

Student Bullying & Harassment Policy

Scope

All City, University of London students and staff are bound by this policy, irrespective of whether an incident takes place on University premises or elsewhere. The policy covers face-to-face actions, as well as those which take place through non face-to face mediums, e.g. emails, correspondence, social networking sites, text messages, etc.

If a student experiences bullying or harassment from someone that is not a City, University of London student or staff member, separate arrangements may exist to help resolve this issue. Further advice and guidance is provided in the guidance supporting this policy.

This policy will apply for partnership programmes unless equivalent arrangements have been specifically agreed between City and the partner institution, in this instance, details will be set out in the student handbook

Date approved/re-approved

July 2014 (updated July 2019)

Date for review

To be reviewed on a periodic basis, with allowance for minor annual updates of roles and responsibilities by Education and Student Committee, as required

To be read in conjunction

The *If Things Go Wrong* section in the Current Students pages of the University's website

Equality and Diversity statement

City, University of London is committed to promoting equality, diversity and inclusion in all its activities, processes, and culture, under its Public Sector Equality Duties and the Equality Act 2010. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

Where relevant to the policy, decision-making panels will ensure a reasonable gender balance (with at least one man and one woman) and will actively consider representation of other protected groups.

1. PURPOSE AND SCOPE OF THE POLICY

1.1. Introduction

The University is committed to providing a supportive environment that values the diversity of its students, staff and community, and which promotes personal dignity. The University's Strategic Plan¹ sets out organisational values:

"We have an attitude that is professional, ethical, friendly and inclusive, a collegial environment of equality and mutual respect and while committed to our home in London, have an outlook that is truly global."

Harassment and bullying undermine the core values of the University, and can have a serious and negative effect on the health, confidence, morale and performance of those affected by it, and on the working, learning and living environment.

Bullying and harassment behaviours will not be tolerated in the University environment, and may also be unlawful.

1.2. Coverage of this policy

All City, University of London students and staff are bound by this policy, irrespective of whether an incident takes place on University premises or elsewhere. The policy covers face-to-face actions, as well as those which take place through non face-to-face mediums, e.g. emails, correspondence, social networking sites, text messages, etc.

If a student experiences bullying or harassment from someone that is not a City, University of London student or staff member, separate arrangements may exist to help resolve this issue. Further advice and guidance is provided in the guidance supporting this policy.

1.3. The University's approach to student allegations of bullying and harassment

The University takes all reports of bullying and harassment of students extremely seriously, and will manage all reports received with appropriate confidentiality and sensitivity.

As a general principle, the University will maintain confidentiality. Information about the allegations made will only be given to those who strictly need to know about the issues raised. In seeking a resolution, University staff members will need to discuss the allegations with the person about whom they are made. The University will seek to support all individuals in the resolution of genuine concerns, helping students and staff that have been subject to bullying and harassment behaviour to understand the options that are available to them to resolve the issue. Any actions to be taken by the University that arise from the case will be discussed with the student or staff member making the allegations in the first instance, prior to any action being taken.

The University recognises its equal duty of care both to the accuser and the accused. Any allegation of bullying or harassment made cannot be considered anonymously, and must be properly investigated using the appropriate process outlined. In investigating reports, the University will be mindful of the rights of both the person making the allegations, and the person(s) about whom the allegations are made.

Formal investigation of allegations concerning bullying and harassment by students are made via the Student Discipline Regulations, these Regulations also make available sanctions against students about whom allegations of bullying and harassment behaviour are found to be substantiated. Formal allegations made by students of bullying and

¹ City, University of London. 'The City Vision 2016' [online]. Available: <http://www.city.ac.uk/about/cityinformation/the-city-vision> [7th May 2014]

harassment by staff members are submitted via the Student Complaints process and will be referred to the appropriate staff disciplinary procedures if found to be substantiated. Equally, the University can take action against anyone making a vexatious or malicious allegation

The University will fulfil its obligations with regard to reporting incidents to external parties (such as the police, or professional bodies) as appropriate. Individual confidentiality will be balanced with the nature of any risks arising from any circumstances of bullying and harassment. Where unacceptable risks to health, safety or property are perceived, the University reserves the right to take action under this procedure, whether or not the person making the allegation agrees. If such action is necessary, the student will be notified.

