

Student Harassment and Bullying Policy

Scope

All students of City, University of London.

Senate Regulations

[Senate Regulation 13 Student Discipline](#)

Date approved/re-approved

Approved by Senate, October 2020

To be read in conjunction with

Senate Regulation 13 Student Discipline

Student Sexual Misconduct Policy

Student Harassment and Bullying Policy

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Equality and Diversity Statement

City, University of London (“the University”) is committed to promoting equality, diversity and inclusion in all its activities, processes, and culture, under its Public Sector Equality Duties and the Equality Act 2010. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

Where relevant to the policy, decision-making panels will ensure a reasonable gender balance (with at least one man and one woman) and will actively consider representation of other protected groups.

1. Policy Statement and Vision

The University aims to operate an enabling environment where all students are supported to feel safe, respected and able to challenge inappropriate behaviours wherever they occur. The University maintains transparent and robust mechanisms that allow students to raise concerns over harassment and bullying.

Students are partners in the University's processes. The University will work with its students to ensure that their rights, safety and welfare are protected throughout their involvement in any informal or formal procedures relating to any forms of harassment and bullying. The University will respond appropriately and effectively to any breaches of the Student Harassment and Bullying Policy and associated Regulations.

This Policy should be read alongside:

- [Student Discipline Regulation](#)
- [Student Sexual Misconduct Policy](#)
- [Safeguarding Policy](#) (for disclosures or reports relating to persons under the age of 18, or who may be considered to be 'Adults at Risk')
- [Student Complaints Regulation](#)
- [Staff Grievance Procedure](#)
- [Staff Disciplinary Procedure](#)
- [Staff Dismissal Procedure](#)
- [Staff Harassment and Dignity at Work Guidelines](#)

Processes within this Policy will take precedence in the handling of a report of harassment and bullying. For reports of sexual misconduct, as defined in this Policy, please refer to the University's [Student Sexual Misconduct Policy](#). Where another regulation or policy would take precedence or should be referred to, this will be clearly communicated within this Policy.

2. Scope

This Policy applies to students, staff and third parties to the University. The Policy applies to alleged incidents which have either taken place on University premises, or to off-campus activities which are University sanctioned or sponsored, or which have a direct impact on a student or staff member of the University, or the University itself. The Policy also applies to alleged interactions which occur within an online or virtual space, such as a virtual learning environment used by the University, a social media group relating to a University activity, or text messages and emails which may have an impact on a student or staff member of the University, or the University itself.

Where possible, the University will provide guidance and support to students who have experienced harassment and bullying from a visitor to the University. The University will also take reasonable steps to support a student in a Police investigation against a visitor. However, the University does not have jurisdiction to take any action against a visitor with whom the University does not have a contract or agreement.

For students who are under the age of 18, or who are considered to be 'Adults at Risk' (which includes vulnerable adults and adults who are experiencing abuse: see the University's [Safeguarding Policy](#) for more information on these definitions), any response to harassment and bullying will also need to be considered with regard to the [Safeguarding Policy](#).

The role of the University is to test whether any form of harassment and bullying has occurred in relation to its own regulations, policies and procedures, and not to seek to determine matters of civil or criminal law. To this end, the University will set its own definitions of harassment, bullying and other relevant forms of misconduct within this Policy.

3. University Framework

Where a report of harassment and bullying is brought by a student, this will be reviewed in line with this Policy and the following:

- [Student Discipline Regulation](#)
- [Safeguarding Policy](#) (for disclosures and reports relating to persons under the age of 18, or who may be considered to be 'Adults at Risk')
- Professional Relationships Policy (a Harassment Adviser or Safeguarding and Welfare Officer can provide this policy)

For reports of sexual misconduct, please refer to the University's [Student Sexual Misconduct Policy](#).

This Policy comprises a Code of Conduct of the [Student Discipline Regulation](#). The role of the University is to undertake an investigation into a breach of this Policy, and not to attempt to be a substitute for a Police investigation or criminal proceedings. In doing so, the Investigating Officer(s), on behalf of the University, will undertake an assessment of the evidence made available in order to determine whether, on the balance of probabilities, misconduct which would be considered a breach of this Policy occurred or not.

a. No-Contact Arrangements

This Policy allows for the introduction of a No-Contact Arrangement to protect the welfare of both the reporting student and the responding student or staff member, and any witnesses or other involved parties. The No-Contact Arrangement also protects the integrity of any investigation being undertaken by the University.

