

EQUALITY, DIVERSITY AND DIGNITY BASAS POLICY

CODE OF CONDUCT FOR BASAS MEMBERS

Mutual respect for colleagues is part of the foundation which enables a large collection of research professionals working on South Asia to come together and share their knowledge in a safe environment conducive to intellectual discussion. Harassment, bullying, aggression and/or victimisation detracts from a productive working environment and can affect the health, confidence, morale and performance of those affected by it, including anyone who witnesses, or has knowledge of, the unwanted behaviour. BASAS believes that all members have the following rights:

- **To be provided with an environment in which they are protected and which is free from harassment , bullying and aggression.**
- **To be treated with dignity and respect.**
- **To be treated in a fair and equitable manner.**
- **To be protected from victimisation or retaliation if they have, in good faith, brought a complaint of inappropriate and objectionable behaviour.**

The aim of this policy is to prevent harassment, bullying and/or victimisation within the context of the physical or virtual activities organised by BASAS, provide guidance to resolve any problems should they occur, and avoid recurrence.

BASAS recognises the following definitions:

Bullying is an abuse or misuse of power or position, real or perceived, through means that undermine, denigrate or injure the recipient, or force an individual to behave in an un-characteristic manner.

Harassment, in general terms, is unwanted negative attention or conduct which is perceived as intimidating, demeaning or bothersome to the individual.

Although harassment may in some instances be difficult to recognise, crucial to the definition is the concept of 'unwanted' behaviour. Harassment may involve but is not limited to:

- Sexual harassment
- Harassment on the grounds of social differentiation, such as ethnicity, caste.
- Gender harassment
- Disability harassment
- Age harassment
- Harassment on the grounds of religion or belief
- Personal/psychological harassment

BASAS wishes to promote freedom of academic expression and expects that the tone of debate should be temperate. Whilst all academic debates at BASAS-organised activities should avoid personal criticism, a complaint against a point-of-view or intellectual position, will not necessarily be construed as harassment, unless it intersects with the above actions.

Association members therefore agree to promote the **dignity** and rights of each other, in particular to respect each member's individual needs and expectations of:

1. Personal privacy
2. Respect for their personal space, and
3. Recognition of intellectual knowledge and expertise.

Being aware of, and remembering the structural and institutional racism that has for centuries impacted upon South Asian scholars, Association members in particular endeavour to recognise the cultural history and social positioning of women, and members of other minority groups. Association members remember that this has meant women, and other minorities, are more liable to be victimised by, and vulnerable to, unintended but otherwise inappropriate behaviours, by members of apparently more powerful social groups. Association members recognise that each member has a responsibility to ensure that their behaviour, and that of others, does not affect or impact those members who might otherwise be victimised and/or unable to voice their feelings in some situations. Association members take a personal responsibility in agreeing to address any form of social interaction, whether as a result of their own behaviour or that of others, which potentially leaves one or more members feeling physically, emotionally, sexually or intellectually vulnerable.

False Accusations

BASAS considers bullying and harassment to be a serious issue and therefore mischievous or malicious complaints will result in appropriate disciplinary action being initiated against the complainant.

Appendix A details types of inappropriate behaviour. Please be advised that this is an indicative rather than an exhaustive list.

GUIDELINES FOR REPORTING A VIOLATION OF THE CODE OF CONDUCT

Members should report a violation of the Code of Conduct by email or in person to the nominated Equalities Officer or another Council member should that be more appropriate. It is important that violations to the Code of Conduct are raised in good time, and not later than two months after the incidence(s).

Please see BASAS website for information about the Equalities Officer, current council members and contact details. www.basas.org.uk

When submitting a report please be as detailed as possible, and be sure to provide the following: name(s) of person(s) against whom the complaint is being made, place and date of incident, and a description of exactly what happened. If appropriate, witness details may also be provided.

