

Extract from the Student Book of Regulations: ANNEX C

Policy and Procedure on Dignity at Work and Place of Study

Adapted from the University of Buckingham, DIGNITY AT WORK AND PLACE OF STUDY POLICY AND PROCEDURE 2025. Available [online] www.buckingham.ac.uk [Harassment and Sexual Misconduct | University of Buckingham](#)

CHAPTER I: PRELIMINARIES

Article 1

The University is committed to creating and maintaining a safe, welcoming, and inclusive working, learning and social environment that nurtures a culture in which we treat one another with courtesy and professionalism, even while robustly challenging each other's views and opinions, where all individuals can realise their full potential.

Wherever possible, the complaints of harassment, bullying and discrimination shall be resolved promptly and effectively so that good working relationships and normal social interaction can be resumed as quickly as possible as sometimes people.

Article 2

- 2.1 This procedure underpins the Dignity at Work and place of Study policy and is applicable to all current students, university members of staff and workers who believe they are being bullied and/or harassed. It also applies to students who believe they are being bullied and/or harassed by a member of staff.
- 2.2 If the allegation relates to harassment or bullying of a student by a member of staff, students should follow the Student Complaints Policy and Procedure for investigation and action under the appropriate employment policies.
- 2.3 Whether conduct qualifies as harassment or sexual harassment depends not only on the effect it has on the individual, but also on whether it is reasonable for the conduct to have that effect. This legal threshold helps ensure that concerns are assessed fairly and consistently, with both subjective and objective perspectives considered.
- 2.4 All staff, workers, academic visitors, university volunteers, retired staff, suppliers and contractors will be expected to behave in a manner that is consistent with the Code of Behavior when engaging in activities related to the university and / or on the university premises.

Article 3

- 3.1 Any member of the university is encouraged to formally report cases of harassment, sexual harassment, bullying, discrimination, and victimization whether they are the recipient of the behavior or are witness to it as soon as reasonably practicable.
- 3.2 The University commits to seriously and thoroughly investigating any allegations of bullying that is brought to its attention either:
 - between students,
 - students and staff members or
 - between staff members

Where an allegation is found to be true, action will be taken against under the Non-Academic Misconduct Policy and Disciplinary Procedures.

Article 4

- 4.1 Students who are being bullied and/or harassed by another student or a member of staff, are strongly advised to alert the university by reporting it, talking to the Academic Advisor or contacting Student Counsellor so that appropriate actions can be followed.
The University will tackle instances of bullying and harassment as professionally as possible by using appropriate engagement with the accused, the victim(s) and any witnesses to bullying or harassment, not only through the intervention of staff entrusted with such engagement, but by promoting the engagement of the whole University, such that all members work toward an environment free of threat and intimidation.
- 4.2 Any member of staff who believe that they may be being harassed, bullied, discriminated or victimized or who has been told that their behavior is harassing, bullying or discriminatory, and who wishes to discuss such concerns in confidence can do this with either a member of the HR Office or the University Management.
- 4.3 Individuals who bring allegations to the University in good faith which are not subsequently upheld after investigation will not be treated less favorably under any circumstances. If it is proven that a complaint was not genuine, the University may consider disciplinary procedures.

CHAPTER II: PROCEDURE

A: Informal Resolution

Article 5

- 5.1 Any individual who feels they are being harassed, bullied, or discriminated against during their university activities (such as study, work or leisure activities) may feel able to approach the person in question to explain what conduct they find upsetting, offensive, or unacceptable, and to ask that person to refrain from that behavior(s). Such an informal approach may be all that is required to resolve the issue. The university does not wish to be prescriptive as to the form of any such action that the complainant or the person who is the subject of the complaint may wish to take.
- 5.2 It is recommended that, when possible and appropriate and if individuals feel it is safe to do so, an attempt to resolve the situation informally in the first instance is made.

