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Regionally Focused – Globally Engaged



Respect at Work and Study Policy Statement

**by Borders College and
Heriot-Watt University**

December 2020

History of Changes

| Version | Description of Change | Authored by | Date |
|---------|---|-------------|----------|
| 1.1 | | D. Killean | |
| 1.2 | Minor update relating to dates and inclusion of the General Data Protection Regulation 2018 as part of relevant Legislation and Guidelines | C Elliott | 18.12.17 |
| 1.3 | Inclusion of marriage or civil partnership into the list of protected characteristics. Update of legislation dates. Change of Board of Management to Regional Board for FE Colleges in Scotland | H Anderson | Nov 2020 |
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Preface

Borders College and Heriot-Watt University take pride in our efforts to create a working, educational and social atmosphere which is inclusive. We want to ensure that all of our students have an experience that enables them to reach their full potential, excelling in their studies and throughout their interactions across the University and College Community. We expect our students to conduct themselves in a manner that supports this.

This joint campus policy statement sets out the intentions and obligations of Borders College and Heriot-Watt University in promoting and maintaining a respectful and positively diverse learning community where educational and social facilities are shared across both institutions. Where referred to as such, 'the Campus' means Borders College and Heriot-Watt University operating in partnership.

It aims to underpin an environment where bullying and harassment cannot flourish and where individuals have the confidence to raise concerns in the knowledge that these will be dealt with appropriately and fairly.

Each Institution has a range of rules, regulations and policies in place to make sure that all members of the College and University are able to have such experiences. The principles contained in this policy statement do not conflict with those College and University procedures, such as Student Disciplinary Procedures or Protocols, Bullying and Harassment policies or Equalities policies. These will continue to operate under the separate governance of each Institution, and the College and University will apply their own procedures to address any breaches of their policies.

The prime purpose of the policy statement is to set out a shared vision of how this new community can flourish.

1. Scope

- 1.1 This policy encompasses the interactions and conduct between staff and staff, students and staff, and students and students across the whole campus community. This includes staff and students who are full and part-time, staff who are temporary, permanent, casual, outside contractors and visiting professionals.
- 1.2 The policy encompasses all campus environments. While not an exhaustive list, this could include formal and informal learning environments; outreach learning centres; distance learning; work placements; social spaces and all virtual learning environments.

1.3 The College and University recognise their obligations under the general duty of the Equality Act 2010 to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

The 'protected characteristics' recognised under the Act are: age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

1.4 The institutions recognise their current and any future legal and policy obligations to specific groups of students. This includes adults deemed to be at risk and students under the age of eighteen for whom Colleges and Universities have a duty of care.

2. Policy Statement

2.1 The College and University are committed to providing all staff and students with a safe environment in which they can work and learn together by encouraging, developing and maintaining an ethos which embraces diversity and respects the dignity and rights of all.

2.2 The institutions are committed to taking any incident or allegation of bullying, harassment or victimisation seriously and will ensure that appropriate action is taken within a reasonable timescale, as laid out in the procedures, and taking due regard of confidentiality and the rights and responsibilities of all parties concerned. This policy should be read in conjunction with the College and University's confidentiality policies.

2.3 Appropriate support and guidance will be provided to all parties involved in an incident or allegation of bullying, harassment or victimisation as laid out in the procedures.

2.4 We will provide support and confidentiality to members of staff and students who raise concerns regarding possible incidences of bullying, and harassment of others that they have witnessed.

2.5 The College and University are committed to ensuring fair, consistent and respectful support of all students.

- 2.6 The Campus Management Committee recognises the possibility that breaches of policies relating to areas such as equalities or discipline could involve staff or students from both institutions jointly. Therefore, where an incident occurs of this nature, the College and University will collaborate to agree an appropriate course of action to ensure that cases are given fair and equitable consideration according to the procedures of each Institution. There will be consultation in order to ensure that equivalent penalties are applied by the respective institutions to the parties involved in the incident. While the nature of the penalties may differ in kind, the purpose will be to ensure that the institutional responses will be seen to be equitable and fair.

3 Rights and Responsibilities

- 3.1 All members of the campus community have the right to work and learn in an environment which is free from bullying, intimidation, harassment and victimisation.
- 3.2 The College Regional Board and University Court have overall strategic responsibility for the implementation of this policy.
- 3.3 Each institution will appoint a senior member of staff to lead on the promotion and implementation of this policy and will publicise who this individual is.
- 3.4 Within the campus community, it is the responsibility of all staff and students to treat others with respect and to ensure that their actions create and maintain a harmonious working and learning environment.
- 3.5 It is the responsibility of all staff and students to challenge and/or report disrespect or bullying behaviour if it occurs.
- 3.6 Appropriate opportunities will be provided for all members of staff to receive continuing professional development and training and access to learning resources in dealing with allegations of bullying, intimidation, harassment and victimisation.
- 3.7 The views of staff and students involved in any incident or allegation will be considered and dealt with sensitively.
- 3.8 The College and the University will take steps to record and monitor incidents with specific reference to issues of discrimination.
- 3.9 Allegations of bullying will be dealt with in a timely fashion and in accordance with relevant Institutional policies and procedures.

Relevant Legislation and Guidelines

This Policy and associated procedures have been drawn up in accordance with current legislation and principles derived from the following:

- Adult Support and Protection (Scotland) Act 2007
- Crime and Disorder Act 1998 (created a new Scottish Criminal Offence of 'Racially Aggravated Harassment')
- Equality Act 2010
- Health and Safety Legislation
- Human Rights Act (HRA) 1998
- The Children and Young People (Scotland) Act 2014
- Protection from Harassment Act 2014
- General Data Protection Regulation 2020
- The United Nations Convention on the Rights of the Child

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