Dignity and Respect at Leicester Policy

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| For use in: | All Colleges/Schools/Departments/Divisions of the University |
| For use by: | All staff, all students, visitors, contractors and subcontractors |
| Joint Owners | The University of Leicester  |
| Dates of Trade Union Consultation: | Ongoing throughout development as part of Anti Bullying Working Group |
| Launch date: | August 2019 |
| Contact | Associate Director of Equity, Diversity and Inclusion  |
| Policy approved by Director of Human Resources and Academic Registrar  | July 2019 |
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# **Purpose Of Policy**

* 1. The purpose of the Dignity and Respect Policy at Leicester (‘the Policy’) is to:
* Set out the University’s legal obligations, ethical and moral responsibilities, duty of care and its commitment to an inclusive, respectful, positive and safe environment.
* Positively contribute to maintaining the University community’s health, safety and wellbeing.
* Articulate the University’s expectations regarding interpersonal behaviours and behaviours which are unacceptable.

	1. This policy has been informed by the relevant legislative framework, guidance and established best practice.

# **DIGNITY AND RESPECT POLICY STATEMENT**

* 1. The University is firmly committed to sustaining an inclusive learning, working and research environment characterised by respect and dignity, and free from harassment, bullying, abuse and discrimination as detailed in the [Dignity and Respect at Leicester Definitions Document](https://le.ac.uk/-/media/uol/docs/about-us/equalities/dignity-and-respect/dignity-and-respect-at-leicester-definitions.docx).
	2. The University will take action when members of its community are subject or engage in to unacceptable behaviours, including, but not limited to, sexism, racism, transphobia, homophobia, ableism, antisemitism, Islamophobia or any other unacceptable behaviour.
	3. The University has a diverse community and all students and staff should be sensitive to, and be aware of, the impact of their own behaviours and attitudes on others.
	4. All members of the University community are expected to behave with respect and courtesy at all times, as these are the behaviours that demonstrate due regard for the feelings and rights of others, and in turn create an environment where dignity can be preserved and enhanced.
	5. For the purposes of this document, dignity is defined as “how people feel and think about their own self-esteem, self-worth and value” and respect is defined as “having due regard for someone’s feelings, wishes or rights”.
	6. It is expected that each member of the University community will contribute to ensuring that the University of Leicester is a safe, welcoming and productive environment, where there is equity of opportunity and valuing of diversity, fostered in an environment of mutual respect and dignity.
	7. Staff and students, when in positions of authority, have a particular responsibility for leading by example and guiding others to do the same.
	8. Unacceptable behaviours of staff or students or third parties may ultimately lead to dismissal, termination of studies or termination of contractual arrangements, respectively, from the University.

# **SCOPE OF POLICY**

* 1. The Policy applies to students, staff, all other members of the University and third parties including project partners, clients, contractors, sub-contractors or visitors to the University and to interactions between these groups of individuals.
	2. For staff, the Policy applies to all employed staff and those contracted to work at, or for, the University, wherever they are located. This includes those with honorary contracts or ‘Visitor’ status and Visiting Professors and Fellows.
	3. The Policy applies to all registered students and apprentices of the University, from initial registration through to completion of their programme of study.
	4. It applies to the conduct of staff, student and all other members of the University, on and off the University’s premises, including ‘out of working hours’ and during all University-related activities. For students this includes when students are living in the local community and periods of off-campus study and work experience.
	5. It also applies to online and social media activity (please see the University’s [Social Media Guidelines)](https://uniofleicester.sharepoint.com/sites/staff/university-policies/employment-policies/Shared%20Documents/Forms/AllItems.aspx?id=%2Fsites%2Fstaff%2Funiversity%2Dpolicies%2Femployment%2Dpolicies%2FShared%20Documents%2FSocial%20Media%20Guidelines%2Epdf&parent=%2Fsites%2Fstaff%2Funiversity%2Dpolicies%2Femployment%2Dpolicies%2FShared%20Documents) by staff and students at any time either (i) for work purposes e.g. the use of University social media accounts or (ii) in their personal capacity where they, or the content of the post, can be linked to the University or their connection with the University.

