

SOAS Students' Union Dignity Policy

Introduction

The SOAS Students Union is committed to providing a positive learning, working and social environment so that everyone is supported to have a positive experience at SOAS. The SOAS Students' Union is committed to treating all students with respect in a non-discriminatory manner. The procedure is for students who are currently registered at SOAS, full time and part time, who would like to raise an issue regarding behaviour they perceive to be;

- Discrimination
- Harassment
- Bullying
- Victimisation

If a student or SOAS SU staff would like to raise an issue other than those above, then they should use the appropriate SOAS SU Complaints Procedure.

For the purpose of clarity of this policy when mentioning SOAS SU this shall include all SOAS Students: full time, part time and temporary, volunteers, part time officers and sabbatical officers.

The student who would like to raise the complaint under the SU Dignity Policy will be referred to as the complainant. The student accused of inappropriate behaviour will be referred to as the respondent.

Should the complainant be a member of SOAS staff, the Dignity at SOAS Staff complainant policy & procedure will apply.

It should be noted that such complaints could also lead to civil and criminal claims (under the Protection for Harassment Act 1997) beyond the Union and School's own disciplinary proceedings e.g. victims could seek from the civil courts to file for a restraining order against the accused offender or claim for damages for the trauma caused by the incident. It is also an offence to engage in conduct which is intended to incite hatred regarding ones for example race or religious belief and so such cases will lead to criminal proceedings. Should a civil or criminal proceeding occur, the SU will co-operate with appropriate requests for information and decide whether the SU procedures should be suspended for the duration of the external case.

The SOAS Students' Union takes a zero tolerate stance on any form of discrimination, harassment or bullying within its environment. This also includes behaviours which may be related to the following factors:

- Age
- Body size/image
- Carers
- Contractual status
- Disability or Disfigurement
- Ethnicity (ethnic origin, colour or race)
- Gender Identity and Trans
- International Students
- Language
- Marriage or Civil Partnership
- Mature or Part-Time students
- Nationality of national origin
- Pregnancy, Maternity, Paternity & Student Parents
- Political or other opinion
- Religion or other belief (including absence of belief)
- Sexual orientation
- Social origin or socio-economic status
- Student union or trade union membership or non- membership

NB. The list above is not intended to be exhaustive. The aim of the list is to illustrate the plethora of potential factors that may be involved within a case of discrimination, harassment or bullying.

NB. There are some academic courses at SOAS that require a certain standard of written and spoken skill in English or another language should the course be language related.

SOAS SU acknowledges that this policy extends beyond legal definitions but also recognises that should unfair treatment occur on grounds other than the legally protected characteristics then such treatment would also be covered by this policy.

Scope of Policy

This policy applies to all students and staff at the School and Students' Union and relates to discrimination, harassment, bullying and victimisation perpetrated by:

- A student against a student

- A student against a member of staff in the Students' Union (SU)
- An SU member of staff against a student
- An SU member of staff against another SU member of staff

This policy will cover discriminatory behaviour, bullying and harassment of students and SOAS SU staff, whether by other students, SOAS staff, contractors, temporary worker or visitors of the Students' Union or School.

This policy aims to include all forms of unacceptable behaviour identified in current UK legislation as well as behaviours that may not necessarily be illegal, but be interpreted as inappropriate and unacceptable within the Students' Union. For example:

- Unwanted violation of a person's dignity;
- Causing a negative environment for a person through means of intimidation, hostility, humiliation or offensive acts;

SOAS SU will take action on such behaviours regardless of if the intentions of the respondent were not to cause harm/offense or such effects.

Discrimination, bullying and harassment should be distinguished from academic debate along with the dialogue of unpopular and controversial opinions which has the potential to make students or SOAS SU Staff uncomfortable, but which are a legitimate exercise of the right of freedom of expression within UK legislation.

The distinction also needs to be made between the practice of appropriate academic judgement of assessed work and performance of a student or peer. This approach will safeguard academic work reinforcing that objectives are met through legitimate standards.

