UNIVERSITY OF SUSSEX

**DIGNITY, RESPECT AND INCLUSION POLICY**

## 1. OVERVIEW AND PURPOSE

1.1 The purpose of this policy is to articulate and confirm the University's commitments and approach to supporting dignity, respect, equality, diversity and inclusion for everyone in the University community, to make individuals aware of their responsibilities in relation to the policy, to define key terms, and to signpost to relevant procedures and associated documents flowing from the policy (see Annex A for more details).

1.2 The University is committed to promoting equality and to creating an inclusive working, learning and living environment where all members of our diverse community can know that they belong and are treated fairly and with respect and dignity, in order to enable everyone to achieve their full potential.

1.3 Part of this includes compliance with the Equality Act (2010) and other relevant legislation[1] which helps by providing a legal framework to protect people from discrimination, harassment and victimisation in their place of work or study.

1.4 As a Higher Education Institution, the University has specific equality duties that also require it to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation; and
- Advance equality of opportunity, and to foster good relations, between persons who share a relevant 'protected characteristic'[2] and persons who do not share it.

1.6 The University's core values are collaboration, courage, inclusion, integrity, kindness and openness, and we seek to embody these in all we do so that all members of our community can make a contribution and thrive.

1.7 The University will foster a positive culture for working, learning and living which supports freedom of thought and freedom of expression within the law, and within the legal framework of respect for the rights of other people. This is compatible with the University's obligation to take the steps that are reasonably practicable to take so that freedom of speech within the law is secured for our staff, students, members and visiting speakers (see further detail in section 4).

## 2. SCOPE

[1] Health and Safety at Work Act, other employment legislation.

[2] Age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race (which includes colour, nationality, ethnic and national origin), religion or belief, sex, and sexual orientation are 'protected characteristics' under the Equality Act (see further information in section 4 of this policy).

2.1 This policy applies all members of the University Community (see 3.2) including staff[3] and students and relates to both individual and collective activities and dealings with others. It also extends to those who provide services to us, and to visitors to our campus.

## 3. RESPONSIBILITIES

### 3.1 University Council

3.1.1 The University Council has ultimate accountability for compliance with the University's equality obligations and for the approval of this Policy.

### 3.2 All members of the University Community[4]

3.2.1 All members of the University community have a responsibility to:

- read this policy and adhere to it and all associated procedures and policies flowing from it, as outlined in this document (as relevant to their roles); and
- complete all mandatory in-person and online training associated with this policy and associated procedures and policies, as required.

### 3.3 Managers, Academics and Advisors

3.3.1 Managers, academics and advisors who are professionally involved in staff and student support, development and supervision have specific responsibilities for the implementation of this policy to:

- take the lead in promoting a culture of dignity, respect, inclusion, free speech and academic freedom;
- implement all relevant policies and practice to support fair treatment in work and study; and
- take timely, relevant action to resolve concerns using the appropriate procedure.

### 3.4 Governance

3.4.1 The University Executive People and Culture Board (or such relevant Executive governance committee as is established) is responsible for monitoring implementation of this policy, including monitoring and reviewing its performance, and the effectiveness of this policy and associated procedures. An annual assurance report will be provided for Council/Strategy and Performance Committee (or such relevant Council governance committee as is established) and other relevant committees.

[3] Staff includes, whether renumerated or not, senior managers, officers and directors; employees (whether permanent, fixed-term, temporary, or casual); contract, seconded, and agency staff; volunteers, apprentices and interns; and others associated with (i.e. performing services for or on behalf of) the University (for example, agents and consultants)

[4] The 'University community' refers to staff, students, those with honorary or visiting attachments and to members of University Council.

## 4. POLICY

### 4.1 General Principles

4.1.1 The University seeks to ensure that all those to whom the policy applies (as set out in paragraph 2.1):

- are valued for their skills, abilities and contributions;
- are treated with dignity and respect;
- are able to study, work and live on campus free from bullying, harassment, victimisation or violence;
- experience no form of unlawful discrimination;
- are able to impart ideas, opinions and information freely subject only to limitations provided by the law.

4.1.2 The University seeks to ensure that all staff and students have fair access to the full range of University facilities, and that adjustments to working and learning practices are considered wherever reasonable in order to remove any substantial disadvantages faced by disabled people, and more broadly to accommodate a diverse community (see further details in section 4.3.8 and Annex A.)

4.1.3 Through training and awareness raising, the University seeks to ensure that all members of our community know what behaviours are expected of them and what to do if they experience, witness or are alerted to an alleged incident of bullying, harassment or discrimination, and that they know that they are safe taking action. We can offer support, guidance and appropriate training to those whose behaviour does not meet the University's expectations. See Annex A for further details and links to relevant guidance.

