

Policy on Dignity and Respect (Students)

Scope and Purpose of the Policy

This policy relates to all students of DMU. Every student is personally liable under the Equality Act and is expected to treat staff and students with dignity and respect and in turn to be treated with the same. DMU has a firm commitment to equality and diversity and will not tolerate the discrimination, harassment, bullying or victimisation of one member of the DMU community by another. DMU believes that each individual should be afforded dignity and respect and that each individual should in turn treat others with dignity and respect.

'We are a University of quality and distinctiveness, distinguished by our life-changing research, dynamic international partnerships, vibrant links with business and our commitment to excellence in learning, teaching and the student experience. We celebrate the rich cultural diversity of our staff, students and all our partnerships'
(DMU mission statement 2011 <http://www.dmu.ac.uk/about-dmu/mission-andvision/mission-and-vision.aspx>)

The purpose of this policy is to promote the development of a working environment in which these unlawful actions are known to be unacceptable and where individuals have the confidence to report these, should they arise, in the knowledge that their concerns will be dealt with appropriately and fairly. The policy outlines procedures to be followed if a student or potential student feels they are being discriminated against, harassed, bullied or victimised during their engagement with DMU.

A separate policy on Bullying and Harassment at Work exists for staff and advice on this may be obtained from the People and Organisational Development Directorate.

All students are reminded of the relevant clauses in the Disciplinary Code of the Student Regulations <http://www.dmu.ac.uk/documents/about-dmudocuments/quality-management-and-policy/students/student-regulations-2012-2013/chapter-2-2012-2013.pdf>, in particular paragraphs 5.3 and 5.4.

- 5.3 Violent, indecent, disorderly, threatening, abusive or offensive behaviour to any student, employee of the university or the De Montfort Students' Union or any visitor to the university or any member of the local community or any behaviour which in the reasonable opinion of the designated senior member of staff or relevant Provost is likely to be regarded as constituting such misconduct;
- 5.4 Abusive, threatening or offensive language (verbal or written – including social media websites) to any student, employee of the university or the De Montfort Students' Union or any visitor to the university or any member of the local community.

1. Definitions

1.1 The Equality Act 2010 identifies nine protected characteristics. These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

1.2 Unlawful discrimination - is behaviour or a policy or procedure which intentionally or unintentionally prevents individuals or groups who have a protected characteristic, from engaging or taking part in an activity. This may include selection for a course, job, promotion, award and so on. For example:

- A student is excluded from a course related visit or placement because they are disabled.
- A student is told to leave her course because she is pregnant.
- Students or staff are compulsorily segregated, for meetings or events, on the basis of their religion, sex, sexual orientation or other protected characteristics.

1.3 Harassment is unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant, or violating the complainant's dignity. Individuals or groups may be protected from harassment because they are from a protected group (Equality Act 2010), or because they are associated with the protected group. For example:

- Unwanted conduct of a sexual nature (sexual harassment).
- Treating a person less favourably than another person because they have either submitted to, or did not submit to, sexual harassment or harassment related to sex, sexual orientation or gender reassignment.
- Treating someone less favourably because they associate with gay, lesbian, bisexual or transgendered people.
- Treating someone less favourably because they are or are perceived to hold a particular religion or belief.

1.4 Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Bullying can take the form of shouting, sarcasm, derogatory remarks concerning academic or practical vocational performance or constant criticism and undermining. Bullying is to be distinguished from vigorous academic debate or the actions of a teacher or supervisor making reasonable (but perhaps unpopular) requests or analysis of performance of their students.

1.5 Victimisation takes place where one person treats another less favourably because they have asserted their legal rights in line with the Equality Act or helped someone else to do so. For example:

- A student alleges that they have encountered racism from a tutor, and as a result they are ignored by other staff members.
- A student who previously supported another student or member of staff in submitting a formal complaint for sexist behaviour is then treated in a hostile manner by staff.
- Staff brand a student as a 'troublemaker' because they raised a lack of opportunities for disabled students as being potentially discriminatory.

Cyber bullying occurs when the internet, social media, phones or other devices are used to send or post text or images intended to hurt or embarrass another person, known or unknown to the individual.