Should there be cases where the respondent is neither employed directly by SOAS Students' Union nor a student of SOAS (a Third Party), SOAS SU take steps (where it deems it reasonable and proportionate to do so) to make such Third Party aware of the scope of the Dignity at SOAS SU Policy prior to such Third Parties encountering workers, employees of the Students Union as well as students at SOAS. SU Staff and students are expected to co-operate with any reasonable instruction from a Third Party or to comply with any safety advice given by such Third Party and to do nothing that would impede the Third Party from carrying out his/her lawful duties whilst on SOAS Premises.

While SOAS SU staff, students, Sabbatical Officers should not obstruct a Third Party from carrying out their lawful duties, staff and members of the

SOAS SU are entitled to challenge these people if their behaviour is aggressive, intimidating or provocative and their conduct fails to meet the diversity and equality ethos of SOAS. Should a Third Party behave in an aggressive, intimidating and inappropriate or provocative manner, SOAS SU Staff are entitled to either ask them to desist and to provide their name, work location and contact details or to contact a the general manager .

Students should seek support from an appropriate member of staff to assist with such a situation.

Contacts can be:

Co-Presidents

Welfare and Academic Adviser

General Manager

Equalities adviser Jackie Smyth

Staff at the Student Advice and Wellbeing Service

SOAS Harassment officers

Should a complaint arise against a third party the Union or School's disciplinary policies will not apply, however the SOAS SU, where it is possible, will investigate the complaint and work with appropriate representatives/supervisors responsible for the third party in connection to the complaint.

Students' Union as a Safe Space:

This Safe Space policy makes the Union responsible for endeavouring to prevent and tackle discrimination, prejudice, harassment, or intimidation both within Students' Union and SOAS as a whole, on which we have a zero tolerance stance. This policy is intended to promote equality and diversity, and prioritises liberation groups (black students', women's, students' with disabilities, and LGBTQ) which have been historically disadvantaged.

Having a Safe Space policy does not pretend that the space is separate from structures of oppression, but rather represents a commitment to making our space safer and more inclusive.

If an event in SU space is deemed to be hostile or exclusionary or triggering, the SU can mediate to relocate the event to a room, so that students can opt-in to attend. Triggering refers to topics that could potentially trigger an individuals' traumatic experiences, for example discussions on sexual assault.

SOAS SU is also responsible for all society, sports team, and student bookings within SOAS, and our safe space policy extends to these spaces, and beyond (e.g. pitches). We will also endeavour to safeguard safe space throughout the campus and to any external spaces but cannot guarantee this as the SU only has authority over Union space.

If the SU is concerned that an event, activity, or speaker, or organisation would breach safe space policy, the SU will carry out a risk assessment and mediate to find an alternative that would not breach Safe Space policy.

This policy seeks to support our diverse and active student body by making the SU, and SOAS more broadly, accessible to all. It seeks to enable debate and difference in an environment in which we treat each other with mutual respect and dignity. Under this policy students should refrain from using language or behaving in a way that is derogatory and that is likely cause offense to others.

This policy recognises that individual behaviour does not exist within a vacuum, but within a context of structural oppression. An individual can be asked to leave the Students' Union if they have harassed or assaulted another person. However, this policy is not targeted at individuals. It is intended that if an individual breaches Safe Space, then the SU should explain to the individual, why their language or behaviour constitutes a breach of policy, avoiding accusatory language in doing so. This is intended to ensure that the SU does not exclude those who breach Safe Space, but instead that it seeks to improve the individual's understanding of the policy and mediate between this individual and any who have been affected by the breach of policy.

If a society or sports team repeatedly breaches Safe Space, for example through discrimination or intimidation, they may be disciplined through the suspension of room bookings and/or budgets, and could, in extreme circumstances, be disbanded.

SOAS SU staff and students can be held liable (informally) for incidents that occur outside of the SU and SOAS, should they be SOAS-related. This policy therefore covers incidents of harassment or bullying which occur both inside and external of SOAS SU e.g. trips, events or social functions organised for or on behalf of the SU. This will also cover conventional working hours as well as out of working hours.

