- 5 Great relationships are built around really good and constant communication, whether the news is good or challenging and possibly upsetting.
- 6 Openness to feedback and acceptance of positive evaluation, as well as giving feedback are really important. If you know that there is no animosity or ulterior motive to constructive criticism, it is easier to move forward positively by seeking help and support. If you are closed to any criticism or evaluation and assume it is unwarranted, it is unlikely you will progress.
- 7 In the same way, if you have a problem with the way your lecturers or other staff are treating you it is best to deal with it as quickly as possible. In the majority of cases

people do not set out deliberately to upset or distress others, or to bully or to harass. If that is the effect they are having they may not realise that this is the result of their behaviour. If you can, you need to tell them. If for any reason, you can't talk to them or are too frightened to do so, it is all right to seek help from a friend, Personal Tutor, Student Services, Students' Union or HR or other member of staff you feel comfortable with. But the worst thing you can do is let it go on until it becomes a much bigger problem.

- 8 If you see it happening to others, it is all right to intervene and raise the matter. If you do so in good faith it is not a problem. But before you do it is worth just checking the facts in case you've misunderstood. Check with the person you think is being treated unfairly first that you've got the right picture and it's not just an impression.

Inappropriate behaviours

- 9 There is no place for behaviour that either makes individuals feel threatened or humiliated in public or in private. There is no place for treating anyone with less respect than others regardless of their relative position in the organisation.
- 10 Inappropriate comments, gossip, rumour or judgements about anyone are damaging and not acceptable, whether this is about their studies or personal life. Nor is inappropriate non-verbal behaviour, such as physically intimidating or threatening behaviour. They serve to undermine confidence and trust. We all disagree with others from time to time and we may not always enjoy each others' company. Indeed, there may even be severe disliking between individuals; but this is not a reason for treating anyone in a way that undermines their dignity. This is just as true of students who makes inappropriate comments about or makes threats to their lecturers either in public or in private to others, as it is of the lecturer or person in a position of management responsibility who misuses their position to undermine the dignity of students.

Harassment and bullying: the legal framework

- 11 It is recognised that harassment and bullying may occur, and everyone needs to understand it is not acceptable and won't be tolerated. Goldsmiths has a legal duty to provide a safe learning environment. This means an environment that is free from harassment and bullying and one where the dignity of students is respected. All staff, students, contractors and others have a duty to ensure the health and safety of themselves, colleagues, students and others by cooperating with Goldsmiths in its policies and procedures; in this case ensuring that they act in accordance with this Dignity in the Learning Environment Policy.

Definitions

- 12 **Harassment or Bullying** is unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.
 - It is not limited to a person's sex, race, (including their colour, nationality or ethnic origins), sexual orientation, religion or belief, disability or age.
 - It may be persistent or an isolated incident.

13 **Unacceptable Behaviour: Some Examples**

- spreading malicious rumours, or insulting someone, particularly on the grounds of a person's sex, race, (including their colour, nationality or ethnic origins), sexual orientation, religion or belief, disability or age.
- ridiculing or demeaning someone – picking on them or setting them up to fail.
- unwelcome sexual advances or behaviour – touching, standing too close, display of offensive materials.
- unwelcome comments or jokes of a sexual or racial nature.
- the use of obscene gestures or language.
- the offer of reward e.g. promotion or good grades for going along with sexual favours or threats for rejecting sexual favours.
- Offering sexual favours in return for preferment.
- making threats or comments about someone's job security without good reason.
- exclusion or victimisation.
- Threatening others with complaints or unfounded allegations against them to achieve preferment.

So what happens if it seems the Policy has been breached?

- 14 This Policy has been designed to protect the well being of all members of the College. We do expect students to respect the intentions of the Policy and only to make complaints in good faith.
- 15 No one will suffer any detriment or be treated less favourably because they have made a genuine complaint.
- 16 But if a complaint is found to have been malicious, vexatious or frivolous this may be dealt with under the relevant disciplinary procedure.

Getting Advice

- 17 Students can seek advice from a Dignity at Work and Study Advisor at any stage who can provide confidential advice to those who believe they are being harassed or bullied or who have had allegations made against them. The role of the Dignity at Work and Study Advisors is to listen and provide advice on the options for resolving the matters. It is not their role to represent students in any formal proceedings.