4.1.4 The University takes incidents of discrimination, bullying and harassment, victimisation and violence very seriously. Where appropriate, disciplinary action will be taken under staff or student disciplinary procedures. All allegations of discrimination, bullying, harassment, victimisation and violence should be raised in accordance with this policy. See Annex A for further details.

4.1.5 The University will provide a range of support for staff and students who experience behaviours that are not in accordance with this policy. See Annex A for further details.

4.1.6 The University will take the steps that are reasonably practicable to take to secure freedom of speech within the law for its members and visiting speakers.

4.1.7 The University recognises that, on occasion, the views of some who exercise the right to freedom of expression within the law may cause offence, shock or disturb others who do not hold those views. This, in itself, is not a matter for constraint. Allowing opposing views to be heard will be encouraged and supported. The University also encourages everyone to express their views in a way that considers the impact on others and which respects the University's values of collaboration, courage, inclusion, integrity, kindness and openness. The University offers a range of support for staff and students who feel upset or negatively impacted by the expression of others' views (see Annex A for further details).

4.1.8 For the avoidance of doubt, nothing in this policy should be taken to justify sanctioning

academic staff for questioning or testing received wisdom or putting forward new ideas and controversial or unpopular opinions within the law, nor should this policy be taken to justify restrictions on freedom of speech beyond those provided within the law. Any person concerned that their rights of academic freedom or freedom of speech have been unjustifiably restricted may lodge a complaint using the appropriate University procedure, and may be able to complain via the Office for Students complaint scheme (see Annex A for further details).

4.2 **Expectations**

4.2.1 The following expectations apply to all members of the University Community:

- to ensure that people are treated fairly and encouraged to reach their potential including in their access to jobs and study opportunities, and their progress through their career or course;

- not to discriminate, harass, victimise or bully anyone who falls within the scope of this policy (see section 2.1);

- to promote diversity and equality for students and staff and value the contributions made by individuals and groups of people with diverse characteristics and backgrounds;

- to promote and sustain an inclusive and supportive working, learning and living environment which removes barriers and disadvantages, where reasonably able to do so, in order to enable individuals to fulfil their potential, and which does not afford unfair advantage to any individual or group. This includes making reasonable adjustments for staff or students with disabilities. (Please see further details in section 4.3.8 and in Annex A);

- To foster a positive culture for working, learning and living which promotes freedom of thought and freedom of expression within the law;

- to treat all individuals and groups fairly and with dignity and respect at all times, including those who express views which may differ from our own;

- to seek to express our views in ways that do not create an environment that is intimidating, hostile, degrading, humiliating or offensive to others, and which respects the University's values of collaboration, courage, inclusion, integrity, kindness and openness;

- to recognise the right of staff, students, and visiting speakers to hold opinions, and to receive and impart information and ideas, so long as they do not break the law;

- to recognise the right of academic staff to (a) question and test received wisdom and (b) put forward new ideas and controversial or unpopular opinions, without placing themselves at risk of being adversely affected (by losing their job or privileges at the University, or reducing their likelihood of securing promotion or a different job at the University) for doing so as long as they do not break the law;

- to work and study collaboratively, collegially and effectively in teams within and across organisational units;

- to identify and challenge unacceptable behaviour when it occurs, even if it is not directed at ourselves;

- to address and resolve matters ourselves, where reasonably possible, in a positive and

constructive way;

- to raise serious concerns with relevant University staff and participate positively in approaches to resolve them (see Annex A for further details);

- not to retaliate against or victimise students or staff who complain about or report discrimination, harassment, bullying or victimisation; and

- to modify our own behaviour should we become aware that we have behaved unacceptably in relation to this policy.

4.3 **Definitions**

4.3.1 **Dignity and Respect**

4.3.1.1 Granting dignity and respect to others means having due regard for their feelings, wishes and rights as fellow human beings.

4.3.1.2 Our core values are collaboration, courage, inclusion, integrity, kindness and openness, and we seek to embody these in all we do so that all members of our community can make a contribution and thrive. This involves positive communication, being supportive, and understanding different perspectives.

4.3.1.3 All members of the University Community and visitors can expect to be treated in a friendly, courteous and dignified manner on an everyday basis. Members of the University Community should always be mindful of addressing others politely and with sensitivity, whether interactions are face-to-face, on the 'phone, via email or online (See Annex A for further details of the University's Social Media Policy).

4.3.1.4 Members of the University Community and visitors can expect to be valued for their skills, abilities and the contributions they make to the University community. We undertake to be constructive and kind when we challenge people expressing different viewpoints or when we provide feedback to each other. When managers or tutors make reasonable and appropriate requests of their staff or students, or are providing feedback about performance or behaviour, we always expect this to be done in line with the principles of dignity and respect; in return, those staff and students receiving such feedback are expected to treat their managers or tutors with dignity and respect.