The principles of a No-Contact Arrangement will be the following:

- Any individuals (student or staff) specified within the arrangement should not actually, or seek to, make contact with one another, either in-person or virtually;
- Any individuals specified within the arrangement should not be seen to make reference to one another, or to issues considered within the relevant report or investigation.

Any individuals understood to be in breach of the above terms can have disciplinary action brought against them under the [Student Discipline Regulation](#).

b. Vexatious or Malicious Allegations

Should an Investigating Officer determine that a report has been made which is malicious or vexatious in nature, including where false representations have knowingly been provided by the reporting student or their representative, they may be able to close this case and to pursue actions against the reporting student under the [Student Discipline Regulation](#).

c. Fitness to Practise

Some programmes within the University are regulated by professional and statutory bodies (PSRBs). In such programmes, students are normally required to demonstrate that they have the good character to be able to carry out their professional role safely and effectively as part of the learning outcomes for their programme.

Harassment and bullying behaviours may constitute a 'lack of professionalism', as defined in 'Fitness to Practise' procedures. These will have been provided to students by their Programme Team, if relevant, along with any specific School policies, information or forms that are relevant.

4. Timeframe for reporting

A report in relation to a breach of the Student Harassment and Bullying Policy should be made as soon as possible, or within 12 calendar months of the date on which the last alleged breach of this Policy has taken place, unless appropriate grounds for a report at a later point have been established, as determined by the Investigating Officer. Grounds which may be considered as valid for considering a report outside of 12 calendar months would usually be as follows:

- The reporting student had been fearful of the repercussions of reporting and may have put themselves or others at risk if they were to have made a report, and they can evidence this claim;
- The reporting student had interrupted their studies or been signed-off from work, and had not had consistent contact with the University for around 12 calendar months or more;
- Another good or exceptional reason considered to be valid by the Investigating Officer.

If the reporting student has recently graduated from the University, the reporting student will be able to make a report up to 12 calendar months from the date of the most recent incident, regardless of the date of their graduation within this twelve-month period, and subject to the above requirements.

5. Terminology

a. Disclosure

A disclosure means that an individual tells a member of the University community that they have experienced harassment and bullying (this is different to a formal report).

b. Formal Report

A formal report is the sharing of information on an alleged experience of harassment and bullying in order to instruct the University to seek to take appropriate action.

This allows the University to initiate the relevant process under the [Student Discipline Regulation](#) (this is different from a disclosure).

c. Investigating Officer

An Investigating Officer may be a Head of Academic Services; a senior academic or professional member of the School the student is studying in, or another School; a senior member of Student and Academic Services; a Safeguarding and Welfare Officer or other staff member with responsibility for student welfare; or an appropriate appointed external to the University.

Usually, the Investigating Officer should be appointed from within the School of the responding student, or if a report is made against a staff member, they should be from within the School of the reporting student. In the case of a report of sexual misconduct, where appropriate, an external Investigating Officer should be appointed to conduct the investigation of the report.

Before handling any reports, an Investigating Officer will have been appropriately trained to do so by the University, and will undergo a series of refresher training across the duration of their role.

d. Reporting Party (including 'student' or 'staff member')

The Reporting Party is the person(s) who has experienced the alleged incident of harassment and bullying, and breach of this policy, and who has made a formal report to the University.

e. Responding Party (including 'student' or 'staff member')

The Responding Party is the person(s) whose behaviour has been alleged to have amounted to harassment and bullying and a breach of this policy, and who has been named as such in a formal report to the University.

6. Definitions

The University recognises the following definitions as central to our understanding of harassment and bullying, and other related inappropriate behaviours, and as forms of misconduct which would be considered a breach of this Policy.

a. Bullying

Bullying is "offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient (emotionally or physically)."

