

Dignity at Work and Study Policy

(Formerly known as Harassment and Bullying Policy)

**November 2013
(Updated November 2016)**

Dignity at Work and Study Policy

Index

1.	Introduction	Page 3
2.	Legal Background	Page 3
3.	Policy statement	Page 3
4.	Definition of Harassment	Page 4
5.	Definition of Bullying	Page 4
6.	Definition of Victimisation	Page 4
7.	Vexatious Complaints	Page 4
8.	Confidentiality	Page 4
9.	Procedures for dealing with Harassment and Bullying	Page 5
	9.1 Informal Stage (Staff and Students)	Page 5
	9.2 Formal Stage for Cases between Members of Staff	Page 5
	9.3 Formal Stage for Cases between Students	Page 5
	9.4 Cases involving Staff and Students	Page 5
	9.5 Data Protection	Page 5
10.	Use of Mediation	Page 5
11.	Procedure to follow if you are accused of Harassment or Bullying	Page 6
12.	Violence and Physical Attack	Page 6
13.	Personal Relationships between Staff and Students	Page 7
14.	Dissemination of Policy	Page 7
15.	Training	Page 7
16.	Review and Monitoring of Policy	Page 7

Appendices

Appendix 1	Definitions and General Examples	Page 8
Appendix 2	Sources of Information and Further Advice	Page 11

1 Introduction

- 1.1 The staff and students at the University of Surrey are our greatest assets, and the University is committed to ensuring the dignity of all staff, students, visitors and members of the University community in their work and interactions with others. All members of the University community should expect to be able to excel, and to be respected and valued for their unique contributions. This will be irrespective of age; disability; race; gender; sexual orientation; religion or belief; marriage and civil partnership; pregnancy and maternity or gender reassignment ('protected characteristics').
- 1.2 The University is an international community, both multicultural and diverse. Our staff charter states that the University will provide an environment where individuals are respected and valued and where this is demonstrated through staff development, sound leadership, genuine engagement, fair appraisal and promotion, equality of opportunity and through fair and transparent recognition and reward.
- 1.3 The Student Charter states that the University places a strong emphasis on mutual respect between staff and students in the context of the institution's diverse and multicultural community.
- 1.4 Dignity and respect is undermined by harassment and bullying. Both of these are regarded seriously and may be treated as grounds for disciplinary action. The effects can result in illness, absenteeism, lack of concentration and poor performance. In addition to affecting the individual and his/her family and friends, these issues can impact in a wider sense on the University, possibly leading to legal action and adversely affecting its reputation. The University takes a zero tolerance approach to bullying and harassment for staff, students and visitors.

2 Legal Background

- 2.1 The Equality Act 2010 provides protection for individuals from harassment, and makes it unlawful to harass someone on the grounds of the 'protected characteristics' - age; disability; race; gender; sexual orientation; religion or belief; marriage and civil partnership; pregnancy and maternity or gender reassignment.
- 2.2 Provisions under the Equality Act 2010 also protect individuals from harassment who are applying for employment or courses at the University not just those already employed or studying at the University.
- 2.3 Under the current legislation, a student or member of staff is protected from harassment not only in relation to themselves as an individual, but also on the grounds that they are associated with someone else with a protected characteristic or that someone perceives wrongly that another person does or does not have a protected characteristic.

3 Policy Statement

- 3.1 The University is committed to equality, diversity and inclusion, recognising the unique blend of skills, experience and abilities that each individual brings. Collegiality is one of the University's core values, and understanding and respecting each other are central to the culture of the institution, irrespective of any particular "protected characteristic" an individual may have.
- 3.2 Responsibility for the application of this policy lies with every member of the University at all levels and within all departments.
- 3.3 Staff and students who are working on placements outside the University as part of their work or programme of study should read this policy together with the relevant policy of the organisation in

which they are placed. In the event of a complaint of harassment or bullying, it is likely that both policies will jointly apply (as far as is possible).

- 3.4 Any individual who reasonably raises a concern or witnesses an incident involving harassment or bullying can have assurance that their concerns will be dealt with in a sensitive, confidential manner and that they are protected from fear of reprisals or victimisation (see Section 8).
- 3.5 Any individual who is concerned that a colleague or fellow student is subject to unwelcome behaviour may wish to discuss this in confidence with an HR Manager, or a member of the Students Union or Student Life Mentoring team (Contact Details in Appendix 2).
- 3.6 If a formal grievance is upheld, appropriate action, including disciplinary action where necessary in line with the staff and/or student disciplinary procedures, will be taken against the person, or group of people, who have subjected a colleague or other member of the institution to treatment deemed unacceptable within the terms of this policy. Generally the outcome of disciplinary action will be to resolve the problem and prevent recurrence. In extreme circumstances, however, where there is no prospect of a solution or the behaviour was seriously in breach of this policy, dismissal (for staff) or expulsion (for students) may be the only course of action.

