



Student Harassment Policy

Effective August 2016 August

2018

**STUDENT REGULATIONS
AND POLICIES**

uclan.ac.uk/studentcontract

UNIVERSITY OF CENTRAL LANCASHIRE

Student Harassment Policy

The University values and respects all students and is committed to providing an inclusive and supportive student experience for all.

Our values and vision are set out in the [Equality and Diversity policy](#) and [Student Charter](#). They detail the rights and responsibilities we all have as members of the UCLan community. Every student has a personal responsibility to comply with these policies and to treat fellow students, staff and visitors with dignity and respect.

Bullying, harassment and victimisation are not tolerated and allegations will be taken seriously, considered carefully and acted upon appropriately.

1. Definitions

Key definitions (based on definitions from ACAS).

Under The Equality Act (2010) and The Public Sector Equality Duty the University has a legal duty to take proactive steps to combat victimisation and harassment.

People can be subjected to harassment or bullying on a wide variety of grounds, including in relation to the following 'protected characteristics':

- Age
- Disability
- Gender reassignment
- Pregnancy or maternity (where interpreted as discrimination)
- Marriage or civil partnership
- Race (including ethnic origin, nationality or skin colour);
- Religion and belief
- Sex/gender
- Sexual Orientation

- **Harassment**

Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them having regard to all the circumstances including the perception of the victim.

Harassment includes behaviour that is offensive, frightening or in any way distressing. It may be intentional bullying which is obvious or violent, but it can also be unintentional or subtle and insidious.

Below is a list of what may constitute harassment:

- Offensive gestures, language, gossip or jokes
- Insulting or abusive behaviour or comments
- Spreading malicious rumours
- Physical contact, ranging from an invasion of personal space and/or inappropriate touching, to serious assault
- Display of sexually suggestive, pornographic, racist or otherwise offensive pictures or other material or the transmitting of any such messages or images via electronic mail, mobile telephone or social media
- Persistent unwanted isolation or exclusion
- 'Outing' someone
- Persistent unwanted attention
- Humiliating or demeaning criticism

Harassment may consist of a single incident or a pattern of behaviour which continues after an objection is made.

An individual does not need to belong to a group themselves in order to bring a complaint if they feel someone's behaviour was inappropriate and violated the dignity of that group. For example, someone could still complain that a homophobic remark was used even if they were heterosexual.

Harassment can also take place on the basis of perception or association. An individual can bring a complaint if they experience harassment because they are perceived to have a protected characteristic that they do not actually have, or because they are associated with a person with a protected characteristic. For example, an individual can bring a complaint if they are harassed because their partner has undergone gender reassignment, or because they need to take time out of work to care for an elderly or disabled relative.

It is not the intention of the alleged harasser that determines whether harassment has occurred, but whether it is considered unacceptable to the complainant. It may be deliberate or unintentional, and differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another.

Bullying

Bullying 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.

What is considered bullying to one person may not to another due to differences in attitude and culture. Some of the examples that ACAS include as forms of bullying are:

- spreading malicious rumours, or insulting someone (particularly on the grounds of age, disability, gender reassignment, race, religion or belief sex and sexual orientation)
- ridiculing or demeaning someone – picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position

Bullying and harassment can take the form of face to face contact as well as written communications including email, visual images, electronic email, or by telephone and SMS.

• **Victimisation**

Victimisation is defined as treating a person/group of people less favourably because of action they have taken under or in connection with equality legislation.

Some examples of victimisation include:

- Excluding someone from social situations following a complaint or rumour;
- Denying someone the opportunity to participate in a project, social event or apply for a placement opportunity because they are perceived to be a 'troublemaker';
- Lowering a student's assessment results because they have made or supported a complaint.

• **Hate Crime**

Hate crime is defined as "Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate."

Harassment, bullying and victimisation involving students may be:

- experienced by students from other students, staff or visitors

- by students on other students, staff or visitors

2. **What should I do if I believe I am being harassed?**

If you feel you are being subjected to harassment in your role as a student of the University, do not feel that it is your fault or you have to put up with it. The University's primary concern is that you should receive appropriate support, assistance and confidential advice. There are various ways you can deal with harassment ranging from asking the person to stop to pursuing a formal complaint.