Bullying can take the form of physical and non-verbal conduct, including posting on, and messaging through, social media platforms and other virtual spaces. The University might consider the following behaviours to be examples of bullying. This is not intended to be an exhaustive list and other behaviours may also be considered relevant:

- Spreading malicious rumours, or insulting someone by word or behaviour;
- Ridiculing or demeaning someone – picking on them or setting them up to fail;
- Exclusion or victimisation;
- Unfair treatment;
- Overbearing supervision or other misuse of power or position.

b. Harassment

Harassment is defined as unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment, as defined by the Equality Act 2010, occurs in relation to the age, disability, gender, sexual orientation, ethnicity, religion or belief, or race of an individual.

The University might consider the following behaviours to be examples of harassment. This is not intended to be an exhaustive list and other behaviours may also be considered relevant:

- Unwanted physical contact, including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space;
- Continued suggestions for social activity after it had been made clear that such suggestions are unwelcome;
- Sending or displaying material that could reasonably be considered to be image-based abuse, or that may be considered to be offensive;
- Offensive or intimidating comments or gestures; insensitive jokes, pranks or 'banter';
- Mocking, mimicking or belittling an individual's disability;
- Racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular gender, or ethnic or religious group;
- Outing or threatening to out someone as lesbian, gay, bisexual, trans, queer (LGBTQ), or any other minority gender or sexual identity;
- Ignoring, shunning or deliberately excluding someone from a conversation or group.

c. Online Bullying and Online Harassment

Online bullying is defined as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient (emotionally or physically) through the use of information and communication technologies.

Online harassment is defined as unwanted conduct through the use of information and communication technologies which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

The University might consider the following behaviours to be examples of online bullying or online harassment. This is not intended to be an exhaustive list and other behaviours may also be considered relevant:

- Cyberstalking; or repeated and deliberate use of the internet and other electronic communications tools to engage in persistent, unwanted communication intending to frighten, intimidate or harass someone, or to spy on someone;
- Sending or posting harmful, untrue or cruel statements about a person to other people;

- Sharing someone else’s personal information without their permission;
- Purposeful isolation of individuals from online communications with others in a network;
- Image-based sexual abuse; or online disclosure of sexual or intimate photos or videos, without the consent of the person pictured;
- Internet pile-on, where large numbers of people are encouraged to target one individual with numerous messages;
- Pretending to be someone else online;
- The exchange of online sexual image or videos. This is illegal for under-18s. Where sexual photos of adults are shared online between adults (that is, over 18), without permission of the person/people photographed, this is usually classified as ‘revenge porn’;
- Engaging in tricks to solicit personal information that is then made public, often to blackmail the individual;
- Sending or posting deliberately inflammatory, inappropriate or controversial messages or comments on the internet in order to upset and provoke responses from other internet users;
- Up-skirting; or filming or photographing under a person’s clothes without their consent to capture images of their body or underwear;
- Virtual mobbing; or where a person tries to attract attention to someone else by getting other people to bully a person, for example by using hashtags to encourage other people to join in.

d. Sexual Harassment

Sexual Harassment is defined in the Equality Act 2010 as “unwanted conduct of a sexual nature, which has the purpose or effect of violating the recipient’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.”

The University might consider the following behaviours to be examples of sexual harassment. This is not intended to be an exhaustive list and other behaviours may also be considered relevant:

- Catcalling or following someone;
- Unwelcome sexual advances or suggestive behaviour and suggestions that sexual favours may be beneficial to the progression or security of the individual;
- Making unnecessary and unwanted physical contact, sexual jokes or comments;
- Giving unwelcome personal gifts;
- Wolf-whistling, leering, derogatory or unwelcome comments about a person’s body or clothing;
- Asking unwelcome questions about a person’s sex life and/or sexual orientation;
- Engaging in unwelcome sexual propositions, invitations and flirtation;
- Making somebody (directly or indirectly) feel uncomfortable through displaying or sharing material that could be considered to be image-based abuse.

e. Sexual Misconduct (please refer to the [Student Sexual Misconduct Policy](#))

Sexual Misconduct is a broad term encompassing any unwelcome behaviour of a sexual nature that is committed without consent or by force, intimidation, coercion, or

manipulation. Sexual misconduct can be committed by a person of any gender, and it can occur between people of the same or different genders.

