



Dignity at the UCO Policy

Core Documentation Cover Page

Dignity at the UCO Policy

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V4.0	Jan 2021 SMT	Biennial Review Major Amendments to explicitly include discrimination and victimisation, providing more detailed information, guidance and expectation in line with relevant legislation, Office for Students expectations and ACAS Guidance. This policy replaces the UCO's previous Anti-bullying & Harassment Policy.	Equality, Diversity & Inclusivity Committee	All master versions will be held in: J:\0 Quality Team - Core Documentation Website	Jan 2024 Or in response to legislative or regulatory changes.
Equality Impact					
Positive equality impact (i.e. the policy/procedure/guideline significantly reduces inequalities)					X
Neutral equality impact (i.e. no significant effect)					
Negative equality impact (i.e. increasing inequalities)					

**If you have any feedback or suggestions for enhancing this policy,
please email your comments to: quality@uco.ac.uk**

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1. INTRODUCTION

- 1.1 The University College of Osteopathy (UCO) is committed to providing a safe and comfortable environment free from all forms of discrimination, bullying, harassment and victimisation ensuring that all students, staff, service users and visitors are treated, and treat others, with dignity and respect.
- 1.2 The UCO adopts a zero-tolerance approach towards discrimination, bullying, harassment and victimisation, which includes racism, antisemitism¹ or any other circumstance. Anyone found to have discriminated against, bullied, harassed or victimised another person at the UCO will be subject to disciplinary action, up to and including dismissal or exclusion.

2. SCOPE

- 2.1 This policy covers discrimination, bullying, harassment or victimisation which may occur at the UCO, outside of the UCO or at UCO-related events or social functions.
- 2.2 This policy applies to all UCO students and employees at all levels including agency and casual workers, independent contractors and visitors.

3. DEFINITIONS

3.1 DISCRIMINATION

- 3.1.1 Discrimination may be described as direct or indirect.
- 3.1.2 Direct discrimination is when someone is treated differently or worse than someone else because of who they are, or because of someone they are with or who they know, i.e. direct discrimination by association. It is unlawful to directly discriminate someone because of a protected characteristic as defined in the [Equality Act 2010](#) which includes:
- 1) Age
 - 2) Disability
 - 3) Gender reassignment
 - 4) Marriage and civil partnership
 - 5) Pregnancy and maternity
 - 6) Race
 - 7) Religion or belief
 - 8) Sex
 - 9) Sexual orientation
- 3.1.3 Indirect discrimination is when someone is treated in the same way as everybody else, but this has a different or worse effect on that person because of who they are,

¹ The UCO has adopted the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism: <https://www.holocaustremembrance.com/working-definition-antisemitism>

i.e. it places them at a disadvantage. Again, it is against the Equality Act 2010 and therefore unlawful if indirect discrimination is because of a protected characteristic.

3.2 BULLYING (INCLUDING CYBER-BULLYING)

3.2.1 Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

3.2.2 Bullying can include the use of personal strength or the power to coerce through fear or intimidation, not necessarily from someone in a position of authority.

3.2.3 Bullying may be physical, verbal or non-verbal. It can include conduct that is not face-to-face, including via text message, email and social media (i.e. cyber-bullying), can happen in the workplace or at social events and may not always be obvious or noticed by others.

3.2.4 Bullying can be a one-off incident or a regular pattern of behaviour.

3.2.5 Examples of bullying include:

- Physical or psychological threats.
- Overbearing and intimidating levels of supervision.
- Inappropriate derogatory remarks about a person or their performance.
- Shouting at someone.
- Persistently picking on people in front of others or in private.
- Blocking promotion and training opportunities.
- Regularly and deliberately ignoring or excluding someone from activities and social events.
- Setting a person up to fail by overloading them with work or setting impossible deadlines.
- Regularly making the same person the butt of jokes.