4 Definition of Harassment

Harassment is defined in law as ‘unwanted conduct including verbal, written or physical, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating, threatening or offensive environment for the individual and interferes with their learning, working or social activity.’ General and specific examples of harassment can be found in Appendix 1.

5 Definition of Bullying

Bullying is coercion or intimidation which serves to undermine the competence, effectiveness, confidence and integrity of another. The abuse of power, position or knowledge by one or more persons to criticise or humiliate another, can cause the individual being bullied to feel vulnerable, humiliated and lacking in confidence. Examples of bullying can be found in Appendix 1.

6 Definition of Victimisation

Treating a person detrimentally because they have made a complaint about discrimination or harassment or have given evidence relating to such a complaint is illegal under the Equality Act 2010 and will be treated very seriously.

7 Vexatious Complaints

Complaints of harassment or bullying are treated seriously by the University. It should therefore be noted that anyone making mischievous or malicious complaints will be dealt with under the appropriate disciplinary procedures. Disciplinary action will not be taken, however, if a complaint made in good faith is judged to be unfounded.

8 Confidentiality

The University has an obligation to protect complainants and other members of the University community and information will only be disclosed to relevant parties (i.e. those involved with the investigation or in dealing with the outcomes). All investigations will otherwise remain confidential.

9 Procedures for Dealing with Harassment and Bullying

9.1 Informal Stage (Staff and Students)

In the first instance, you may wish to discuss your concerns with a colleague whom you trust in a relaxed and informal manner. This individual could be from your own department or elsewhere within one of the support services within the University. You may also wish at this stage to contact your Line Manager; an HR representative; the Centre for Wellbeing; the Chaplaincy; Occupational Health, a Trade Union Representative, a Personal Tutor, a Court Warden, any member of the Student Life Mentoring service or any Students' Union representative (for Contact Details see Appendix 2).

After discussion, you may decide to take further steps to address the issue. Wherever possible you are encouraged to talk to the person causing the problem, making it clear that you find their behaviour towards you unacceptable and that it is interfering with your work, study or social life. If you would find it easier to do this by letter you are advised to keep a copy.

Alternatively, you may prefer to get support from a colleague, friend or peer to help you explain your concerns and feelings to the person you feel is harassing you.

It is important to record the details of any relevant incidents which cause distress, particularly if you feel unable to talk to the person/people concerned or, if having raised the issue, the behaviour persists. This written record should include a note of the way in which the incidents cause you to change the pattern of your work or social life.

9.2 Formal Stage for Cases between Members of Staff

If the informal stage or mediation, if used, has not resolved the issues, you have the right to submit a grievance in line with the University's Grievance Policy.

9.3 Formal Stage for Cases between Students

If informal discussions do not result in a satisfactory outcome, you may raise the matter formally with the Head of the University Security Services who will, as an Authorised Person, determine what (if any) action should be taken under the Student Disciplinary Regulations. (for Contact Details see Appendix 2).

9.4 Cases involving Staff and Students

9.4.1 Where a student feels that he or she has been harassed or bullied by an individual member of staff or a group of staff, the student should submit a formal complaint to the Office for Student Complaints and Appeals and Regulations (OSCAR) at Stage Two of the Procedure for Complaints.

9.4.2 Where a member of staff feels harassed or bullied by an individual student or group of students, he or she should raise the matter either with the relevant Executive Dean of Faculty or the Head of University Security, as both are Authorised Persons and will determine what (if any) action should be taken under the Student Disciplinary Regulations.

9.5 Data Protection

The complaint will be investigated. This may result in a recommendation that the member of staff or student should be referred to a disciplinary panel. In those situations, the complaint or that part of the complaint concerning these allegations (where this can be extracted from the rest of the complaint) will be suspended until the disciplinary process is concluded. It will not always be possible or in accordance with Data Protection Act to inform the student of the outcome of the disciplinary panel. Any requests for this information should be made through the Information Compliance Unit who are best placed to assess whether disclosure is permitted under the DPA.

