

## **Bullying, Harassment and Victimisation**

### **Policy Statement for Students**

#### **1.0 INTRODUCTION**

As part of our ongoing commitment to Equality, Diversity and Inclusion, we are committed to fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all members of the University community are respected. Any allegation of harassment, bullying or victimisation will be treated seriously in line with the relevant legislation including, but not limited to, The Equality Act 2010.

This policy is supported by the 'Procedure for a student to raise an allegation of bullying, harassment or victimisation against another student'.

#### **1.1 Scope and Purpose**

The policy covers harassment bullying and victimisation which occurs within the student learning and living environment. It also covers work and study related events, business and study trips as well as social functions on and off campus.

All students, which includes apprentices, are required to comply with this policy in addition to any professional guidelines, for students studying on [professional programmes](#).

This policy applies to students at Keele University. Please refer to the Human Resources '[Discipline, Grievance and Raising Concerns](#)' guidance for information regarding how to make a complaint towards a member of staff. The University also has dedicated guidance and support for cases of [Sexual Violence](#).

#### **2.0 PRINCIPLES**

It is the responsibility of every member of our University community to ensure we have an inclusive and supportive work and study environment, promoting tolerance and respect towards Equality Diversity and Inclusion.

It is important that students are able to express their views and opinions in a way that also acknowledges the views and opinions held by others, that may not always coincide with their own. We take such steps as are reasonably practicable to ensure that freedom of speech within the law, [freedom of speech](#) are secured for members of staff, external speakers and visitors to the University, even if such speech is controversial, contentious or provocative. This principle extends to conduct

online, including social media. If safe to do so, students should discourage bullying, harassment and victimisation by making it clear that they find such behaviour unacceptable.

All allegations of bullying, harassment or victimisation will be regarded as a serious matter and will be dealt with in a sensitive, objective manner, respecting the rights of all parties involved.

Whilst every effort will be made to achieve an informal resolution, if an informal resolution does not resolve the situation, it may be necessary for the issue to be passed to the University Discipline team for an investigation under [Regulation B1](#). This may result in formal disciplinary action being taken.

Any information received will be handled with an appropriate level of confidentiality. The University adheres to the principles relating to Processing of Personal Data set out in the The General Data Protection Regulations (GDPR) and the Data Protection Act 2018 (DPA). Where personal information is shared or released, it will only be done for the purposes of ensuring compliance with the University [policy](#). Any allegations of criminal acts – such as physical assault, rape or sexual assault – should be reported to the police immediately. The University may report allegations of criminal activity to the police.

In rare cases, disciplinary action may be instigated against the complainant if there is evidence that the allegation is unfounded and not made in good faith.

## 2.1 What is Harassment, Bullying and Victimisation

Below is a list of examples of behaviour that may constitute bullying, harassment, discrimination and victimisation. The list is not exhaustive, however, they are indicative of behaviour that would be considered unacceptable conduct by the University. This policy would still apply where the allegations are of behaviours that may attract criminal sanctions. This would include, but would not be limited to, cases of serious assault or threat of serious assault. Any student discipline sanctions resulting from the incident(s) would be pending until the Police investigation is complete.

**Harassment** encompasses many different types of physical, verbal and non-verbal conduct. It can occur as an isolated incident, many sporadic incidents, or as on-going behaviour. It can happen on its own or alongside forms of discrimination. The defining features of conduct which may be considered as harassment are:

- unwanted and unwelcome behaviour;
- behaviour that subjects a person or group of people to intimidation, humiliation, ridicule, offence, loss of privacy or dignity, or creates an environment which is hostile, intimidating or offensive to a person or group;

Harassment can also include repeated contact with a person that may cause distress, fear or intimidation (see Protection from Harassment Act 1997<sup>1</sup>).

**Bullying** is classed as offensive, intimidating or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

---

<sup>1</sup> The Protection of Freedoms Act 2012 & The Protection from Harassment Act 1997.

It can also be an abuse of personal or collective power or a position of authority, in an aggressive or subtle way, which makes the recipient feel upset, threatened, intimidated, humiliated or vulnerable and undermines their self-confidence.