3.2.6 Examples of cyber-bullying include the above using electronic means but also specifically:

- Denigration (sending fake, untrue or damaging information about a person to others).
- Flaming (purposely using extreme and offensive language and participating in online arguments or fights).
- Impersonation (hacking into someone's email or social media account and using their identity to send malicious or embarrassing material to / about others or setting up a fake account to do the same).
- Outing and Trickery (sharing personal information about or tricking someone into revealing personal information and forwarding this to others).

- Cyber-Stalking (repeatedly sending threatening or intimidating messages to someone or engaging in other online activities that make a person afraid for their safety).
- Exclusion (intentionally leaving someone out of online activities).
- Blackmail and Grooming (pressurising someone to send pictures or carry out an act in return for not revealing compromising or damaging information about them).

3.2.7 Bullying may make someone feel:

- a) Uncomfortable.
- b) Frightened or intimidated.
- c) Less respected, put down or degraded.
- d) Upset, insulted or offended.
- e) Made fun of or humiliated.

3.2.8 Legitimate and reasonable criticism of a someone's performance, behaviour or reasonable management instructions do not amount to bullying.

3.3 HARASSMENT (INCLUDING SEXUAL HARASSMENT & HATE INCIDENTS)

3.3.1 Harassment is any unwanted behaviour or conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

3.3.2 A single incident can amount to harassment.

3.3.3 A person may be harassed even if they were not the intended "target".

3.3.4 It is unlawful under the Equality Act 2010 to harass a person because of one or more of the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Race, colour, nationality, ethnic or national origin
- Religion or belief
- Sex
- Sexual orientation

3.3.5 Harassment in this context of this policy also includes hate incidents and hate crimes which are defined as acts which may be verbal, physical or incite violence or hostility motivated by prejudice on the basis of one or more of the above protected characteristics.

3.3.6 Harassment is unacceptable even if it does not fall within any of the above categories.

3.3.7 Examples of harassment include but are not limited to:

- Unwanted physical conduct including touching, pinching, pushing and grabbing.
- Offensive e-mails, text messages or social media content or the display of offensive materials.
- Unwanted jokes, banter, mocking, mimicking or belittling a person.

3.3.8 Harassment also includes conduct of a sexual nature (sexual harassment) and is defined as unwanted behaviour of a sexual nature.

3.3.9 Sexual harassment can happen to anyone (men, women, and people of any gender or sexual orientation) and can be carried out by anyone of the same sex, opposite sex or anyone of any gender identity.

3.3.10 As sex (gender) is one of the protected characteristics under the Equality Act 2010, everyone at the UCO is protected from sexual harassment by law.

3.3.11 Sexual harassment may be experienced by anyone from anyone they come into contact with, including:

- Someone they work or study with.
- A customer, contractor, client or member of the public.
- A manager, tutor, supervisor or someone else in a position of authority; or
- Someone high profile or influential.

3.3.12 It can still count as sexual harassment even if the person did not mean it to be. The effect of the behaviour is what matters. What some might consider as joking, 'banter' or workplace culture can be sexual harassment if the behaviour is of a sexual nature and unwanted.

3.3.13 Sexual harassment can be a one-off incident or an ongoing pattern of behaviour.

3.3.14 Examples of sexual harassment include:

- Flirting, gesturing or making sexual remarks about someone's body, clothing or appearance.
- Unwelcome sexual advances or suggestive behaviour.
- Asking questions about someone's sex life.
- Telling sexually offensive jokes.
- Emailing, texting or messaging sexual content.
- Displaying pornographic or sexual images on posters, calendars and cards.
- Having pornographic or sexual images on computers and phones.
- Sexual assault or rape.
- Touching someone against their will, for example hugging them.

