

Bullying and Harassment Policy and Procedures
(Students)

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Bullying and Harassment Policy and Procedures (Students)

1 Scope

- 1.1 This policy should be used where a student considers they have been bullied or harassed by:
- a member of staff
 - a student
 - a third party (such as a contractor)
- 1.2 Where a complaint of harassment and bullying is made by a student against a member of staff the matter will also be referred to Human Resources where appropriate.
- 1.3 Where the student is also an employee, Student and Academic Services will work collaboratively with Human Resources to address the issue.
- 1.4 It is normally expected that a student who is experiencing bullying or harassment will raise a complaint themselves. However, where another student or member of staff becomes aware of bullying or harassment they may raise a complaint. It does not matter that the person raising the complaint is not the person being bullied or harassed.

Where to take complaints about Bullying and Harassment at University

| Who is complaining? | Which policy? | Notes |
|--|--|--|
| Student raises a complaint about another student | The student should raise the matter with a member of their faculty or the listening ears service who will raise the matter with Student and Academic Services as provided for below. | Subject to confidentiality and Data Protection requirements, the student will be informed of the outcome of their complaint. |
| Student raises a complaint about another student who is also an employee | The student should raise the matter with a member of their faculty or the Listening Ears service who will raise the matter with Student and Academic Services as provided for below. | Student and Academic Services will raise the matter with Human Resources |
| Student raises a complaint about a lecturer or other | The student should raise the matter with a member of their faculty or the | Student and Academic Services will raise the |

| | | |
|---|--|---|
| member of university staff, contractor or agency worker | listening ears service who will raise the matter with Student and Academic Services as provided for below. | matter with Human Resources. |
| A lecturer or other member of University staff complains of harassment by a student or students | The member of staff should raise this with their Faculty or Directorate who should alert Human Resources. | Subject to confidentiality and Data Protection requirements, the lecturer or other member of University staff will be informed of the outcome of their complaint. |
| A member of staff wishes to formally complain about another member of staff | Not covered by this policy. Colleagues should consult the Staff Bullying and Harassment Procedure. The member of staff should raise this with their Faculty or Directorate who should alert Human Resources. | In all cases Human Resources should be alerted |
| A member of staff wishes to complain about a contractor or agency worker | Not covered by this policy. Colleagues should consult the Staff Bullying and Harassment Procedure. The member of staff should raise this with their Faculty or Directorate who should alert Human Resources. | In all cases Human Resources should be alerted |

2 Aims

- 2.1 The University is committed to creating an environment which is free from harassment, discrimination and bullying. This policy aims to ensure students are able to challenge behaviour which does not respect the rights and dignity of others and to raise genuine complaints about harassment, discrimination or bullying without fear of victimisation.
- 2.2 The procedure aims to ensure that a fair, constructive and consistent approach is taken when dealing with student concerns and that issues are resolved as fairly and promptly as possible.

3 Policy

- 3.1 The University has a policy of zero tolerance to bullying and harassment. Failure by staff members and students to respond appropriately when they become aware of bullying or harassment will be regarded by the University as a failure to take reasonable steps to prevent this kind of behaviour.

- 3.2 The University encourages students to raise any concerns they may have about harassment, discrimination or bullying. However, it is important to distinguish such incidents from other behaviour for example vigorous academic debate or where concerns are raised about a student's attendance and academic performance.
- 3.3 It is a University responsibility to raise with students any performance or conduct issues where improvement is needed. This needs to be carried out in a reasonable manner, designed to support and encourage and not to undermine or injure the recipient. Feedback should be constructive.
- 3.4 Many issues can be resolved informally and this approach is encouraged wherever possible.
- 3.5 The matter should normally be raised without unreasonable delay, i.e. as soon as it occurs, or comes to light or within three months of the most recent episode.
- 3.6 Where matters cannot be resolved informally, allegations will be investigated and formal action taken as appropriate.
- 3.7 In some cases where concerns have come to the attention of members of staff or students, the University may decide to take formal action even where an individual is themselves unwilling to pursue the matter formally. In such cases the student(s) concerned will be informed of this.
- 3.8 Those participating in a Bullying and Harassment may contact the Students' Union for guidance and may be accompanied at the meeting by an adviser from the Students' Union or by a friend/supporter of their choice (such person may not attend in a legal capacity).
- 3.9 The outcome of the Bullying and Harassment meeting will be advised to the person who raised the complaint and the person complained about, subject to any confidentiality requirements.
- 3.10 All parties involved in a bullying or harassment matter must exercise due care to maintain confidentiality. Records must be stored in line with Data Protection requirements. All concerns raised will be dealt with sensitively and no sensitive personal information will be shared without consent, except where there is an unacceptable risk to an individual, others, or to the University.
- 3.11 Electronic recordings of meetings are not permitted.

