

Dignity at Work and Study Informal Procedure

Purpose

1. Many issues can be resolved informally, and this approach is encouraged where possible. This procedure is to be used by staff and students who wish to take informal steps in making a complaint, against a member of staff or against a student, when they believe they have been the subject of unacceptable behaviour.

2. In this document someone who makes a complaint about unacceptable behaviour is referred to as the “complainant”. Someone against whom a complaint has been made is referred to as the “respondent”.

3. If the complainant does not feel able to follow this informal procedure or, if the incident is too serious for such approaches, they may proceed straight to the formal stage for staff and for students

4. As a general principle, the decision of whether to progress a complaint is up to the individual. However, the University has a duty to protect all staff and students and may pursue the matter independently if it considers it appropriate to do so.

5. Where a complaint is about someone other than a member of staff or student, the University will consider what action is appropriate to deal with the situation and to protect the complainant and anyone else involved.

Support

6. Staff and students who have been the subject of unacceptable behaviour are encouraged to seek impartial advice and support. The University’s Report and Support website provides information about the support available to staff and students and also provides information about reporting an incident.

6.1 Support for Students

The University Welfare Service offers support and advice with signposting and referral to specialist external advice services. Students are able to contact their campus welfare officer via Welfare-[campus]@law.ac.uk.

6.2 Support for Staff

Line Managers are able to identify support that is available for staff as well as your local HR Business Partner. Staff can contact their campus union (Unite) representative if they are a member. They can advise and support you in identifying the appropriate next steps. Your local HR Business Partner will have the details of your Unite Representative if you are unsure.

7. Where a member of staff or student feels that they are subject to unacceptable behaviour, it is important that they begin to keep a note of the details and dates of any incidents which have caused them distress. Where possible, the following information should be included:

- date of incident(s), location and time;
- nature of incident(s);
- their feelings at the time;
- any action they have taken in response to the incident(s);
- the name of any witnesses; and
- any relevant e-mails, posts on social media and other correspondence.

Procedure

8. A member of staff or student who feels that they have been subject to unacceptable behaviour is advised to talk to someone they can trust. The process of talking through what has happened with someone else can help to make a decision about what action they would like to take. Student complainants may contact the Welfare Service and staff complainants may contact their Line Manager or HR Business Partner to discuss the issue and seek advice. If the alleged perpetrator is the line manager, the individual should consider speaking to that person's line manager or another senior manager. However, there is no obligation to do this if the individual does not want to. In this case they should discuss it with their local HR Business Partner

9. The complainant may feel able to talk or write to the person who they believe is harassing, bullying or victimising them, to ask them to stop. Sometimes it is the case that the person concerned is unaware of the impact of their behaviour and why their behaviour is unacceptable. This can be very difficult for the complainant to do alone and they may prefer to be accompanied by someone such as a colleague or fellow student. They may prefer someone to approach the individual on their behalf. In these circumstances a file note should be kept of the conversation. Discussions of an informal nature should cover:

- the nature of the problem
- why the behaviour is unacceptable
- a remedy, which is acceptable to both parties

10. If the complainant feels unable to speak to the person concerned, this does not imply that they have accepted the behaviour, nor will it prejudice any complaint that they may bring.

11. The complainant may wish to consider mediation as an alternative to the formal stage as a next step after informal procedures. Mediation is a confidential process that can help the complainant and the respondent to explore the issues leading up to the complaint. The complainant can also ask to use mediation during the formal procedure. The formal procedure would be halted whilst mediation takes place where both parties consent to mediation.

12. If the complainant, or respondent, wishes to find out more about mediation they can speak to the Welfare Service if they are a student or their HR Business Partner if they are a member of staff.

13. If after going through the informal stages, the complainant feels that their complaint has not been resolved they should consider the formal procedures for staff and for students.

Advice for a member of staff or student who receives a complaint about their behaviour

14. Remain calm if someone approaches you about your behaviour. Although it can be extremely upsetting to be accused of unacceptable behaviour, try to remain open to constructive feedback. Becoming defensive or angry has the potential to make the situation worse.

15. Where there has been a misunderstanding, the matter can hopefully be resolved between the two parties or with the help of a third party or with mediation.

16. Be prepared to consider making changes to your behaviour or the way you communicate with others. A few modifications may resolve the situation and prevent future issues arising.

Review

17. This procedure will be reviewed every three years by the Director of Student Experience, Wellbeing and Inclusion.