An allegation in relation to alleged bullying is described as, repeated, unwelcomed, unwarranted behaviour which causes a detrimental effect on a person's wellbeing. The behaviour may involve repeated forms of unwanted and unwarranted conduct, but a one-off incident can also amount to bullying and harassment.

**Cyber and Electronic bullying** see our [Social Media Policy](#)

**Victimisation** occurs when a person treats another person badly or subjects them to a detriment because they have made, or intend to make, a complaint of discrimination (including harassment and/or bullying), or have helped another person to make a complaint. Victimisation can constitute unlawful discrimination.

Further information on bullying, harassment and victimisation is located on the [Student Services website](#). The following examples are not mutually exclusive and can occur in one or many of the behaviours listed below:

**Examples of harassment:**

- spoken or written words or abuse including threats, derogatory name calling, insults, ridicule or belittling, maliciously spreading rumours or lies;
- offensive emails, tweets or comments on social networking sites such as intimidating or aggressive behaviour, images and graffiti;
- physical contact or gestures, offensive or threatening comments or content posting comments/photos etc;
- facial expressions, jokes or deliberately mocking an individual with the intent to harass or humiliate;
- intrusion by pestering, spying or stalking;
- sexual or physical abuse or assault, sexual advances or innuendo (see [Sexual Violence Policy Statement](#));
- coercion, such as pressure to subscribe to a particular political or religious belief, or requiring a person to perform a humiliating or dangerous 'initiation ceremony' to join a social group.

**Examples of bullying:**

- psychological intimidation, humiliation, excessive and/or unreasonable criticism or fault-finding of any colleague, member of staff or peer;
- preventing an individual or intentionally blocking information to unjustifiably restrict an individual's opportunities;

- asserting a position of superiority in an aggressive, abusive or offensive manner whether orally or in writing, publicly or in private.

#### **Examples of victimisation:**

- an action of singling an individual who has complained about a discriminatory act;
- preventing and/or intentionally preventing an individual from accessing opportunities or resources;
- treating an individual less favourably as a result of their actions.

### **3.0 ROLES AND RESPONSIBILITIES**

The University has a duty of care to all members of its community in order to ensure the health, safety and well-being of its students, staff and visitors. Where it is believed this policy has been breached, consideration of the law, University regulations and the context of the issue will be taken into account.

All Keele students are required to:

- conduct themselves in a manner which demonstrates respect for all University staff, students and members of the University or third parties associated with the University for the purposes of their studies;
- act in line with Regulation B1 [Student Discipline](#), Section 5, which governs expectations of student conduct;
- ensure compliance with any professionalism and confidentiality codes of conduct for their particular study discipline or research area. For example, Health Sciences, Social Work, Education, Medical and Veterinary students must comply with their professional code of conduct.

### **4.0 SUPPORT AVAILABLE**

Anyone affected by the behaviour of others is advised to contact [Student Services](#), who can offer support and advice. The University has a dedicated [helpline](#) for anyone affected by hate incidents or hate crime. In addition, Advice and Support at Keele ([ASK](#)) offer independent support to students. Staffordshire Police can also be contacted in cases of emergency or for criminal matters. This is in addition to the [Keele Student Services](#).

Any [hate crime](#) will be treated as a form of Harassment under this Policy and the University reserves the right to report any incident to the Police where they believe it may constitute a criminal offence.

### **5.0 RELATED LEGISLATION, POLICIES AND PROCEDURES**

#### **5.1 Legislation referenced:**

- Equality Act 2010;
- Protection from Harassment Act 1997;
- Human Rights Act 1998;

- General Data Protection Regulations 2018 & Data Protection Act 2018.

## 5.2 Relevant University Policies and Procedures:

- [Equality Diversity and Inclusion Strategy](#);
- [Freedom of Speech Code of Practice](#);
- [IT Conditions of Use \(IT Regulations\)](#);
- [Safeguarding Policy](#);
- [Sexual Violence Policy Statement](#);
- [Student Agreement](#);
- [Social Media Policy for Students](#);
- [Student Complaints](#);
- [Student Discipline](#);
- [Temporary Exclusion of Students \(Regulation B2\)](#);
- [Procedure for a student to raise an allegation of bullying, harassment or victimisation against another student. \(activate link\)](#)

## 6.0 REVIEW, APPROVAL AND PUBLICATION

Monitoring of this policy will be undertaken by Student Services and will be reviewed every three years and will be reported through Senate Committee.

