



Harassment Policy

Bath Spa University supports the rights of all staff and students to be treated with dignity and respect. This policy is designed both to help prevent harassment and to offer support to any member of the University who feels that they are being harassed by another member. This policy aims to assist in developing and encouraging a working and learning environment and culture in which harassment is known to be unacceptable and where individuals have the confidence to complain of harassment without fear of ridicule or reprisals.

This policy applies to both staff and students. Specific guidance for staff is set out in section two and for students in section seven.

Although cases of harassment may be resolved informally, it may be necessary to take formal action which could lead to disciplinary action or possibly dismissal for staff or expulsion for students. The possibility that complaints may be made with mischievous or malicious intent is also recognised and will be treated as grounds for possible disciplinary action.

In addition to the internal University procedures and remedies for dealing with harassment, individuals who harass another individual will be in breach of civil and criminal law under any of the following:

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

Responsibility and accountability

The Vice-Chancellor has responsibility and accountability for Equality throughout the institution and is also responsible implementing and monitoring this policy through the Equality and Diversity Steering Group. However, all members of the University, both staff and students, have a duty to ensure that individuals do not suffer from any form of harassment and that if they do, they are supported in seeking to eliminate it and in pursuing any legitimate complaint about the harassment.

Definitions

Harassment in General Terms

There are many forms of harassment which can be described in simple terms as unwelcome behaviour that affects the dignity of people. It is the conduct of one or more people against another or others when an intimidating, hostile or offensive atmosphere is created. In general terms, it is actions or comments viewed as demeaning or unacceptable by the recipient.

Harassment takes many forms and includes behaviour related to:

- Gender;
- Ethnicity;
- Colour;
- Disability;
- Religion;
- Nationality;
- Age;
- Occupation;
- Marital status;
- Sexual orientation;
- Other personal characteristics.

Conduct that is acceptable to one person may prove to be unwelcome to another and the test applied must be that the conduct, whether unwitting or deliberate would be judged as harassment by any reasonable person.

Examples of harassment are given below, although there are many forms:

- Abuse through e-mail or other electronic media;
- Telling jokes of bad taste;
- Displaying offensive material in any form;

- Written abuse including graffiti and web sites;
- Spreading malicious rumours or insulting someone;
- Inappropriate language that causes offence to others.

The grounds for claims of harassment are listed below. This list, however, is not exhaustive, and any harassment for whatever reason, is treated seriously.

- Harassment on the grounds of disability, which is directed at those with a physical or other disability.
- Racial harassment is directed at those from different racial, religious or ethnic origin.
- Religious harassment is aimed at those of a different religion and may include drawing unwelcome attention to an individual's religious beliefs.
- Harassment on the grounds of age is based on attitudes, assumptions and stereotyping that are prejudice to older or younger people and may include expressing prejudicial assumptions about abilities or exclusion from social events.
- Sexual harassment and harassment relating to sexuality is directed at a person or group on the basis of gender, marital status, sexual orientation or sexuality. It can also include unwanted sexual behaviour, including:
 - Suggestive looks and remarks,
 - Suggestive behaviour,
 - Unwanted physical contact,
 - Unwanted sexual advances,
 - Stalking.
 - Inappropriate sexual and/or homophobic remarks, innuendos and lewd jokes.
 - Threats of disclosing sexuality.
 - Compromising invitations.
 - Offensive/degrading display of images (including electronic).

Bullying

Bullying is a form of harassment and is threatening, abusive, intimidating or insulting behaviour that may be an abuse of power, position or knowledge. As with harassment, what may be perceived by one person as firm management may be perceived by another as bullying. However, the behaviour is inappropriate if the individual becomes stressed, demotivated or frightened as a direct result. The following are examples of bullying, although the list is not exhaustive.

- Shouting, verbal and written/electronically transmitted abuse.
- Abuse of power or behaviour that causes fear or distress for others.
- Deliberate undermining of an individual through unfair work allocation and/or constant criticism.
- Unfounded or inappropriate threats and/or comments about job or course security.
- Public ridicule, sarcasm or humiliation.

What do you do if you feel you are being harassed?