Upon receipt of a formal case of bullying and harassment raised by a student or staff member, the University reserves the right to reclassify allegations concerning student discipline as a student complaint, or an academic appeal, if the submission has been made to the incorrect procedure, or the submission falls properly within the remit of one procedure rather than the other.

1.4. Criminal offences

Where behaviour has been alleged that would amount to a serious criminal offence, e.g. physical or sexual assault, a thorough risk assessment should be undertaken by the University as to whether this should be reported to the police. A report should only be made to the police with the consent of the student who has been subject to the criminal offence, unless exceptional circumstances would require otherwise.

In such cases, any resulting criminal proceedings would normally be expected to have been completed before the University will take action under this policy (although suspension via the Student Disciplinary Regulations may be considered appropriate, if necessary).

2. DEFINITIONS OF BEHAVIOUR

2.1. Harassment

The UK Equality Act (2010)² defines harassment as:

“Unwanted conduct ... [which] has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.”

Some examples of harassment include (but are not limited to):

- Remarks, gossip or jokes about an individual;
- Obscene gestures or language;
- The display or electronic transmission of offensive material;
- Physical contact of any kind to which an individual has not consented, or which they have not been given an opportunity to reject (this can range from touching through to serious assault);
- Unwanted attention by any means, including electronic communication such as text messages, email, social media, etc.;
- Following, stalking or spying on an individual;

² UK Parliament. *UK Equality Act (2010), Chapter 15, section 26*. Available: <http://www.legislation.gov.uk/ukpga/2010/15/section/26> [20th March, 2014]

- Seeking advantage over someone by threatening or pressuring them in an unwelcome way;
- Isolation, non-cooperation, and exclusion from professional or social activities.

2.2. Protected characteristics

Harassment can take many forms, and may be based on one or more of the following characteristics which are protected in UK law: Age

- Disability;
- Gender reassignment;
- Marriage or civil partnership;
- Pregnancy and maternity;
- Race;
- Religion and belief;
- Sex;
- Sexual orientation.

2.3. Direct and indirect discrimination

Direct Discrimination occurs when a person is treated on the grounds of a protected characteristic, e.g. their age, gender, race, or sexual orientation, less favourably than others would be treated in the same or similar circumstances. For example:

- Age: Not offering an opportunity to a mature student because it is assumed that they would not be interested.
- Disability: Not offering disabled students the opportunity to participate in an offcampus activity that is available to non-disabled students.
- Gender: Interviewing only female applicants for a degree in engineering because admissions staff believe they need to determine whether they are serious about a career as an engineer.
- Race: Rejecting an application from someone whose name does not sound as though they are 'English' because someone believes that they would not fit within the group.
- Sexual orientation: Not allocating a placement in a Catholic school to a student because they think the student is gay and are worried that the School might be 'uncomfortable'.

Discrimination can occur directly, through the actions of one individual over another, but it can also occur indirectly, as a result of the policy or practise of an organisation that results in less favourable treatment of one particular group of people. For example:

- Only providing course materials in certain formats, which might discriminate against students with visual or hearing impairments.
- Requiring recent experience of having worked in a particular sector as part of the entry requirements for a programme, which may discriminate against female students that have had time out of employment due to having a child.

2.4. Bullying

Bullying is a serious form of harassment, which may be characterised as:

“Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient”³.

³ Advisory, Conciliation and Arbitration Service (ACAS). *Bullying and harassment at work – a guide for managers and employers*. Available: <http://www.acas.org.uk/media/pdf/d/i/Bullying-and-harassment-intheworkplace-a-guide-for-managers-and-employers.pdf> [20th March, 2014]

Some examples of bullying include (but are not limited to):

- Using abusive language;
- Unreasonably removing areas of responsibility;
- Continually ignoring or excluding an individual;
- Deliberately undermining someone through overload and constant criticism;
- Picking on one person when there is a common problem;
- Publishing or defacing material/graffiti that is offensive about an individual or groups;
- Frightening someone with physical or other threats;
- Shouting at or humiliating an individual in front of colleagues, or in private;
- Preventing individual achievement by intentionally blocking training or development opportunities.