You (the complainant) may choose for your identity not to be disclosed to the person whom you are reporting (the alleged offender), but you must provide your full name

in an email to the Equalities Officer/Council member.

The Equalities Officer/Council member will treat the information of both parties with strict confidentiality and under the terms of the Data Protection Act 1998. Further, the Equalities Officer/Council member will securely dispose of any records created during the investigation which identify the complainant and the alleged offender once the investigation has come to a satisfactory end.

A satisfactory end is when the Equalities Officer/Council member has thoroughly investigated the report, decided on the best course of action based on the available evidence, and taken this action. The Equalities Officer/Council member may conceal the complainant and the alleged offender's identity and discuss the matter with the rest of the Council before ratifying a decision.

The following steps will be taken once a report has been received:

1. The Equalities Officer/Council member will investigate your complaint and may contact you to request further information.
2. The Equalities Officer/Council member will also contact the individual against whom the report has been made and explain to them the nature of the report and offer to listen to their side of the story.
3. Where the complaint is against the Equalities Officer and/or a Council member, they will not be part of the investigation panel.
4. The investigation must be taken seriously and failure, by either complainant or the alleged offender, to co-operate with the Equalities Officer/Council member may lead to the revocation of that individual's membership to the Association, and he/she may be barred from attending BASAS events.
5. It is recognised that unwanted behaviour and actions by the alleged offender may not be intentional, but people who routinely experience disrespectful and denigrating behaviour learn to identify and interpret recurrences of certain types of behaviour as condescending, demeaning and sometimes even threatening.
6. The investigators recognise that the excuse that a remark or action was 'just a joke', or 'only a light-hearted comment' is a common one but it is not acceptable. It is not the responsibility of the complainant to have to treat insensitivity as humour.

In the event that the Equalities Officer/Council member and Council deem a member's or members' actions to constitute harassment, the person(s) against whom the complaint has been upheld will be excluded from BASAS membership and future applications for membership will be rejected. New membership applications and membership renewals are routinely reviewed by the Council.

GUIDELINES FOR APPEAL

Where the complainant or alleged offender is in reasonable disagreement with the outcome of the investigation, he/she may raise an appeal against this decision. This right of appeal must be exercised within 10 working days of receipt of the letter confirming the decision of the investigative panel by writing to the Chair of the BASAS Council, Secretary or Council member, if more appropriate, and stating the grounds on which the appeal is made. This should include the evidence on which the appeal is based.

1. **Appeal Panel.** The appeal will be heard by a panel of two, appointed by the Equalities Officer or a Council member where more appropriate. The panel will normally include a member of the Council and a senior member of the BASAS membership who has had no previous involvement in the case. In the event of an appeal brought by the complainant, the complainant and the investigative panel members (but not the respondent) will also attend the appeal hearing. And, in the event of an appeal brought by the alleged offender, the alleged offender and the investigative panel members (but not the complainant) will also attend the appeal hearing
2. The complainant and alleged offender have the right to be represented or accompanied at the appeal hearing by a colleague. The other party will be informed that an appeal has been made against the decision of the investigative panel.
3. **Appeal process.** During the appeal hearing, the panel will review the decision of the investigative panel against the grounds raised by the respondent. The running order for the appeal process is:
 - a) The complainant or alleged offender presents their case.
 - b) The Appeal Panel will ask questions/seek clarification as necessary.
 - c) The original investigative panel member(s) will be given an opportunity to respond to each of the points raised by the complainant or alleged offender and make representation to the panel.
 - d) The complainant or alleged offender will be given an opportunity to make a closing statement.
 - e) The original investigative panel members will be given same opportunity.
 - f) The Panel will adjourn for the Appeal Panel to consider the decision.
4. **Appeal Outcome.** The decision of the panel from the appeal hearing will be communicated in writing, normally within 5 working days of the hearing, unless otherwise agreed by the parties. The outcome letter will be copied to the respondent.
5. The decision of the appeal panel shall be final.