If you think a student or member of staff is harassing you, you must not feel this has to be tolerated. Harassment is not always easily identified or easy to deal with. It is advisable to keep a record of incidents that bother you, including time, date, circumstances, names of witnesses and how you felt at the time. You may also wish to consider taking the action outlined in the following paragraphs. Action for staff is outlined in section six and students in section seven.

Harassment advisors

Harassment advisors are staff and student representatives who have been specially trained to provide staff and students with support if they feel they are being harassed in any way.

Harassment advisors are available to listen to your concerns or to help you take appropriate action to deal with cases of harassment. The harassment advisors treat all matters confidentially unless there is an unacceptable risk to yourself or others within the

University. In this case you will be informed of any action that may be deemed necessary and fully involved in the process.

Staff

Individual Action

If possible, make it clear to the person causing the offence that you find the behaviour unacceptable and ask the person to stop. In some cases this will be sufficient to resolve the situation. If you feel unable to speak to the person concerned, or having spoken the behaviour persists, you should keep a note of details, dates, times, circumstances and witnesses, including a note or any ways in which the incidents cause you to change the pattern of your work.

Informal Action

If you feel unable to take individual action, or this has not been sufficient to resolve the issue, talk informally to one of the following:

- A trained Harassment advisor
- A member of Human Resources
- Your line manager
- Trade Union representative

Any discussion will be confidential and no further action will be taken without your permission, unless your safety or the safety of others is deemed to be at risk, in which case you will be fully involved in the process. If further action is taken, the person from whom you sought advice will normally continue to support you throughout.

If this informal discussion does not help to resolve the issue, you and/or the person who is supporting you should consult with your HR business partner for further guidance. If you are being harassed by a student, the Deputy Vice-Chancellor responsible for academic matters will also be involved in the discussion. The matter may then be resolved informally or the next step may be to formalise matters, which will only be done with your permission.

You may choose to report an incident on our Report and Support system, which can be accessed via the [Report and Support website](#).

The secure Report section allows people to report an incident on behalf of themselves or a friend/colleague. If you choose to report anonymously we will not ask you for any personally identifiable details, so we will be unable to offer direct advice and are unlikely to begin any formal processes. If you would prefer, you can report something with your details and request to speak to someone about the support and resolutions available.

The Support section offers advice and guidance on bullying and harassment, discrimination, hate crimes, mental wellbeing, sexual assault and sexual harassment, as well as links to the University's policies. Guidance is given either for you, or for someone you might know who is in need of support; this might be a friend, colleague, student or member of staff. It provides some tips on what to think about if this has happened, who you can talk to, and how you can report something.

Formal Action

If you wish the matter to be made formal, you will need to raise a complaint under the formal Grievance Procedure for Equality Matters. As a result, the alleged harasser could be the subject of disciplinary action, the outcome of which may be an oral or written warning or if the matter was serious enough, dismissal.

Students

Individual Action

If possible, make it clear to the person causing the offence that you find the behaviour unacceptable and ask the person to stop. In some cases this will be sufficient to resolve the situation. If you feel unable to speak to the person concerned, or having spoken the behaviour persists, you should keep a note of details, dates, times, circumstances and witnesses, including a note or any ways in which the incidents cause you to change the pattern of your study.

Informal Action

If you feel unable to take individual action, or this has not been sufficient to resolve the issue, talk informally to one of the following:

- A trained Harassment advisor.
- A member of Student Services.

- Student Union representative.

Any discussion will be confidential and no further action will be taken without your permission, unless your safety or the safety of others is deemed to be at risk, in which case you will be fully involved in the process. If further action is taken, the person from whom you sought advice will normally continue to support you throughout.

If this informal discussion does not help to resolve the issue, you and/or the person who is supporting you should consult with the Deputy Vice-Chancellor responsible for Academic Issues for further guidance. If you are being harassed by a member of staff, a member of the Human Resources team will also be involved in the discussion. The matter may then be resolved informally or the next step may be to formalise matters, which will only be done with your permission.

Formal Action

If you wish the matter to be made formal, you will need to raise a complaint under the formal Complaints Procedure. As a result, the alleged harasser could be the subject of disciplinary action, the outcome of which could be an oral or written warning or if the matter was serious enough, dismissal or expulsion.

