

# Bullying, Harassment and Sexual Misconduct Policy for Students and Employees

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## **Bullying, Harassment and Sexual Misconduct Policy for Students and Employees**

### 1. Policy Statement

As part of our overall commitment to equality of opportunity and valuing diversity, Regent's University is committed to creating an inclusive and supportive place for work and learning for students, staff, contractors and visitors.

We have adopted a **zero tolerance** approach which means any instance of bullying, harassment, or sexual misconduct will be investigated and where necessary, disciplinary sanctions used, so that our students, employees, casual workers, agency workers, contractors and visitors can enjoy an environment where everyone is treated with dignity and respect.

This policy provides definitions and examples of bullying, harassment and sexual misconduct. The list of examples is not exhaustive but provides a broad view of areas covered. There are links to how to make a formal complaint or how to deal with incidents informally and where people can go for help and advice. There is also a link to a frequently-asked-questions section too.

We all have a part to play in making the University a safe and good place to study and to work. This policy helps people to understand their part in this.

### 2. Definitions

#### **What is Bullying?**

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate, or injure the person on the receiving end.

#### **What is harassment?**

Harassment is unwanted or unwelcome behaviour that is meant to, or has the effect of, either:

- violating a person's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment

Harassment by someone at work is unlawful discrimination under the Equality Act if it's because of, or related to:

- age
- disability
- gender reassignment

- race
- religion or belief
- sex
- sexual orientation.

The Equality Act calls these **protected characteristics** (Marriage or civil partnership and pregnancy and maternity are also protected characteristics. Pregnancy or maternity discrimination is treated differently and the law on harassment does not cover marriage and civil partnership).

Harassment could also be when a person inflicts unwanted conduct on another because he/she believes that the recipient has a protected characteristic (for example, a belief that he/she is gay or disabled), when the recipient does not, in fact, have that protected characteristic. Also, harassment could take place when a person is bullied or harassed because of another person with whom that person is connected or associated, for example, if his/her child is disabled, a wife is pregnant or a friend is a devout Christian.

### **What is sexual misconduct?**

Sexual misconduct is any act of violence or harassment which is sexual in nature or any kind of unwanted, non-consensual sexual touching or harassment within or outside a relationship. This may include rape, sexual assault, sexual exploitation or groping. It also covers behaviours such as grooming, coercion, the promise of a reward for sexual access and sexual demands or threats. It often arises where there is an imbalance of power in a relationship and it violates the principle that the parties involved have given willing consent to the behaviours.

### **What is sexual harassment?**

Sexual harassment is unwanted and unwelcome words, conduct, or behaviour of a sexual nature that has the purpose or effect of creating an intimidating, embarrassing, hostile, degrading, humiliating or offensive environment for the recipient. It is a misuse of personal or institutional power and often based on a person's gender although it is rarely about sexual desire.

Whether or not the harasser intended to be offensive is irrelevant. The limit of acceptable behaviour as covered by this policy is up to the recipient to decide. A single incident or persistent behaviour can amount to harassment.

Sexual harassment can range from behaviour that stems from obvious to anyone or subtler behaviour less obvious to either the person responsible for the behaviour or to the recipient. Often the impact is not felt or witnessed immediately. The impact may go beyond the recipient to people who see or hear what happens or who try to offer support.

Sexual harassment can include but is not limited to: catcalling, following, making unnecessary and unwanted physical contact, sexual jokes and comments, giving unwelcome personal gifts, wolf-whistling, leering, derogatory comments, unwelcome comments about a person's body or clothing, unwelcome questions about a person's sex

life and/or sexuality, engaging in unwelcome sexual propositions, indecent exposure, invitations and flirtation, making somebody feel uncomfortable through displaying or sharing sexual material. Sexual harassment does not necessarily occur face to face and can be in the form of emails, visual images (such as sexually explicit pictures on walls in a shared environment), social media, telephone, text messages and image based sexual abuse, such as revenge porn and upskirting.

### **What is the difference between bullying and harassment?**

In everyday language, bullying and harassment can be used almost interchangeably but in law harassment refers to unwanted behaviour relating to a specific set of protected characteristics:

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation

The Equality Act 2010, features victimisation and harassment while 'bullying' doesn't feature as a legal term but we do not want bullying in the University so we have included it in our policy.

### **What is victimisation?**

We define victimisation as bad treatment directed towards someone who has made or is believed to have made or supported a complaint under the Equality Act.

It includes situations where a complaint hasn't yet been made but someone is victimised because it's suspected they might make one.

### **Safeguarding Policy**

For issues involving children and vulnerable adults, please refer to the above policy.

### **Scope of Policy**

This policy applies to all members of the University community and relates to matters perpetrated by:

- A student against a student or a member of staff;
- A member of staff against a student or a member of staff;
- A student or staff member against a third party.

- A third party against a student or staff member

It applies to matters that occur on campus or may take place outside of the premises or hours, e.g. social events, trips abroad or on social media.

### 3. Support Contacts

It is advisable to talk to someone before taking any action either informally or formally. Please see, below,

### 4. **Students - How to raise concerns**

If you want to talk about your concerns or report an incident, please contact Student Support & Welfare for confidential and non-judgemental advice. You can also report anonymously online at the Student Hub.

Any complaint or allegation from a student relating to bullying, harassment or sexual misconduct by a member of the University's staff will be investigated and may be dealt with under the staff disciplinary procedure and may result in the employee's dismissal, depending upon the gravity of the case.

Any complaint or allegation from a student relating to bullying, harassment or sexual misconduct by another student will be investigated and may be dealt with under the student disciplinary policy and may result in the expulsion of the perpetrator of the bullying, harassment or sexual misconduct, depending upon the gravity of the case.

Should a member of staff wish to make a complaint against a student, they should first raise the matter with HR, in order for the necessary support and guidance to be provided and so that a decision can be made on whether to refer the complaint so that it is dealt with under the student disciplinary policy and may result in the student's expulsion, depending upon the gravity of the case.

Concerns raised about bullying, harassment, or sexual misconduct by or against agency workers or contractors will be investigated in collaboration with their employers and may result in a formal process applicable to the case being invoked and appropriate sanctions imposed up to the level of dismissal or expulsion.

Concerns raised about bullying, harassment, or sexual misconduct by or against visitors will be investigated and may result in a formal process applicable to the case being invoked and appropriate sanctions imposed up to the level of dismissal, expulsion or a ban on future attendance at Regent's

### 5. **Students Support – Counselling**

The University offers a free and confidential counselling service for students. This can be booked via Student Support & Welfare, or alternatively email [hub@regents.ac.uk](mailto:hub@regents.ac.uk).

**6. Immediate Help for Students or Staff**

If you are on campus and feel unsafe please call Security on extension 2222 or 0203 075 6222. They can give emergency assistance and help with crime reporting.

**7. Staff – [how to raise concerns](#)**

**8. Staff – [Frequently asked questions](#)**