

BULLYING & HARASSMENT POLICY

We regularly review and update our regulations and policies, including this policy. Accordingly, the following changes have been made from the Bullying and Harassment Policy in place during the 2019-2020 academic year.

Clause(s)	Description
3	Definition section updated to further recognise the harm, and different forms, of bullying and harassment to reflect findings of the ECRC Report on tackling racial harassment in universities.
6.2	Further development of the criminal behaviour clause, highlighting support from the University to report bullying and harassment to the Police, and explicitly stating that behaviour does not need to be reported to the police in order to be considered under University policies and processes.
8	Revised to provide the distinction between formal and informal (anonymous) complaints and addition of reference to the Cornwall Speaks Out platform.

1 Aims

1.1 The aims of this policy are to:

- a) prevent harassment and bullying at the University;
- b) provide a safe and supportive environment;
- c) provide a sensitive, fair and effective means of dealing with complaints;
- d) provide victims of harassment with guidance and support.

2 Scope

2.1 The policy applies to all students of the University, whether at the University (on campus and/or in a virtual/online environment associated with the University) or on secondment/placement with an external organisation.

2.2 There is a separate HR policy setting out the conduct expectations of staff, the procedure for staff to follow if they have experienced bullying or harassment in the workplace, and the support available to them.

3 Definition

3.1 Harassment and/or bullying is behaviour that is intended to diminish a person's status or worth. It is conduct which is unwanted by the recipient and is viewed as offensive, intimidating or hostile.

3.2 The University recognises that bullying and harassment can have a profound effect on peoples' lives, for example by causing humiliation, isolation, interfering with the victim's work/academic studies, causing stress, anxiety, fear or, in extreme cases, physical illness.

3.3 Individuals can be subjected to harassment or bullying in a variety of ways. Sometimes the unwanted behaviour can be related to a protected characteristic. For example, a victim's:

- a) skin colour, race, ethnic origin, nationality;
 - b) gender, sexual orientation, marital status;
 - c) physical, mental ability or disability;
 - d) age, size, personal appearance;
 - e) real or suspected infection with communicable disease.
- 3.4 The University also recognises that harassment can also take several forms in addition to overt comments and actions and including subtle and nuanced acts (microaggressions), exclusion from conversations or being exposed to objectionable (in the view of the recipient) material.
- 3.5 The University does not tolerate *any form of harassment or bullying*, regardless of whether such behaviour is related to a protected characteristic or not.

4 Interpretation

- 4.1 Behaviour which is welcomed and reciprocated is not harassment. Differences in attitudes, background, culture and misinterpretation of social signals could mean that what is perceived by one individual may not seem so to another. The critical feature is that the conduct is unwanted, offensive and intimidating to the recipient. **The experience of the complainant will determine whether further action is necessary.**

5 Management responsibility

- 5.1 As set out in the Dignity at Work Policy, in addition to their general responsibilities, staff with management responsibility are expected to set standards of acceptable behaviour by always treating others with respect and promoting a working environment where unacceptable behaviour is not tolerated.

6 Staff and student responsibility

- 6.1 Everyone has a responsibility to ensure they do not incite, perpetrate or condone any form of harassment or bullying within their place of work or study. If any behaviour, considered as harassment or bullying, cannot be resolved on an informal basis, or which continues following a request to stop, it will lead to disciplinary action.
- 6.1a Where the behaviour is by a student, any such action would be in accordance with the Student Disciplinary Policy & Procedures, and in serious cases may result in exclusion from the University
- 6.1b Where this involves a member of staff, any such action would be in accordance with the Dignity at Work Policy and/or Disciplinary Policy, and for serious cases may include dismissal.
- 6.2 Bullying and harassment may constitute a criminal offence. The University will actively support students that wish to report cases to the police. Nonetheless students are not required to report incidents to the police for them to be considered by the University, but where they are, University processes may be paused pending criminal investigation.

7 Advice and support

7.1 Students may seek confidential advice and support at any point if they feel they believe they, or someone they know, are a victim of bullying or harassment. The following routes are available:

- a) Student Services – trained student counsellors, Living Support Officers;
- b) The Students' Union

Advice and support given will be done so in the strictest of confidence.

7.2 A member of staff who considers they have been bullied or harassed should follow the procedure set out in the Dignity at Work Policy.

8 Reporting bullying and harassment

8.1 Falmouth University participates in the *Cornwall Speaks Out* online reporting tool. All members of the University are encouraged to use this tool to either begin a formal complaint or make an anonymous report and receive additional advice and support.

8.2 The University uses anonymous reports to inform how it develops policies, process and training. It will not formally investigate anonymous reports, but recognises that often bullying and harassment is under-reported and, therefore values the data anonymous reports provide and the opportunity to signpost individuals the support they require.

8.3 In the case of a formal report (which cannot be anonymous), in the first instance, where appropriate, every effort will be made to resolve the situation on an informal basis: in some cases the alleged harasser may be unaware of the distress their actions are causing. In drawing it to their attention, misunderstandings can be dealt with speedily. The harasser will be advised that the behaviour is unacceptable and must stop. The academic Department the student is registered with, in conjunction with Living Support, will be responsible for facilitating early resolution. This may be very difficult and, in some cases, not possible, or appropriate due to the perceived severity of the behaviour concerned.

8.4 If the behaviour does not stop and/or the behaviour or the incident is considered to be particularly serious, the formal report will be considered at Step 2 of the Complaints Policy and referred for full disciplinary investigation by Living Support. In these instances students should refer to the Complaints and Disciplinary procedures for more information.

VERSION CONTROL

purpose/change	Author	date
Original document approved at AQSC.	QAE	10 December 2015
Update to reflect new practices in relation to the recognition, reporting and supporting victims of, harassment/bullying.	QAE	July 2020