4 Definition of harassment, discrimination, victimisation and bullying

- 4.1 Harassment, discrimination, victimisation and bullying are unacceptable on moral grounds. There are also legal requirements and obligations.

When deciding whether bullying or harassment has occurred, the impact on the individual and whether the behaviour is unacceptable by normal standards will be the focus, rather than the motive or the intent.

4.1.1 Harassment, bullying and discrimination can occur in various ways, for example:

- Amongst students
- Students – against their lecturer
- Academic staff – against a student
- Towards a third party or by a third party - such as a contractor or visitor
- Face to face or in writing, electronically (e.g. texts or emails) or via social media (e.g. Facebook, Twitter, Snapchat, Instagram).

4.2 Harassment

4.2.1 Harassment and discrimination on the grounds of a protected characteristic (see 6.1 below), as well as victimisation, are unlawful under the Equality Act 2010. Some types of harassment also constitute a criminal offence under the Protection from Harassment Act 1997. This has legal implications for the perpetrator as well as the University.

4.2.2 Harassment as defined in the Equality Act, is unwanted conduct related to a relevant protected characteristic, 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. It can be persistent or an isolated incident.

4.2.3 Harassment by association or perception: an individual can be harassed on the grounds that he or she is related to, or associates with, someone with a relevant protected characteristic. Individuals may also be subject to harassment on the grounds of a mistaken perception that they have or do not have a protected characteristic.

4.3 Bullying

4.3.1 Bullying may be characterised as offensive, intimidating, persistent malicious or insulting behaviour, an abuse of power to undermine, humiliate or injure the recipient.

4.4 Discrimination

4.4.1 Discrimination occurs when a person is treated less favourably for a reason related to a protected characteristic under the Equality Act. These characteristics are:

- Age
- Disability
- Gender reassignment

- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

4.5 **Victimisation**

4.5.1 Victimisation occurs when a person is treated less favourably because they have asserted their rights to raise a complaint under this policy. This also applies to those who have acted as witnesses or supporters of individuals who complained of harassment or bullying.

5 **Examples of Bullying and Harassment**

5.1 Behaviour that is considered bullying by one person may not seem so to another. The key is in how the behaviour is perceived, not the intent of the person who does it. The examples of bullying and harassment given below are illustrative.

- Asking for sexual favours
- Spreading malicious rumours, or insulting someone by word or behaviour
- Copying memos that are critical about someone to others who do not need to know
- Ridiculing or demeaning someone - picking on them or setting them up to fail
- Exclusion or victimisation
- Unfair treatment
- Unwelcome sexual advances – standing too close, display of offensive materials.

Harassment

Harassment based on personal attributes may include:

Sexual Harassment, for example; sexually provocative looks, remarks or jokes, comments on appearance, displaying offensive images in posters or screensavers, inappropriate texting or emailing.

Racial Harassment, for example; derogatory name-calling, insults, reference to skin colour, racist jokes, ridicule for cultural difference, verbal abuse.

Disability Harassment, for example; not recognising competencies, drawing attention to disability or personal appearance, jokes, ignoring.

Ageist Harassment, for example; denigrating competencies, patronising, ridiculing, marginalising, leaving people out of social activities.

Sexual Orientation Harassment, for example; homophobic jokes or remarks, displaying or circulating homophobic or anti-gay materials, threats to disclose sexual orientation or disclosing sexual orientation without permission, ridiculing civil partnerships.

Religion or Belief Harassment, for example; not supporting religious requirements such as prayer, offensive remarks and jokes, ridiculing religious requirements in dress.

Gender Reassignment Harassment, for example; ridiculing dress and personal appearance, offensive jokes and remarks. Harassment can include persistent refusal to refer to the student by their correct name or gender, having been asked to do so.

The above list of examples is not exclusive or exhaustive; harassment can occur on the basis of any personal attribute that makes the individual different from the 'majority', or from the person who harasses him/her.

