

Dignity at Study and Work: policy

A. Scope and Purpose

1. Cliff College is committed to ensuring that students, staff, visitors and others who connect with the College are treated with dignity and respect. While this policy is written in the awareness of the duties to which we are legally bound, Cliff College is firmly committed to treating others with dignity and respect as an expression of our ethos as a Christian and Methodist theological college.
2. The purpose of this policy is to assist in creating an inclusive environment in which unacceptable behaviour, such as discrimination, harassment, sexual misconduct, victimisation, bullying and exclusion, are not tolerated, and also to ensure that adequate procedures are in place to deal with such incidents should they occur.
3. This policy covers all members of the Cliff College community, including:
 - all students on all programmes of study;
 - all members of staff holding a contract of employment, and staff from other institutions visiting the College;
 - contractors working at the College.

B. Cliff College's Commitment

4. Cliff College is committed to fostering a working, learning and research environment where mutual respect and dignity is experienced by and between students and employees.
5. Cliff College aims to promote a culture where all are treated with dignity and respect, where harassment, bullying and sexual misconduct are known to be unacceptable, and where allegations are dealt with in a fair and timely fashion, without fear of victimisation. The College will not tolerate any form of unacceptable behaviour by or against any members of its community, whether on or off campus, in or out of working hours or through electronic communications (including social media platforms).
6. Any cases of harassment, sexual misconduct, discrimination and bullying will be taken very seriously by the College and, where necessary, the appropriate procedure will be used to investigate allegations. All staff and students have a right to complain if they believe that they are being, or have been, subjected to unacceptable behaviour while studying or working at the College.
7. Proven cases of harassment or sexual misconduct, discrimination or bullying will be treated as a disciplinary offence, and could result in dismissal for staff members or expulsion for students.

C. Acceptable Behaviour

8. All members of the College community (including staff, students, contractors, visitors and those otherwise associated with the College) will ensure they:
- treat others with dignity and respect;
 - participate in training to support the implementation of this policy where appropriate;
 - challenge unacceptable behaviour as and when appropriate.

D. Information and Training

9. The College will maintain a single comprehensive source of information on its public website, linking this policy along with related policies, procedures and available support. A statement about this single comprehensive source of information will be included in:
- college handbooks;
 - promotional prospectuses;
 - an annual communication with all students and staff, at the beginning of the academic year.
10. Mandatory training will be provided for all students as part of induction and orientation, to ensure they are appropriately informed about this and related policies and procedures, and understand what may constitute harassment, sexual misconduct or other unacceptable behaviour.
11. Mandatory training will be provided for all staff as part of their induction, and annually thereafter, to ensure they are appropriately informed about this and related policies and procedures, and understand what may constitute harassment, sexual misconduct or other unacceptable behaviour. Specialist training for staff will ensure staff are appropriately equipped to deal with disclosures about incidents of unacceptable behaviour, and also have a proper understanding of free speech rights and responsibilities.

E. Definitions

Harassment

12. Harassment (as defined by Section 26 of the Equality Act 2010 and section 1 of the Protection from Harassment Act 1997, as interpreted by section 7 of the Act) includes unwanted physical, verbal or non-verbal conduct which may (intentionally or unintentionally) violate a person's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment which interferes with an individual's learning, working or social environment.
13. Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to a protected characteristic such as age, disability, gender reassignment, race, sex, sexual orientation, pregnancy and maternity (including breastfeeding), marriage and civil partnership, and religion or belief. Harassment is unacceptable even if it does not fall within any of these categories. This can include the Dignity at Work and Study: policy

association with or a perception of a particular characteristic listed above.

14. Harassment may include, but is not limited to:

- unwanted physical conduct or 'horseplay', including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space and more serious forms of physical or sexual assault;
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless) and suggestions that sexual favours may further a career or that a refusal may hinder it;
- continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including, but not limited to, emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- offensive or intimidating comments or gestures, or insensitive jokes or pranks;
- mocking, mimicking or belittling a person's disability;
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- 'outing' or threatening to 'out' someone as gay, lesbian, bisexual or trans; or
- ignoring or shunning someone, for example by deliberately excluding them from a conversation or a workplace social activity.

15. A person may be harassed even if they were not the intended 'target'. For example, a person may be harassed by racist jokes about a different ethnic group if they create an offensive environment.

Discrimination

16. Unlawful discrimination takes place when an individual or a group of people is treated less favourably than others, based on a protected characteristic such as age, disability, gender reassignment, race, sex, sexual orientation, pregnancy and maternity (including breastfeeding), marriage and civil partnership, and religion or belief.

17. Direct discrimination occurs where someone is treated less favourably because of one of the protected characteristics set out above; this can include association with or a perception of a particular characteristic.

- Discrimination by association – a person being discriminated against due to their connection to someone who has one of the protected characteristics, eg a mother is denied a promotion because managers thought her child's disability may interfere with her work.
- Discrimination by perception – a person being discriminated against because it is believed they have one of the protected characteristics, eg a man being harassed at work because it is believed he is gay, even though he is not.

18. Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criteria or practice that puts people with a particular protected characteristic at a disadvantage when compared with others who do not share that characteristic.

Bullying

19. Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.
20. Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:
- shouting at, being sarcastic towards, ridiculing or demeaning others;
 - physical or psychological threats;
 - overbearing and intimidating levels of supervision;
 - inappropriate and/or derogatory remarks about someone's performance;
 - abuse of authority or power by those in positions of seniority;
 - deliberately excluding someone from meetings or communications without good reason.
21. Legitimate, reasonable and constructive criticism of performance or behaviour, or reasonable instructions given to staff in the course of their employment or students in the course of their studies, will not amount to bullying on their own.

Victimisation

22. Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint. Victimisation is unlawful and can result in disciplinary action regardless of the outcome of the original complaint.

Exclusion

23. Inadvertently or deliberately avoiding or not involving someone on account of their race, ethnic origin, nationality, skin colour, gender, gender identity, sexual orientation, religious or political convictions, trade union activities, disability, status as ex-offender, age, real or suspected infection with AIDS/HIV, marital status, size or physical appearance.

Sexual Misconduct

24. Sexual misconduct relates to all unwanted conduct of a sexual nature. This includes, but is not limited to:
- sexual harassment (as defined by Section 26 (2) of the Equality Act 2010);
 - unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010);
 - assault (as defined by the Sexual Offences Act 2003);

- rape (as defined by the Sexual Offences Act 2003);
- physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017);
- intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017);
- distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015).

25. The above definitions of unacceptable behaviour are there as helpful guidance and not as an exhaustive list. During consideration of any case, a judgement will need to be made on what is reasonable to assume for any given action.

26. All definitions include such behaviour through any medium, including online.

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