

<b>Royal Northern College of Music</b>
<b>Dignity at Work</b>
<b>Policy &amp; Procedure</b>
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**RNCM**  
ROYAL NORTHERN  
COLLEGE of MUSIC

## **1 Introduction**

The College is committed to creating a work environment that is stimulating and supportive and is free from discrimination, harassment, bullying and victimisation, where everyone is treated with dignity and respect.

The College is determined to eradicate any discrimination, harassment, bullying and victimisation and operates a policy of zero tolerance towards any form of unacceptable behaviour at work.

The policy is designed to ensure that employees are confident, if they bring a complaint in good faith, that the matter will be dealt with according to the procedure and that they will not be subsequently victimised or disadvantaged in any way. The College recognises that informal channels can be a preferred means of preventing or stopping discrimination, harassment, bullying or victimisation. Any reported incidents will be regarded seriously and dealt with appropriately by the College.

**Appendix 1** Definitions and examples of unacceptable behaviour under this policy as well as other relevant guidance and definitions. Please note that this is not an exhaustive list.

## **2 Purpose and Scope**

The purpose of this policy is to promote a positive working culture where discrimination, harassment, bullying and victimisation are known to be unacceptable and where individuals are able to deal with any such incidences with the confidence that issues will be addressed quickly and sensitively.

This policy follows the ACAS (Advisory, Conciliation and Arbitration Service) guidance on bullying and harassment at work and references the Equality Act 2010.

This policy defines acceptable behaviours for employees, outlines the legal position and identifies individual responsibilities. The policy also outlines the procedure for action when behaviour falls short of the standards of acceptable behaviour.

The objectives of this policy are to: -

- Support and sustain a positive and thriving working environment for all employees, free from any form of inappropriate or unacceptable behaviour;
- Confirm who this policy applies to;
- Communicate and explain the terms discrimination, bullying, harassment and victimisation;
- State that discrimination, bullying, harassment and victimisation are not acceptable in any form and will not be tolerated;
- Advise that discrimination, bullying, harassment or victimisation by an individual could be grounds for disciplinary action and could result in dismissal;
- Outline the options available to employees who feel they are or have been subject to discrimination, bullying, harassment or victimisation in the workplace.

This policy applies to all RNCM employees. For the purposes of this policy, agency workers, other casual workers, and any third party engaged to work at the College, including students on work placements, will also be defined as employees.

Unacceptable behaviour by students is dealt with under the Policy for Bullying and Harassment of or by students.

The policy does not cover employee grievances. Grievances, which arise directly out of an employee's employment or working practices of the College, should be dealt with under the College's Grievance Procedure.

### **3 Responsibilities**

#### **3.1 Board of Governors**

The College Board of Governors has an overall responsibility for ensuring that all employees are treated with dignity and respect. In practical terms, all members of the College have a responsibility to comply with the policy and behave in a way that is not offensive to others.

#### **3.2 Equality, Diversity and Inclusion Forum**

The Equality, Diversity and Inclusion Forum is responsible for developing equality and diversity-related policies, procedures and guidance, ensuring the College meets legislative requirements and fostering a tolerant and inclusive working and learning environment and public performance venue.

#### **3.3 Line Managers / Heads of Schools**

Line Managers have both a right and a responsibility to discharge their managerial duties. In so doing, they may need to adopt an assertive style but they should take care not to demean, offend or intimidate others.

Line Managers are responsible for setting, and adhering to, acceptable and professional standards of behaviour that ensure all employees are treated with dignity and respect. They should ensure that employees they manage know about the Dignity at Work Policy, and should help create a working environment in which employees feel able to challenge inappropriate behaviour.

Appropriate action should be taken by managers to stop unacceptable behaviour if it occurs and ensure all incidents are dealt with seriously, promptly and fairly. Line Managers should keep notes of actions taken and follow up with employees to ensure the situation has improved

#### **3.4 Employees**

All employees are required to treat colleagues, students and visitors with dignity and respect, and support those who are being discriminated against, bullied, harassed or victimised by bringing the issue to the attention of the appropriate manager.

Colleagues are respected for their knowledge, skills and experience and are trusted to deliver to the best of their ability. All employees have the right to be treated with respect and courtesy (i.e. in words, tone and body language), and stereotypical or generalised comments about colleagues are not acceptable.

### **4 Acceptable behaviour**

#### **4.1 All employees are expected to:**

- treat all others with dignity and respect
- conduct themselves professionally
- not behave in a manner that could be offensive to others

- be pro-active in developing and maintaining effective working relationships
- take appropriate action where there are difficulties in working relationships

**4.2** Behaviour that is offensive to one individual may not be to another, but most of the time people are able to judge correctly how they should behave. Differences of opinion are to be respected, although there are occasions when behaviour can become undermining and destructive. On these occasions an individual should be entitled to point this out without becoming subjected to a violation of their dignity.