The University might consider the following behaviours to be examples of sexual misconduct. This is not intended to be an exhaustive list and other behaviours may also be considered relevant:

- Sexual assault, which includes non-consensual sexual intercourse or attempted sexual intercourse (vaginal, anal or oral), any intentional unwanted bodily contact of a sexual nature, or the use of coercion, manipulation or force to make someone else engage in touching of a sexual nature;
- Sexual harassment, as defined in 6.d. above;
- Sexual exploitation, which involves taking non-consensual, unjust, or abusive sexual advantage of another person;
- Sexual intimidation, which includes threatening another person that you will commit a sex act against them, or engaging in indecent exposure.

f. Victimization

Victimization occurs when someone is treated less favourably because they have made or supported disclosures or reports about discrimination or harassment, or because an individual thinks that they may do so. Victimization or retaliation as a result of disclosures or reports about bullying or harassment being made is unacceptable, and may lead to disciplinary action.

The University might consider the following behaviours to be examples of victimization. This is not intended to be an exhaustive list and other behaviours may also be considered relevant:

- Excluding someone from social situations following a complaint or rumour of a complaint;
- Denying someone the opportunity to participate in an activity/opportunity because they are perceived to be a 'troublemaker' or 'different';
- Lowering a student's assessment results because they have made or supported a complaint.

7. Expectations of all Students, Staff and Third-Parties

All students, staff and third-parties to the University are expected to act in line with the following principles:

- To respect each other and not to perpetuate harassment, bullying, or any other form of related inappropriate behaviours;
- To act appropriately and in accordance with the principles established in the 'Professional Relationships Policy'.

In addition to these, staff are also expected to act in line with the following principle:

- To take reasonable steps in order to respond in a thoughtful and supportive way to disclosures of harassment and bullying.

The University commits to the provision of relevant and appropriate activities to support staff development in order to be able to meet the expectations outlined above.

8. Support Available to Students

Students have access to a range of modes of support in relation to harassment and bullying regardless of whether they are the reporting student or responding student or another party affected by conduct of this nature (e.g. a witness to an alleged incident). For signposting to any of the below support services, students can contact their Personal Tutor, Course Officer, or a Harassment Adviser at the University.

Students can access support through one or more of the following support services:

- Local Safeguarding and Welfare Officer in their School;
- The University Harassment Advisers;
- The University Student Counselling, Mental Health and Accessibility Services;
- The University Health Centre;
- The University Chaplaincy;
- The University Student Centre;
- City Students' Union.

The University will also signpost and refer students to specialist external support services where appropriate, such as one the following:

- The Police;
- Rape Crisis;
- Survivors UK;
- A Sexual Assault Referral Centre (SARC).

9. Witnessing Harassment and Bullying

Students have a right to study in an environment free from harassment and bullying. If a student witnesses behaviour which they reasonably believe to be contrary to the terms of this Policy, they can access support through any of the services outlined in section 8 of this policy, and are also encouraged to make a report in their own right, even if they are not the intended target of the alleged behaviour.

10. Expectations on the University

a. University Responsibilities

The University recognises its equal responsibility to both the reporting student and the responding student or staff member. Any report of a breach of this Policy, where Formal Resolution is sought, cannot be considered anonymously, and will be investigated through the appropriate process outlined in this policy, and may be referred for consideration under the [Student Discipline Regulation](#) where a disciplinary investigation is required.

The University will ensure that it is mindful of the rights and welfare of both the reporting student and the responding student or staff member, throughout any investigation, and that both parties have the opportunity to a fair hearing. As such, both parties will have the right to put their case forward and to respond to the case against them, and to have an outcome determined through a fair and impartial process. Students and staff will have access to the dedicated and specialist University Support Services outlined in point 8 of this Policy, and would be equally supported to engage with any relevant specialist support services. Staff may also seek support from a Trade Union representative.

Steps will be taken to ensure that either student's use of a service does not conflict with the ability of any other students involved in a case to do the same.

b. Reporting to the Police and Other External Agencies

Where behaviour has been alleged which would amount to a serious criminal offence (for example, physical or stalking) an assessment of risk will be undertaken by the University as to whether this should be reported to the Police by the University.

In line with the University's Duty of Care to its students, and other relevant legal requirements, the University would usually only report a matter to the Police with the consent of the student who has been subject to the criminal offence. In exceptional circumstances, the University may take the decision to report an incident to the Police where the University understands there to be a considerable concern about the safety of its students, staff or others.

