

Bullying and Harassment Guidance

1. Introduction

1.1 The University has due regard to all students having a statutory right to be treated with dignity and respect in an environment free from bullying and harassment. This guidance sits within the [University Equality, Diversity and Inclusion Policy Statement](#). The guidance can also be considered alongside the University [Dignity at Work Statement](#).

This guidance does not specifically relate to sexual harassment or sexual misconduct. We have a dedicated web resource relating to these. [Harassment and sexual misconduct | St Mary's University, Twickenham, London](#)

1.2 St Mary's places its 4 core values at the heart of all its work; Excellence, Inclusiveness, Generosity of Spirit and Respect. All students have a role to play in helping to foster an environment of **Respect** in which harassment or bullying behaviour is unacceptable. In particular, students should be aware of their conduct, avoid colluding with inappropriate behaviour and cooperate fully in any complaints procedure. All students have a responsibility to raise awareness of the issue, respond positively to any complaints and challenge and develop a culture where inappropriate behaviour is not tolerated. The University is committed to developing formal and informal routes of reporting to assist this.

2. Statement on Harassment and Bullying

2.1 St Mary's is dedicated to maintaining a working, learning, living, and social environment that is free from any form of harassment in whatever form this may take, including cyber-bullying.

2.2 Harassment adversely affects the working, learning, living, and social conditions of University students and is unacceptable. Any incident of harassment will be regarded very seriously and may be grounds for disciplinary action through the Conduct procedure.

2.3 All members of the University community have a responsibility for helping to ensure that individuals do not suffer any form of harassment and that they are encouraged and supported in any legitimate complaint. All students are also expected to promote positive attitudes in all areas of equality and to recognise the rights and responsibilities explicit in the Student Charter and other key policies.

2.4 A breach of this Policy could constitute misconduct and/or gross misconduct within the Conduct procedure.

2.5 Students who use University IT facilities (e.g. computing equipment, hardwired/wireless networks) and student IT access privileges (e.g. network logon credentials, email accounts, electronic resources) to perpetrate harassment, bullying, abuse or crime, may also be in breach of the University's IT Policy.

3. Aims and Objectives

3.1 These guidelines specifically address bullying and harassment. Please see the Conduct Procedure for guidelines on abuse and assault.

3.2 The primary aims of this Policy are to promote respect and prevent behaviour that could be construed as harassment or bullying. Where this does occur, the Policy aims to ensure that appropriate and effective action is taken to prevent any recurrence.

3.3 The objectives of this Policy are to:

3.3.1. Clarify the behaviours expected of our students.

3.3.2. Promote awareness of negative behaviours that may constitute bullying and harassment and the responsibility for preventing such behaviour.

3.3.3. Promote an understanding that the University will not tolerate the behaviours outlined. If any allegations are proven, it could result in disciplinary action, such as suspension or exclusion, through the Conduct procedure.

3.3.4. Promote an environment in which students feel confident to bring forward complaints of harassment or bullying without fear of victimisation. As part of this effort, the University is piloting an anonymous reporting system in order to capture accurate data on incidences. Reports made under this scheme will not be pursued under the Complaints or Conduct policies but the policy will be reviewed upon completion of the pilot.

3.3.5. Provide arrangements whereby complaints can be investigated in a sensitive and timely manner.

4. Code of Conduct (to be read in conjunction with the [Student Charter](#))

4.1 St Mary's expects all students to conduct themselves reasonably and responsibly during their studies including involvement in professional and social activities.

4.2 Students may also be bound by other codes of conduct laid down by the relevant professional regulatory bodies.

4.3 St Mary's promotes the following values:

4.3.1. Respect and support for the rights and dignity of all individuals;

4.3.2. Open and constructive debate that respects the views of others;

4.3.3. A collaborative and co-operative approach based on mutual trust;

4.3.4. Recognising and valuing diversity as a strength on which to build professional behaviour and working relationships with colleagues.

5. Definitions of Harassment

5.1 Harassment can take many forms and in general refers to behaviour that appears or feels offensive, intimidating, or hostile to the recipient. Harassment does not necessarily happen

face-to-face; it can occur via written and electronic communications, such as telephone and email, and on social media sites. Such behaviour might interfere with a student's academic, working, living, or social environment, or induce anxiety, fear or poor attendance on the part of the person who feels harassed.

5.2 Harassment or bullying is not dependent on an intention to cause distress or hurt but is assessed by the impact the behaviour has on the recipient. As a result, it is possible that behaviour that is acceptable to some students may cause embarrassment, distress or anxiety to others.

