

Dignity at Work and Study Policy and Procedure

Policy

The Architectural Association (AA) is committed to creating and maintaining an inclusive and welcoming community where people treat each other with respect. The Dignity at Work and Study (DAWS) policy sets out this commitment in detail. The accompanying procedure explains what actions can be taken if inappropriate behaviour occurs. The AA encourages individuals to make every effort to resolve dignity at work and study issues informally in the first instance. This is often the most effective method of dealing with unacceptable behaviour, although it is recognised this approach may not always be appropriate.

Scope

This policy and procedure applies to all employees and students. External examiners, consultants, agency staff, contractors, suppliers and visitors are expected to behave in a manner consistent with this policy. The policy and procedure covers bullying and harassment in the workplace and student space (including virtual settings), in any work-related or student-related setting outside the workplace or student space, for example business trips study trips, and work-related or student related-social events, and on social media.

Definitions – what constitutes unacceptable behaviour?

All those covered by this policy are expected to behave appropriately and have the right to be treated appropriately in return.

The Code of Behavioural Expectations (Code) sets out broadly the expected standards of behaviour. However, whilst the Code also describes briefly the behaviour that is not unacceptable, it is this policy that focuses on unacceptable behaviour. For this purpose unacceptable behaviour means bullying, harassment, discrimination, sexual misconduct and victimisation.

Behaviour that is perceived by one individual as unacceptable may not necessarily be perceived in the same way by another. When deciding whether behaviour is unacceptable, factors that will need to be taken into consideration include the impact on the individual and whether that impact or effect is reasonable in the circumstances, the specific context, and the description of what constitutes bullying, harassment, discrimination, sexual misconduct and victimisation as set out below:

- **Bullying** is unwanted behaviour from a person or group that is offensive, intimidating, malicious or insulting to the recipient and may involve the misuse of power. Bullying can make a person feel vulnerable, upset, humiliated, undermined or threatened.
- **Harassment** is any unwanted physical, verbal or non-verbal conduct that has the purpose or reasonable effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment can be a single incident or repeated behaviour and can include imagery, graffiti, gestures, mimicry, jokes, pranks, and physical behaviour that affects the recipient. It can also include treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
- Unlawful harassment under the Equality Act 2010 may be related to the following protected characteristics: age, disability, gender reassignment, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.
- Unlawful harassment under the Equality Act 2010 can also be conduct of a sexual nature. Sexual harassment may violate the recipient's dignity or create an environment that is intimidating, humiliating or offensive for the recipient.
- Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" or considered "banter" may offend another person. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.
- Behaviour that any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to them, for example sexual touching. It may not be so clear that some other forms of behaviour would be unwelcome to, or could offend, another person, for example flirting or asking someone for a private drink after work. In these cases, first-time conduct that unintentionally causes offence will not

be harassment, but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that the behaviour is unacceptable to them.

- Sexual conduct that is consensual, mutual and invited is not harassment. However, the conduct may become unwanted (for example, where a sexual relationship ends) and, if it continues, amount to harassment.
- Harassment may also occur where a person engages in unwanted conduct towards another because they perceive that the recipient has a protected characteristic (for example, a perception that they are gay or have a disability), when the recipient does not, in fact, have that protected characteristic. Similarly, harassment could take place where an individual is bullied or harassed because of another person with whom the individual is connected or associated, for example if their partner is pregnant or they have a friend who is a devout religious believer.
- A person may feel harassed even if the unwanted conduct is not directed towards them or related to their actual or perceived protected characteristic.
- There may also be circumstances in which an individual is subjected to unwanted conduct from a third party, for example, if a contractor makes a racist remark to a student of colour.
- A single incident can be harassment if it is sufficiently serious.
- Harassment and bullying can have very serious consequences for individuals and the community. Employees who harass or bully others will face disciplinary action, up to and including dismissal. Serious harassment may be a criminal offence.

