





The protected characteristics under the legislation are: age, disability, gender reassignment, race, religion or belief, sex, marriage and civil partnership, pregnancy and maternity, and sexual orientation.

Staff and students need not possess the relevant characteristic themselves but may be subjected to unacceptable behaviour because they are wrongly perceived to have a protected characteristic, or because of their association with a person who has a protected characteristic. In addition, staff and students have the right to complain about behaviour that they find offensive even if it is not directed at them.

Such behaviours may be expressed verbally or non-verbally via traditional or online communications, or by physical actions.

For further information, see Appendix A.

## **Policy Statement**

The University commits to ensuring that:

All reasonable steps will be taken to ensure that the University meets its statutory obligations to eliminate and prevent harassment and bullying by addressing inappropriate behaviours and discussing concerns promptly to prevent issues from escalating.

No student will feel threatened or intimidated on the grounds of their age; disability including physical impairments, long term health conditions, mental health concerns and learning difficulties; gender reassignment and gender identity; race and ethnicity; religion or belief; sex; marriage and civil partnership; pregnancy, maternity, paternity and adoption; sexual orientation whether it be from a fellow student, a University employee or a supplier, contractor or visitor to the University.

All members of the University community will be treated with respect and dignity, and harassment and bullying will not be tolerated. Robust procedures are provided for students in Senate Regulation 6 and for staff in the Staff Disciplinary Policy and Procedures s.3 to deal with any allegations of harassment and bullying in a fair, impartial and timely fashion.

Appropriate support will be provided to anyone involved in a harassment or bullying incident.

The whole University community will be made aware of this policy and their responsibilities to which they are expected to comply.

No member of the University community will be disadvantaged for reporting an incident or making a complaint in good faith. Malicious complaints may, however, lead to separate disciplinary action being taken.

Awareness sessions will be used as a means of communicating appropriate behaviours under this policy.





There are a number of options available on what to do if you are being harassed and / or bullied and each will vary depending on the circumstances including your vulnerabilities, the risks and your wishes. This might be informal resolution, mediation, making a formal complaint or reporting the harassment and bullying to the Police. Some can be achieved relatively simply and quickly whilst others may require a more thorough response which can take some time. For more information see the *Guidance to Support Students who have experienced Bullying and / or Harassment*.

Any incidents that are reported formally will be investigated within the time limits set out in the relevant procedure, with due consideration to the



Welfare team at <https://students.brunel.ac.uk/support/book-an-appointment-through-our-support-welfare-team> or if more appropriate you can use the Raise a Welfare Concern at the same portal.

For more information, see



## Appendix A Further detail about bullying and harassment

**Bullying:** is a complex phenomenon of unwanted offensive and malicious behaviour which undermines an individual or group through persistently negative attacks. There is typically an unpredictable and irrational abuse of power or position that can manifest itself in physical, verbal or non-verbal forms both on and offline. There is usually an element of vindictiveness attached to bullying and the behaviour is calculated to undermine, patronise, humiliate, intimidate or demean the recipient.

**Harassment:** is a personalised form of anti-social behaviour, specifically aimed at particular individuals. The defining feature of bullying or harassment is that the behaviour is unwanted by the recipient and unwarranted by the working or study / social relationship and would be regarded as such by any reasonable person.

Harassment or bullying may involve apparently insignificant acts which cumulatively create an intimidating environment that undermines the integrity or dignity of the individual. Unacceptable behaviours range from violence and threats to ignoring people. In all cases, harassment and bullying are unwelcome and can make an individual feel uncomfortable, unsafe, frightened or embarrassed. Such behaviours may be expressed verbally or non-verbally via traditional or online communications, or by physical actions. They can occur in a wide range of situations such as learning or work environments, social, sporting and accommodation contexts and in higher

The common link is that the behaviour is unwanted by the recipient or others, is unwarranted by the relationship and would be regarded as harassment or bullying by any reasonable person.

