



University of Greater Manchester

Dignity at Work Policy

1.0 Introduction and Purpose

The University of Greater Manchester (or 'the University') is committed to fostering an inclusive, respectful, and supportive working environment where all employees are treated with dignity and respect, and is passionate about the pursuit of diversity amongst our employees and student population and the delivery of a supportive environment for all members of our community. The University expects that all employees and students alike will contribute to and actively support the University in working towards the elimination of discrimination and harassment and the promotion of equality of opportunity in terms of access to the University's services, employment opportunities and support for students in their welfare and education.

This policy outlines the University's commitment to preventing harassment, bullying, and discrimination in the workplace and provides guidance on addressing any issues that may arise.

This policy replaces the 'Anti-Bullying and Harassment in the Workplace' policy, and has been developed in order to meet the requirements as set out in the Office for Students (OfS) Condition of Registration E6, Harassment and Sexual Misconduct. The condition introduces requirements for institutions to protect students from harassment and sexual misconduct.

This purpose of this policy is to provides expectations; definitions; principles; and reporting procedures that apply to bullying, harassment and sexual misconduct. With the aim of actively preventing bullying, harassment and sexual misconduct, clarifying the roles that employees play; the clear expectations; and repercussions of non-adherence.

The policy applies to behaviour and conduct whether expressed orally, in writing or electronically, occurring on University premises or elsewhere, including social networking sites, blogs, websites or other media if the perpetrator is also a member of the University community. Such conduct may be physical, verbal or non-verbal, e.g. by letter, e-mails, text messages, social media, or by attitude or behaviour.

It should be read alongside the following employee policies:

- Grievance Procedure
- Disciplinary Procedure
- Policy on Consensual Relationships

For students a separate 'Dignity at study' policy exists.

2.0 Scope

For the purposes of this policy, the term 'employee/s' is broadly used to include employees/staff; workers; honorary and emeritus staff; Variable Hours Tutors (VHT's); Temporary Supply Staff; Supervisors; Tutors; external members of University committees and employees. It also extends to interactions occurring online, during University events, and in off-site activities related to the University. Being under the influence of alcohol or drugs will not be accepted as an excuse for any form of inappropriate behaviour.

Third Party Behaviour

The University recognises that harassment, bullying and / or discrimination of employees or students may take place within the wider University community, i.e. such behaviour may be perpetrated by partners, contractors or visitors.

This policy and procedure will be published on the University of Greater Manchester's website. The relevant Head of School / Head of Service shall ensure that relevant third parties are aware of the principles.

The University will not tolerate any kind of third-party abuse towards our students or employees. Individuals are encouraged to report such incidents and take action through this policy and procedure.

Freedom of Speech

The University has a Code of Practice relating to Freedom of Speech, which details that the principles of academic freedom and freedom of speech within the law (and our equalities duties) are very much embedded in the University TIRI philosophy and our organisational culture. The Code confirms that Academic Freedom and Freedom of Speech provides a basis for providing all members of the University community with the opportunity to think critically and engage with diverse perspectives whilst at the same time enable the University to drive forward research and innovation, in order to advance knowledge, understanding, and truth. The University takes its responsibility to protect and promote both freedom of speech and academic freedom, strengthened by the Higher Education (Freedom

of Speech) Act 2023, seriously and the principles are embedded into our key people policies, procedures and practices. The University meets OfS requirements in prioritising free speech and will avoid taking steps which interfere, or restrict it, unless proportionate to protect students, while also ensuring staff are trained to identify and address such issues. Freedom of speech includes lawful speech that may be offensive or hurtful, but not speech that constitutes unlawful harassment or incitement to hatred or violence. The University shall have particular regard to, and place significant weight on the importance of freedom of speech, with an approach that none of the following are likely to amount to harassment:

- the content of higher education course materials, including books, videos, sound recordings, and pictures
- the statements or views expressed as part of teaching, research or discussions about the content of a higher education course.