6 Impact of bullying, harassment or discrimination

6.1 The potential impact bullying, harassment or discrimination includes:

- Poor morale
- Reduced efficiency
- Increased feelings of stress and higher sickness absence
- Effects on Student retention and attainment
- Legal action

It is therefore the responsibility of all members of the University to encourage issues to be addressed.

Procedures to be followed where a student considers they have been bullied or harassed.

1. Informal Resolution

- 1.1. Complaints can often be resolved at an informal level. The individual concerned may not realise that their behaviour is unwelcome or upsetting. There may be cultural or language differences which impact on their behaviour or how it is perceived. An informal discussion may help them to understand the effects of their behaviour so that they agree to change it.
- 1.2. Informal and amicable resolution of issues is usually much easier if matters are raised without delay.
- 1.3. Students may find it helpful to keep a diary of the instances of harassment or bullying to which they believe they have been subjected. It is important to note the date, time and place of the incident, exactly what was said or done, the context in which it was said or done, how it made them feel and what action was taken (if any). The names of any witnesses should be noted and relevant documents retained.
- 1.4. Mediation should be considered at informal and formal stages.

2. Raise the issue direct with the person/s concerned

- 2.1. Where the student feels able to do so they should speak to the person or persons directly, without delay, giving examples of the behaviour they find unacceptable and asking for it to stop.
- 2.2. The student should keep a record of the date they spoke to the person and their response.
- 2.3. If the student does not feel able to speak to the person or persons directly, they may prefer to write to them, outlining the behaviour they find unacceptable, together with example(s), and asking for the behaviour to stop. The student may wish to add that if the unacceptable behaviour continues, that they intend to take the matter further using this procedure (see 5.1)

3. Speak to someone else about the issue

- 3.1. If the student does not feel able to speak to or write to the person complained about, they can discuss the matter with another appropriate person (see below). It is important to note that whilst issues will be treated with sensitivity, once a member of staff is aware of an allegation of bullying, harassment or discrimination they are obliged to take appropriate action. Such action as may be appropriate will be discussed in advance with the person who believes they have encountered bullying, harassment or discrimination, who will be offered appropriate support.

3.2. If the student does not feel able to speak to or write to the person complained about directly they can speak with a member of their faculty or a Listening Ear representative who can then refer the matter to the Director of Student and Academic Services or their nominee.

4. Participate in an informal meeting

4.1. The Director of Student and Academic Services or their nominee will normally seek to support an informal resolution of the concerns. This may take the form of arranging an informal meeting with both parties (with their consent) and a member of Student and Academic Services (SAS) to discuss the matter openly, or alternatively facilitating a resolution by speaking to both parties individually. Where such meetings are arranged, the person complained about will be informed in advance of the allegation in order to give them a fair opportunity to respond.

4.2. Students may contact the Students' Union for guidance and may be accompanied at the meeting by an adviser from the Students' Union or by a friend/supporter of their choice (such person may not attend in a legal capacity). See section 10 for information on accompaniment.

4.3. The SAS nominee should make a written note and/or send an email to the student summarising the outcome of the discussion. This should be retained by the SAS nominee and the student. For the avoidance of doubt this should clearly state the matter was discussed at an informal stage.

5. Formal Stage

5.1. Wherever possible and appropriate informal resolution is encouraged. However, it may also be that that informal resolution will not be appropriate. Where this is the case, or where informal resolution has not been possible, the complaint should be raised formally in writing without delay.

5.2. Normally the formal written complaint should be submitted to the Director of Student and Academic Services. If the matter referred is considered to be an issue of conduct then the matter may be immediately referred to the Student Disciplinary or Sexual Violence Strategy procedures where appropriate. (Also please see 7 on suspension.) If the matter involves a member of staff or a contractor the matter will normally be referred for consideration by Human Resources also and the appropriate staff policy followed.

5.3. An investigator and note taker will be appointed by the Director of Student and Academic Services. When appointing individuals to carry out roles in the process, every effort will be made to avoid a conflict of interest. If the student believes this to be the case they should raise it with the Director of Student and Academic Services immediately.

5.4. The written complaint should set out the nature of the issues, including relevant facts, names and dates, so that the matters can be investigated.

The student raising the complaint should state the desired outcome/s sought providing specific suggestions on how they feel it may be resolved.