**4.3** There are some types of behaviour that would always be considered to fall below the threshold of acceptability. These include assault, discrimination, hate-crimes, harassment, bullying or victimisation.

**4.4** Unacceptable behaviour should not be confused with normal management authority carried out in a reasonable manner, including legitimate, constructive and fair criticism of an employee's performance or conduct.

## **5 Resolving incidents of unacceptable behaviour**

All complaints of unacceptable behaviour will be taken seriously and will be investigated promptly and in full. The information disclosed will be dealt with confidentially and sensitively, in a fair and objective manner.

In the first instance, wherever possible, issues relating to unacceptable behaviour should be dealt with through the informal procedure. However, if an employee does not feel that the informal procedure is suitable due to the nature of the complaint it may be appropriate to go directly to the formal procedure.

### **5.1 Informal Resolution**

The aim of informal resolution is to arrive at a mutual understanding of the behaviour or incident causing difficulties, with agreed guidelines for future behaviour. The College encourages employees, where appropriate, to deal with inappropriate behaviour informally as this is often the quickest and most effective method of dealing with such matters.

The individual whose behaviour is challenged should be given the opportunity to understand the effects of their actions and change their behaviour. Options to consider include an informal discussion, a written letter, or the solicited intervention of a trade union/staff representative or colleague prepared to take the matter up on the complainer's behalf.

In all cases, the conversation should:

- Inform the individual what behaviour and/or actions are found unwelcome or offensive;
- Request that the behaviour stops with immediate effect;
- Ensure the individual is aware of the Dignity at Work policy, and how the complaint will be progressed if behaviours continue;
- Conclude with a written record of the meeting, which can be shared with HR if further action is required.

To discuss issues in confidence, and the options that are available, an employee can approach their line manager, the Human Resources Department or alternatively they can contact their Trade Union/Staff Representative.

## **5.2 RNCM Raise It: - See It. Prevent It. Raise It.**

[RNCM Raise It](#) is the College's online reporting tool which allows staff or student to report an incident that they have experienced or witnessed. It's easy to use and includes the option for anonymous reporting if preferred. Alongside this, everyone also has the option to talk to any staff member they feel comfortable speaking to; there's always someone who is willing to help and support. This does not initiate a formal complaints process. Any information received will remain private and confidential unless we believe there is serious safety or welfare concern. Details of the formal complaints procedure will be provided should you wish to take a matter further.

## **5.3 Mediation**

Where issues cannot be resolved informally, mediation is proven to be an effective tool for resolving interpersonal conflicts between colleagues, managers and their staff. Mediation is a confidential, objective and impartial means for resolving conflicts at an early stage, bringing the parties together with an objective third party in order to find a solution. During the process individuals have equal ability to reach agreements and are encouraged to identify their own solutions and agreements.

Sometimes certain behaviours can be perceived as discrimination, harassment or bullying, when that is not how they were intended. Mediation can be a good way to help see the other person's perspective and help the other side see how their behaviour is affecting their colleagues. If both parties are willing to co-operate, this may be a recommended option for both informal and formal approaches. The decision on whether to offer mediation will be made by the College, taking into consideration the likelihood of resolution through other options, and all the circumstances of the case.

## **5.4 Formal Resolution**

If the problem has not been resolved by informal means, or the employee feels it cannot be resolved through informal means, then they may submit a formal complaint in line with the College's Grievance Procedure.

## **6 Confidentiality**

During and following any investigation/meeting or hearing every effort must be made by all parties to maintain confidentiality. In the context of such cases confidentiality means information only being divulged to involved or supporting parties on a strict 'need to know' basis. Breaches of confidentiality will be considered in accordance with the College's Disciplinary Procedure.

## **7 What can we do to help stop bullying and harassment?**

We all have a responsibility to help create and maintain a work environment free of bullying and harassment. We can all help to do this by:

- being aware of how our own behaviour may affect others and changing it, if necessary - you can still cause offence even if you are 'only joking';
- treating our colleagues with dignity and respect;
- taking a stand if we think inappropriate jokes or comments are being made;
- making it clear to others when we find their behaviour unacceptable;

- intervening, if possible, to stop harassment or bullying and giving support to recipients;
- making it clear that we find harassment and bullying unacceptable;
- reporting harassment or bullying to your manager or Human Resources and supporting the College in the investigation of complaints; and
- if a complaint of harassment or bullying is made, not prejudging or victimising the complainant or alleged harasser.