Where a report has also been made to the Police, any resulting Police investigation or criminal proceedings would normally be expected to have been completed before the University will take any action formally under this policy (although emergency action via the [Student Discipline Regulation](#) may be considered appropriate if necessary, to protect the welfare, safety and dignity of the University's students, staff and others).

Where a Police investigation or criminal proceedings begins once the University has already initiated an investigation, the University may suspend its investigation and defer to the Police investigation or criminal proceedings, as considered on a case-by-case basis. The University will consider the introduction of measures to safeguard the reporting and responding students, and any other students and staff as relevant, such as a No-Contact Arrangement, or emergency actions under the [Student Discipline Regulation](#), without hindering or interfering with the Police investigation.

The University also acknowledges the rights of students and staff to report an issue directly to the Police. Where a report relating to harassment and bullying has been made to the Police, this should be made known to the University as there may be support that the University can provide.

11. Confidentiality and Information Sharing

The University acknowledges the importance of privacy in cases relating to harassment and bullying, and the impact which mishandling of a disclosure can have on the welfare and wellbeing of an alleged victim or perpetrator. Discretion and confidentiality will be maintained as far as is possible, except for in circumstances where there is considered to be a significant risk of harm to one or more individuals if sensitive information were not appropriately shared.

If a member of staff feels that there is significant risk of harm, and that confidentiality should be broken, they should attempt to gain the consent of the reporting student before doing so, and document this in writing. Reports should not be made to external authorities, such as the Police or psychological services, without the consent of the relevant student, and/or compliance with the University's processes.

If confidentiality does need to be broken, in order to enable the University to act in accordance with its Duty of Care and its own regulations, this should always be on a need-to-know basis, and the reporting student should be notified of this action.

The University may also be required to provide information relating to a report or investigation to the Police as part of a Police investigation or criminal proceedings, and staff or students at the University may also be required to provide evidence as a witness in these proceedings. To enable this, staff should keep accurate and appropriate records in relation to investigations of harassment and bullying, and should ensure the security of any records kept.

Any sensitive information disclosed will be securely held by the University, subject to and in accordance with the provisions of the General Data Protection Regulation (GDPR) 2018 and the Data Protection Act 2018. Where appropriate, the University will seek legal advice to ensure that it is compliant with the GDPR in its actions taken.

12. Processes for Handling Reports of Harassment and Bullying

The University treats reports relating to harassment and bullying seriously and in consideration of our equal responsibility to any students and staff who make a report, or have a report made against them. The University must take appropriate and proportionate action within its own relevant student and staff policies.

In making a report to the University, the reporting student should identify the most relevant definition to describe the issue they are reporting (e.g. *bullying* or *sexual harassment*) and in doing so, establishes the appropriate process to be used (e.g. *Student Harassment and Bullying Policy* or *Student Sexual Misconduct Policy*).

12.1 For reports made between students

The following process should be followed in order to resolve a breach of the Student Harassment and Bullying Policy which has taken place between City students.

i. Stage 1 – Informal Resolution (Student-Led)

It is normally advisable to attempt to resolve concerns and issues in an informal manner wherever possible. If the reporting student has reasons to believe that they have experienced harassment or bullying from another student of the University, they are encouraged to discuss this with them directly, if they feel safe and able to do so. The University acknowledges that it may not always be possible or practical to attempt informal resolution.

The responding student may not be aware of the impact of their behaviour, and so the reporting student might take one of the following steps to address the impact of their alleged behaviour:

- Speaking to the responding student about their alleged behaviour and its impact, and asking them not to repeat this behaviour in future;
- Writing a letter to the responding student explaining how their alleged behaviour has impacted on the reporting student, asking them not to repeat this behaviour in future.

The following roles can be contacted by a student to request support with effectively attempting Stage 1 Informal Resolution if they require any additional guidance in doing so:

- Their Personal Tutor or Course/Programme Director;
- Their Course Officer, or other professional staff in their School;
- Their local Safeguarding and Welfare Officer;
- A Harassment Adviser.

ii. Stage 2 – Informal Resolution (University-Facilitated)

Stage 2 Informal Resolution may be appropriate in the following circumstances:

- The reporting student has attempted Informal Resolution at Stage 1 but have not found this to be effective;
- The reporting student has attempted Informal Resolution at Stage 1 but is not satisfied that the outcome is proportionate or addresses the concern raised;
- The reporting student, or any staff involved in the Informal Resolution, feel that the concern is too serious to be considered at Stage 1 and must progress to Stage 2.