3.0 Principles

Employees and students have the right to work and study in an environment free from bullying, harassment, and discrimination, and the University will take all allegations of inappropriate behaviour seriously and will act promptly to investigate and address concerns.

Retaliation or victimisation against individuals who report concerns in good faith will not be tolerated.

The University promotes a culture of respect, inclusivity, and professionalism.

4.0 Legal Framework

This policy aligns with relevant UK legislation, including but not limited to:

- The Equality Act 2010
- The Protection from Harassment Act 1997
- The Employment Rights Act 1996
- The Health and Safety at Work Act 1974
- The Human Rights Act 1998
- The E6 legal requirement regarding workplace dignity, ensuring that all employees are treated fairly and equitably within a supportive environment.

5. Definitions

5.1 Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour directed towards an individual or group that creates a risk to health and safety (which includes both physical and non-physical risks, such as psychological risks). It includes abuse or misuse of power which undermines, humiliates or injures the person on the receiving end can be verbal, physical, psychological, or digital in nature. Examples include:

- Spreading malicious rumours or making false allegations.
- Humiliating or undermining a colleague publicly or privately.
- Persistent, unjustified criticism or excessive monitoring of work.
- Social exclusion or isolation.

The day to day operational business of the University will not typically amount to bullying, for example:

- Organisational change
- Legitimate; reasonable; constructive; and evidenced criticism of performance or behaviour in line with performance or capability processes and procedures
- Reasonable instructions given in the course of employment
- The decline of a request on business grounds, where the rationale is clearly set out
- Not being invited to a meeting or group where an employee is not required,
- Investigations under a formal process (for example, investigation of a grievance; or misconduct allegation)
- Appropriate implementation of the University's legal or regulatory duties

5.2 Harassment

Harassment is unwanted conduct related to a protected characteristic (as defined under the Equality Act 2010) that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment. It includes, but is not limited to:

- Offensive comments, jokes, or gestures.
- Inappropriate physical contact or invasion of personal space.
- Displaying or sharing offensive images or content.
- Intimidating or threatening behaviour.

5.3 Harassment (including sexual harassment)

Sexual harassment is unwanted behaviour of a sexual nature that makes a person feel intimidated, degraded, or humiliated. Examples include:

- Unwelcome sexual advances or requests for sexual favours.
- Inappropriate touching, gestures, or suggestive comments.
- Sending or displaying sexually explicit messages, images, or content.
- Stalking or persistent romantic pursuit after clear rejection.

Employees should also refer to the University's *Consensual Relationships Policy*, which provides guidance on professional boundaries and the appropriate disclosure of personal relationships within the workplace.

These definitions include tests that are designed to establish, objectively and reasonable, whether conduct could be considered harassment.

This requires us to take in to account:

- the perception of the person who is at the receiving end of the conduct
- the other circumstances of the case
- whether it is reasonable for the conduct to have the effect under scrutiny.

Some behaviour may also constitute a criminal offence under the Protection from Harassment Act 1997 as defined in section 7 of that Act. While not indicating any criminal liability if proven, those behaviours are also included in the University's definition of harassment on a balance of probabilities standard of proof. Under this provision, a course of conduct conducted on at least two occasions that harasses one other person, or a course of conduct that harasses two or more persons at least once each may be harassment, and includes persons who have aided, abetted, counselled or procured that conduct. In relation to this, under section 1 of the Protection from Harassment Act 1997, an offence is committed only if:

- the person knows the conduct amounts to harassment of the other, or
- a reasonable person in possession of the same information would think the course of conduct amounted to harassment of the other person.

5.4 Sexual Misconduct

Sexual misconduct relates non-consensual behaviour, or conduct, or attempted behaviour, or conduct of a sexual nature. This includes, but is not limited to:

- Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010)
- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
- Assault (as defined by the Sexual Offences Act 2003)
- Rape (as defined by the Sexual Offences Act 2003)

- Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015).