Responsibilities

- **Council** is responsible for 'setting the tone' for the AA and making strategic decisions in light of information presented to them in, for example, in the annual report.
- The **Director** is responsible for communicating a clear commitment to DAWS, ensuring that processes are in place to enable the DAWS Policy and Procedure to function effectively, and to act as a role model of appropriate behaviour.
- **Managers** and others in a position of trust are expected to act as role models of appropriate behaviour, take action at the earliest opportunity when they become aware of a potential breach of the policy and ensure their staff, students and others covered by the policy are aware of the policy and know what to do if they experience unacceptable behaviour. They are also responsible, as appropriate, for providing advice to others covered by the policy who allege they have experienced unacceptable behaviour, and to those who are alleged to have behaved inappropriately.
- **Staff and students** and others covered by the policy have a responsibility to not to behave unacceptably and to participate in any training provided. Job descriptions/Person specifications for staff will include reference to this policy.
- **Human Resources** is responsible for providing advice to staff alleging they have experienced unacceptable behaviour, those who are alleged to have behaved inappropriately and those supporting both informal and formal resolution processes.
- **Academic Registry** is responsible for providing advice to students alleging they have experienced unacceptable behaviour, those who are alleged to have behaved inappropriately and those supporting both informal and formal resolution processes.

Commitment

The AA has a **zero tolerance** approach to unacceptable behaviour by all those covered by this policy. Allegations of inappropriate behaviour will be taken seriously, and action taken to stop such behaviour in line with the procedure outlined below.

The AA is committed to creating an inclusive and welcoming environment, where everyone can achieve their potential. Staff and students have the right to feel safe, welcome and comfortable in an environment that is free from harassment, bullying and victimisation. Staff and students are empowered by this policy to raise concerns and make complaints if they experience any behaviour

Procedures to address breaches of the Dignity at Work and Study policy

- Timely, **informal approaches** will often resolve one-off or minor incidents of alleged unacceptable behaviour.

- The person who has experienced the behaviour may feel able to approach the alleged perpetrator personally or with the help of someone else. The alleged perpetrator may not know that their behaviour is unwelcome or upsetting. An informal discussion may help them to understand the effects of their behaviour and agree to change it.
 - The alleged perpetrator should be told what behaviour has been found to be unacceptable and should be asked to stop it immediately. The person who has experienced the behaviour may want to add that, if the behaviour continues, they intend to use the informal or formal stage of the grievance procedure or student complaints procedure. They should keep a record of the nature and frequency of the alleged inappropriate behaviour. This is to support them in raising their concerns and help the other party understand better the issues and the impact they have had on the complainant.
- The Grievance procedure for staff and Complaints procedure for students describe both informal and formal procedures. Matters relating to the alleged unacceptable behaviour of third parties will be dealt with bilaterally according to the circumstances.
 - **Informal staff grievances or student complaints** may be made following the processes described in these procedures.
 - **Formal staff grievances and students complaints** are more appropriate for serious instances or repeated patterns of inappropriate behaviour where previous informal attempts to resolve issues may have failed.
 - Formal grievance and formal student complaints procedures provide fair and comprehensive procedures and appeal procedures if the individual is not satisfied with the outcome
 - When considering which option to use, individuals are encouraged to speak in the first instance with HR, line manager or a 'listening ear' for staff and the tutor, student representative or 'listening ear' for students.
 - Volunteer 'listening ears' are available to talk to about concerns and to give impartial advice on the options for taking the concerns forward.

Monitoring, Reporting and Review

The Head of Human Resources and the School Registrar will report jointly on issues raised under this policy, the number of complaints made and how they were resolved, ensuring that individuals are not identifiable, as part of an annual report to Council. This will include a review of the outcomes of cases where complaints under this policy have been made, to check that the proper procedures have been followed, to identify any points that can be learned from those cases with a view to implementing any necessary changes.

The AA will also periodically monitor how successful it is in creating a workplace and student space free of unacceptable behaviour by other means which may include confidential staff and student surveys. This policy and procedure will be reviewed regularly and may also be amended from time to time to reflect and take account of changes in legislation, learning from annual reports and best practice. Comments on the policy and procedure and their implementation should be passed to the management of the AA School.

Consultation

The AA welcomes the active involvement of students and staff in promoting equality, diversity and inclusion to identify how the AA's commitment to equality, diversity and inclusion can be more effectively realised.