

Harassment and bullying: complaints procedure for Students

Updated September 2015

1. SGUL's stance on harassment and bullying

As stated in SGUL's **dignity at work and study policy statement**, the university is committed to providing a working and learning environment that is free from intimidation and discrimination. Harassment and bullying can impair working/studying and social conditions for staff and students at SGUL and will not be tolerated.

Any incidents of harassment or bullying will be regarded extremely seriously and if proven, would be grounds for disciplinary action which may include dismissal or expulsion.

For more information about behaviour which may constitute bullying or harassment, please see SGUL's **dignity at work and study policy** on the students' union portal page of the intranet.

SGUL has a **code of conduct** at work which applies in circumstances where professional and personal relationships overlap. This may also affect students. The code can be found on the students' union portal page of the intranet.

2. Keeping accurate records

Any student who feels that s/he is the subject of harassment either by another student, staff member or anyone else with whom they come into contact with in the course of their studies may wish to make a note of incidents, dates and times and witnesses for future reference.

If the behaviour persists, complainants should keep a note of the details of relevant incidents and the action they took, including any ways in which they felt obliged to change their study or social activities to try to avoid further incidents.

3. Talking to someone about the situation

If a student feels they are being harassed and wishes to talk over the situation, there are a number of sources of support available. A student may approach:

- personal tutors
- the students' union officers, particularly the Vice-President (Education and Welfare)
- the counselling service
- the dean for their programme of study
- wardens at the hall of residence
- dignity advisors
- any other staff member in which the student has confidence.

3. Seeking informed advice

Any student who considers themselves to have been the subject of harassment has the right to be listened to and be given informed advice on how the matter may be resolved.

Students wishing to seek informed advice or discuss concerns about bullying or harassment may wish to approach the students union Vice-President (Education and Welfare) or a dignity advisor under SGUL's dignity advisors' scheme. For more information on the scheme, the names of all dignity advisors and their direct contact details please see **details of the dignity advisors scheme** on the equality and diversity portal page of the intranet.

4. Making an informal complaint

If you consider you are being bullied or harassed it is possible you may be able to sort out matters informally. The person may not know their behavior is unwelcome or upsetting. If you feel able, you could approach the person yourself, or with the help of someone else. You should tell

the person what behaviour of theirs you find offensive and unwelcome and state that you would like it to stop immediately.

The University encourages the solution of all complaints on an informal basis wherever possible.

The actions outlined below may be appropriate in many cases and will often be sufficient to resolve the matter. Where it is possible to resolve the matter by informal means, every effort should be made to do so as swiftly as possible.

4.1 Speaking to the individual(s) concerned

Having heard the facts about the incident(s) and the context of the action or behaviour that caused concern there are a number of informal options available to the individual to resolve the matter. For example the person who has experienced harassment could:

- Talk to the individual on his/her own or with a colleague accompanying him/her.
- Ask a colleague, fellow student, students union Vice-President (Education and Welfare) or dignity advisor to speak to the individual(s) on his/her behalf.

Differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another. However, harassment is unwanted and unwelcomed conduct which has the purpose or effect of violating the dignity of a person or group; or creating an intimidating, hostile, degrading, humiliating, or offensive environment.

The purpose of the conversation would be to make the respondent aware of the way his/her behaviour has been perceived and ask him/her not to repeat it. Sometimes a swift and clear indication that the behaviour is objectionable may be enough to ensure that it is not repeated, particularly if the person involved had not intended to be offensive.

A note should be kept by both the complainant and the person supporting the student of the date(s) the individual(s) was/were approached and what was said by all involved. This may be needed as evidence should harassment, victimisation or bullying continue or subsequently recur.

4.2 Writing to the individual(s) concerned

Alternatively the complainant may prefer to put their concerns in writing to the individual(s) – keeping a dated copy of the letter-

4.3 Facilitated meeting

As appropriate, the students union Vice-President (Education and Welfare) or a dignity advisor could facilitate a meeting between both parties to give the complainant the opportunity to listen to the respondent and explain his/her view of the offending behaviour.

5. Continuing to keep a record of the behaviour

If the behaviour persists, complainants should keep a note of the details of relevant incidents and the action they took, including any ways in which they felt obliged to change their study or social activities to try to avoid further incidents.

6. Monitoring informal complaints

As appropriate, the students union Vice-President (Education and Welfare) or a dignity advisor will compile the personal details such as race, gender, age and disabled status of all individuals raising an informal claim of harassment or bullying irrespective of whether a formal complaint was subsequently raised as a result of the informal complaint. This information will be kept confidentially by the Assistant Registrar (Student Affairs) and will be used for no other purpose than to enable the university to fulfill its obligations for monitoring equal opportunities.

The number and type of informal student complaints or harassment and bullying (anonymised), level of action, and outcomes will be reported by the Assistant Registrar (Student Affairs) annually to key Committees, including:

- the Human Resources Committee
- the Equality and Diversity Committee
- the Strategy Planning and Resource Committee
- the Council.