Sexual harassment also occurs if an individual treats a person less favourably because that person has rejected or submitted to unwanted conduct of a sexual nature

6.0 Reporting and Resolution

6.1 Informal Resolution / Early Resolution of Complaints

The University aims to deal with any concerns at an early stage promptly, impartially, effectively and with sensitivity, and will not tolerate harassment, bullying, discrimination, victimisation or sexual misconduct of any kind. All allegations of these unwanted behaviours will be investigated unless such allegations are reported anonymously.

Differences of attitude, culture, background or misinterpretation of social signals can mean that what is perceived as harassment or bullying by one person may not be perceived in the same way by another person. The University expects everyone to be sensitive to the needs of others and to respect individual differences. As such, and if at all possible and appropriate, the University encourages individuals to resolve such complaints informally before using the formal process. Employees may wish to do this with the support of their line manager or HR. If the complaint is about their manager, they can discuss with the next level of management.

Informal resolution is not intended to take away from the seriousness of the issue. However, early informal resolution of complaints can help to reduce stress and worry for all concerned. The other person may be unaware of their behaviour and the impact it is having upon others. Informal feedback can help to give that person a better understanding and opportunity to change or stop their behaviour.

In the first instance, it is often helpful for the individual to speak to the other person to explain the situation and how it has made them feel. This can help the other person to understand their concerns and change their behaviour accordingly. Where employees feel unable to do this, they are encouraged to contact either

their line manager; Trade Union (where applicable) or HR. Contractors or visitors should discuss their concerns with their designated contact at the University.

Mediation is another way that employees can resolve issues informally. A neutral person, the mediator, works with individuals who have a disagreement to help them to find their solution and reach an agreement that will assist them to resolve their problem, improve the situation or enable them to work together effectively. The mediator does not take sides or judge who is right or wrong. The process is voluntary and both sides need to agree to participate.

6.2 Formal Complaints

The University recognises that informal efforts may not always resolve the situation or may not be appropriate in the circumstances. If informal resolution is not appropriate or does not resolve the issue, employees may file a formal complaint through the University's Grievance Procedure.

The decision to make a formal complaint is not easy, and as such the University encourages employees to contact Human Resources should they have any queries.

Should an employee decide to raise a formal complaint, this will be investigated thoroughly under the University's Grievance Procedure.

To note, If the incident is being investigated by the police, the University procedures might be suspended until the police have completed their investigations.

6.3 Investigation Process, and possible outcomes

In line with the procedure outlined in the Grievance Procedure, the University will conduct a fair, impartial, and confidential investigation.

There are many outcomes which could follow an investigation into bullying, harassment, or victimisation which may include (but not be limited to):

- mediation
- training
- coaching
- disciplinary proceedings

If the outcome is that there is a case to answer of bullying; harassment; sexual harassment; or victimisation this will be taken seriously by the University and the Disciplinary Policy may be invoked.

Depending on the circumstances, this could potentially lead to a formal warning being issued, demotion or even dismissal.

Such disciplinary action may be appropriate in cases of bullying; harassment; sexual harassment; or victimisation committed:

- in a work situation
- during any situation related to work, such as at a social event with colleagues. For the purposes of this policy a work-related social event is an event that is either organised by the University, or has a clear link to the workplace; such as being attended by colleagues; held to celebrate a work-related achievement; or held to celebrate a personal or work-related milestone (e.g., a birthday; leaving do; end of year celebration; or other similar milestone). These are treated as an extension of the workplace where this policy will continue to apply
- against a colleague or other person connected to the employer outside of a work situation, including on social media
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out their role.

The University will take into account any aggravating factors (e.g. abuse of power over a more junior colleague) when deciding whether to instigate disciplinary action and when considering the potential outcome.

In all cases of proven inappropriate behaviour, the University will ensure that it is made clear to the relevant individual that their behaviour is unacceptable and must stop.