## 7.0 DOCUMENT CONTROL INFORMATION

Document Name	Bullying, Harassment and Victimisation Policy Statement for Students
Owner	Student Services
Version Number	1.1
Equality Analysis Decision and Date	11/02/2020
Approval Date	18/02/2020
Approved By	Professional Services Group (UEC sub-group)
Date of Commencement	18/02/2020
Date of Last Review	01/07/2016
Date for Next Review	11/02/2023
Related University policy Documents	
<i>Administrative update (to include reference to apprentices within the scope)</i>	02/03/2022

## **Procedure for a student to raise an allegation of bullying, harassment or victimisation against another student.**

### 1.0 Outline procedure

1.1 This procedure is designed to deal with an allegation of bullying, harassment or victimisation made against a student. It applies to behaviour wherever and whenever it may have taken place when it is reasonably considered by the University to be detrimental to a member of the Keele community. It includes, but is not limited to, behaviour which arises at any time when the student may be regarded as representing the University as an individual or as part of a team or group. It also applies when the student is living or studying on campus or at a location away from the University either as part of their studies or following an arrangement made through the University or the Students' Unions.

### 2.0 Initial Concerns and Support

2.1 Any student who feels they have been subject to bullying, harassment or victimisation by a student, should contact [Student Services](#) for advice and support.

2.2 Student Services will discuss the incident(s) with the student and suggest any potential self help remedies to resolve the situation informally and in an attempt to prevent any repeat of the unacceptable behaviour.

2.3 In some cases a person may not have been aware that their actions have been perceived as harassment or bullying. In these cases the behaviour may cease if the individual is able to recognise the impact of their behaviour. Where the behaviour continues, or if the behaviour is of a more serious nature, a student can discuss any formal approaches which could be taken.

2.4 In some cases disciplinary action may be instigated against the complainant if there is evidence that the allegation of bullying/harassment is unfounded and not made in good faith.

2.5 Following completion of any enquiries in relation to the issue, both parties will be informed of the outcome.

### 3.0 Process of enquiry and investigation

Below are two different routes available to support a student making an allegation of bullying, harassment or victimisation against another person during the course of their education with the University:

#### **3.3. Student allegation towards another student**

If a student wishes to make an allegation of bullying, harassment or victimisation against a student they should contact [Student Services](#) for advice.

- (a) **Informal route:** A member of Student Services will advise the student to resolve the issue informally. In these circumstances, and if appropriate, it may be necessary for the alleged person to be approached to attempt to resolve the issue. Whilst every effort will be made to achieve a prompt outcome through this informal route, both parties will be expected to cooperate with the University to achieve a satisfactory resolution.

If it is not possible to resolve the issue promptly,, it may be necessary for the issue to be passed to the University Discipline team for an investigation under [Regulation B1](#).

- (b) Formal route:** If the informal approach does not resolve the issue, the matter will be passed to the University Discipline team for an investigation under [Regulation B1](#). Any action taken will normally be done with the student's consent. Any action under Regulation B1 may commence with a risk assessment to consider any potential risks to the individual, their peers and the organisation, and decide if any precautionary restrictions/exclusions are put in place whilst the allegation is being investigated.

The University recognises that it may be necessary to share the outcome of a Risk Assessment Panel and/or discipline investigation to fully resolve the issue. The wellbeing of both parties will be taken into consideration during this process . The University will only share this information on a need to know basis.

Throughout all proceedings, the University will act in compliance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

### **3.4 Student allegation towards a member of staff**

If a student wishes to make an allegation of bullying, harassment or victimisation against a member of staff, the student should contact [Student Services](#) for advice and support. Information for staff can be located on the [Human Resources Policy](#) web pages.

### **3.5 Staff member allegation towards a student**

If a staff member wishes to make an allegation of bullying, harassment or victimisation against a student, the staff member student should contact [Student Services](#) for advice and support. Additional staff support Information can be located on the [Human Resources Policy](#) web pages.