

## 6 W X G H D G M Y A I Study Policy and Procedure

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Victimisation

### 1. Purpose and Scope

The University of Bolton is committed to a policy of equality of opportunity and aims to ensure all students have the right to be treated with respect during their time at the University. The Equality and Diversity Committee is the University's principal vehicle for consultation on equality and diversity matters with responsibility for ensuring that corporate equality objectives are set and met. The University has also expanded the mandatory training for new staff to include equality and diversity training. The University has a good reputation for its diversity as can be evidenced in its annual report <http://www.bolton.ac.uk/Diversity/Home.aspx> and holds an annual Diversity day to celebrate Diversity across the University and in the local community.

The University aims to deal with any concerns at an early stage promptly, impartially, effectively and with sensitivity. The University will not tolerate bullying and harassment of any kind. All allegations of bullying and harassment will be investigated and appropriate action will be taken. The University will not tolerate victimisation of a person making allegations of bullying or harassment in good faith, or supporting someone who has made such an allegation. Any form of discrimination, harassment or victimisation that is proven may lead to the implementation of the University Student Non Academic Conduct and Disciplinary Policy and Procedure.

This policy and procedure applies to all students who are enrolled at the University of Bolton including partner organisations of the University. The policy applies to behaviour and conduct whether expressed orally, in writing or electronically, occurring on University premises or elsewhere, including social networking sites, blogs, websites or other media. If you are unsure whether to use the staff or the student policy please refer to appendix 2.

Bullying or harassment may be physical, verbal or non-verbal, e.g. by letter, e-mails, text messages, social media, or by attitude or behaviour.

Bullying or harassment relating to a protected characteristic under the Equality Act 2010 is unlawful discrimination even if it is by association or perception, as defined in Appendix 1 - Definitions.

Differences of attitude, culture, background or misinterpretation of social signals can mean that what is perceived as harassment or bullying by one person may not be perceived in the same way by another person.

The University expects everyone to be sensitive to the needs of others and to respect individual differences.

In its investigation of allegations of harassment and bullying the University will apply the concept of reasonableness to its handling of such matters.

Being under the influence of alcohol or drugs will not be accepted as an excuse for any form of inappropriate behaviour, harassment or bullying.

Definitions of the terms used in this Policy and Procedure can be found in Appendix 1 - Definitions

If the incident is sufficiently serious that it is being investigated by the police, the University procedures will be suspended until the police have completed their investigations.

## 2. The procedure

Illustrative guidance of the process for reporting and managing the Students' Dignity at Study Policy and procedure is provided in Appendix 3.

The website <http://www.bolton.ac.uk/Students/Home.aspx> has a Report and Support button which is to be used by a student who wishes to report an incident of bullying, harassment or victimisation where the alleged perpetrator is a student, a me4(c3u.(a)-3( )- )JTJ EM

If a student has already approached the person(s) directly regarding their behaviour, or is unwilling to do so the Dignity, Equality and Diversity Champion will explain to the student the further options that can be taken.

### Step 1 Mediation

It may be appropriate on occasions for either the student or the University to consider the role of mediation (see appendix 1 for the definition) in enabling the complainant to reach an informal resolution. The Dignity, Equality and Diversity Champion will help to explain what mediation involves.

### Step 2 Informal Investigation

Following mediation, if applicable, and if the unwanted behaviour still continues, students can be reticent to proceed down the formal route. In such circumstances the Dignity, Equality and Diversity Champion may suggest that the student considers proceeding with a referral from the champion to an Informal Investigation Officer who will carry out an informal investigation where facts are gathered from both parties separately and then presented to all concerned. Please note that direct referrals straight to an Informal Investigation Officer cannot be made. There are opportunities for support throughout the process to ensure an increased chance of a successful outcome for all parties. If there are still unresolved issues following the facts being presented to all parties the Informal Investigation Officer will offer the complainant the option of further mediation in order to reach an informal resolution.

## 2.2 Formal Procedure ± Student Complaints Procedure

Where the informal methods fail to resolve the harassment or bullying or in the event that serious harassment or bullying has occurred, the Dignity, Equality and Diversity Champion can help to explain that the next course of action available is to raise a formal complaint through the Student Complaints Procedure.

The Students Complaints Procedure can be obtained from the Student Centre or Student Union or can be downloaded from

<http://www.bolton.ac.uk/studentinformation-policyzone/Home.aspx>

Any subsequent harassment and bullying incident after a formal complaint has been received will be treated as a separate case.

If the complaint of harassment or bullying is found to be malicious, mischievous, or vexatious, it will provide grounds for disciplinary action against the complainant through the Student Non Academic Conduct and Disciplinary Policy and Procedure.

### 2.3 Variations to the Procedure

The University reserves the right to vary any stage of this procedure as it deems

### 3.2 Students should:

Act promptly and seek support if they perceive that they are being harassed or bullied and should not wait until it reaches an intolerable level or their well-being is jeopardised;

If they witness bullying, harassment or any incidents of unacceptable behaviour they should not ignore it and should encourage the student concerned to report it using the Report and Support system on the website

Promote and share good practice in dealing with harassment and bullying issues;  
Signpost students to specialist internal and external services;

It is not the Dignity, Equality and Diversity Champion's role to:

Investigate the incident;  
Offer an opinion, advice or solutions on what students or staff should do;  
Act as an advocate;  
Accompany a student to an investigation meeting; or  
Provide counselling to students;

Dignity, Equality and Diversity Champions may need to break confidentiality in extreme circumstances under the terms of the Data Protection Act 1998.