10 Use of Mediation

Mediation is a voluntary and confidential process in which trained mediators help people in dispute work out an agreement. Offering a prompt and effective approach to dispute resolution and fostering the development of improved working relationships, mediation is facilitated by trained staff and is completely separate from any other University procedures.

Mediation can happen at any time during a dispute between colleagues, with formal processes being put on hold for the duration of the mediation. Mediation creates a safe haven for parties to engage in constructive dialogue and can be an effective process to assist with the resolution of problems.

Contacts for staff include your Line Manager, Trade Union or HR representative. Alternatively you can contact the Mediation Co-ordinator (for Contact Details see Appendix 2).

Mediation for students is available via the Student Life Mentoring Service, the Court Wardens or the Students' Union (for Contact Details see Appendix 2).

11 Procedure to follow if you are accused of Harassment or Bullying

Although all accusations of harassment and bullying are taken seriously, if you are accused of harassment or bullying, it does not necessarily signify a judgement that you are at fault and there will need to be a discussion with you in order to establish the true nature of the situation. It is possible that a problem has arisen because you have not realised or did not intend to cause the effect of your actions which are the subject of complaint. The perception of the person alleging the harassment or bullying is, however, an important factor in determining whether or not harassment or bullying has taken place.

Staff accused of harassment or bullying may contact their line manager or their HR or Trade Union representative for advice. Students accused of harassment or bullying may contact the Students' Union, their Student Life Mentor or Warden for their accommodation or the Centre for Well-Being. The role of this person will be to facilitate discussion with a view to resolving the problem informally if possible. You have the right throughout any discussions or formal actions to be accompanied by a person of your choice.

Throughout any informal or formal procedures the principal objective is that of identifying the underlying issues and redressing any issues as quickly as possible and with minimal recrimination.

If a grievance is taken to a formal stage, the University will ensure that any formal procedures are fair and correctly followed.

12 Violence and Physical Attack

Violence at work is defined as any incident in which a member of staff or student is abused, threatened, subject to overly aggressive behaviour or language or is assaulted in circumstances arising out of the course of their employment or studies. This is regardless of whether or not any damaging or hurtful effects result, either physical or emotional. Such incidents are rare at the University of Surrey and will be treated very seriously.

If you have been physically attacked, you are advised to seek help immediately. You may decide to report the attack to the police. Any one of the sources of support below can help you decide what action to take. If you consult with them, no further action involving you will be taken without your express permission.

If you have been sexually assaulted or raped you are advised to seek advice and medical help immediately.

The prevention and management of potential violence at work is the best approach and as such this forms part of the University's Health and Safety Policy and applies to all staff and students of the University. As part of this, risk assessments must be carried out and control measures identified and put into action by those Departments where a risk of violence arising exists.

For your own protection and that of others, it is important that any attack should be reported to a member of the Security Team, the Centre for Well-being or the Health Centre. All incidents involving violence must be reported using the normal University incident-reporting procedure. The Health and Safety Department will monitor all reports on behalf of the Health & Safety Committee and will take necessary action.

13 Personal Relationships between Staff and Students

The University values good professional relationships between staff and students both within and outside the University. Any such relationship should be supportive, enabling good communication, for example, between teacher and student so that enquiry and learning may be facilitated. Trust and confidence are important elements of this relationship. Staff should be aware that entering into a sexual/romantic liaison with a student could jeopardise this distinctive relationship.

Where there is, or has been, a sexual/romantic relationship between a member of staff and a student, it is essential that the member of staff advises his or her line manager in confidence so that appropriate safeguards can be set in place. For example, an academic member of staff should not be involved in the assessment of the work of a student with whom he or she is having or has had a romantic relationship. This is primarily to protect impartiality but also serves to protect the member of staff from the possibility of accusations of favouritism and to protect the student from any danger that their work will be assessed more severely to emphasise the intention not to show favour.

Any student who is having, or has had, a sexual/romantic relationship with a member of academic staff has the right and is encouraged to ask that his or her work be assessed by someone else.

14 Dissemination of Policy

An awareness raising campaign will be coordinated by the Equality and Diversity Committee to ensure that all members of the University community are aware of this policy. All students will be made aware of this policy within their Programme Handbook. Specific guidance will be given to Sabbatical Officers and all Chairs and Committee Members of the Union's Clubs and Societies. All staff will be made aware of this policy during induction training and via Surrey Net.