3.4 VICTIMISATION

3.4.1 Victimization is defined by the [Equality and Human Rights Commission](#) as follows:

“Treating someone badly because they have done a ‘protected act’ (or because you believe that a person has done or is going to do a protected act). A protected act is:

- *Making a claim or complaint of discrimination (under the Equality Act 2010).*
- *Helping someone else to make a claim by giving evidence or information.*
- *Making an allegation that you or someone else has breached the Equality Act 2010.*
- *Doing anything else in connection with the Equality Act 2010.”*

3.4.2 Examples of victimisation include:

- An individual shouting at a colleague / student because they think the colleague / student intends to support another colleague’s / student’s sexual harassment claim.
- Being denied a promotion or being treated unfairly at work because you made a complaint of bullying, harassment or discrimination.

4. RESPONSIBILITIES

4.1 The UCO’s Board of Directors is responsible for ensuring that students, employees, management, agency and casual workers, independent contractors and visitors of the UCO are protected from discrimination, bullying, harassment and victimisation.

4.2 The UCO’s Equality, Diversity & Inclusivity Committee shall be responsible for reviewing, updating and monitoring of this policy.

4.3 UCO management staff (Senior Managers and Academic and Clinical Management Staff) are responsible for implementing and embedding this policy across the UCO and for responding to discrimination, bullying, harassment and victimisation allegations promptly, confidentially, sensitively and fairly in accordance with this policy.

4.4 Anyone who discriminates against, bullies, harasses or victimises someone at the UCO is responsible for their own actions and is accountable for their behaviour in accordance with this policy.

5. WHAT TO DO IF YOU BELIEVE THAT YOU OR SOMEONE ELSE ARE BEING DISCRIMINATED AGAINST, BULLIED, HARASSED OR VICTIMISED

A) TAKING INFORMAL ACTION

5.1 If you believe you are being discriminated against, bullied, harassed or victimised there are several informal steps that you can take to address the matter:

- a) Seek advice from the Student Support Officer, the Counsellor or your Course Leader (if a student), your Line Manager, Staff Contact, HR Team or the Counsellor (if an employee, contractor or visitor) or the Head of Clinical Practice

(if a patient). They can discuss options for dealing with the situation with you (including mediation or making a formal complaint), provide you with avenues for support, and arrange any adjustments that may be needed to help you manage the situation.

- b) Seek advice from an external body (see [Section 10: Further Information & Resources](#)).
- c) Talk to your colleagues to identify whether anyone else has experienced or is experiencing similar behaviour or if anyone has witnessed what has happened to you.
- d) Avoid being alone with the perpetrator.
- e) Keep a diary of all related incidents recording dates, times, any witnesses, how it has made you feel and any evidence (e.g. emails or social media screenshots).
- f) If you feel able to, you may wish to raise the problem informally with the individual responsible to explain the situation and how it has made you feel, and to tell them to stop what it is they are doing as they may be unaware of the effects of their actions. Being firm rather than aggressive, remaining calm and positive, and sticking to the facts may help.
- g) If you feel unable to confront the individual, you could consider writing to them to explain the situation, keeping copies of any correspondence and replies, or ask a colleague, staff member, the counsellor or trade union official to speak to them on your behalf.
- h) If you believe that you have been a victim of or have witnessed a hate crime, you can [report it to the police directly](#) or through [True Vision](#), an online hate crime reporting facility.

B) TAKING FORMAL ACTION

5.2 If you do not feel that informal steps are appropriate, or they have been unsuccessful, you should raise the matter formally as follows:

- a) Any student who experiences or witnesses bullying, harassment or victimisation should report this immediately to their Course Leader or the Head of Student Services in writing using the [Student Complaints Policy & Procedure](#).
- b) Any employee or worker who experiences or witnesses bullying, harassment or victimisation should report this immediately to their Line Manager or HR in writing using the [Staff Grievance Procedure](#).
- c) Any service user who experiences or witnesses bullying, harassment or victimisation, should report this immediately to the Head of Clinical Practice using the relevant [Patient Complaints Procedure](#).