5.5. If the investigator considering the written complaint believes that it may still be possible for the matter to be resolved without recourse to formal action, they may suggest further measures to address the matter informally. This does not, however, prevent the student from pursuing the formal procedure if they wish to do so.

5.6. Mediation should be considered at informal and formal stages.

6. Investigation at the formal stage

6.1. Appropriate investigation will be carried out before reaching a decision. The investigation will normally involve interviewing the student, the person complained about and any witnesses, and reviewing any relevant documents. Students are expected to co-operate fully and promptly. They may be accompanied at investigation meetings if they wish; see section 10 for information on accompaniment.

6.2. Investigations will not normally include historic issues which were not raised at the appropriate time, i.e. within three months of the occurrence, or matters which were previously investigated. However, where the behaviour complained about is part of a pattern, older incidents may be investigated to the extent where it is reasonable and practical to do so.

6.3. Any person appointed to conduct an investigation will not be involved with the people or issues concerned.

6.4. Whilst it can be difficult to determine a fixed timescale for conducting an investigation, especially in complex cases, where possible the investigator should set out an indicative timescale and keep the student advised of progress and any delays.

6.5. The University will treat the written complaint sensitively and maintain strict confidentiality as far as possible. Investigation of allegations will normally require limited disclosure on a “need to know” basis. For example, the identity of the individual concerned and the nature of the allegations will be shared with the person complained about so that they are able to respond to the allegations. Some details may need to be given to potential witnesses; where this is necessary the importance of confidentiality will be emphasised.

6.6. Where “counter-claims” are received, i.e. where the person complained about considers the behaviour of the person raising the complaint amounts to harassment, discrimination or bullying, the terms of reference for the investigation will be extended to cover these claims.

6.7. The investigator will investigate the facts, write a report and then submit it to the Director of Student and Academic Services (or their nominee). The investigator will ensure their report is written objectively. The investigator

does not make a recommendation as to the outcome. The investigator will not restrict evidence from the report, although any sensitive data will not be shared without consent of the individual concerned.

6.8. The student and the student complained about will be provided with a copy of the report subject to confidentiality and the Data Protection Act.

7. Suspension

7.1. In certain circumstances the Director of Student and Academic Services (or their nominee) may need to consider if it is necessary to suspend a student from their studies on a precautionary basis. The Vice Chancellor (or their nominee) must consider any proposed suspension. Where a precautionary suspension is authorised this will be for a stated period of time. Any extension or removal from precautionary suspension will be monitored by the Directors office of Student and Academic Services. Any extension or removal of suspension must also be considered for approval by the Vice Chancellor (or their nominee). The Student may appeal against the terms of their suspension in writing to the Vice Chancellor (or their nominee)

7.2. Alternatives to suspension should always be considered. For example it may be possible to move the student to another seminar group or limit their activities on site. Consideration will be given to whether it is appropriate to move the person who has raised the complaint or the person complained about.

7.3. The following circumstances are examples of where suspension may be appropriate:

- The allegations are also a criminal offence; the matter will then be considered under the Student Disciplinary Procedures.
- There is a perceived threat to security or risk to evidence, witnesses or the safety or well-being of the student or others should they remain at University.

7.4. The Director of Student and Academic Services (or their nominee) and a note taker will meet with the student to advise them of the precautionary suspension. Where this is not possible a record of the meeting will be provided to the Student within 24 hours of the meeting taking place. SAS will notify the student of the requirement to attend a meeting and students may contact the Students' Union for guidance and may be accompanied at the meeting by an adviser from the Students' Union or by a friend/supporter of their choice (such person may not attend in a legal capacity). See section 10 for information on accompaniment.

7.5. In exceptional circumstances, following consultation with the University Secretary it may be necessary to advise the student of their precautionary suspension over the telephone or in writing. Where this has been communicated by telephone only the suspension must be confirmed in

writing within 24 hours, giving brief details of the reasons, an indication of the period of suspension and details of contact arrangements.