15 Training

Appropriate training will also be included in the local induction programme and in the induction programme for new managers. Training is also included in the Online Diversity module which all members of staff are encouraged to undertake with regular refresher courses. In addition, it is expected that line managers will assess any specific training needs relating to Harassment and Bullying and Dignity at Work and Study on an individual basis throughout the year via the annual appraisal process.

Training will also be available to the Students' Union sabbatical team and the permanent student-facing team.

16 Review and Monitoring of Policy

This policy will be reviewed on a regular basis by the E&D Committee for the following purposes:

- (i) To ensure that the policy is being used appropriately

- (ii) To ensure that concerns are being handled and investigated properly
- (iii) To identify discernible patterns of concern across the university
- (iv) To ensure the policy is effective in identifying and deterring malpractice
- (v) To identify whether or not more needs to be done to raise awareness of the policy.

Appendix 1

Definitions and General Examples*

Harassment

- Unwanted and unnecessary physical contact ranging from touching, patting and sexual advances to serious assault
- Verbal and written harassment through jokes, offensive language, gossip and slander, innuendo, sectarian songs, letters, etc
- Visual displays of posters, offensive graffiti, obscene gestures, flags, bunting and emblems; inappropriate messages or pictures on whiteboards, noticeboards
- Circulation or display of offensive materials using email, texts, social networking websites, internet bulletin boards or any other form of equipment or technology
- Isolation or non-co-operation at work/study; exclusion from social activities
- Coercion or pressure to participate in unwanted activities or actions, including pressure for sexual favours, to participate in political/religious groups or to take part in a dangerous or humiliating “initiation ceremony” to join a group
- Intrusion by pestering, spying, following someone, sending emails, texting or making telephone calls
- Bullying
- Coercion or pressure to support extreme views, proscribed organisations or other unlawful activities

Sexual Harassment

The inappropriate introduction of sexual comments or activities into teaching, learning, working or social situations; or harassing someone because of their gender, sexuality, their perceived sexuality or the perceived sexuality of those with whom they associate; or harassment on the grounds of gender identity. May include:

- Unnecessary and unwelcome physical contact
- Sexual assault
- Suggestive and unwelcome comments or gestures emphasising the gender or sexuality of an individual or group
- Persistent or unwelcome requests for social or sexual encounters and favours
- Display of, or electronic transmission of, pornographic, degrading or indecent pictures or electronic communications containing threatening, abusive or unwanted comments of a sexual nature
- Homophobic behaviour or the use of homophobic language or display of homophobic materials
- Explicit or implicit promises in return for compliance to otherwise unwelcome requests that are a misuse of institutional position (e.g. promises of higher assessment marks for a student or a recommendation for promotion for a member of staff)

- Explicit or implicit threats of penalties for non-compliance that are a misuse of institutional position (e.g. refusal to provide appropriate support/advice or resources)

Racial Harassment

Any hostile or offensive act or expression by a person of one race or ethnic origin against a person of another. Incitement to commit such an act is also considered racial harassment. Those who may be particularly affected are students and staff who are in a small minority within the University and for fear of ridicule or reprisals, find it difficult to complain. May include:

- Intentional unlawful discrimination on the grounds of race, ethnicity or nationality
- Derogatory name calling
- Insults, threats and racist jokes
- Ridicule of an individual for racial or ethnic difference
- Racist graffiti, slogans, images or insignia

Homophobic and Trans Phobic Bullying

Any behaviour deliberate or otherwise pertaining to sexual orientations and may be directed against individuals or groups or people who are, or are thought to be, lesbian, gay, bisexual or transgendered. May include:

- Making homophobic and trans phobic insults and threats
- Making unnecessary and degrading references to an individual's sexual orientation or gender identity
- Engaging in banter or making jokes which are degrading to a person's sexual orientation or gender identity or perceived sexual orientation or gender identity
- Outing an individual as LGBT without their permission
- Ignoring or excluding a colleague from activities because they are LGBT
- Spreading rumours or gossip about an individual's sexual orientation or gender identity
- Asking an LGBT colleague intrusive questions about their private life
- Making assumptions and judgements about a colleague based on their sexual orientation or gender identity
- Using religious belief to justify homophobic or trans phobic bullying and harassment

Religious Harassment

Any behaviour deliberate or otherwise pertaining to religion, religious belief or other similar philosophical belief and may include:

- Derogatory name calling
- Mocking of religious dress and/or public forms of celebration
- Insults, threats and religious jokes

- Ridicule of an individual for religious difference (even within a faith community)
- Religious graffiti, slogans, images or insignia

Harassment of People with Disabilities

Involves conduct which undermines dignity, self-confidence, career or learning opportunities. May include:

- Undue pressure or intimidation
- Impractical or unfair work expectations
- Behaviour intended to humiliate or ridicule such as offensive language, “jokes” or name-calling; exaggerated or patronising assistance.