7. Mediation

As an alternative to raising a complaint through the formal procedure or at any stage of the formal procedure, the complainant or alleged perpetrator may request that the matter is dealt with through mediation. Mediation is voluntary and will only take place with the agreement of all parties.

Where mediation is agreed and the formal procedure has already been started, the procedure will be adjourned whilst the mediation takes place. In the event that no mutually acceptable solution is reached through mediation, the procedure will be reconvened at the point of adjournment.

Mediation will take the form of a relatively informal meeting, or series of meetings, involving the individuals concerned. The meeting(s) may be initially held with the parties separately, dependent upon the nature of the complaint. The mediation will be conducted by a trained external mediator from a Mediation Bureau referred by the University. The role of the mediator will be to help the parties in dispute come to an agreement. The mediator will be independent and neutral to the dispute and will be there to facilitate the parties towards a mutually acceptable agreement.

If the complaint is resolved through mediation, the mediator will assist the parties to draft a written agreement that will be signed by both parties as acceptance of its terms.

Requests for mediation should be made by contacting the Assistant Registrar (Student Affairs) in Registry.

8. Choosing to make a formal complaint

A formal complaint should only be submitted as a final option where the informal approach has not achieved satisfactory results, or in exceptional circumstances, where the nature of the incident(s) warrant(s) a more formal approach.

However, SGUL recognises that there may be good reasons why a complainant may choose not to speak directly to the person against whom they have a complaint. If the complainant feels unable to tackle the person concerned, this does not constitute consent to the harassment nor will it prejudice any complaint they may bring.

Therefore if an informal approach has failed, or is inappropriate, a formal complaint can be made. Formal complaints must be registered **in writing** as soon as possible.

For the formal complaints procedure to be invoked, unless circumstances are deemed by the Principal or his/her nominee to be exceptional, complaints must be submitted to the Academic Registrar or his/her nominee **within three calendar months** of the incident(s) complained of.

8.1 Content of a complaint

A formal written complaint of harassment or bullying may be made to the Principal. All complaints should be submitted through the Secretary & Academic Registrar or his/her nominee and must include:

- the nature of the complaint
- references to dates, time and places (where possible) in relation to a specific incident(s)
- any (unsuccessful) efforts to resolve the matter
- the name(s) of any witness(es) to the incident.
- a formal request that action be taken.

Witnesses can request anonymity and this will be granted if appropriate but this is not encouraged in the interests of openness and 'natural justice.'

8.2 Investigating a formal complaint

On receipt of a formal written complaint of harassment or bullying the Secretary & Academic Registrar will follow the steps outlined **under section 3 secondary stage: formal procedures** in the **student complaints procedure**.

8.3 Timescales

All complaints will be taken seriously and dealt with confidentially and promptly. Timescales for the investigation of the complaint will follow those outlined in the **student complaints procedure**. Exceptionally timescales may not be adhered to or there may be delays through SGUL closure or absence of one of the parties. In exceptional circumstances the Assistant Registrar (Student Affairs) will write to all parties with a revised timescale as soon as possible.

8.4 Protocol during the investigation of a complaint

While the formal complaint is under investigation, an alternative location or timetable for the study of the complainant will be considered when requested (although there can be no guarantee that an alternative location can always be found).

Where it is necessary to facilitate ongoing professional relations between the two parties, other possibilities such as an embargo on one to one meetings between the parties, or meetings with a third party present should be considered and facilitated by a senior member of staff who does not teach. This staff member will be nominated by the Secretary & Academic Registrar or his/her nominee.

Such investigations must be independent and objective with respect for the rights of both the complainant and the alleged perpetrator to be properly heard and represented. The person investigating the complaint will, in consultation with the Secretary & Academic Registrar, reserve the right to require either or both parties to remain away from the university premises whilst the investigation is ongoing. In the case of an employee, this will be with full pay.

9. Action resulting from the investigation

As outlined under **section 3 secondary stage: formal procedures** in the **student complaints procedure**, the complainant will be informed in writing in general terms of the steps taken by SGUL to address the complaint including any appropriate remedial action.

Where a formal complaint is upheld, action will be taken in all cases irrespective of the seniority of, or status of the respondent.

The resolution of the situation needs to be immediate and to be aimed, amongst other things, at preventing any repetition of the behaviour or any associated behaviour. Where an allegation is of a serious nature amounting to:

- gross misconduct for staff
- unfit to practice for students

consideration will be given to immediate action under the procedures. These may include suspension of the respondent from work or study.

10. After the investigation has been completed: training and or/ counselling

Following a formal complaint, either party may be concerned about working with the other again, due regard to such views should be taken into account when offering counselling or mediation.