## **8 Related Policies/Support**

- Equality and Diversity Policy
- Grievance Policy
- Disciplinary Policy
- Student Complaints Procedure
- Handbook for Full- and Part-Time Academic Staff and Code of Professional Conduct
- Social Media Policy
- RNCM Raise It – online reporting tool

## **Appendix 1**

Definitions and examples of unacceptable behaviour under this policy as well as other relevant definitions. Please note that this is not an exhaustive list.

The following bullet points should be borne in mind when considering these definitions and examples:

- Any difficulty in defining what constitutes bullying, harassment, discrimination and / or victimisation should not deter any member of the College's community from reporting behaviour which causes them or another person distress.
- The RNCM encourages reports of unacceptable behaviour from any of its community members. Individuals are encouraged to report even if they were not the intended target of the behaviour.
- It should be remembered that the reasonable perception of the Reporting Party in response to the behaviour of a Respondent needs to be properly considered in determining if bullying, harassment, discrimination and / or victimisation has occurred.
- Line managers should set clear, reasonable job performance standards for their staff, which are effectively communicated, and should manage staff equitably. Under these circumstances legitimate, justifiable, proportionate and appropriately conducted monitoring of a member of staff's behaviour or job performance does not constitute bullying, harassment, discrimination and / or victimisation.
- The College is committed to promoting and fostering a working environment which embraces and supports diversity and belonging. To ensure this, the College will not condone or ignore any incidents it becomes aware of, and will regard any allegation of inappropriate behaviour extremely seriously.

### **Discrimination**

The College expects everyone to be treated with dignity and respect regardless of any aspects of their identity. Additionally, the Equality Act 2010 protects people from being discriminated against because of one or more protected characteristics:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

### **Discrimination can be:**

- Direct—when someone is intentionally treated less favourably than others because of their protected characteristics.
- Indirect—when rules and regulations/arrangements apply to everyone, but put people with protected characteristics at an unfair disadvantage.
- By perception—when someone is perceived to have a protected characteristic and is treated unfairly because of it. This type applies to all protected characteristics except marriage and civil partnership.

- By association—when someone is discriminated against due to their association with someone who has a protected characteristic. This type applies to all protected characteristics except marriage and civil partnership.

### **Hate motivated misconduct**

For the purpose of this policy, hate motivated misconduct refers to instances of behaviour often referred to as hate incidents and hate crimes. Hate incidents are expressions, actions or behaviour which are motivated by hostility or prejudice towards a person's race, religion, disability, sexual orientation or gender identity. When the behaviour amounts to a criminal offence, a hate incident is referred to as a hate crime.

### **Hate incidents/crime can take many forms, for instance:**

- Being ignored or excluded from conversation or group activities. Derogatory comments or behaviours; micro-aggressions
- Display of racist/homophobic/Islamophobic/anti-Semitic/disablist/transphobic material. Encouraging others to engage in offensive, prejudiced and hateful behaviour
- Incitement to racial/religious hatred
- Anti-Semitism<sup>1</sup>, Islamophobia and other forms of religious hatred
- Name calling, insults, 'banter' or 'jokes'
- Verbal abuse
- Unwanted touching and physical assault.

### **Online misconduct**

This policy uses the term online misconduct to indicate any behaviour in breach of this policy taking place on online platforms (including those beyond RNCM platforms) such as social media, web content and discussion sites, search engines, messaging services, blogs, dating websites and apps, comment sections of media and newspapers, chat rooms of online video games, but also includes communication via text message and phone calls.

Examples of online misconduct include but are not limited to online harassment and abuse, sharing or disclosing private sexual images or films without the consent of the individual(s) featuring in the material, cyberstalking, sending unwanted explicit messages or images, hate speech and hate crime.

### **What is Harassment?**

Harassment is unwanted conduct related to a protected characteristic under the Equality Act 2010 that has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or is reasonably considered by that person to have the effect of violating his or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her, even if this effect was not intended by the person responsible for the conduct

What is important to remember is that harassment is not classed by how the action is meant but rather the impact that it has on the recipient. Therefore, behaviour that is acceptable by some, may cause embarrassment, distress or anxiety to others.

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<sup>1</sup> The College defines anti-Semitism as; language or behaviour that displays or suggests hostility to or prejudice against Jewish people



## **Sexual Harassment**

Sexual harassment can be defined as unwanted conduct of a sexual nature or other conduct based on gender, which is offensive to the recipient and affects the dignity or well-being of men or women. It involves the use of power rather than personal relationships freely entered into and acceptable to those involved.

Within the meaning of the Equality Act 2010 sexual harassment constitutes sex discrimination and is therefore unlawful.

Examples include:

- Unwelcome sexual remarks such as jokes, innuendo, teasing and verbal abuse;
- Displaying of sexually suggestive material;
- Unwelcome remarks about a person's dress or appearance;
- Behaviour which condemns or ridicules a person because of their sexual orientation;
- Unwelcome physical contact or demands for sexual favours.