Bullying

- Instantaneous rages, often over trivial matters
- Personal insults and name calling
- Persistent unwarranted criticism
- Public humiliation
- Cyber bullying (e.g. inappropriate use of texts or posting images on external website)
- Ignoring or excluding individuals
- Shouting at others in public and/or private

***this list provides examples, it is not exhaustive**

Sources of Information and Further Advice

Related Policies and Procedures

www.surrey.ac.uk/policies

- Equality, Diversity and Inclusion Strategy 2015-17
- Religious and Non-Religious Belief Policy
- Sexual Orientation Policy
- Disability Policy
- Staff Grievance Policy
- Violence at Work Policy
- Health and Safety Policy
- [Student Disciplinary Regulations](#)

External Support

[ACAS](#)

08457 474747

[Samaritans](#)

08457 909090

[Security Services](#)

01483 682002

security-advisors@surrey.ac.uk

Mediation at Surrey

[Mediation](#) Co-ordinator

mediation@surrey.ac.uk

LGBT Equality Group and Staff Network

lgbt-network@list.surrey.ac.uk

General

[Centre for Wellbeing](#)

01483 689498

Equality and Diversity Team

01483 689189

[University Chaplains](#)

01483 682756

Anglican

01483 682756

Friends International

01483 577574

Methodist/URC

01483 536638

Roman Catholic	01483 682755
Buddhist	01483 416444
Jewish	01483 594212
Muslim	01483 683117
Sikh	07976 721359
Greek Orthodox	07595 531523

For Students:

[Student Healthcare](#) 01483 689051

[Students Union](#) 01483 689228

[Student Life Mentoring](#) 01483 683510

[Court Wardens](#) By email (follow link)

For Staff:

[Occupational Health](#) 01483 686690

[Human Resources Department](#) 01483 689318

[Trade Union Representatives](#)

UNISON

UNITE

UCU

Equality Analysis (EA) Template for University Policies

1) Name of Policy:	Dignity at Work and Study Policy (formerly known as Harassment and Bullying Policy)
2) Department:	Equality and Diversity
3) Date of EA:	October 2013
4) People involved in the EA:	Angie Cousins - Head of Equality and Diversity Jo McCarthy-Holland - Equality and Diversity Adviser Fiona McCallum - Equality and Diversity Administrator

5) Aim of Policy:	The policy aims to ensure that the University is free from all forms of harassment and bullying and that every individual is treated with dignity and respect in line with the University's commitment to equality and diversity. The policy sets out the procedures for dealing with harassment and bullying for both staff and students and the legislative context under the Equality Act 2010.
6) Scope of Policy:	The policy applies to every member of the University community, including staff, students and visitors and also to individuals who are applying for employment or courses at the University. The policy also extends to protect an individual from harassment if they are associated with someone else with a protected characteristic or where someone perceives wrongly that another person does or does not have a protected characteristic.
7) Evidence and Data:	<p>To support the development of the policy, the University has drawn in evidence from a broad range of external sources and conducted research into best practice in this area. This included reviewing policies from other Higher Education institutions incorporating Russell Group Universities and considering guidance from organisations such as the Equality Challenge Unit.</p> <p>The policy has evolved from a previous policy that included a Harassment Advisers programme. Data gathered between 2000 and 2010 highlighted 54 cases had been dealt with by Advisers as part of this initiative. On reviewing these figures however, it was considered more appropriate to use the professional support systems and services already in place at the University and that going forward, data could be captured more effectively through these mechanisms. This change has been incorporated into the development of this policy.</p>
8) Involvement and Consultation:	The policy has been the subject of extensive engagement and consultation with a number of key groups and individuals within the University representing a diverse range of protected characteristics groups: Students' Union, Trade Unions, E&D Committee, Court Mentoring Team, Staff Disability Forum, Health & Safety, LGBT Equality Network, Director of Student Care Services and the Director of Wellbeing.