4.3.2 **Bullying**

4.3.2.1 Bullying is not defined in law, however, the University understands it to involve unwanted acts or behaviours that undermine individuals personally and/or professionally. Bullying can be threatening, insulting, abusive, humiliating, disparaging, hostile or intimidating behaviour and/or an abuse or misuse of power placing inappropriate pressure on the recipient which can affect self-confidence or has the effect of isolating or excluding them. It is fact and context specific.

4.3.2.2 Bullying may consist of a single incident, sporadic events or a continuing process. Behaviour that may appear trivial as a single incident can constitute bullying when repeated.

4.3.2.3 Bullying is not always deliberate; someone may demonstrate bullying behaviour

without intending to. Whichever form it takes it will often cause embarrassment, fear, humiliation or distress to an individual or group of individuals.

4.3.2.4 Bullying may be by an individual against another individual (perhaps but not only by someone in a position of authority such as a manager or tutor) or against groups of people (a person may act in a bullying manner towards several colleagues). Similarly, a group of people may also be responsible for bullying behaviour towards an individual or other group (for example, if a group of staff members act in a way that leaves an individual or group feeling isolated or excluded). People in positions of authority can be bullied by those who are not (for example, staff may be bullied by students).

4.3.3 **Discrimination**

4.3.3.1 Direct discrimination: treating someone less favourably because of a 'protected characteristic'. For example, rejecting a job applicant because of their religious views, philosophical beliefs (such as gender critical beliefs or ethical veganism) or because you consider that they might be lesbian or gay. Direct discrimination can include associative discrimination, where a person is treated less favourably because of their association with an individual with a protected characteristic, and perception discrimination, where a person is treated less favourably because of the mistaken belief that they possess a protected characteristic.

4.3.3.2 Indirect discrimination: a provision, criterion, practice or policy that applies to everyone but especially disadvantages a group of people with a particular protected characteristic, and is not objectively justified (i.e. is not a proportionate means of achieving a legitimate aim). For example, requiring someone to drive might affect younger people or some disabled people. Such a requirement would be discriminatory unless it can be demonstrated that it is objectively justified.

4.3.4 **Harassment**

4.3.4.1 Harassment - use of words or behaviour that threatens, intimidates, humiliates, causes distress and/or demeans someone - may be both an offence under the criminal law and behaviour that is prohibited under the civil law. A victim of harassment may report the matter to the Police at any time and is particularly encouraged to do so if they feel their safety is under threat.

4.3.4.2 Equality legislation makes harassment related to a protected characteristic unlawful. This protection is afforded to people who find the behaviours offensive even if they do not possess the characteristic.

4.3.4.3 The Equality Act 2010 offers protection from:

- unwanted conduct that is related to the protected characteristics of age, disability, gender reassignment, race; religion or belief, sex, or sexual orientation and that has the purpose or effect of violating the person's dignity or creating an intimidating, hostile, degrading, humiliating or hostile environment for that person;

- unwanted conduct of a sexual nature (sexual harassment);

- less favourable treatment for rejecting or submitting to sexual harassment or harassment related to sex or gender reassignment.

4.3.4.4 Harassment that is targeted at an individual or group of individuals may occur on the grounds of:

- a person's actual personal characteristics – e.g., a person's views are persistently ignored or not sought because they have a diagnosis of mental ill health;

- a person's perceived personal characteristic – e.g., homophobic/ derogatory remarks are made to a person assumed to be lesbian or gay, whether they are or not;

- the characteristic of a person with whom someone is associated – e.g., a person is harassed because of the religious or philosophical beliefs of a relative or friend.

4.3.4.5 Harassment need not be intentional. Where the unwanted conduct does not have the purpose of harassing, the perception of the person who considers they have been harassed, is particularly important. The individual's perception will be taken into account along with other circumstances and whether it is reasonable for the conduct to have had that effect on the person.

4.3.5 **Objective Test**

4.3.5.1 Behaviour or actions that are found objectively to be discriminatory, bullying or harassing will be subject to the relevant University procedure.

4.3.6 **Victimisation**

4.3.6.1 Victimisation occurs when a person is subjected to a detriment because they have, in good faith, made an allegation of harassment or discrimination, or have indicated an intention to make such an allegation, or have assisted or supported another person in bringing forward such an allegation, or participated in an investigation of a complaint, or participated in any disciplinary hearing arising from an investigation.

4.3.7 **Freedom of Speech, Freedom of Expression and Academic Freedom**

4.3.7.1 Staff, students and visiting speakers have the right to impart ideas, opinions or information so long as they do not break the law.[5]

4.3.7.2 Academic staff also have the right, as part of their academic role, to (a) question and test received wisdom and (b) put forward new ideas including controversial or unpopular opinions, without placing themselves at risk of being adversely affected (by losing their job or privileges at the University, or reducing their likelihood of securing promotion or a different job at the University) for doing so as long as they do not break the law.