# **Dignity and Respect and Freedom of Speech**

* 1. As outlined in its Code of Practice Concerning Freedom of Speech and Academic Freedom, the University of Leicester is required by the Higher Education Act (Freedom of Speech) 2023 (‘the Act’) to take steps that are reasonably practicable, in order to secure freedom of speech and academic freedom within the law.
	2. Freedom of speech and academic freedom are fundamental to ensuring the necessary environment for the pursuit of knowledge, for advancing new ideas, encouraging vigorous debate and challenging conventional wisdom, all of which are part of our core mission.
	3. Freedom of speech and academic freedom are permitted unless restricted by law and may include lawful speech that include controversial or unpopular ideas, that some may find hurtful, upsetting or even offensive.
	4. In securing freedom of speech and academic freedom, the University must, however, ensure that it fully complies with all equity related legislation. This includes the provisions around discrimination and harassment, laid out clearly in the 2010 Equality Act (including the Public Sector Duty), the Racial and Religious Hatred Act 1986 and the Public Order Act 1986, relating to the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
	5. The University of Leicester fully recognises:
* the rights of its academic staff to academic freedom within the law and the rights of all of its students, staff, all other members of the University to freedom of speech within the law. It also recognises the key role that freedom of speech plays in a democratic society and the importance of academic freedom in our own university context.
* the rights of students, staff, all other members of the University to a private life within the law.
	1. However, action may be taken by the University under its relevant procedures in relation to conduct and actions which breach the Policy and the expected standards of behaviour outlined in it, including conduct and actions outside of work or study where these impact on members of our university community in the ways set out in this Policy and the associated [Definitions](https://le.ac.uk/-/media/uol/docs/about-us/equalities/dignity-and-respect/dignity-and-respect-at-leicester-definitions.docx) or where these behaviours damage the reputation of the University.
	2. This policy aims to balance rights of freedom of speech, and academic freedom, within the law with the rights of others, including their own rights to freedom of speech and academic freedom within the parameters of the Policy.
	3. When considering complaints, grievances or disciplinary action in relation to a breach of the Policy, the University shall consider whether the conduct in question is within the scope of the person’s freedom of speech within the law and/or academic freedom within the law, and/or (where relevant) the lawful expression of their protected beliefs under the Equality Act 2010. Where that is considered to be the case, the exercise of those freedoms shall not of itself lead to any disciplinary sanction or other penalty.
	4. The principles of the Policy should be followed by any visitors, contractors and subcontractors, and it is the responsibility of the person or department engaging with external individuals or agencies to make them aware of the expectations of this policy.

# **DEFINITIONS AND BEHAVIOURS**

* 1. There are some behaviours that are unacceptable which have a clear legal definition and have the ability to be dealt with under the relevant legal framework.
	2. Reported behaviours that are perceived by an individual to be unacceptable will be managed under the relevant procedures.
	3. The [Dignity and Respect at Leicester Definitions Document](https://le.ac.uk/-/media/uol/docs/about-us/equalities/dignity-and-respect/dignity-and-respect-at-leicester-definitions.docx) provides details and examples to inform your understanding of behaviours you may have experienced, that you have been accused of or that have been reported to you - and guide you in your next steps in relation to support, disclosure and reporting.

# **ROLES AND RESPONSIBILITIES**

* 1. We all have a contribution to make in building and maintaining a culture of dignity and respect at the University, where individuals have the confidence and trust to disclose incidents involving inappropriate behaviours

* 1. The University Executive Board is responsible for:
* Leading in creating, maintaining and demonstrating a positive, open and accountable culture in which the behaviours of respect, courtesy and valuing diversity are promoted and embedded.
* Challenging inappropriate behavioural culture across all areas and levels of the University.
* Supporting the mechanisms and resources in place for managing inappropriate behaviours.

	1. Managers and academic leads are responsible for:
	+ Setting and demonstrating appropriate standards that support positive behaviours.
	+ Addressing incidents of unacceptable interpersonal behaviours of which they are aware.
	+ Ensuring that students and staff are aware of the Policy and are signposted where necessary to help and advice available.
	+ Responding sensitively and supportively to any student or member of staff who makes an allegation relating to unacceptable behaviour, providing clear advice on the procedure and timescales to be adopted by those making complaints and those against whom a complaint is made.
	+ Setting a good example to students and staff through their own behaviour, especially in relation to upholding the principles, obligations and standards as set out in the Policy.
	+ Taking timely and constructive action, in line with the Policy and relevant procedure, that is appropriate to the situation.
	1. All students and members of staff are responsible for ensuring that their behaviour towards all members of the University and visitors is respectful and not offensive.

# **LINKED POLICIES, PROCEDURES, GUIDELINES AND LEGAL FRAMEWORK**

* 1. The policy should be read in conjunction with other University of Leicester policies, procedures and guidelines, as necessary. The list and associated legal framework can be viewed [here](https://le.ac.uk/about/making-a-difference/edi/dignity-respect). This list is not exhaustive therefore if you have any queries please e-mail dignityandrespect@le.ac.uk.

# **BREACH OF POLICY**

* 1. Where the behaviour(s) relate to interactions between members of the University community the formal process that may follow will be that of the alleged perpetrator(s).
	2. Consequences for breaching this policy will be dependent on the individual set of circumstances and could ultimately result in disciplinary action, including dismissal for staff, termination of studies for students, removal from University premises for visitors and/or termination of contracts and subcontracts.
	3. Reported perceived breaches of this policy will be managed under the relevant procedures.
	For Staff this is the [Dignity and Respect at Leicester Staff Procedure](https://le.ac.uk/-/media/uol/docs/about-us/equalities/edi/dignity-and-respect-at-leicester-staff-procedure.docx), for students this is via relevant Senate Regulations and associated student conduct and discipline policies. For the purposes of this policy, postgraduate research students should consider themselves as both staff members and students, and so should access the most appropriate procedure for their circumstances. For any other third party this is via the [Dignity and Respect Third Party Procedure](https://le.ac.uk/-/media/uol/docs/about-us/equalities/dignity-and-respect/dignity-and-respect-at-leicester-third-party-procedure--v1-july-2019.pdf).

# **EQUALITY ANALYSIS**

This policy has been subject to equality analysis and will be monitored and reviewed on a regular basis.