9) Equality Matrix

General Duty	Question	Age	Disability	Gender	Gender Reassignment	Pregnancy/ Maternity	Race	Religion/ Belief	Sexual Orientation	Marriage/ Civil Partnership
To Eliminate Unlawful Discrimination	Consider whether the policy has a positive, negative or no impact for people in any of the protected characteristics groups in seeking to eliminate unlawful discrimination, harassment, victimisation and any other prohibited conduct at the University of Surrey?	<p>Positive: The policy clearly outlines the University's expectations on behalf of every individual to conduct themselves in an appropriate manner which respects the diversity and unique contribution of everyone within the University community, including staff, students and visitors from all protected characteristics groups. It provides support across all areas by setting out the procedures and mechanisms for staff and students to follow should they be affected by harassment or bullying and how they can access assistance and support. This is part of the University's commitment to establishing an environment which is free from unlawful discrimination and which respects the differences that everyone can bring. The policy also addresses the University's legal responsibilities under the Public Sector Equality Duty of the Equality Act 2010 which protects individuals from unlawful discrimination, harassment and victimisation.</p> <p>As part of the process of extensive consultation, it was identified by the LGBT Group and following Stonewall guidelines, that further clarification was required of examples of homophobic and transphobic bullying, to enable all staff and managers to recognise bullying of this nature and therefore better support individuals for whom this was particularly relevant.</p> <p>A number of specific examples of harassment and bullying are stated in the policy, including sexual harassment, racial harassment and harassment of people with disabilities. This has a positive impact for any students or staff who fall within one of these protected characteristics groups in seeking to eliminate unlawful discrimination.</p>								
	Does the policy have a positive, negative or no impact in removing or minimising disadvantages suffered by people because of their protected characteristics at the University of Surrey?	Positive								
To Advance Equality of Opportunity	Does the policy have a positive, negative or no impact in meeting the needs of people with protected characteristics at the University of Surrey?	Positive: All staff, students and visitors, including any individual within a particular protected characteristics group are supported by the policy which outlines the mechanisms and procedures to follow should they be concerned or witness an incident involving harassment or bullying.								

	Does the policy have a positive, negative or no impact in encouraging people with protected characteristics to take part in the relevant activity at the University of Surrey?	Positive: The University's commitment to creating a working and studying environment that is free from harassment and bullying and in which the unique skills, abilities and experience of every individual is valued and shared, encourages people from all protected characteristics groups to contribute to the life and work of the institution to their maximum ability.
To Foster Good Relations	Does the policy have a positive, negative or no impact in addressing prejudice against people with a protected characteristic at the University of Surrey?	Positive: Identified within the policy is the University's commitment to create and maintain a supportive working and learning environment in which every member of the community shares ideas, supports each other and collaborates together and where harassment and bullying are deemed unacceptable and are regarded very seriously. By applying to everyone, across all protected characteristics groups, the policy helps ensure that everyone understand their responsibilities, respects each other's differences and helps eliminate intolerance, unfairness and prejudice within the University environment.
10) Overall conclusions:		<p>A comprehensive and robust policy aimed to eliminate harassment and bullying within the University of Surrey, which supports and considers the diverse needs of all sections of the University community and which has been developed after a very extensive engagement and consultation process.</p> <p>For the future, greater emphasis needs to be placed on collecting and gathering data and anecdotal evidence from a variety of sources such as grievance, mediation, exit interviews etc. to provide more specific feedback on how the policy impacts on or meets the needs of individual groups.</p> <p>It would also be beneficial to communicate the existence of the policy more effectively to the current University community to ensure that all staff, students and visitors are aware that the University will not tolerate harassment and bullying and that it is strongly committed to promoting equality and diversity.</p>

11) Further actions or adjustments:	<p>Further analysis will take place in six to twelve months once more data has been gathered. This will provide another opportunity to assess the impact of the policy on groups with different protected characteristics, to ensure that it is supporting everyone within the University community.</p> <p>Encourage all staff to undertake the Diversity in the Workplace e-learning module to develop their knowledge and understanding of equality and diversity issues, rather than it being more specifically aimed at individuals joining the University as part of their Induction.</p> <p>Following the suggestion by the LGBT Group regarding highlighting homophobic and transphobic bullying, the policy will be revised to incorporate a separate category to include specific examples of unacceptable homophobic behaviour.</p>
12) Monitoring and Review:	<p>The policy will be reviewed on a regular basis and updated annually.</p>

For Equality & Diversity Team to Complete:

12) Organisational Sign Off by E&D Team:	<p>Sign off received ✓</p> <p>Signed off by: <u>Jo McCarthy-Holland</u> Date: <u>1st November 2013</u></p> <p>Position: <u>Equality Adviser</u></p>
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