

EQUAL OPPORTUNITIES CODE OF PRACTICE – GRIEVANCE PROCEDURE (DISCRIMINATION, HARASSMENT, BULLYING AND VICTIMISATION)

1. INTRODUCTION

- 1.1 University College Birmingham is committed to a working and studying environment that is free of unlawful discrimination, harassment, bullying and victimisation. Personal harassment can seriously damage working and studying conditions for staff and students at UCB. Any incidents of discrimination, harassment, bullying and victimisation will be regarded as grounds for disciplinary action which may include dismissal or expulsion.
- 1.2 UCB's Equal Opportunities policy recognises the serious nature of discrimination, harassment, bullying and victimisation, on any grounds. UCB expects a standard of behaviour that upholds the dignity and respect of the individual in work or study.
- 1.3 Disciplinary procedures confirm the action which may result from behaviour unacceptable to UCB's community.

2. AIMS OF THE CODE OF PRACTICE

- 2.1 The aim of the Code of Practice is to help advance a positive environment for all students and staff of UCB. The Mission Statement of UCB outlines the importance of advancing an environment in which all staff and students are able to achieve their full potential in terms of opportunities and achievement. To achieve this end, it is equally important that staff and students experience a working environment that is free from discrimination, harassment, bullying and victimisation. No individual or group should fear unfair treatment arising from his or her age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation (The Equality Act 2010, Section 4).

3. GUIDELINES FOR DEALING WITH PERSONAL DISCRIMINATION, HARASSMENT, BULLYING AND VICTIMISATION

- 3.1 If you feel that you are being subjected to personal discrimination, harassment, bullying and victimisation in any form, do not feel that it is your fault or that you have to tolerate it. There are various steps that you and/or UCB can take to deal with discrimination, harassment, bullying and victimisation, both on an informal or formal level.
- 3.2 If a member of staff or student feels they are being discriminated, harassed, bullied or victimised, he/she may find the following points useful. These may be put into operation before any formal complaint is made to a manager or a member of staff and may reduce embarrassment.

- 3.3 You should keep a written record of all relevant incidents, including dates and times, and the names of any witnesses, where possible, get witnesses to provide factual material for the case.
- 3.4 At any time you may seek a confidential meeting with the Equality and Diversity Co-ordinator, Director of Personnel or appropriate manager; if you wish, you may be accompanied to such an interview by an acknowledged staff or Trade Union Representative or work colleague of your choice. A student may, if they wish, be accompanied by a friend or student representative.

4. PROCEDURE

4.1 Informal Action

- 4.1.1 If you feel able, you should make it clear to the person causing the offence that such behaviour on that person's part is unacceptable to you. This may, in some instances, be sufficient to stop it.
- 4.1.2 Wherever possible, you should make it clear to the person causing offence, verbally and in writing if necessary, that the behaviour is unwelcome. A logical and non-abusive letter should be sent to the person, explaining what he/she is doing and why the discrimination, harassment, bullying or victimisation should stop.
- 4.1.3 If you feel unable to tackle the person concerned this does not constitute consent to the discrimination, harassment, bullying or victimisation nor will it prejudice any complaint you may bring.

4.2 Formal Action

Stage One

- 4.2.1 There may be circumstances in which you may find it difficult to broach the subject with the person causing offence personally. If you do not wish to tackle the individual personally or if the behaviour continues following your personal action, you are advised to get in touch, if you have not already done so, with the Equality and Diversity Co-ordinator. If you do not wish to involve an Equality Officer, you could seek the support of a colleague or a trade union representative or Guild of Students or your student group representative.
- 4.2.2 In such cases, the initial approach may be made by a chosen representation: co-worker, the Manager, the Director of Personnel or a Trades Union representative, another student or the Guild of Students' representative. Both parties should keep a note of the details of the approach.
- 4.2.3 Any of the people mentioned could advise you on a course of action, including referral to an external agency, or take the matter up on your behalf. Any discussion will be confidential and further action involving you will not normally be taken without your express permission.

4.3 Stage 2

4.3.1 If the problem has not been resolved following informal action, you are advised to seek a confidential interview with your supervisor, your head of school/unit/department or any other member of management you feel able to approach. You may wish to be accompanied at such an interview by a colleague or staff representative/ student representative and this wish will be respected. The purpose of the interview will be to discuss the nature of the problem and arrive at a solution which is acceptable to all parties.

4.4 Stage 3

4.4.1 Following your interview, you may wish to invoke the appropriate Grievance Procedure as stated within the staff and student handbooks, should this be the case it should be reported to the immediate Manager (or the level above if the complaint relates to this manager's conduct), the Equality and Diversity Co-ordinator or a member of senior management. The appropriate Grievance Procedure, as set out in UCB's staff and students' handbooks, will be initiated.

4.4.2 The individual must make a formal complaint under the grievance procedure.

4.4.3 You can use UCB's formal grievance procedure at any time if you so wish.

5. FOOTNOTE

5.1 Reference to Legislation

Any words or actions which incite negative attitudes and behaviour towards age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation - insulting language, a provocative speech or piece of writing - are an offence under a range of different legislation including the Equality Act 2010. These are outlined in the supplementary information document dealing with issues of discrimination, harassment, bullying and victimisation. The legislation is briefly explained within the document entitled "Equality, Diversity, Rights and Business Practice: Anti-discrimination Practice Principles (Staff Mandatory Training and Updating), 2019-20".

5.2 Reference to Supplementary Papers

5.2.1 Supplement 1: Information to the code of practice for grievance associated with discrimination, harassment, bullying and victimisation.

5.2.1 Supplement 2: Dealing with complaints under the code of practice for grievance associated with discrimination, harassment, bullying and victimisation.

Equal Opportunities Committee
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