2.5. Cyberbullying

Cyberbullying is the term used to define bullying behaviour that takes place via mobile phone or over the internet through emails, instant messaging and social networking websites. Cyberbullying is not carried out face to face, but instead includes sending text, messages or images via the mobile network, or posting on a website, e.g. Facebook, or Moodle, that hurts, intimidates or embarrasses another person. Cyberbullying is no different from any other forms of bullying; the behaviour is the same and the impact is no less devastating for individuals. There are limitations to the action the University is able to take regarding behaviours in virtual environments outside its control, however, the University will seek to provide support to students experiencing cyberbullying.

2.6. Victimization

Victimization occurs when someone is treated less favourably because they have made or supported allegations about discrimination or harassment, or because an individual thinks that they may do so. For example:

- Excluding someone from social situations following a complaint or rumour or a complaint;
- Denying someone the opportunity to participate in an activity/opportunity because they are perceived to be a 'troublemaker';
- Lowering a student's assessment results because they have made or supported a complaint.

Victimization or retaliation as a result of allegations about bullying or harassment being made is unacceptable in the University environment, and may lead to disciplinary action.

2.7. Assessment of 'reasonableness'

Some behaviour can cause offence where none is intended. However, it is more relevant to assess the impact of behaviour on a person affected by it, than the motive behind it. It is relevant to ask:

"Would a reasonable person think that the behaviour amounted to bullying or harassment?"

The University community is expected to take care to anticipate when offence might be caused, and understand that causing such offence would be unacceptable.

A single incident would not normally constitute bullying, but a series of such incidents might do so, particularly where an individual has expressed the dislike of such behaviour or has asked for it to stop. Some behaviour is considered to be serious enough as to be classed as bullying through a single incident, e.g. threatened violence, or the promise of special treatment in return for sexual favours.

3. EXPECTED AND APPROPRIATE BEHAVIOURS

The [City, University of London Student Charter](#) [link to be updated] describes the commitment that staff and students make to each other. It lays out the expectations that students: Expected and appropriate behaviours which will help ensure the City community is free from bullying and harassment include:

- Treating fellow students, staff and visitors to the institution with respect and as equal and valued members of the University community.
- Being aware that people come from different backgrounds and cultures, and acknowledging and respecting differences between people.
- Behaving responsibly in using social media, including remembering that this policy applies to both in-person and electronic interactions.

Additionally, [Information Services](#) and the [Library Service](#) have codes of conduct which govern behaviours around the use of services provided to students. There are also codes of behaviour in place that may be applicable to a specific subject discipline, e.g. professional values, or fitness to practise. These are provided to students by Programme Teams, where applicable.

The [Student Disciplinary Regulations](#) set out how the University will manage issues of student misconduct. Some activities conducted as part of normal University business can be challenging for individuals but would not, of themselves, be considered as bullying & harassment, these include:

- Staff members providing feedback on assessment, or making decisions about the extent to which a student has met assessment criteria.
- Following the University procedure around the investigation of an allegation of bullying or harassment.

City, University of London staff members are expected to:

- Set a good example by treating students and colleagues with dignity and respect. Explain and promote awareness of the University's policy on bullying and harassment to students.
- Help create a climate that discourages harassment, by making it clear that they find such behaviour unacceptable.
- Respond quickly, sensitively and supportively to any student that makes an allegation of harassment.
- Be proactive about taking action to resolve an incident of bullying or harassment of which they have become aware.
- Provide advice to students about the University's procedure for the investigation of bullying and harassment allegations.
- Be clear with students about the University support available to them, referring students for support, where appropriate.
- Maintain confidentiality in accordance with this policy.
- Report any incidents of alleged bullying and harassment to the relevant University staff member.