2. DMU's Commitment

- 2.1 DMU welcomes diversity and believes that every student has a right to work and study in an environment which encourages good relationships. DMU is committed to preventing unlawful discrimination, harassment, bullying or victimisation. The university's commitment to cultural diversity is expressed in its mission and vision statements.
- 2.2 DMU is a member of the Leicestershire 'Stamp it Out' Hate Crime Partnership led by Leicestershire Constabulary.
- 2.3 DMU Security take all incidents of bullying, harassment and victimisation very seriously and will record such reports and investigate as appropriate.
- 2.4 The Student at Risk Committee (SAR) within SAAS sits regularly to review cases of students deemed to be at risk to themselves or of posing a risk to others.
- 2.5 Every student is also personally liable under the Equality Act 2010 for their own actions. In cases of unlawful discrimination, harassment, bullying, or victimisation the University is required to consider students as third-party players. DMU is required to protect its staff, students, contractors and visitors from unlawful discrimination, harassment, bullying or victimisation. Students who are found to have committed these offences will be referred to the university's disciplinary policies and procedures.
- 2.6 DMU will ensure that any student raising a genuine concern under this policy is not victimised as a result.
- 2.7 As allegations of discrimination, harassment, bullying and victimisation are very serious, DMU will also treat very seriously any such allegations proven to be malicious or untrue and these are also likely to be the subject of disciplinary action.

3. Reporting and Responding

- 3.1 The over-riding principles in dealing with allegations or concerns of discrimination, harassment, bullying and victimisation are that they must be taken seriously, considered carefully and addressed speedily and where possible, in confidence.
- 3.2 Any student who feels that they are the subject of discrimination, harassment, bullying or victimisation, either by a fellow student, a member of staff or anyone else with whom they come into contact in the course of their period of study at DMU, may wish to make a note of incidents, dates, times and any witnesses, for future reference. Any student who considers themselves to have been the subject of discrimination, harassment, bullying or victimisation 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.
- 3.3 In the event that a student considers that they are experiencing discrimination, harassment, bullying or victimisation, they have a number of options open to them. They may be able to speak directly to the individual concerned or to write to them expressing their concerns and requesting that the behaviour stop immediately. Alternatively, or subsequently if they achieve no success, they may wish to talk to

someone in order to obtain another perspective on the situation and to ensure that someone else knows about it and can take action with them to ensure that it stops. It

is envisaged that the large majority of cases will be resolved by such informal procedures, which are described in more detail below, but a final option is to make a formal complaint.

3.4 Incidents of bullying, harassment or victimisation may be reported to:

- The Security Team. The team is available 24 hours a day and can be telephoned on 0116 2577642 or email in strict confidence securitytl@dmu.ac.uk.
- Programme leaders, personal tutors or faculty provosts.
- The Student Appeals & Conduct Officer, email in strict confidence to lallden@dmu.ac.uk.
- Wardens in halls of residence.
- Staff in the Leisure Centre.
- De Montfort Students' Union.

3.5 Where an incident is not resolved through an informal route, students may place a complaint through the Student Complaint Procedures (see <http://www.dmu.ac.uk/dmu-students/student-and-academic-services/academicsupport-office/student-complaints/student-complaints-procedure.aspx>) to the Student Appeals and Conduct Officer.

4. Informal Processes

- 4.1 Confidentiality is very important in dealing with cases of alleged discrimination, harassment, bullying or victimisation as experience shows that they will be much more difficult to resolve informally if information about the matter becomes common knowledge. Anyone approaching a member of staff or other individual for advice may, however, wish to be accompanied by a friend.
- 4.2 If, after having been approached, the adviser wishes to obtain guidance on how to deal with an alleged case of discrimination, harassment, bullying or victimisation they should seek the agreement of the person who has confided in them to that course of action and then consult with the Student Appeals and Conduct Officer. If the individual does not feel able to help in a particular case, they should explain the reasons to the complainant and refer them to another adviser.
- 4.3 Once the facts about the incident and the context of the action or behaviour that caused concern are established, there are a number of informal options available to the adviser to facilitate resolution of the matter. For example, the person who has experienced discrimination, harassment, bullying or victimisation could be encouraged to talk to the alleged perpetrator on their own or with a friend, who should be a member of DMU, accompanying them. The purpose of the conversation would be to make the perpetrator aware of the way their behaviour has been perceived and ask them not to repeat it. Alternatively, the adviser could facilitate a meeting between both parties to give the complainant the opportunity to talk to the alleged perpetrator and explain their view of the offending behaviour. Normally, the adviser should not take action following an informal approach concerning

discrimination, harassment, bullying or victimisation without the agreement of the individual concerned.