5.3 In line with the 2010 Equality Act Harassment on the grounds of gender, race, disability, sexuality, age or religion or belief is unlawful and will not be tolerated in any form.

5.4 This Policy considers harassment in three main ways which are explored in more detail below:

5.4.1 Harassment related to identity: inappropriate and unwanted behaviour related to the 'protected characteristics' in anti-discrimination legislation as defined by the Equality Act 2010;

5.4.2 Bullying and abuse: inappropriate and unwanted behaviour which has the same purpose or effect as harassment but which is not strictly defined as such by law;

5.4.3 Cyber-Bullying: inappropriate and unwanted behaviour which is assisted by information communication technology; the legal implications are varied.

5.5 The Equality Act 2010* introduced a standard definition of harassment:

5.5.1. A person (S) harasses another person (T), if S engages in unwanted conduct related to 'protected characteristics', which are:

5.5.1.1 age;

5.5.1.2 disability;

5.5.1.3 gender reassignment;

5.5.1.4 race;

5.5.1.5 religion or belief;

5.5.1.6 sex;

5.5.1.7 sexual orientation;

5.5.1.8 And the conduct has the purpose or effect of violating T's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for T.

*[The Equality Act 2010, part 2, ch.2, s.26](#) [accessed 30 July 2020]

5.6 A person (S) is also considered to harass another person (T) if S treats T less favourably because T either rejected, or submitted to, unwanted conduct (either from S or another person) related to sex, gender reassignment, or of a sexual nature. Again, the conduct of S must have had the purpose or effect as explained above.

5.7 In deciding whether the conduct has the effect referred to above, each of the following must be taken into account:

5.7.1 The perception of T;

5.7.2 The other circumstances of the case;

5.7.3 Whether it is reasonable for the conduct to have resulted in that effect.

5.8 The University takes the defining features of bullying and harassment to be behaviour that appears or feels offensive or intimidating to the recipient and would be regarded as such by any reasonable person.

6. Harassment related to identity (the list of examples is not exhaustive)

6.1 Age

6.1.1. Age-related harassment refers to unwanted or inappropriate behaviour relating to your actual or perceived age.

6.1.2. Being patronised as being 'too old' or 'too young' to understand something.

6.1.3. Being isolated or excluded from an activity or group on the grounds of age.

6.2 Disability

6.2.1. Disability-related harassment refers to inappropriate and unwanted behaviour related to disability, impairment or additional need, and can include perceived disability.

6.2.2 Offensive language, gestures and jokes relating to disability

6.2.3 Inappropriate discussion or references to a person's disability

6.2.4 Uninvited, demeaning or unnecessary assistance

6.2.5 Condescending or 'talking down' to someone with a disability

6.2.6 Making unreasonable and offensive assumptions about a disability

6.3 Gender Identity, Gender reassignment

6.3.1 Inappropriate and unwanted behaviour related to gender reassignment.

6.3.2 Being ridiculed for wearing clothing traditionally associated with another gender

6.3.3 Inappropriate comment about a person's gender reassignment

6.4 Racial

6.4.1 Unwanted or inappropriate behaviour relating to ethnic background or race; this includes language, nationality and citizenship. Such behaviour includes, but is not limited to:

6.4.2 Ridiculing of racial, ethnic or cultural differences;

6.4.3 Treating someone as an object of fascination because of their ethnicity;

6.4.4 Inappropriate stereotyping, derogatory remarks and racist jokes;

6.4.5 Racist graffiti, images or symbols (for example Swastikas);

6.4.6 Patronising or ridiculing someone for their use of language;

6.5 Religious or beliefs

6.5.1 Refers to inappropriate and unwanted behaviour related to someone's religion, or lack of religion, or any religious or philosophical belief including a lack of belief.

6.5.2 Denigrating cultural customs;

6.5.3 The singing of sectarian songs;

6.5.4 Aggressive evangelism and the pushing of religious propaganda;

6.5.5 Ridiculing items worn for religious reasons;

6.5.6 Derisory comments against an individual's beliefs.

6.6 Sexual harassment

6.6.1 This form of harassment can occur in a variety of circumstances but always has a distinctive feature: the inappropriate and unwanted introduction of sexual comments and/or activities. Some examples that may constitute sexual harassment are:

6.6.2 Persistent unwelcome requests for social or sexual encounters and favours

6.6.3 Unnecessary and unwelcome physical contact;

6.6.4 Suggestive and unwelcome comments and/or gestures

6.6.5 Comments that emphasise the gender or sexuality of an individual or a group

6.6.6 Display of, or electronic transmission of, pornographic, degrading or indecent pictures

6.6.7 Annex A outlines the University approach to Sexual Harassment

6.7 Sexual Orientation

6.7.1 Inappropriate and unwanted behaviour related to someone's known or presumed sexual orientation. In law, sexual orientation is taken to mean a person's sexual orientation

towards people of the same sex; people of the opposite sex, or people of both sexes**.