Article 6

- 6.1 In some situations, it may be appropriate for the matter to be dealt with via mediation, depending on the nature of the issue. Mediation is a confidential process for resolving issues between individuals, helping those involved find and agree solutions.
- 6.2 Mediation can be used at any time as a means of resolution, including before or after an informal or formal process. However, mediation may be particularly helpful if it is considered at an early stage before any formal procedure is invoked.

- 6.3 Provided both parties wish to participate, the Counsellor/mediator will meet with the parties separately and as soon as practicable to begin to seek a resolution. The normal expectation is that resolution would be achieved within 20 working days of the initial meetings with the parties (although this time limit may be extended if required). To ensure transparency and certainty for both parties, any agreed outcome will normally be recorded in writing.
- 6.4 Both mediation and facilitated conversations are voluntary and confidential and all those involved in the mediation process must maintain appropriate confidentiality. Either party can withdraw from the process at any time. Students or staff members are not required to use mediation or facilitated conversations before utilizing the option of a formal complaint.
- 6.5 Should an informal discussion, mediation and / or facilitated conversations not have the desired effect, then a formal complaint can be made under this policy and procedure.
- 6.6 All information concerning allegations of bullying or harassment must be treated in the strictest confidence and breaches of confidentiality may give rise to disciplinary action.

B: Formal Appeal

Article 7

If informal resolution is not effective, individuals can report the incident in writing to raise the matter further.

Article 8

Advice and support is available to students who are victims of bullying, witnesses of bullying, students accused of bullying and staff involved in the reporting of bullying from the following sources:

- Academic Advisor or other member of academic staff
- Student Counsellor
- Dean of Students

Support is available to all affected students, including those accused of bullying, witnesses and bystanders.

Article 9

Staff members who find that they are unable or reluctant to approach the person complained against, may approach their respective Dean to discuss the problem who will discuss the complaint with HR and/or Management in the first instance.

- In the instance where the complaint is being brought against your line manager/head of department then then written complaint should be submitted to the HR Department.
- the HR Department will notify the Rector/Chancellor, who will decide how to proceed and will inform the parties in writing. The Rector/Chancellor may make such enquires as are necessary to determine the complaint of may commission an investigation.

Article 10

Whether a student or a staff member is reporting the incident, the complainant should set out as clearly and succinctly as possible:

- the nature of the behavior that they are concerned about;
- the person(s) involved;

- any attempts you have made to address the situation;
- the effect of this behavior on them; and
- the resolution they are seeking.

The complaint should include dates and details of any witnesses to any incidents referred to in the complaint, together with any documentary evidence. The complainant should also explain what attempts, if any, have been made to resolve the difficulties.

Article 11

11.1 If the individual accused of bullying becomes the subject of a formal investigation of bullying, the Dean of their respective department or the Dean of Students will initiate the Disciplinary Procedure.

11.2 The decision on whether conduct meets the threshold for harassment or sexual harassment will include consideration of whether the conduct was both unwanted and can reasonably be considered offensive, humiliating or degrading in the circumstances. Appropriate sanctions will be applied under the Disciplinary Procedures where applicable.

Article 12

12.1 When deciding the appropriateness of behavior, factors that will be taken into consideration include the specific context, the motive or the intent of the individual demonstrating the behaviors, the impact on the individual and whether the impact or effect would reasonably be considered to meet the legal definition of harassment or sexual harassment in the circumstances.

12.2 The intention or motives of the person whose behavior is the subject of a complaint are not conclusive in deciding if the behavior amounts to harassment, sexual harassment, bullying, discrimination, or victimization.

Article 13

13.1 To establish the relevant factual evidence in connection with the allegation(s) made by the complainant (a student or staff member), the Dean of the department or the Dean of Students appoint a three-member Commission who will conduct the Disciplinary Procedure.

13.2 The commission members should not have had previous involvement with the issues in the case nor should they be a subordinate or close colleagues of either the complainant or the person against whom the complaint is being made.

13.3 Should a complaint be made against a very senior employee; the investigation may be carried out by a nominee of the Chancellor.