## **Racial Harassment**

Racial harassment can be defined as unwanted conduct of a racial nature, or other conduct based on race, colour, ethnic or national origin, or conduct which is offensive or which affects the dignity or wellbeing of an individual.

Within the meaning of the Equality Act 2010, racial harassment constitutes racial discrimination and is therefore unlawful.

**Examples include:**

- Racist language and racist jokes;
- Derogatory remarks about national origin;
- Display of racially offensive material or graffiti.

## **Harassment on the grounds of Disability**

This can be defined as words, actions or other conduct, which ridicules, intimidates or threatens an individual because of their disability and which affects the dignity or well-being of the individual.

Within the meaning of the Equality Act 2010, harassment on the grounds of disability is discrimination and is therefore unlawful.

Examples include:

- Patronising remarks, belittling comments or assumptions based on the person's disability;
- Mimicking the particular disability;
- Unwanted comments on any employment aids used;
- Exclusion from conversation or social activities.

## **Harassment on the grounds of Sexual Orientation**

This can be defined as words, actions or other conduct which ridicules, intimidates or threatens individuals because of their sexual orientation, and which affects the dignity or wellbeing of the individual.

Within the meaning of the Equality Act 2010, harassment on the grounds of sexual orientation is discrimination and is therefore unlawful.

Examples include:

- Offensive comments or language;
- Anti-lesbian or gay jokes;
- Threatening to publicise that a colleague or student is gay or lesbian;
- Exclusion from social activities;
- Physical attacks on individuals or their property because of their sexuality.

## **Harassment on the grounds of Religion or Belief**

This can be defined as words, actions or other conduct which ridicules, intimidates or threatens individuals because of their religion or belief, and which affects the dignity or wellbeing of the individual.

Within the meaning of the Equality Act 2010, harassment on the grounds of religion or belief is discrimination and is therefore unlawful.

Examples include:

- Offensive comments or language;
- Exclusion from social activities;
- Physical attacks on individuals or their property because of their religion or belief.

## **Harassment on the grounds of Age**

This can be defined as words, actions or other conduct which ridicules, intimidates or threatens individuals because of their age, and which affects the dignity or wellbeing of the individual.

Within the meaning of the Equality Act 2010, harassment on the grounds of Age is discrimination and is therefore unlawful.

Examples include:

- Comments suggesting a person is too old, over the hill, or past it;
- Comments suggesting a person is too young, wet behind the ears, still in nappies;
- Socially excluding someone from informal groupings because they “would not fit in”.

## **Harassment on the Grounds of Gender Reassignment**

This can be defined as words, actions or other conduct which ridicules, intimidates or threatens individuals because of they are in the process of transitioning from one gender to another, and which affects the dignity of wellbeing of the individual.

A person does not need to be undergoing medical supervision to be protected. So for example, a woman who decides to live as a man without undergoing any medical procedures would be covered.

Within the meaning of the Equality Act 2010, harassment on the grounds of Gender Reassignment is discrimination and is therefore unlawful.

Examples include:

- Refusing to address the person in their acquired gender or to use their new name;
- Offensive comments or language;
- Exclusion from social activities;
- Physical attacks on individuals or their property because they are transsexual;
- Spreading malicious gossip about a trans person.

## **Bullying**

Bullying is behaviour from a person or group that's unwanted and makes you feel uncomfortable, including feeling:

- frightened ('intimidated');
- less respected or put down ('degraded');
- you're made fun of and it makes you feel uncomfortable ('humiliated');
- upset (insulted or 'offended').

Examples of bullying in the workplace could include:

- someone has spread a false rumour about you;
- someone keeps putting you down in meetings;
- your line manager does not let you go on training courses but they allow everyone else to;
- your line manager keeps giving you heavier workloads than everyone else;
- your team never lets you join social events.

The bullying might:

- be a regular pattern of behaviour or a one-off incident;
- happen face-to-face, on social media, in emails or phone calls;
- happen in the workplace or at work social events;
- not always be obvious or noticed by others.

Bullying behaviour is when criticism is not constructive and does not assist in future actions. It is, therefore, distinct from the way we feel when we are under pressure, or on those occasions when we make a mistake and are legitimately called to account for this in private.

## **Victimisation**

This is treating someone badly because they have done a 'protected act', or because an employer, service provider or other organisation believes that you have done or are going to do a protected act. The reason for the treatment does not need to be linked to a protected characteristic. (Equality Act 2010)

A protected act is:

- making a claim or complaint of discrimination (under the Equality Act);
- 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;
- doing anything else in connection with the Equality Act.

Individuals have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the College will take appropriate action to deal with any alleged victimisation, which may include disciplinary action.