- d) Any visitor or contractor who experiences or witnesses bullying, harassment or victimisation should report this immediately to the UCO's Complaints Officer in writing using the form provided in [Appendix 1](#).
- 5.3 Anyone who raises a bullying, harassment or victimisation matter formally will not suffer any form of retaliation or victimisation as a result. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under the relevant disciplinary procedure. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under the relevant disciplinary procedure.

6. BREACHES OF THIS POLICY

- 6.1 Discrimination, bullying, harassment and victimisation are not tolerated at the UCO and all students and staff are required to treat each other, along with our service users, suppliers, and visitors, with dignity and respect.
- 6.2 Breaches of this policy will be dealt with in accordance with the relevant disciplinary procedures (i.e. the [Code of Conduct & Disciplinary Policy](#) for Students and the [Disciplinary & Capability Procedure](#) for Staff) promptly, objectively and sensitively.
- 6.3 Serious cases of discrimination, bullying, harassment or victimisation may amount to gross misconduct resulting in dismissal for staff or expulsion for students.
- 6.4 All allegations of discrimination, bullying, harassment and victimisation will be investigated. As part of its investigations, the UCO will:
- a) Talk in confidence to individuals who may have evidence relating to the alleged behaviour.
 - b) Encourage individuals who may have been witness to the alleged behaviour, or who may have knowledge of it, to give a written statement to that effect.
 - c) Interview the individual facing the allegation(s), allowing them the right to be accompanied at the interview.
 - d) Allow the individual facing the allegation(s) a full and fair opportunity to answer any allegations against them and/or explain their conduct.
 - e) Assess objectively whether the individual's conduct amounts to the alleged behaviour.
 - f) Adopt an objective and balanced approach to the information gained as a result of the investigation.
 - g) Avoid allowing personal views about the individual facing the allegation(s) to influence the overall assessment of the conduct under review, and
 - h) Keep confidential records of the investigation and ensure that these are handled in accordance with current data protection legislation.
- 6.5 Anyone who participates in good faith in any investigation will not suffer any form of retaliation or victimisation as a result. However, providing false accounts deliberately or participating in bad faith will be treated as misconduct and be dealt with under the relevant disciplinary procedure. Anyone found to have retaliated against or victimised

someone in this way will be subject to disciplinary action under the relevant disciplinary procedure.

- 6.6 The UCO reserves the right to suspend or temporarily redeploy the individual facing the allegation(s) or the individual raising a complaint of such behaviour during an investigation if it is considered in the best interest of the individual(s) or the UCO to do so. Suspension in these circumstances does not constitute disciplinary action and will be on full pay (if an employee).
- 6.7 As soon as possible following the conclusion of the investigation, the UCO will inform the individual facing the allegation(s) and the individual reporting the behaviour of the outcome. The UCO will decide at that point whether it is appropriate to instigate disciplinary action. Any disciplinary proceedings will be conducted by a different individual who conducted the investigation.
- 6.8 Whether or not the allegation is upheld, the UCO will consider how best to manage any ongoing working relationship between the individuals concerned, sensitively and fairly.

7. LEGISLATION RELATING TO THIS POLICY

- 7.1 Legislation relating to this policy includes:
- a) [Public Sector Equality Duty](#)
 - b) The [Equality Act 2010](#)
 - c) The [Health & Safety at Work Act 1974](#)
 - d) The [Employment Rights Act 1996](#)
 - e) The [Employment Relations Act 1999](#)
 - f) The [General Data Protection Regulation 2018](#)
 - g) The [Data Protection Act 2018](#)
- 7.2 Bullying itself is not against the law, but discrimination, harassment and victimisation are.
- 7.3 It is important to note that the law states that it is not the intention of the perpetrator which defines a particular type of harassment but the effect it has on the recipient.