Some harassment may be a criminal offence and will thus constitute a hate crime which can be defined as any incident that is perceived by the person targeted (or actual or perceived social identity).

### Legal context

This policy incorporates the requirements of the Equality Act 2010 which provides protection for individuals from discrimination, and makes it unlawful to harass or discriminate someone on the grounds of nine protected characteristics, namely age, disability, gender reassignment, race, religion or belief, sex, marriage and civil partnership, pregnancy and maternity, and sexual orientation.

Provisions under the Equality Act 2010 protect individuals from harassment who are applying for courses at University and those studying at University.

Individuals are also protected from harassment not only in relation to themselves as an individual, but also on the grounds that they are associated with someone else with a protected characteristic or that someone perceives wrongly that another person does or does not have a protected characteristic.



All staff and students also have personal liability under legislation (Protection from Harassment Act 1997). Harassment may also be a criminal offence under the Criminal Justice Act 2003 and give rise to a civil claim. It may also be a contravention of Health and Safety legislation. The University will engage with external investigations by the police and other enforcement bodies as appropriate and necessary.

Nothing in this policy prevents the reporting student, the alleged accused or others involved in a bullying or harassment situation from exercising their legal rights.

The following list provides examples of types of behaviours covered by this policy. It should be noted that it is not intended to be exhaustive and other issues could form the basis of a bullying or harassment case:

*Age Harassment* can include stereotyping, assault, inappropriate reference to age, unwelcome discussion on the age of an individual and making generalisations about

*Disability Harassment* may include comments that are patronising or objectionable to the recipient or which creates an intimidating, hostile or offensive environment for people with disabilities. It can encompass inappropriate reference to disability, unwelcome discussion of the impact of disability, refusal to work with and exclusion of people with disabilities from social events or meetings.

*Gender Identity, Transgender or Gender Reassignment Harassment* is unwanted behaviour based on known or presumed gender identity. Such behaviour can include name calling, continually using the wrong pronoun instead of the preferred pronoun,



of evangelism and religious propaganda that suggests the answer no is unacceptable to the person trying to spread their ideas on religion or recruiting to their particular group.

*Sexual Harassment* describes a range of behaviours of a sexual nature perpetrated





## Appendix B Further information, advice and support

The lists of useful contacts given below is correct at the time of writing (September 2019). Please check the web for up-to-date contact information. Please note that Brunel University London does not endorse or take responsibility for the information provided by external organisations.

### External services

**Equality and Human Rights Commission** is the statutory body responsible for protecting, enforcing and promoting equality across nine protected characteristics age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, and sexual orientation [www.equalityhumanrights.com](http://www.equalityhumanrights.com).

**Equality Challenge Unit** provides advice and support for students and staff on equality and diversity in higher education [www.ecu.ac.uk/guidance-resources/inclusive-environment/](http://www.ecu.ac.uk/guidance-resources/inclusive-environment/)

### Specialist Services

**Bullying UK**, part of Family Lives is a leading charity providing advice and support to anyone affected by bullying [www.bullying.co.uk](http://www.bullying.co.uk)

**Ditch the Label** is the international anti bullying charity who campaign to end bullying and support young people [www.ditchthelabel.org/](http://www.ditchthelabel.org/)

**National Bullying Helpline** provides help and advice related to bullying or harassment at school / work - [www.nationalbullyinghelpline.co.uk](http://www.nationalbullyinghelpline.co.uk)

**Samaritans** provides free confidential emotional support 24/7 to those experiencing despair, distress or suicidal feelings. Call: 116 123 or email: [jo@samaritans.org](mailto:jo@samaritans.org)

**Victim Support** provides free confidential support to those affected by crime including harassment. Call for free on 0808 1689111 or request support online via [www.victimsupport.org.uk](http://www.victimsupport.org.uk)

### Further information

**Initiations at Universities** is a briefing which raises awareness of the dangers of initiations. For further information see - [www.universitiesuk.ac.uk/policy-and-analysis/reports/Pages/initiations.aspx](http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Pages/initiations.aspx)