- 7.6. Suspension must be kept as confidential as possible. Great care must be taken before making any announcement about the status and whereabouts of a student when they have been suspended from the University. In this respect, the Director of Student and Academic Services (or their nominee) will advise the student's faculty that the student has been suspended and any relevant terms of the suspension. If the student is also an employee Human Resources will also be informed of the suspension and any relevant terms or appropriate subsequent actions.
- 7.7. The student must be kept informed of the likely period of suspension and any delays. Any extension must be confirmed in writing to the student. Suspension should be kept to as short a period as is reasonably practical to carry out an investigation. The suspension must be kept under review and the student permitted to return to University if it becomes apparent the allegations are unlikely to be substantiated or the original reasons for suspension no longer apply.

8. Procedures for a Formal meeting

- 8.1. The Director of Student and Academic Services (or their nominee) will hear the complaint and will have a note taker present.
- 8.2. Where necessary the investigator will be available in order to provide clarification on their investigation.
- 8.3. The Student who has raised the complaint will be given at least 10 working days' notice of the formal meeting. Any additional information to be submitted which is not already available in the investigation report should be sent to the Director of Student and Academic Services (or their nominee) hearing the case no later than three working days before the meeting.
- 8.4. If it is proposed to invite the person complained about to attend the meeting, they will also be given 10 working days' notice. In the event that witnesses are to be called, advance notice must be given. A note-taker will also attend. The Director of Student and Academic Services (or their nominee) hearing the case will normally be responsible for making the necessary arrangements.
- 8.5. The student will be given an opportunity to set out their complaint as well as ask questions and raise points about information provided by any witnesses. Guidance is given at appendix 2 on holding a formal meeting. The student who raised the complaint and the person complained about will not normally attend the meeting simultaneously.
- 8.6. The formal meeting will be adjourned to allow consideration of all the evidence before reaching a decision. Potential outcomes from a formal meeting are that the complaint is:

- upheld
- partially upheld or
- not upheld.

8.7. Minutes will be provided as soon as possible and normally within 10 working days of the meeting. Minutes are not verbatim but are a summary. The student can ask for corrections to the minutes. If the requested amendments are not made, their comments will be appended to the minutes.

8.8. The decision from the meeting will be advised to the person who raised the complaint and the person complained about. Where possible a decision should be provided on that day.

8.9. Where a complaint is not upheld it will normally be desirable for the decision to be communicated face-to-face to the student who raised the complaint. In any case the decision will be sent in writing, normally within five working days. In the event of any delay, the parties to the complaint should be kept informed.

8.10. Where a decision is upheld or partially upheld the matter will normally be referred for consideration under the Student Disciplinary policy. Where this is the case, the Bullying and Harassment investigation report will serve as the investigation report for the disciplinary panel and first stage of the process.

9. Appeals

9.1. If the student who raised the complaint disagrees with the outcome of the Bullying and Harassment at University meeting they can appeal. The appeal must relate to the decision taken at the formal Bullying and Harassment at University meeting. Grounds can include, but are not limited to:

- failure to follow the Bullying and Harassment at University procedure
- new evidence has come to light which should be considered
- that the original decision was unreasonable

9.2. The student must submit any appeal they wish to make in writing to the Director of Student and Academic Services (or their nominee), within 10 working days of receiving the written decision and set out their grounds of appeal. Any additional documentary evidence to be submitted must be provided no later than three working days before the appeal meeting. The original documentation from the formal hearing will be made available to the person undertaking the appeal.

9.3. The appeal will be heard by a senior colleague outside of the Directorate of Student and Academic Services who is not involved with the people or issues concerned and who is at an equivalent grade or senior to that of the original investigator. A note-taker will also attend. The manager hearing the appeal should make the necessary arrangements.

9.4. The outcome of the appeal will be confirmed in writing, normally within five working days of the appeal hearing. Following delivery of the appeal decision there is no further right of appeal and the student will receive a completion of procedures letter.

10. Accompaniment

10.1. A student has the right to be accompanied at an investigation, informal meeting, formal meeting or appeal by an adviser from the Students' Union or by a friend/supporter of their choice (such person may not attend in a legal capacity). A companion should not answer questions on behalf of the student but may make representations and ask questions. The student and companion may talk privately at any time during the meeting. The chosen companion must not be otherwise involved with the case.

10.2. If the chosen companion is not available at the time offered, the student can request that the meeting is postponed to an alternative time provided this is not more than five working days after the original date.

10.3. Where a witness is asked to attend they may be accompanied at the meeting by an adviser from the Students' Union (if they are a student) or by a friend/supporter of their choice (such person may not attend in a legal capacity).