13.4 The university may decide to employ an external partner to investigate, in this circumstance the terms of reference will be disclosed to all parties, taking into consideration the General Data Protection Regulations, in relation to information that can/cannot be shared.

Article 14

The procedure for an investigation will normally be as follows:

- a) The Commission will meet the complainant to confirm the details of the complaint.
- b) The complainant as clarified will forward any relevant material to the Commission that supports their complaint, generally in advance of the investigative meeting.
- c) The Commission will interview, where reasonably practicable, individuals identified by the claimant as having relevant evidence.

- d) The Commission will meet the person complained against to hear their response to the complaint and any further evidence that they may have.
- e) The Commission will interview, where reasonably practicable, individuals identified by the person complained against, as having relevant evidence.
- f) Having considered all the evidence, including any relevant documentation, the Commission will prepare a written report of their findings, in relation to which they may check relevant sections in draft with the parties before finalizing.
- g) The Commission will forward the report to the Dean (in case investigation of a formal complaint involved a student) and/or to the HR Department (in case investigation of a formal complaint involved a staff member).

Article 15

- 15.1 In reaching conclusions, the Commission will consider whether the reported conduct had the purpose or effect of violating the individual's dignity or creating an offensive environment, and whether it was reasonable in the circumstances for the conduct to have had that effect.
- 15.2 The Commission will prepare a report and will make recommendations / conclusions on possible course of action. The outcome of the investigation may include a sanction (or sanctions), which will always be relevant and proportionate to the offence committed.
- 15.3 Where it is reported that a member of staff has bullied or harassed a student (or students), this will be addressed according to the Students Complaints Policy. Actions taken as a result will be relevant and proportionate.
- 15.3 The Commission will inform the complainant and the person who is the subject of the complaint in writing of the conclusions they have reached having reviewed the evidence. The Commission will also provide a copy of a redacted report, removing any third-party references to the complainant and the person who is the subject of the complaint. However, the Commission nor the university can disclose details of any action to be taken against another party and the reasons for those actions. The university is not able to share witness statements or notes of meetings taken from others who are involved in the investigation process.
- 15.4 The Commission will also inform any other parties who have been asked to participate in an investigation that the investigation has been concluded. The Commission cannot legally advise those that participated as part of the investigation what conclusions have been reached or details of any further action that may be taken.

Article 16

Depending on the nature of the complaint the evidence found, including the findings of the Commission investigation report, the Dean and/or the Dean of Students will either: -

- a) Take no further action, other than, where appropriate, implementing or suggesting steps that would help to restore reasonable working relationships between the parties. This approach will usually be appropriate where the claim(s) are considered to be unfounded and where there is a continuing relationship between the parties.
- b) Initiate resolution of the issues (e.g., by requiring that certain individuals meet with the Counsellor or placement on the probation period). If a successful resolution is achieved the case will be closed, but the situation will be monitored for an appropriate period. This approach will usually be appropriate where the evidence does not support a claim of harassment, bullying, discrimination or victimization but it is clear that either party has demonstrated behaviors that are likely to lead to further issues between them if unresolved, or alternatively that there are structural issues within a department that require management attention.
- c) Initiate disciplinary action where the Commission is reasonably satisfied that there is sufficient evidence to support allegations of harassment, bullying, discrimination or victimization of a sufficiently serious nature as to merit disciplinary action. Should this be the case a disciplinary action may be conducted.
- d) In rare cases disciplinary action may be initiated against the complainant if the Commission is satisfied that the complaint of harassment, bullying, discrimination or victimization is unfounded and not made in good faith.

The decision on whether conduct meets the threshold for harassment or sexual harassment will include consideration of whether the conduct was both unwanted and reasonably considered offensive, humiliating or degrading in the circumstances.

Article 17

If the matter is not resolved to the complainant's satisfaction, they may appeal to the Senate to review the appeal process. This appeal must be made in writing and within 5 working days of the individual being notified of the outcome. The Senate decision on the matter will be final and binding.

Article 18

The Registry and Human Resources Department will retain the notes, reports, and associated documents on individual's file, and will retain them in confidence.