Examples include:

6.7.2 Intrusive questioning about a person's domestic circumstances and/or sexual preferences

6.7.3 Making unreasonable and offensive assumptions about a person's sexual orientation;

6.7.4 Excluding same-sex partners from social events

6.7.5 Actual or threatened unwanted disclosure of sexuality, i.e. 'outing'

6.7.6 Stereotyping and derogatory remarks

**[The Equality Act 2010, Part 2, Ch.1, S.12](#) [accessed 3 August 2020]

7. Definitions of Bullying

7.1 Although harassment is often related to matters such as age, disability, gender, race, religion or belief or sexuality it is apparent that a more general form of harassment may take place that is not based on any one clearly identifiable aspect of the person concerned. This form of harassment may be described as bullying or aggressive or intimidatory behaviour by one person towards another.

7.2 Bullying is increasingly recognised as a serious issue and is often unreported. People affected by bullying often feel the matter appears trivial or that they may have difficulty in describing it.

7.3 Bullying can be defined in many ways but is generally behaviour that is identified as a misuse of power. It is usually persistent (i.e. more than a one-off incident), is offensive, abusive, intimidating, malicious or insulting behaviour or unfair use of sanctions which makes the recipient feel upset, threatened, humiliated or vulnerable and undermines self-confidence. It can manifest itself in many other conditions such as nervousness, stress, poor work performance, absenteeism etc.

7.4 At its most extreme, bullying can be physical, e.g. hitting, pushing, damaging or stealing personal possessions. This may, in some cases, constitute gross misconduct and should be dealt with under the Student Conduct Procedures.

7.5 A single incident of harassment can constitute an offence, while bullying usually requires a repeated number of incidences. Bullying is offensive behaviour which humiliates and/or undermines an individual or group and need not be related to a 'protected characteristic' under law. Bullying may be carried out by an individual or group of individuals. It can happen in public or in private.

7.6 Examples of being bullied include, but are not limited to:

7.6.1 Shouted at and/or subjected to sarcasm;

7.6.2 Verbally and/or physically abused;

7.6.3 Told off in front of fellow students, staff or other people;

7.6.4 Criticised or belittled about work, personality and/or personal appearance; persistently ignored and/or talked down to;

7.6.5 Subject to practical jokes;

7.6.6 Subject of malicious rumours or gossip;

7.6.7 Excluded or ostracised.

8. Cyber Bullying

8.1 Types of harassment and bullying can happen in an online world.

8.2 Bullying can be through means of electronic information communication technology, such as email, text message, social media and networking sites, instant messaging, web pages, and blogs.

8.3 If an incident of cyberbullying is proven, the student/s involved will be subject to disciplinary action as outlined in the disciplinary procedure.

9. Reporting

9.1 Students are encouraged to bring any cases of bullying and/or harassment to the University's attention either informally or formally.

9.2 There are two levels of reporting:

9.2.1 *Anonymous*. Students may wish to raise an issue anonymously, and this is done under the clear guidance that the University will not be able to act on the information or respond to you in person. The University will use this information to help understand what kind of incidences are taking place within our community, and the results will be considered and published annually online. The reporting system will be available via the website and co-ordinated by Student Services.

9.2.2. *Formal*. Students may choose to use the [Complaints procedure](#) to initiate investigation and action. Formal reports should be submitted using the forms included in the Annex.

9.3. *Disclosure*. It may be the case that Students disclose issues to a member of staff they feel comfortable telling. This is considered an informal report. In exceptional circumstances where this information constitutes an unacceptable risk to an individual or the University, the information may share it with relevant partners in line with safeguarding procedures. Disclosures made as part of counselling within Student Services are subject to professional counselling guidelines.

10. Procedures

10.1 Any report of bullying and/or harassment will be dealt with under the Student Complaints Policy and the sanctions available within the Student Conduct Procedure. Both policies contain Appeal mechanisms.

Responsibility for Policy: Director of Student Operations

Reviewed September 2025

Approved: Academic Board

Frequency of Review: Every two years

Next Review date: Sep 2027