11. Support

11.1. Those involved in a bullying and harassment complaint will have access to appropriate support at all stages of a complaint. They will be signposted to appropriate sources of support within the university and to external organisations as appropriate.

12. If a complaint is made against you

12.1. Students are expected to respond appropriately if an individual raises a concern about their behaviour. An apology or assurance that the behaviour will not be repeated may be all that is needed to deal with the situation.

12.2. The University recognises it can be distressing and stressful to be accused of bullying and/or harassment. If a student is approached and told their behaviour could be construed as bullying or harassment, they should be prepared to listen patiently and calmly. Whilst it may be upsetting, they should allow the other student to express their concerns and then try to reach common ground to remedy the situation. The student should not ignore the complaint because it is felt the person was being too sensitive or the behaviour was intended as a joke. It is often helpful to seek clarification about what aspects of behaviour were felt to be unacceptable and to discuss ways forward together.

12.3. The University acknowledges that an alleged harasser or bully is not necessarily blameworthy and will ensure that appropriate support is available to them

13. Unwarranted complaints

13.1. The University will not tolerate victimisation of a person for making allegations in good faith or someone who has supported, in good faith, a person who has raised a complaint. However, if there is evidence that allegations of harassment, discrimination or bullying have been made vexatiously, maliciously or frivolously or that false information has been provided, disciplinary action will be taken. Vexatious complaints themselves can be a form of harassment.

14. Criminal Offences

14.1. If a student experiences unwanted physical contact, intimidation or stalking they should seek appropriate advice/ assistance immediately. It may also be that some actions will constitute a criminal offence. The University also has trained sexual violence liaison officers who can be contacted for advice and information. If an investigation is undertaken, the University will facilitate the Police enquiry wherever possible.

14.2. If a criminal investigation is underway the matter should be referred to the University Secretary who will make a decision as to whether to pursue the complaint in parallel with the criminal investigation, or whether the complaint shall be held in abeyance until the criminal investigation is concluded. Where it is decided that the complaint may go ahead at the same time this would normally be under the Student Disciplinary or Sexual Violence Strategy Procedures where appropriate.

15. Summary of timings

15.1. If a student wishes to raise a complaint formally under this procedure this should be submitted within reasonable time, meaning as soon as it becomes evident that it has not been possible to resolve the matter informally.

15.2. Following a completed investigation a formal meeting should be arranged within 10 working days. If exceptionally there is an unavoidable delay in hearing the complaint, any delay must be kept to a minimum and the person hearing the case or appeal should keep the student informed.

15.3. The student will be given at least 10 working days' notice of the meeting or the appeal date.

15.4. Any additional information for consideration, which is not already available in the investigation report, should be submitted no later than three working days before the meeting.

15.5. If circumstances beyond the control of all concerned prevent a meeting (or appeal) from taking place in a timely way, consideration will be given to appointing alternative people to hear the case.

- 15.6. Where a student is persistently unable or unwilling to attend a formal meeting without good cause, a decision will be made on the information available; this may include a written submission. In these circumstances the student will be informed in advance in writing.
- 15.7. Any appeal should be submitted in writing to the person named in the decision letter within 10 working days of receiving the written decision.
- 15.8. Where the relevant information is available, it may be possible to provide a decision verbally on that day. In any case the decision will be provided in writing within five working days following the meeting.

16. Relationship with other policies

- 16.1. Where an investigation or initial report of the alleged offence indicates that the conduct of a student is a disciplinary matter, the case will be taken forward for consideration under the University's Disciplinary Policy and Procedure or the Sexual Violence Strategy procedures where appropriate.
- 16.2. If a student raises a complaint of harassment, discrimination or bullying during the formal stages of the Fitness to Study or Fitness to Practice hearing, a formal meeting may be temporarily suspended in order to deal with the complaint. Where the harassment, discrimination and bullying complaint and capability concerns are related it will normally be appropriate to deal with the issues concurrently.
- 16.3. Each case will be considered on an individual basis, taking into account the need to provide a fair process without unduly delaying or indeed duplicating formal processes.
- 16.4. There are professional and ethical reasons for staff and students to maintain appropriate professional relationships. The University's policy in this area is made clear in the Policy on Relationships Between Staff and Students.
- 16.5. Reasonable adjustments for disability will be made available to people as appropriate to allow them to participate fully in the procedure.
- 16.6. The University will take all reasonable steps to ensure that external organisations providing placement opportunities for members of the University community have policies and procedures in place to prevent and deal with issues of harassment and bullying. Any student who is subject to harassment or bullying in such a situation will be supported appropriately by the University.