To initiate Stage 2 Informal Resolution, the reporting student can contact any of the following forms of support:

- Their Personal Tutor or Course/Programme Director;
- Their Course Officer, or other professional staff in their School;
- Their local Safeguarding and Welfare Officer;
- A Harassment Adviser;
- The Head of Student Support Services (in Student and Academic Services);
- A member of any of the University Support Services (see section 8 of this Policy).

Actions taken as a result of Informal Resolution might include some of the following:

- An apology from one impacted party to another;
- An agreement not to communicate between the impacted parties;
- Attendance at relevant training for the responding student;
- One or more of the impacted parties moving teaching groups or accommodation;
- An attempt at mediation between the impacted parties.

iii. Formal Resolution

In order to submit a formal report and request for a formal investigation and resolution, the reporting student should refer to the [Student Discipline Regulation](#), which is the procedure by which they can request formal redress from the University for the alleged misconduct which they have experienced. Students seeking to make a formal report to the University can access support in doing so from any of the internal staff or services included in section 8 of this policy.

To attempt Formal Resolution, the reporting student should submit a formal report, in writing, to their School, usually to the Head of Academic Services (or equivalent), or to another local Safeguarding and Welfare Officer. The School will appoint an appropriate Investigating Officer.

If an incident has occurred in the reporting student's accommodation, which is a hall associated with the University, they should submit a formal report, in writing, to the Safeguarding and Welfare Officer within the Accommodation team, who will appoint an appropriate Investigating Officer.

The reporting student will be asked to provide any relevant evidence or supporting statements to the Investigating Officer. The responding student will be notified of the report against them and be given the opportunity to provide their own statement and evidence in response.

For further information, please refer to the [Student Discipline Regulation](#).

12.2. For reports involving both students and members of staff

The following process should be followed in order to resolve a breach of the Student Harassment and Bullying Policy which has taken place between City students and staff.

Reports made by a student against a member of staff

i. Stage 1 – Informal Resolution (Student-Led)

It is normally advisable to attempt to resolve concerns and issues in an informal manner wherever possible. If the reporting student has reasons to believe that they have experienced harassment or bullying from a member of staff, they are encouraged to discuss this with them directly, if they feel safe and able to do so. The University acknowledges the power dynamics that may exist between students and staff, and so that students may not feel able to attempt informal resolution with a member of staff.

The responding staff member may not be aware of the impact of their behaviour, and so the reporting student might take one of the following steps to address the impact of their alleged behaviour:

- Speaking to the responding staff member about their alleged behaviour and the impact it has had, and asking them not to repeat this behaviour in future;
- Writing a letter to the responding staff member explaining how their alleged behaviour has made the reporting student feel, asking them not to repeat this behaviour in future.

The following roles can be contacted by a student to request support with effectively attempting Stage 1 Informal Resolution if they require any additional guidance in doing so:

- Their Personal Tutor or Course/Programme Director;
- Their Course Officer, or other professional staff in their School;
- Their local Safeguarding and Welfare Officer;
- A Harassment Adviser.

ii. Stage 2 – Informal Resolution (University-Facilitated)

Stage 2 Informal Resolution may be appropriate in the following circumstances:

- The reporting student has attempted Informal Resolution at Stage 1 but they have not found this to be effective;

- The reporting student has attempted Informal Resolution at Stage 1 but is not satisfied that the outcome is proportionate or addresses the concern raised;
- The reporting student, or any staff involved in supporting an attempt at Informal Resolution, feel that the concern is too serious to be considered at Stage 1 and must progress to Stage 2.

To initiate Stage 2 Informal Resolution, the reporting student can contact any of the following forms of support:

- Their Personal Tutor or Course/Programme Director;
- Their Course Officer, or other professional staff in their School;
- Their local Safeguarding and Welfare Officer;
- A Harassment Adviser;
- The Head of Student Support Services (in Student and Academic Services);
- A member of any of the University Support Services (see section 8 of this Policy).