Outside Contractors

- 18 In circumstances where an alleged bully or harasser is an outside contractor the situation should be reported to the immediate Head of Department or supervisor who will then take the matter up with the Head of Department managing the contract.

RESOLVING THE PROBLEMS

Stage 1: Can we sort this out informally?

- 19 It is normally the best approach for all concerned to resolve complaints and issues informally where possible. Every effort should be made to try and resolve issues and problems without going through the formal procedures. Problems are more easily resolved closest to the point the problem occurred.
- 20 If a student feels they have been harassed or bullied, they should first consider asking the person they think is harassing or bullying them to stop and make it clear that their behaviour is unwelcome.
- 21 If a direct approach is too difficult, the student can ask that the first approach is made by a friend, Personal Tutor, member of the Students' Union, or any other member of the college they think can help.
- 22 They may choose to write a letter to the person they believe to be harassing or bullying them, outlining their concerns and asking for the behaviour in question to cease. It's worth checking the letter with someone they trust to make sure they have put their position clearly and fairly.
- 23 It is also important to begin to keep a note of the ways in which the incidents caused the victim of the perceived harassment/bullying to change the pattern of their work or social life i.e. keep a note of the effects it has had.
- 24 The person who believes they are being harassed or bullied might understandably be reluctant to approach the person complained about. So it is always possible to go to their Head of Department to ask for help in achieving an informal resolution to the problem.

Stage 2: We can't sort this informally, so Formal Action needed

- 25 Where it has not been possible to resolve complaints informally then students should pursue their complaint under the Student Complaint Regulations that can be found at the following link:

<http://www.gold.ac.uk/regulations/general-regulations/currentgeneralregulations/student-complaints/>

Appeals against complaint handling

- 26 If the student is not satisfied about the way their complaint has been handled, they may, within a period of 14 calendar days following notification of that decision submit an appeal to the member of staff designated by the Registrar and Secretary, for consideration by the Pro-Warden appointed by the Warden for this role.

- 27 The Pro-Warden will decide whether the complaint was investigated in accordance with this Policy and the final decision was reasonable and in accordance with the facts of the case.
- 28 The Pro-Warden may, at his or her discretion, establish a **Complaints Committee** to be chaired by a member of the Academic Board and comprising a Pro-Warden and another member of the academic staff appointed by the Warden, and a disinterested student appointed by the President of the Students' Union.
- 29 The decision of the responsible Pro-Warden or of the Complaints Committee shall be final.

Malicious, frivolous or vexatious, complaints

- 30 Making malicious, frivolous or vexatious allegations of harassment or bullying is regarded as a serious disciplinary matter. Students may not use policies or procedures in an unwarranted manner simply to create problems or to waste the time and efforts of the College for any purpose. Any complaints must be made in good faith, even though they may later be found not to be substantiated.
- 31 Nothing in this Policy will prevent students from exercising their statutory rights.

Keeping in touch with what is going on in Goldsmiths: Notifying incidents to the member of staff designated by the Registrar and Secretary

- 32 We want to keep a record of all incidents of harassment and bullying, however minor they may seem. It makes it easier to track any patterns that are occurring and helps us to intervene to address problems before they become serious. The member of staff designated by the Registrar and Secretary will record incidents of student complaints and will keep HR informed where complaints are about members of staff from students. HR will keep the designated member informed where staff make complaints about students.
- 33 Individual complainants have a right under the Data Protection Act to be informed that this information is being collected and to have any objections considered.
- 34 In addition, Dignity at Work and Study Advisors record incidents and send anonymous statistics to Equality and Diversity Advisor. This is not intended to breach the confidentiality of any discussion nor the student's right to choose not to take any further action, but a mechanism to ensure that incidents are recorded centrally.

Review and Monitoring of the Policy

This Policy will be reviewed from time to time in the light of any developments in employment legislation or good employee relations practice. If necessary, it will be revised in order to ensure its continuing relevance and effectiveness. The Policy will be monitored in line with statutory requirements and the College's equal opportunity action plans.