Whilst you have the opportunity to make a formal complaint at any stage, wherever possible, complaints of harassment will be dealt with informally, as this is more likely to produce solutions which are speedy and effective.

If you experience a single or multiple acts of harassment that you consider to be serious please proceed directly to the formal procedure. However this policy does should not deter or delay any report to the police that you think is appropriate. Should you make a complaint to the police the University recommends that you inform the Academic Registrar (or nominee) so that the University is able to assist you and the police, but there is no obligation on you to do so.

3. **Informal Steps**

- Act promptly, do not wait until your University life feels intolerable. Make it clear, directly or through a friend or third party, that the behaviour in question is unacceptable to you.
- Make a written note of any incident(s) of harassment including dates, time, location and what everyone involved said. Also make a note of the names of anyone else who witnessed the alleged incident.
- Seek a meeting with a Student Counsellor in Student Support and Wellbeing or a Student Advisor in the Students' Union. They will listen and will provide advice on what options are available and what can be done to resolve the situation. These meetings are confidential and (save for exceptional circumstances) nothing you say will be passed to a third party without your express consent.
- You may prefer to write to the person, being specific about what is causing offence and retaining a dated copy of the letter.

4. **Mediation**

If the informal steps detailed above are either not sufficient or you feel they are inappropriate to stop the alleged harassment, you may wish to consider mediation as a means of finding agreed common ground. This can be done by asking the Head of Customer Support Services to convene a meeting of all parties involved. The purpose of this meeting is to try to agree a way forward without further harassment. If this is not possible, you still have recourse to the formal procedure.

5. **Formal Procedures**

If, having given full consideration to and/or followed the informal measures outlined above, the harassment continues or you experience a single act of serious harassment, you should lodge

a formal complaint. The University is committed to supporting you in making any legitimate complaint.

5.1 Complaints about other students

The University's Regulations for the Conduct of Students prohibit the harassment of any student. If your complaint is about another student(s), it should be submitted under the Regulations for the Conduct of Students. You should put your complaint in writing to the Academic Registrar (or nominee).

If you are a student at a partner institution and your complaint is about another student, you should follow your institution's complaints procedure.

If you are a student on placement and your complaint is about another student on that placement who attends the University, you should inform a member of staff at the Academic Registry who will, where appropriate, invoke the disciplinary procedure under the Regulations for the Code of Conduct of Students. If the student your complaint relates to on your placement does not attend the University, you should contact your placement tutor at the University in the first instance.

5.2 Complaints about members of staff

The University has a Student Complaints Procedure for use by students to raise concerns about any service provided by the University (see https://www.uclan.ac.uk/students/life/rules_regs.php). If your complaint is about a member of staff, it should be submitted under the University's Student Complaints Procedure. You should put your complaint in writing to the Complaint Liaison Office in the Academic Registry (e-mail: cliaison@uclan.ac.uk).

If you are a student at a partner institution and your complaint relates to a member of staff at that institution, you should in the first instance pursue your complaint in accordance with the partner institution's procedure. In the event of dissatisfaction upon exhaustion of the partner institution's procedure, you will be entitled to submit their complaint to the University under stage 3 of the Student Complaints Procedure within 15 working days of the date of the partner institution's final response.

If you are a student on placement and your complaint relates to a member of staff on that placement, you should contact your placement tutor at the University in the first instance.

6. Guidance on submitting a formal complaint

Your complaint should be in writing and needs to be signed. Your written complaint should include details of every incident (including dates and times) and the names of any witnesses. Please provide details of any informal or other measures you have already taken to attempt to resolve the matter.

If you are not sure who to contact, the Complaints Liaison Officers will be happy to help and can be contacted via e-mail on – cliaison@uclan.ac.uk

7. Monitoring

All complaints of harassment are subject to statistical monitoring and collated in the Academic Quality and Compliance office in accordance with the monitoring scheme and relevant legislation. Details of the case will remain confidential and will not identify individuals in any way.

8. Confidentiality

If information is to be kept confidential, the student should make this clear to the person to whom a complaint is made. Students should understand that in exceptional circumstances it may be difficult for confidentiality to be respected, for instance where a criminal offence has been disclosed.

Students should also understand that in some circumstances the demand for confidentiality may make it difficult for the University to assist them with their complaint.