8. EMPLOYMENT TRIBUNAL (UCO EMPLOYEES ONLY)

- 8.1 Employees of the UCO must not be treated unfairly at work through:
- a) Discrimination
 - b) Harassment
 - c) Victimisation
- 8.2 If an employee is subjected to such behaviour because of a protected characteristic they may be able to make a claim to an employment tribunal under the Equality Act 2010. Before an employee makes a claim, they are encouraged to discuss this informally with their Line Manager or, if this is not appropriate, with HR or another appropriate manager to determine whether the matter can be resolved without going

through a formal procedure. Alternatively, the employee may raise a formal grievance using the UCO's Grievance Procedure. Further information about making a claim to an employment tribunal is provided by [ACAS](#).

- 8.3 There is no minimum period of service required to bring a claim for discrimination or harassment to tribunal. Courts and tribunals have consistently interpreted harassment as behaviour that is unwanted and offensive to the person on the receiving end, irrespective of the motive of the harasser. The Equality Act 2010 contains an express [definition of harassment](#).
- 8.4 It is important to note that the law states that it is not the intention of the perpetrator which defines a particular type of harassment but the effect it has on the recipient.

9. MONITORING

- 9.1 All instances of discrimination, bullying, harassment and victimisation will be reported to the Head of HR in an anonymised format, summarising the case and the type(s) of individuals involved (e.g. student, staff, patient, etc.) for the purposes of monitoring occurrences of this behaviour by the Equality, Diversity and Inclusivity & Committee and identifying awareness raising or training needs.
- 9.2 Anonymised annual summary reports of such cases will be presented to the Senior Management Team and Board of Directors for information and governance purposes.

10. FURTHER INFORMATION & RESOURCES

- 10.1 If you would like to know more about discrimination, bullying, harassment and victimisation or what to do if you or someone you know is affected by such behaviour the following internet resources may be helpful (please note that the UCO is not responsible for the content provided on these websites):

[Discrimination at Work](#) (Citizens Advice)

[Discrimination in Education](#) (Citizens Advice)

[The Equality & Human Rights Commission](#)

[The Equality Advisory & Support Service](#)

[Workplace Bullying & Harassment](#) (UK Government)

[Workplace Discrimination, Bullying and Harassment](#) (ACAS)

[Bullying UK](#)

[Anti-Bullying Alliance](#)

[National Bullying Helpline](#)

[Rape Crisis](#)

[Find a Rape & Sexual Assault Referral Centre](#) (NHS)

[Help After Rape & Sexual Assault](#) (NHS)

[Stonewall](#) (campaigning for the equality of lesbian, gay, bi and trans people across Britain)

[Tell Mama](#) (offering a secure service that allows people from across England to report any form of anti-Muslim abuse)

[Community Security Trust](#) (a charity that protects British Jews from antisemitism)

[Disability Rights UK](#) (campaigning to improve disabled people's rights and to tackle hostility, bullying and hate crime)

[The Police](#) (Reporting Crime)

[True Vision](#) (Reporting Hate Crime)

APPENDIX 1: BULLYING & HARASSMENT INCIDENT REPORT FORM

This form is designed to be completed when a visitor or contractor is reporting an incidence of bullying or harassment.

To help us understand the incident and to deal with it efficiently and effectively please give as much detail as you can, including the names of other persons involved, when the event or incident occurred and the exact circumstances of the incident.

Please complete this either in blue or black ink, or electronically so that the information is as clear as possible.

By signing this form, you are confirming that the information you are providing is a true and accurate record of the incident.

Confidentiality will be respected when you submit this form, and the UCO will endeavour to make sure that such an incident is known only to those required in order to undertake a thorough investigation.

Please submit this form to the UCO Complaints Officer at: complaints@uco.ac.uk

Your Name:	
Your Relationship to the UCO:	
Your Address:	
Your Preferred Email Address:	
Your Preferred Telephone Number:	
Date & Time of Bullying / Harassment Incident:	
Summary of Bullying / Harassment Incident: (Include where known place of incident, names of staff / others involved or who witnesses the incident, and any other relevant background information.)	
Summary of Action Taken at the Time of the Incident:	
Your Signature: (Printed if submitted by email)	
Date of Signature:	