Any individual who experiences discrimination, bullying or harassment will be encouraged to address the problem firstly through the Students' Union

informal process. However should the informal approach not resolve the issue, or should the complainant believe the issue as too serious to be resolved informally, the appropriate formal complaints procedure for staff/students at the SU should be instigated (Please see SOAS SU Complaints Procedure)

Types of inappropriate conduct

Bullying:

A form of harassment which can offend, intimidate and create a hostile environment for an individual. This can occur privately and publicly.

Bullying should not be affiliated with legitimate constructive criticism of an individual's performance or behaviour. Infrequent arguments will not necessarily be assumed as bullying by the SOAS SU however this decision will be made after careful consideration of the circumstances of the incident in question.

Discrimination:

Less favourable treatment of an individual which is related to one or more of the protected characteristics identified in the equality legislation e.g. age, disability, ethnicity, gender, religion, sexual identity or sexual orientation. Discrimination can be direct, by perception, indirect or associated with one or more of the associated characteristics. There are 4 types of discrimination:

- Direct discrimination: when one individual treats another individual less favourably than others because of a protected characteristic.
- Indirect discrimination: a practice or policy which applies to everyone in the same way but has an adverse effect on certain groups of people, for example holding events only in the Bar without sufficient reason, which may exclude students who do not drink alcohol.
- Discrimination by perception: less preferable treatment of an individual because they have been perceived as one of the protected characteristics e.g. one who is targeted as they are perceived as being from a certain religious or ethnic background.

- Discrimination by association with a person who has one of the protected characteristics: for example less favourable treatment of the spouse of someone who is of a particular religious practice, ethnicity or who has a disability.

Harassment:

Unwanted conduct which can be a single or serial event. Harassment violates an individual's dignity and can also create an intimidating, humiliating and offensive environment for the individual it is aimed at.

Legal definition:

- Unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating, or offensive environment for the complainant or violating the complainant's dignity.
- Unwanted conduct of a sexual nature (sexual nature).
- Treating a person less favourably than another person because they have either submitted to, or did not submit to, sexual harassment or harassment related to sex or gender reassignment.

The Equality Act (2010, Section 26)

Victimisation:

Where one is treated unfavourably and unfairly over others who may be in the same or similar circumstances due to that individual previously either raising concerns, making a complaint or giving evidence with good underlying motivations against the respondent.

Legal definition:

- Victimisation takes place where one person treats another less favourably because he or she has asserted their legal rights in line with the law or helped someone else to do so.

Equality Act, 2010, section 27

Examples of harassment and bullying behaviour

The following examples of behaviour and conduct constitute bullying or harassment and will not be accepted.

Unwanted physical conduct

Unwanted touching, pinching, stroking, brushing against another person's body, insulting or abusive behaviour or gestures, physical threats, assault, coerced intercourse, rape.

Unwanted verbal conduct

Unsolicited sexual advances, using disrespectful nicknames, propositions or remarks, lewd comments, jokes, banter or abusive language, which refer to a person's or group's age, colour, disability, ethnic or national origins, gender, national origins, social activities, exposing or gossiping about an individual's sexuality or sexual identity. Unwanted verbal conduct extends to the use of social media and email, including trolling someone on social media sites.

Unwanted non- verbal conduct

Displaying offensive suggestive gestures, abusive graffiti, displaying pornographic literature, pictures, videos and other means of visual display such as social networks, emails and whistling.

This policy will also cover other forms of conduct that threatens, mocks, disparages individuals or acts of physical aggression or stalking.

Confidentiality

SOAS SU will treat complaints of bullying, discrimination and harassment sensitively and maintain confidentiality to the maximum extent possible. See this link for our Confidentiality Agreement

Keeping with the Data Protection Act (1998), the information gathered from an SOAS SU dignity enquiry or complaint shall be recorded on the SOAS SU's confidential database. Paper work will also be stored away securely.

Interpretation

Every individual has the right to decide what type of conduct is suitable to them and how they would like their feelings to be respected by others, subject to the test of reasonableness i.e. one must investigate whether a reasonable person would find the behaviour (verbal or physical) unacceptable, given the circumstances. The Students' Union General Manager and Welfare Adviser and the SOAS Diversity Adviser will make this assessment of reasonableness for each complaint or enquiry. If it is decided that complaint is unreasonable, the complainant will be contacted and informed of this decision.