4. SUPPORT FOR STUDENTS

4.1. University Support

If a student experiences bullying or harassment, advice and support is available from a wide variety of sources:

- Local support within their School:
 - The student's **Personal Tutor** within their academic Department. They may be able offer advice, and can direct their to other specialist University support services.
 - The student's **Programme Director**, or the **Head** of their academic Department, who may be able to help address specific concerns about the behaviour of a student or staff member within their unit.
 - The student's Programme Handbook will also set out other support available in your area, which may include a **Senior Tutor**, or a dedicated staff role for student matters.
- University support:
 - The [Student Centre](#), who can offer general advice about who to contact within the University, or how to approach the process of resolving the issue.
 - The University's [Counselling and Mental Health Service](#), who can help students deal with or manage their response to difficult issues in a productive way;
 - **Harassment Advisers** are University staff members that are able to offer individual support to students by discussing the options available and helping them to understand how they would like to progress matters (*for further information, see the following section*);
 - The [Student Union Support Service](#), who can provide independent guidance and advocacy;
 - The [Learning Success team](#), who can offer advice about adjustments that might be available to help if students have a disability;
 - The University's [Chaplaincy and Faith Advisory Team](#) can offer advice on faith, spirituality and religion.

Any of the above support systems can be accessed at any point, regardless of whether a case is proceeding through the University's formal review processes. The University encourages students to seek support from any of the above sources that they consider appropriate, and will seek to highlight support available when instances of bullying or harassment are reported.

4.2. Harassment Advisers

Harassment Advisers are volunteers that are able to offer support to staff and students, to discuss the options open to them and help them determine how they would like to progress matters. Harassment Advisers will not make decisions for the student or staff member, nor take up the role of investigator. They will conduct meetings in keeping with the principles of privacy, sensitivity and confidentiality, and will be non-judgemental in their approach. They will encourage the person to come to their own decision regarding how they would like to proceed.

Harassment Advisers are not intended to take the place of professional counsellors, but they can offer a form of counselling on a voluntary basis, normally during office hours. Serious cases raised by students will be referred to the Student Counselling service, and staff members may seek advice from Human Resources.

Where allegations of bullying and harassment have been referred by a School/Professional Service unit for support from a Harassment Adviser, the Adviser will provide an appropriate level of advice on the progress of their discussions with the parties involved as far as they are able without breaching confidentiality.

4.3. External Support

There are a number of external agencies that offer help or crisis support, particularly outside of normal office hours:

- **Nightline** is a listening support and information helpline run by students for students. It offers non-judgemental, confidential listening support no matter what the caller's situation is, and is open every night of term between 6pm and 8am. <http://www.nightline.org.uk/>, Tel: **020 7631 0101** (6pm-8am)
- **Samaritans** is a UK charity which provides confidential, non-judgemental emotional support to anyone feeling distress or despair, including suicidal thoughts. <http://www.samaritans.org/>, Tel: **0845 790 9090**
- **MIND** is the leading health charity in England and Wales. Their website contains many fact sheets on a broad range of topics, and provides tips for coping in various situations as well as more practical resources. <http://www.mind.org.uk/>, Tel: **0300 123 3393** (weekdays 9am - 6pm)
- **ULifeline** is an American website which describes itself as an online resource centre for college student mental health and emotional wellbeing. It has a very useful 'get the facts' section, as well as students' personal stories of their struggles. <http://www.ulifeline.org/>
- **Rape Crisis** provides crisis and long-term specialised support, counselling and independent advocacy for women and girls of all ages who have experiences any form of sexual violence at any time in their lives; whether recently and/or in the past. www.rapecrisis.org.uk, Tel: **0808 802 9999** (12 - 2.30pm, and 7 - 9.30pm)
- **Victim Support** provides a free counselling service for victims of crime. <http://www.victimsupport.com/>, Tel: **0845 30 30 900**
- **London Lesbian and Gay Switchboard** provides free and confidential support and information to lesbian, gay, bisexual and transgendered communities throughout the UK. www.llgs.org.uk/, Tel: **0300 330 0630** (Daily 10am-11pm)

5. STUDENT BULLYING AND HARASSMENT BY A THIRD PARTY

5.1. Third Party Local Procedures

It is possible that students could experience harassment or bullying from someone that is not a member of the University's student or staff body. For example, this could occur during their course whilst on an academic placement, or by someone at a third-party halls of residence provider. More information about these specific areas is provided below.

