

Anti-Bullying and Harassment Policy for Students

Part I: Introduction

1. Purpose

The University aims to create an environment that respects the dignity and rights of all students and staff, where individuals have the opportunity to realise their full potential. The aim of the University's policy is to support this ethos and to strive to prevent harassment and bullying of any form from occurring.

2. Scope

This policy applies to all students at Northumbria University. The University will not tolerate any form of harassment or bullying, whether such behaviour occurs in a work-related or social setting.

3. Our Commitment

The University is committed to ensuring that students and staff are able to work confidently and without fear of harassment, bullying or victimisation. Therefore, if a complaint is made to the University, it will be investigated promptly and appropriate action will be taken in line with the University's policies. Where a student member is found to have committed a serious act of bullying or harassment this will be dealt with under the disciplinary procedures (Section 3 of the Handbook of Student Regulations).

4. Legislation

Individuals are protected from harassment and bullying in line with the following legislation:

- Equality Act 2010
- Human Rights Act 1998
- Criminal Justice and Public Order Act 1994
- Protection from Harassment Act 1997

Part II: Anti-harassment and Anti-Bullying Policy

When harassment or bullying occurs, it can cause serious repercussions for the student or staff member. It can affect people's physical and mental health, their work performance, and their ability to achieve.

5. Definitions

- 5.1** Harassment occurs when an individual is subjected to unwanted conduct, which has the purpose (intentional) or effect (unintentional) of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
- 5.2** In cases where this effect was not intended, it is nevertheless important to consider the complainant's perception when determining whether harassment has occurred. The unwanted conduct in question will be viewed as having the effect referred to above if this could be regarded as a reasonable conclusion when taking into account all the circumstances, including the complainant's perception.
- 5.3** Moreover, harassment is unlawful when it is on the grounds of sex, gender reassignment, race, ethnic or national origin, sexual orientation, age, religion/belief, or for a reason relation to a person's disability¹.
- 5.4** Bullying, although not defined legally, is described as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient
- 5.5** For the purposes of this policy, the University does not distinguish between 'harassment' and 'bullying'. The University will not tolerate harassment or bullying in any form

¹ Protected characteristics under the Equality Act (2010)

6. Examples of Harassment and Bullying

6.1 Harassment and bullying can take many forms. Examples of unacceptable may include, but is not limited to:

- Offensive songs, remarks, jokes, e-mails or gestures
- Display of offensive posters, publications and graffiti
- Unwanted physical contact or advances
- Offensive remarks about a person's dress or appearance
- Offensive remarks about a person's race, gender, marital status, disability, religion or belief, sexual orientation, gender identity or age
- Using abusive or intimidating language
- Spreading malicious rumours, allegations or gossip
- Excluding, marginalising or ignoring someone
- Intrusion by pestering, spying or stalking
- Copying documents that are critical about someone to others who do not need to know
- Deliberately undermining someone by overloading with work, taking credit for his/her work or constant criticism
- Removing areas of responsibility and imposing menial tasks
- Cyber-bullying: that is, the sending or posting of harmful, cruel or offensive text or images by email, internet, social networking websites or other digital communication devices²

6.2 It is accepted that vigorous academic debate³ and the occasional raised voice or argument, of itself may not constitute harassment or bullying

7. Responsibilities

7.1 Governors are responsible for ensuring that:

- They are familiar with the Anti-Harassment and Anti-Bullying Policy

² The University provides policies, procedures, and guidance in relation to student conduct which can be accessed via the Student Charter webpage available at www.northumbria.ac.uk/about-us/student-charter/

³ See Section 5 of the 'Handbook of Student Regulations' for the University's 'Statement on Academic Freedom and Freedom of Speech' available at www.northumbria.ac.uk/handbook

- They are aware of the University's legal responsibilities as an employer and education provider in relation to harassment and bullying
- The University meets its public sector equality duties

7.2 The Vice Chancellor's Executive Group is responsible for ensuring that:

- They take the lead in creating a positive, open culture that challenges inappropriate behaviour on the part of managers, staff and students
- Monitoring in relation to the policy is carried out and the Policy is reviewed accordingly
- Appropriate training and development is provided to support managers' and staff's understanding of the Anti-Harassment and Anti-Bullying Policy