Where appropriate, for staff, training and/or counselling will be offered to the respondent by the human resources manager for the staff members' department; and for students, by the Assistant Registrar (Student Affairs). The aim of this training and/or counselling is to assist him/her in understanding how to avoid repeating the offending behaviour in future.

Counselling will also be offered to the complainant.

11. Monitoring formal complaints

As appropriate, the investigating officer will compile the personal details such as race, gender, age and disabled status of all individuals raising a formal complaint of harassment or bullying. This information will be kept confidentially by the Secretary & Academic Registrar and will be used for no other purpose than to enable the university to fulfill its obligations for monitoring equal opportunities.

The number and type of formal student complaints or harassment and bullying (anonymised), level of action and outcomes will be reported annually by the Secretary & Academic Registrar to key Committees, including:

- the Human Resources Committee
- the Equality and Diversity Committee
- the Strategy Planning and Resource Committee
- the Council.

12. Support

Anyone involved in a complaint may seek confidential support from the University's Counselling Service.

13. Internal appeal

If the complainant is not satisfied with the action taken and/or decision made they may request that the Chair of Council review the case and establish a Complaints Appeal Committee as outlined under **section 4 appeal stage and student appeal committee procedure** in the **student complaints procedure**.

14. External appeal

If the complainant is not happy with the outcome of the internal appeal they may appeal to the Office of the Independent Adjudicator (OIA). The OIA is an independent agency established to consider complaints from students. This is, in effect, a second appeal, as the OIA does not investigate the complaint in detail, but examines;

- whether the University has followed its own policy;
- whether that policy is fair
- whether the outcome is reasonable in the light of all the information to hand.

The OIA will not normally consider submissions until a student has completed the internal procedures.

Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA **within three months** of the issue of the completion of procedures letter.

Full details of the scheme are available on request from the Assistant Registrar (Student Affairs) in Registry. Information on this scheme will be enclosed when the student is informed in writing of the outcome of the original complaint.

16. Vexatious complaints

SGUL recognises that complaints may be brought with mischievous or malicious intent. The deliberately false defamation of another person's character is equally unacceptable to the University. If it is established during the investigation that an individual has knowingly raised a false or malicious accusation against another person, then the individual raising the complaint will be the subject of disciplinary action which may include suspension or expulsion.

17. Victimisation

Victimisation means a person is treated badly because they:

- have made a complaint
- intend to make a complaint
- have helped someone else make a complaint– including acting as a witness-

The University will not allow the victimisation of complainants or their unfavourable treatment (such as the hampering of promotion prospects or restrictions in grading); such action would be unlawful.

Following a finding of harassment or bullying any repeat of behaviour of this type by the respondent will result in disciplinary action.

APPENDIX A: Useful contacts

Student Union Vice President (Education & Welfare)

The Vice President's main role is to look after students' general wellbeing and ensure that the students' voice is heard by staff.

Contact:	Telephone: 020 8725 0451
	Email: vpeducation@su.sgul.ac.uk

Personal tutors

All SGUL students are assigned a personal tutor. If you want to check who your personal tutor is you can contact the Lecturers in Medical Education for details.

Contact:	Leanda Kroll
	Telephone: 020 8725 5159
	Email: lkroll@sgul.ac.uk
Contact:	Margot Acer Turner
	Telephone: 020 8725 5169
	Email: maturner@sgul.ac.uk

Counselling Service

SGUL provides a free confidential counselling service which is available to all staff and students to talk about any emotional or practical difficulties.

Available: Monday, Tuesday and Friday:	Meg Errington
	Telephone: 020 8725 3628
	Email: mwilkins@hscs.sgul.ac.uk
Available: Tuesday, Wednesday and Thursday	Sheila Root
	Telephone: 020 8725 3628
	Email: sroot@sgul.ac.uk
Available: Tuesday, Wednesday and Friday	John Taggart
	Telephone: 020 8725 3628
	Email: jtaggart@sgul.ac.uk

Equality & Diversity Adviser

The Equality and Diversity Adviser's main role is to development and promote Equality, Diversity and Inclusion policies and practices at the University and can advise on E&D matters.

Contact:	Dr Rochelle Rowe
	Telephone: 0208 725 0605
	Email: rrowe@sgul.ac.uk

Equality and Human Rights Commission

The new Equality and Human Rights Commission opened on 1 October 2007. The new commission brings together the work of the three previous equality commissions - the Equal Opportunities Commission, the Commission for Racial Equality, and the Disability Rights Commission - and also takes on responsibility for the other aspects of equality: age, sexual orientation and religion or belief, as well as human rights. Its Helpline is open to all and gives information and guidance on discrimination and human rights issues

Contact:	Address:	Equality and Human Rights Commission Helpline Freepost RRLG-GHUX-CTR Arndale House Arndale Centre Manchester M4 3AQ
	Website:	www.equalityhumanrights.com
	Helpline:	England main helpline number: 0845 604 6610 Open Monday - Friday 09:00 am-17:00 pm

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