- 4.4 As well as aiming to resolve matters informally, advisers should consider appropriate action to facilitate the restoration of working relationships after the event.
- 4.5 The action outlined above will be appropriate in many cases and will often be sufficient to resolve the matter. If, however, an informal approach does not achieve satisfactory results, or the nature of the incident(s) prompts the person who feels harassed to take a more formal approach, a formal complaint can be made in writing to the Student Appeals and Conduct Officer or the Head of Security.
- 4.6 In order to ensure consistency of approach and accurate statistical data with relation to cases of discrimination, harassment, bullying or victimisation all cases (however minor) should be reported to the Student Appeals and Conduct Officer by any member of staff who has counselled a student. Information should be sent via email and detail the names of the students involved and basic facts about the nature of the case. All such information will be treated with the utmost confidentiality.

5. A Formal Complaint

- 5.1 It is envisaged that the great majority of cases of discrimination, harassment, bullying and victimisation will be resolved by the informal procedures outlined above. However, Formal action may be considered where informal action proves ineffective, or where a student feels that an informal approach is not appropriate. A formal complaint must normally be registered in writing, as soon as possible after the incident concerned, with the Student Appeals and Conduct Officer.
- 5.2 A formal complaint of discrimination, harassment, bullying or victimisation should include the nature of the complaint, with reference to dates, times and places (where possible) in relation to a specific incident(s). The names of any witness(es) to the incident(s) should also be included.

6. Investigating a Formal Complaint

- 6.1 On receipt of a formal complaint where the alleged perpetrator is another student, the Student Appeals and Conduct Officer will handle the matter according to DMU's Disciplinary Code and Procedure as described in the General Regulations. Accordingly, the Student Appeals and Conduct Officer will discuss with the complainant whether further action should be taken under the Disciplinary Code and whether or not the police should be informed.
- 6.2 Where the alleged perpetrator is a member of staff, the Student Appeals and Conduct Officer will discuss with the complainant whether further action should be taken and, if so, will refer the complaint to the Director of People and Organisational Development. The Director will then inform the student of the procedure to be followed.

- 6.3 Where the situation is more complex than outlined above, for example in cases of alleged group discrimination, harassment, bullying or victimisation involving both staff and students, the Student Appeals and Conduct Officer will liaise with the Director of People and Organisational Development to decide how best to proceed.
- 6.4 Formal complaints about a Dean, or Pro Vice Chancellor should be referred to the Vice Chancellor. A complaint about the Vice Chancellor should be addressed to the Chair of Governors.
- 6.5 Formal Complaints about a Director should be made to the Chief Operating Officer.
- 6.6 Details of the arrangements for appeals are available from the Student Appeals and Conduct Officer and the Director of People and Organisational Development.

7. Monitoring of the Policy

- 7.1 The Director of Student and Academic Services will keep the implementation of this policy under review and will monitor its use through the Academic Support Office.

8. Personal Relationships at Work

- 8.1 DMU also has a Code of Conduct on personal relationships at work, which applies in circumstances where personal and professional relationships overlap. The Code can be found on the People and Organisational Development web site.

9. Use of DMU Computers and ID

- 9.1 Discrimination, harassment, bullying or victimisation may occur online and could be considered as misuse of DMU's computing services where this takes place using a DMU email account or from a DMU-provided piece of equipment or network. This includes potentially discriminative or offensive material posted on public access websites or social networking sites. Online harassment and bullying (cyber bullying) will be dealt with under the procedures outlined above. As well as infringing the DMU Policy on Dignity and Respect, such abuse of DMU facilities will also breach the University's IT Regulations and may be subject to disciplinary procedure. The IT Regulations may be found on the DMU website.

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