3.6 Informal Investigation Officer will:

Listen without judgement;  
Gather facts  
Explain the informal and formal procedures and the mediation process;  
Ensure all student cases are dealt with in accordance with the procedures and principles laid out in this document;  
Participate in regular updating and training on harassment and bullying issues;  
Promote and share good practice in dealing with harassment and bullying issues;  
Signpost students to specialist internal and external services;  
In order to achieve a successful outcome from the process it will be necessary for the informal investigation officer to ensure all parties understand that the nature of the complaint and the name of the complainant will need to be disclosed to the alleged perpetrator(s) and the response of the alleged perpetrator(s) will need to be shared with the complainant

It is not the Informal Investigation Officer's role to:

Offer an opinion, advice or solutions on what students or staff should do;  
Act as an advocate;  
Provide counselling to students;

3.7 All stakeholders will

Ensure their behaviour i97(ebsu)-3()4.002(I)-2.5( )]tcao

Ensure the University environment is kept free from any literature, posters, notices etc. which may encourage discriminatory attitudes and behaviour;

Have a responsibility to ensure a working and studying environment where everyone is treated with equal respect and dignity. Staff and students are expected to contribute to preventing harassment, discrimination, bullying or victimisation through self-awareness, and by supporting students and work colleagues who experience such difficulties by challenging all discriminatory behaviour and attitudes; challenging gossip and rumour which can contribute to discriminatory behaviour and attitudes; and by informing their manager/advisor or other appropriate member of staff confidentially when incidents occur that cause concern.

#### 4. Equality Impact Assessment

An Equality Impact Assessment (EIA) has been completed on this policy.

The University of Bolton is committed to the promotion of equality, diversity and a supportive environment for all members of our community. Our commitment to equality and diversity means that this policy has been screened in relation to the use of plain English, the promotion of the positive duty in relation to the protected characteristics of race, sex, disability, age, sexual orientation, religion or belief, gender reassignment, marriage and civil partnership, pregnancy and maternity.

All University policies are subject to periodic review under the equality impact assessment process.

#### 5. Monitoring and Review

This policy will be reviewed after the first year, and every three years thereafter, to judge its effectiveness and updated in accordance with changes in the law by the Organisational Development, Equality and Diversity Committee.

#### 6. Related Policies

<http://www.bolton.ac.uk/studentinformation-policyzone/Home.aspx>

#### 7. Dissemination of and Access to the Policy

This policy will be published on the University of Bolton's website to be available to all staff, students, visitors and contractors on

<http://www.bolton.ac.uk/studentinformation-policyzone/Home.aspx>

Policy Ref	
Version Number	7
Version Date	<i>June 2016</i>
Name of Developer	Fiona Valentine, Disability Service Manager; Shirley Silcock
Policy Owner (School/Centre 13 e 13 e 13 e	



## Appendix 1

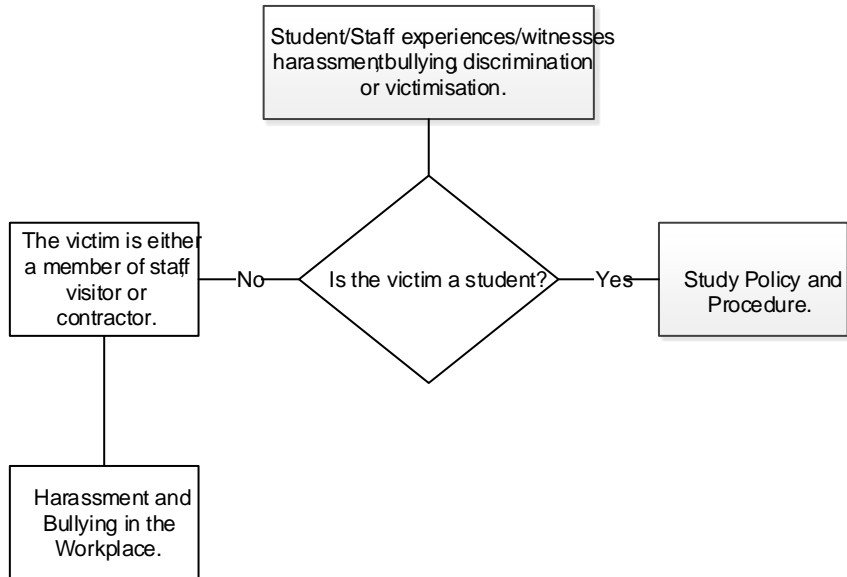
### Definitions

Harassment is unwanted conduct related to any student, including those with a protected characteristic under the equality Act 2010 which:

Informal Mediation will involve both parties either separately or together where the informal mediator will ask questions that will help to uncover underlying problems, assist the parties to understand the issues and help them to clarify the options for resolving their conflict/issue, no formal notes will be taken and neither parties will be asked to sign a document. Their role is to purely facilitate a conversation between the two parties involved.

Appendix 2

Illustrative Guidance for Identifying the Appropriate Policy



### Appendix 3

### Illustrative Guidance of Process for Reporting and Managing the