4.3.8 **Reasonable Adjustments**

4.3.8.1 Where a provision, criterion or practice, or physical feature puts a disabled member of staff or a student at a substantial disadvantage in comparison to a member of staff or student who does not have that disability, the University has a duty to take such steps as it is reasonable to have to take to avoid the disadvantage (make 'reasonable adjustments'). For example, providing an

[5] Such as hate speech or harassment.

adapted keyboard to a member of staff with arthritis who has difficulty typing with a standard keyboard.

4.3.8.2 A member of staff or student will be considered to have a disability for the purposes of their right to reasonable adjustments, as defined above, if they have a physical or mental impairment; and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. See further required details regarding student reasonable adjustments in Annex A: Accessible and Inclusive Education Code of Practice.

4.3.8.3 Managers should work proactively and collaboratively with staff to put in place workplace adjustments. Effective workplace adjustments remove barriers to enable staff to fulfil their potential and benefits the University. See further details of the reasonable adjustments toolkit in Appendix A.

4.3.9 **Violent Behaviour**

4.3.9.1 Violence is the intentional use of physical force, threatened or actual, against another person, or against a group or community, which either results in or has a high likelihood of resulting in death, disability, injury, or harm (physical or psychological).

4.3.9.2 In line with the University's Definitions of Violence (linked at the end of this policy), violence includes: workplace violence, sexual violence and misconduct, domestic violence, coercive or controlling behaviour, stalking, hate crime, cyber abuse, and so-called 'honour' based violence.

## 5. BREACH OF THIS POLICY

5.1 We encourage any staff member or student who considers that they have been the victim of discrimination, harassment, bullying or victimisation to follow the process for resolution accessible through the links in Annex A, as applicable.

5.2 Any breach of this policy may be considered to be a disciplinary matter and be dealt with in accordance with the applicable procedure (See Annex A for further details). Making an allegation in bad faith, or that the complainant knows to be untrue may be considered to be a disciplinary matter and be dealt with in accordance with the applicable procedure.

5.3 In exceptional cases, where the University becomes aware of concerns of bullying or harassment, the University may investigate the situation to ensure the safety and wellbeing of all who may be affected by the alleged behaviour, even if an individual decides not to make a formal complaint. Where, following investigation, there is found to be evidence of bullying and harassment then this could result in action being taken under the applicable procedure.

| Review / Contacts / References | |
|---|---|
| Policy title: | Dignity, Respect and Inclusion Policy |
| Date approved: | 12 July 2024 |
| Approving body: | University Council |
| Last review date: | June 2024 |
| Revision history: | V 16.0 |
| Next review date: | June 2027 |
| Related internal policies, procedures, guidance: | *See Annex A + Regulations* |
| Policy owner: | Human Resources |
| Lead contact / author: | Assistant Director of HR (Culture, Equality and Inclusion) & Deputy Director for the Student Experience |

**Annex A - List of relevant policies and resources**

Routes for Resolution [PDF 133KB]
Report and Support Tool

Staff Disciplinary Procedure
Staff Grievance Procedure
Student Complaints Procedure
Student Discipline Procedure
Complaints Procedure for Members of the Public

Social Media Guidelines and Tips
Definitions of Violence
Transitioning at Work: Guidance for Staff and Managers
Transitioning at Work Policy
Relationships Policy
Equality, Diversity and Inclusion homepage

**Support available for students:**
Report and Support Tool
Disability support for students
Student Wellbeing Pages
Accessible and Inclusive Learning Code of Practice

**Support available for staff:**
Report and Support Tool
Workplace Adjustments
Staff Wellbeing Hub
Employee Assistance Programme
Menopause support and information
Online training for staff

**Freedom of speech related:**
Please see the Freedom of Speech landing page for information about the University's commitment to academic freedom and freedom of speech and details of how to raise concerns.

Staff may raise concerns with their immediate managers or may lodge a grievance under the Staff Grievance Procedure (Regulation 30).

Students may lodge a complaint under the University's Student Complaints Procedure.

Members of the public may lodge a complaint under the University's Complaints Procedure for Members of the Public.

Any complaints relating to the refusal to grant permission for an event with an external speaker should be raised through the External Speaker Procedure, which can be found here: Freedom of Speech landing page.

The Freedom of Speech Code of Practice includes details of the Office for Students ('OfS') complaint scheme, under which [it is anticipated from 1 August 2024] past or present students, members, members of staff, applicants for academic posts and visiting speakers will be able to make complaints to the OfS about free speech issues.

**Further resources and information:**
Resources from ACAS
'Changing the Culture': Universities UK