The University expects everybody involved in the investigation process to act in good faith and with honesty at all times. An individual will not be subjected to disciplinary action or to any other detriment simply because their complaint is not upheld. The University may however take disciplinary action if there is evidence that an allegation is false and made in bad faith.

In the case of visitors or contractors who are found to have committed bullying and / or harassment, the University may make specific recommendations. For example, visitors may be prevented from returning to the campus. The University may decide that it no longer wishes to engage contractors who have committed such acts.

6.4 Vexatious Complaints

If during either the informal or formal process it is found (via investigation) that a there has been a vexatious complaint made of bullying, harassment, victimisation

or sexual misconduct (i.e. the complaint is found to be malicious or mischievous), it will provide grounds for disciplinary action against the complainant through the appropriate procedure. For employees this will be the Disciplinary Policy (for students this would be the Student Non-Academic Conduct and Disciplinary Policy and Procedure).

6.5 Variations to the Procedure

The University reserves the right to vary any stage of this procedure as it deems appropriate in order to comply with any current legal obligations and best practice.

Where an issue involves a student then there will be a discussion between Human Resources and Student services of the appropriateness of the investigation process. For example, a students' complaints process may have already been initiated. Decisions made around investigation processes where both employees and students are involved will be handled appropriately and sensitively and on a case by case basis it shall be decided where the linkages are between the Dignity at Study Policy, and the Dignity at Work Policy are, and the appropriate next steps.

Where mention is made in this procedure of action by specific post holder or role holder this action may be delegated to an appropriate nominee where warranted by the circumstances, for example, where there is or may be any potential conflict of roles or interests, or the specific post holder or role holder is absent, so long as the nominee has appropriate experience to be able to act on behalf of the specific post or role holder.

7.0 Support Services

The University recognises that impacted individuals may wish to access support and guidance. There are a number of sources available to employees including:

- Confidential counselling services, available through the Employee Assistance Programme.
- Trade union representatives and employee networks.

Alternatively, employees can contact their line manager or a member of the Human Resource (HR) team.

8.0 Responsibilities

The University recognises that we all share responsibility for ensuring a safe working environment for ourselves and others. Specific responsibilities are as detailed below:

The University of Greater Manchester

The University of Greater Manchester will:

- Treat all complaints of bullying, harassment, victimisation or sexual misconduct seriously and in a sensitive and objective manner, with due respect for the rights of all parties involved
- Provide employees with an opportunity to easily raise a complaint
- Deal with complaints in a confidential manner; however, employees should be aware that there may be times when it is in best interests of parties to break confidentiality under the terms of the Data Protection Act 1998 i.e. if the incident constitutes a safeguarding concern, or where a crime/potential crime has been committed
- Offer support and assistance to all involved including offering advice to employees on their options;
- Invoke relevant University policies and procedures (eg Disciplinary Policy and Procedure) when there is evidence that there has been a breach of expected behaviours and conduct which include bullying, harassment, victimisation or sexual misconduct or where allegations are made in bad faith (see vexatious complaints)
- Promote this policy to all employees by including information about the policy and its values in the induction processes for all new employees, and those employees transferring or seconding to different roles; and employees being promoted to managerial positions
- Provide training for employees to foster awareness of this policy and procedure, to assist when responding to allegations and or investigating allegations, noting training will be the responsibility of Human Resources;
- Offer training or other interventions where appropriate to employees who have been found to be responsible for using unacceptable behaviour; the aim being to foster a healthy working and learning environment;
- Evaluate incidents reported in order to identify any trends which need to be addressed or investigated further;
- Seek to make reasonable adjustments for employees with a disability in undertaking any aspect of this procedure.