Actions taken as a result of Stage 2 Informal Resolution might include some of the following:

- An apology from one impacted party to another;
- An agreement not to communicate between the impacted parties;
- Attendance at relevant training for the responding staff member;
- One or more of the impacted parties moving teaching group or accommodation;
- An attempt at mediation between the impacted parties.

iii. Stage 3 – Formal Resolution

Students seeking to make a formal report to the University can access support in doing so from any of the internal staff or services included in section 8 of this policy.

In order to make a formal report relating to harassment or bullying, to the University, the reporting student will need to name the member(s) of staff against whom the report is made, and submit their report, in writing, to the relevant Safeguarding and Welfare Officer in the School, who can refer this to the Head of Department/Service (or equivalent) with responsibility for the member of staff that the report is being made against.

The Head of Department/Service will undertake an initial assessment of the report and any supporting evidence. Student and Academic Services and Human Resources may provide support to the Head of Department/Service in undertaking this initial assessment.

Where the Head of Department/Service determines that there is sufficient available evidence, and that there is not an opportunity to attempt to seek resolution at stage 1 or 2, or that informal resolution is not appropriate, a formal investigation will be undertaken. In order to undertake a formal investigation, an independent Investigating Officer will be appointed by the Head of Department/Service.

If it might be reasonably considered that any responsible party within the investigation could be conflicted in their management of this process due to their

prior knowledge, role or relationships with the involved parties, it is the responsibility of the party to make this known to the Safeguarding and Welfare Officer, and the investigation should be delegated to an alternative Investigating Officer.

If a report is made against a Head of Department/Service or another senior officer within a School, it may be reasonable for the formal investigation to be undertaken by an Investigating Officer outside of the School. The most relevant senior manager should take a decision on the suitability of the Investigating Officer, in consultation with Student and Academic Services and/or Human Resources.

The responding staff member will be notified of the report made against them, and given an opportunity to respond to the report and to provide their own statements and supporting evidence, and to present any potentially mitigating circumstances which they feel are relevant. This process may involve a preliminary meeting between the Investigating Officer and the responding staff member. The responding staff member will also be notified of their right to be accompanied at any meetings related to the investigation by a colleague or Trade Union representative.

The Investigating Officer will undertake a full investigation into the statement and evidence provided by both the reporting student and the responding staff member and will ensure that any witnesses or other relevant people are interviewed and evidence is gathered and considered.

The Investigating Officer will provide a report of the investigation's findings and recommendations to the Head of Department/Service who will be responsible for determining the next steps.

The responding staff member will be provided with a written outcome of the investigation and next steps within 28 calendar days of their notification of the report made against them. Information will be shared in line with the Data Protection Act and General Data Protection Regulation (GDPR), in order to maintain confidentiality.

The reporting student would only be notified that the Formal Resolution has been concluded, and of any action required of them relating to any sanctions which may be imposed. The reporting student would usually only be informed that their case is being considered under the appropriate University procedure for staff.

Following the outcome of the investigation, the Head of Department/Service with responsibility for the responding staff member will determine, with guidance from Human Resources, the next steps to be taken in accordance with the appropriate staff procedure, which would usually be one of the following:

- The investigation finds insufficient evidence to substantiate the allegations or the evidence is not substantive enough for further consideration under a staff procedure;
- The investigation finds evidence to substantiate the allegations and local measures can be put into place in order to protect the welfare of all parties;
- The Head of Department/Service may determine that the matter should be considered under either the Disciplinary, Dismissal, or Capability Procedure for staff.

The Head of Department/Service should consult with Human Resources and their local Safeguarding and Welfare Officer if there are necessary steps to be put in place in order to protect the welfare of the alleged victim or any other students and staff at the University.

Regardless of the outcome of the investigation, the School should be seeking to provide the reporting student with support, and to consider any steps which may be required in order to enable them to continue their studies.

Where in the view of the Head of Department/Service, either at the outset or after the investigation has been completed, the alleged victim has made a report which is malicious or vexatious, they may recommend on guidance from Student and Academic Services that the matter is referred to a Disciplinary Panel for University-Level Review, under the Student Discipline Regulation.

Reports made by a member of staff against a student

The process for consideration of a report made by a member of staff against a City student will follow the same as that where a student has made a report against another student.