7.3 Managers are responsible for ensuring that:

- They are familiar with the Anti-Harassment and Anti-Bullying Policy, and that it is followed correctly
- They are aware of the University's legal responsibilities as an employer and education provider in relation to harassment and bullying
- They act promptly on receipt of any complaints

7.4 Staff members are responsible for ensuring that:

- They familiarise themselves with the Anti-Harassment and Anti-Bullying Policy
- Their behaviour supports a positive work environment free from harassment and bullying
- They participate in an investigation when asked by an investigating officer, for example, where the staff member has observed or has evidence that a student is being harassed or bullied

7.5 Students are responsible for ensuring that:

- They familiarise themselves with this Anti-Harassment and Anti-Bullying Policy
- Their behaviour supports a positive work and social environment free from harassment and bullying

- They participate in any investigation when asked by an investigating officer, for example, where the student has observed or has evidence that another student or staff member is being harassed or bullied

Part III: Anti-harassment and Anti-Bullying Procedures

8. Confidentiality

During any investigation of alleged harassment or bullying, confidentiality will be maintained as far as possible, respecting the privacy of all parties and ensuring that the matter is dealt with sensitively. Information will be shared on a need-to-know basis only, for example, for the purposes of conducting an investigation, safeguarding others, or because the University is legally required to do so

9. Procedures

- 9.1** Students and staff are encouraged wherever possible to raise concerns of harassment and bullying informally prior to raising a formal complaint
- 9.2** Section 3 of the 'Handbook of Student Regulations' explains the procedures for staff or students who wish to lodge an allegation of bullying and/or harassment against a student
- 9.3** Section 10 of the 'Handbook of Student Regulations' explains the procedures for students who wish to lodge an allegation of bullying and/or harassment against a member of staff
- 9.4** Where a formal allegation is raised under these procedures, it should be made clear to all involved that any documentary evidence or subsequent statement taken during the investigation may form part of the evidence in any disciplinary proceedings. In the event that disciplinary procedures are invoked, the investigation report, together with any witness statements, will normally be made available to the alleged harasser prior to any disciplinary hearing in accordance with University procedures

10. Records of Complaints

The University will keep confidential records of complaints and investigations, which will include the names of the people involved, dates, the nature of the

incident(s), the action taken, and any follow-up and monitoring information. Such records will be held for six years from the end of study or employment⁴.

11. Malicious or Vexatious Complaints

Unfounded allegations of harassment or bullying for malicious or vexatious reasons will not be tolerated by the University and will be considered misconduct and disciplinary action will be taken under the relevant procedure.

12. Victimisation

Students are protected from victimisation as a result of bringing a complaint under these procedures. If a student feels that they have been victimised following a complaint of harassment or bullying, they should raise a complaint. Where it is found that victimisation has occurred this will be treated as serious disciplinary offence.

13. General

This policy should not be read in isolation, but cross-referenced with all relevant University policies and procedures

⁴ See University's [records retention schedule](#) for further information

Part IV: Additional Information and Support

- **Personal Tutor**
- **Student Support and Wellbeing**
0191 226 4127
sv.welfareandinternational@northumbria.ac.uk
- **Chaplaincy**
0191 227 3284
sv.chaplaincy@northumbria.ac.uk
- **Students' Union**
0191 227 4757
<http://www.mynsu.co.uk/heretohelp/studentwelfare/>
- **Nightline**
0191 227 3737
talktonightline@northumbria.ac.uk
- **Security**
0191 227 3999
crsecurityteams@northumbria.ac.uk for non-emergencies

Emergencies only: 0191 227 3200

- **Samaritans**
0845 7909 090
<http://www.samaritans.org/>
- **Victims First**
0800 011 3116
<http://www.victimfirstnorthumbria.org.uk/>
- **Northumbria Police**
text: 07786 200 815
telephone: 101 for non-emergencies

- **ARCH and Safe Reporting Centres for Hate Crime**
0800 032 3288
[Website](#)