17. Policy and procedures review

- 17.1. The University will keep this policy and procedure under review through the University Student Experience Committee.

Contacts and Related policies and procedures

Listening Ears Network

<http://www2.gre.ac.uk/study/support/counselling/listening-ears>

Student Centres

<https://www.gre.ac.uk/student-services/student-centres>

Sexual Violence Liaison Officers

Monday to Friday 9am-5pm

020 8331 7875

Student Unions

Greenwich Student Union (GSU) Avery Hill and Greenwich Maritime

<https://www.greenwichsu.co.uk/advice/>

GK Unions -Greenwich and Kent Student Unions Together -for students based at the Medway Campus

<https://www.gkunions.co.uk/advice/aboutus/>

Policies and strategies

Health, Wellbeing and Fitness to Study Policy

<http://www2.gre.ac.uk/current-students/regs>

Fitness to Practice Procedure

<http://www2.gre.ac.uk/current-students/regs>

Student Disciplinary Policy

<http://www2.gre.ac.uk/current-students/regs>

Sexual Violence strategy

<https://www.gre.ac.uk/student-services/regulations-and-policies>

The Mediation Process

Mediation is a neutral, non-confrontational meeting where ground rules are agreed at the beginning of the discussion (e.g. confidential, constructive).

The mediator – the third-party present at the meeting – has the role of impartial, non-judgemental facilitator to assist with the discussion. Mediators are trained and do not express views about how to handle a specific conflict but help the parties to find an agreement between themselves.

Key principles of mediation are that the meeting is:

- ❖ in a neutral location;
- ❖ it is engaged in voluntarily by the two parties;
- ❖ the discussion is confidential;
- ❖ it is conducted in a respectful way.

The process is:

- a) The mediator meets individually with each party to listen to and understand any concerns and to explain how the meeting will be conducted.
- b) The two parties meet together with the mediator to give the opportunity to raise individual issues/goals in a safe and structured environment, and for these to be addressed.

Any outcomes or actions are subject to agreement by both parties. Normally these are recorded in writing.

Guidance on the procedure at a harassment and discrimination meeting

- Introductions
- Whilst the meeting is of a formal nature, the sensitivity of the concerns is acknowledged. Every effort should be made to take account of the emotional state of all parties. Adjournments should be offered as appropriate to enable people to compose themselves before proceeding.
- The student who raised the complaint and the person complained about will not normally attend the meeting simultaneously. However, where all parties wish to be present at the same time, this may be agreed.

The person hearing the case will:

- state roles of those present
- remind those present that electronic recording of the meeting is not permitted
- check that those present have the same documents
- check student has read the Bullying and Harassment at University policy and procedure
- state whether an investigator will be asked to present investigation findings or is available for clarification
- confirm whether witnesses will be called (it will not normally be appropriate for the recipient of the alleged treatment to be present at the meeting at the same time as the person complained about)
- read or summarise the complaint

The student (or companion if the student so wishes) may:

- explain their complaint in their own words if they wish
- refer to evidence and ask questions, including questions about witness statements
- sum up (this can be at the end of the meeting if preferred)

The companion:

- may not respond to questions on behalf of the student or prevent the student from answering

The person hearing the complaint will:

- ask questions
- summarise their understanding of what is being presented
- summarise their understanding of the resolution that the student is seeking
- check if the student has anything to add

The person hearing the complaint will:

invite the student complained about to join the meeting (normally the student raising the complaint will be asked to leave at this point)

- summarise their understanding of what is being presented
- invite the person complained about to respond
- ask questions
- check whether the student has anything to add
- advise of next steps including proposed timescales
- advise that confidentiality must be maintained

The person hearing the complaint will:

- invite the student raising the complaint to return to the meeting (normally the student complained about will be asked to leave at this point)
- advise of next steps including proposed timescales
- advise that confidentiality must be maintained
- advise whether the meeting will be reconvened to deliver the decision in person
- advise that the decision will be provided in writing as soon as possible following the meeting
- adjourn to consider and reach a decision

Bullying and Harassment Procedure Flowchart