The University has processes in place to assess the suitability of the organisations that it works with, to ensure that students are kept safe and that organisations are able to meet their obligations. The review of allegations about individuals involved with a third party should normally be undertaken in the first instance through that organisation's local complaints procedure. Where the behaviours being complained about could result in disciplinary action against an individual, this gives the organisation with responsibility for the person and the resolution of the complaint an early opportunity to review and respond.

5.2. The circumstances of incidents involving a third party can be complex, especially so if there is a contractual relationship with the University. Where an incident has taken place at a third party organisation, the most relevant person to determine how the University can best provide support would normally be expected to be the person with responsibility for the University's relationship with the third party concerned. For example:

Independent Halls of Residences: **City, University of London Accommodation Team**
Student Centre, University building (Level 2) Placement provider: The **Placement Coordinator** for your programme.

Placement Co-ordinators, Personal Tutors, Advisors in the Student Centre (and other individuals depending on the service) will be available to provide advice and guidance, and should be contacted if students have any concerns about the outcome of an investigation into allegations conducted by the third party. Students are encouraged to make use of the University's support services outlined above.

5.3. Halls of Residence Providers

If a student is experiencing bullying and harassment by someone at a third-party Halls of Residence provider, they should talk to a member of the Halls staff in the first instance. The University has a number of different halls of residence providers, and the processes to review and resolve cases will vary between halls of residence. A member of staff from the relevant Hall of Residence will be able to advise on the provider's process to resolve a dispute with a fellow tenant, or to make a complaint.

Dependent on the circumstances of an issue, the University's Accommodation team within the Student Centre may be able to support students by:

- Providing advice on who best to talk to within the Halls of Residence;
- Enable informal discussions with a Halls staff member to clarify the complaints process, or to ensure that a complaint is handled appropriately;
- Requesting updates on the progress of a Halls provider's review of a complaint;
- Reviewing options with the student to consider alternate accommodation arrangements, if appropriate.

5.4. Students on Placement

Individual placement providers will have their own procedures for investigating alleged instances of bullying and harassment, and students are encouraged to report their concerns with the provider. They may be able to discuss the issue informally with the host organisation's placement supervisor to check their policies/processes for complaints. Although a student might choose to withdraw from a placement on the grounds of harassment, they may still be required to meet the academic obligations or the participation requirement of the placement activity, e.g. to demonstrate a professional attitude in the workplace environment, or to complete a specific period of practise that is a requirement for registration with a professional body.

Support for students will be available from the University staff member that has responsibility for the establishment and management of the placement. Dependent on the circumstances of an issue, the Placement Officer/Coordinator will be able to support students by:

- Providing advice on who best to talk to within the Placement provider organisation;
- Enable informal discussions with the appropriate staff member within the Placement provider to clarify the complaints process, or to ensure that a complaint is handled appropriately;

- Requesting updates on the progress of a Placement provider's review of a complaint;
- Reviewing options with the student to consider alternate arrangements with the existing or another Placement provider, if feasible.

The host organisation's Placement Supervisor may also be able to suggest specific actions to resolve the issues, and may be able to mitigate any influence that an alleged harasser has over the grading of a student's work if relevant, e.g. to prevent victimisation.

If students are considering withdrawing from a placement, they should talk to someone at the University before doing so. This should be to the Placement Coordinator, or to their Programme Director or Personal Tutor, as soon as they can after an incident has occurred to review the available options with the student.

6. OTHER INFORMATION

6.1. Fitness to Practise

Some programmes within the University are regulated by professional and statutory bodies (PSRBs). In such programmes, students are normally required to demonstrate that they have the good character to be able to carry out their professional role safely and effectively as part of the learning outcomes for their programme.

Bullying and harassment behaviours may constitute a 'lack of professionalism', as defined in

'Fitness to Practise' procedures. These will have been provided to students by their Programme Team, if relevant, along with any specific School policies, information or forms that are relevant.

6.2. Bullying of University Staff Members

If staff members have been subject to bullying and harassment behaviours, by either another staff member or a student this can be managed through the University's [Harassment and Dignity at Work policy](#) noting that this Policy and accompanying procedures may also be referred to in cases of alleged bullying and harassment by a student and that all formal investigations of allegations involving a student would be undertaken via the Student Discipline Regulations and not via the Grievance Procedure. More information about this process for staff members can be found on the Human Resources website.