All Employees

All employees should ensure that they:

- Behave in a way that is lawful and acceptable and does not cause offence, humiliation, embarrassment or distress to others, maintaining an appropriate professional relationship between themselves, colleagues and students
- Watch for signs of bullying, harassment or sexual misconduct by others and be aware of what constitutes unacceptable behaviour; and act promptly if they perceive they are being harassed or bullied
- Judge student performance based on fair, objective and measurable criteria;
- Raise concerns if they witness bullying, harassment or any incidents of unacceptable behaviour, including referring a student with a complaint of bullying, harassment, victimisation or sexual misconduct to the reporting form on the website <https://www.Greater Manchester.ac.uk/student-area/>. They must also ensure the student is made aware of the policy and are offered appropriate support
- Treat others fairly and in accordance with the University of Greater Manchester's core values ensuring that they do not harass or bully others
- Understand that their performance can be evaluated by their line manager against fair and objective performance indicators
- Act honestly and in good faith at all times, i.e. do not make any vexatious statements or act in bad faith
- Participate in bullying, harassment, victimisation or sexual misconduct awareness training as directed by Human Resources to ensure awareness of the policy;
- Avoid dealing with the incident themselves to ensure consistency of the policy.

Line Managers

All line managers should ensure that they:

- Promptly address any complaint of harassment or bullying, using the relevant procedure
- Treat employees fairly and in a manner that does not cause offence, humiliation, embarrassment or distress
- Watch for signs of bullying by others, be aware of what is unacceptable behaviour
- Act as a source of advice
- Maintain appropriate relationships between colleagues, students and visitors based on professional ethical principles
- Assess performance based on fair, objective and measurable criteria
- Take part in harassment and/or bullying awareness training as and when required (and ensure employees members are appropriately trained).

Human Resources

Human Resources will:

- Offer advice to impacted employees and ensure they are made aware of any support available
- Support line managers in addressing harassment or bullying complaints
- Manage all cases fairly, consistently, and objectively
- Ensure that line managers are appropriately trained in addressing issues of harassment and/or bullying

University Leadership

University Leaders and Executives shall ensure a culture of dignity and respect, respond promptly to concerns, and set a positive example.

All Employees

All employees shall treat colleagues with respect and report concerns in line with this policy.

9.0 Monitoring and Review

This policy will be reviewed regularly to ensure its effectiveness and compliance with UK employment and equality laws.

Amendments will be made as necessary in consultation with employees and stakeholders.

10.0 Dissemination of and Access to the Policy

This policy will be published on the University of Greater Manchester's website to be available to all employees, students, visitors and contractors on request.

Appendix 1 – External support

Greater Manchester Police (GMP)

Web: <https://www.gmp.police.uk>

Tel: 999 (Emergency) or 101 (Non-emergency)

National Bullying Helpline – Information and Advice for anyone dealing with bullying

Web: <https://www.nationalbullyinghelpline.co.uk>

Tel: 0300 323 0169 (Helpline) or 0845 225 5784 – Monday to Friday 9am to 5pm.

Stop Hate UK – National organisation working to challenge all forms of Hate Crime

Web: <https://stophateuk.org>

Victim Support – Free, independent support to help victims of crime

Web: <https://victimsupport.org.uk>

Tel: 0808 503 9054

St. Marys Sexual Assault Referral Centre (SARC) – Comprehensive and coordinated forensic, counselling and aftercare service to men, women and children who have experienced rape or sexual assault

Web: <https://stmaryscentre.org>

Tel: 01304 276 6515 (24 hours helpline)

Greater Manchester Rape Crisis & Sexual Abuse Support Centre – Service for women only who have experienced sexual abuse

Web: <https://manchesterrapecrisis.co.uk>

Tel: 0161 273 4500 (Monday to Friday 10am to 4pm and Wednesday and Thursday Evening 6pm to 9pm)

Rape Crisis England – Feminist charity working to end sexual violence and abuse

Web: <https://rapecrisis.org.uk>

Tel: 0808 802 9999 (8am to midnight 365 days a year)

Survivors UK – Service for men, boys and non-binary who are survivors of sexual violence that offers counselling and practical support

Web: <https://www.survivorsuk.org>

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