Staff would first be asked to consider whether Stage 1 – Informal Resolution might be possible, and if Informal Resolution is not sought or proves to be unsuccessful, will be asked to provide a statement and evidence to the Safeguarding and Welfare Officer, and then the Investigating Officer, from the School in which the responding student is studying.

Following the Stage 2 – Formal Resolution, the Investigating Officer may issue one of the below outcomes:

- No further action;
- Issue of a formal warning letter on behalf of the University;
- Introduction of a no-contact arrangement between two members of the University;
- Recommendation that an individual undertake a relevant course of training;
- Referral to a Disciplinary Panel, under the Student Discipline Regulation.

If the responding student does not accept the report made against them, or the sanctions recommended by the Investigating Officer, the case can be referred to the [Student Discipline Regulation](#).

12.3. For reports where external parties are involved (including third parties and contractors of the University)

Reports made by a student against a contractor or third-party to the University
If a student is making a formal report of a breach of this Policy against an individual who is either a contractor, part of a third-party arrangement with the University, or a member of the public who has been invited to interact with the University, they should make the report to a Safeguarding and Welfare Officer based within their School.

The Safeguarding and Welfare Officer will then conduct a preliminary assessment based on the statement and evidence provided by the reporting student. If the outcome of this preliminary assessment is that the Officer finds the report to be substantiated, this will be referred to the service in the University with responsibility for managing the relationship with the contractor or third-party, including recommendations for resulting actions.

Where a formal report relates to an individual who the reporting student has interacted with as a result of a clinical, practice-based or industry placement which forms part of their studies, a recommendation should be made by the Safeguarding and Welfare Officer to the relevant Programme Director, Placements Manager or other service-lead with responsibility for managing the placement element of the reporting student's study experience.

This individual would then explore the support available to the reporting student, and undertake an assessment of whether it is safe or reasonable for the reporting student to return to this placement, in line with existing welfare processes already in place to support students on placement. They would also be asked to consider the safety of other current or future students engaging with this placement provider and, with the consent of the reporting student, may contact the Human Resources department of the placement provider to raise an issue. The placement provider may initiate their own process separately to the University's processes.

This assessment would be a precautionary action based on the report that the reporting student has made, and not an investigation or a determination on the part of the University that the alleged behaviours have conclusively taken place.

Reports made by a contractor or third-party, or a member of the public, to the University against a student

Where a report has been made against a student by a contractor or a third-party to the University, this should initially be considered by an appointed Investigating Officer within the reporting student's School, who will review the report made and any supporting evidence, and give the responding student the opportunity to provide their own statement and evidence in response to the report made.

Following the initial investigation, the following outcomes will be available to the Investigating Officer:

- No further action;
- Issue of a formal warning letter on behalf of the University;
- Introduction of a no-contact arrangement between two members of the University;
- Recommendation that an individual undertake a relevant course of training;
- Referral to a Disciplinary Panel, under the Student Discipline Regulation.

Reports made by a student against a member of the public

If a student is making a report of harassment or bullying where the responding party is a member of the public unrelated to the University, the University would usually advise the reporting student to report this to the Police. Although the University will not be able to take action against the member of the public, University support

services may be available to support the reporting student by signposting them to relevant support services internally and externally. In order to access support, students may contact one of the University's Safeguarding and Welfare Officers.

12.4. Providing the reporting party with a resolution to their report

The University is bound by the requirements of the General Data Protection Regulation (GDPR) and its duty of care to all students and staff. The University will not share the full details of the outcome of an investigation with the reporting party. The University does, however, acknowledge the need for the reporting party to feel that their report has been heard and appropriately dealt with, and the University will inform the reporting party when a resolution has been reached regarding their report. Further details of the outcome may be provided where specific actions are required of the reporting party. The reporting party will be notified in writing by the relevant Investigating Officer.

Policy Details Table

Document title:	Student Harassment and Bullying Policy
Maintained by:	Education & Student Strategy
Owned by:	Student and Academic Services
Approving Committee or Body:	Senate
Last updated:	October 2020
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Current version:	Version 1.1
Location of master document:	Drive Address: S:\QUAD\Quality Manual
Website Link:	https://www.city.ac.uk/about/governance/quality-manual
If you have queries about this document or if you require this document in an alternative format, please contact:	ace@city.ac.uk