



HARASSMENT AND BULLYING: OUR ZERO TOLERANCE APPROACH

**INFORMATION FOR EMPLOYEES, WORKERS,
CONTRACTORS, STUDENTS AND VISITORS**

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AIM

These guidelines have been designed to offer you practical ways of dealing with harassment, bullying, hate crime and assault. Following the guidelines may help you to stop the harassment or bullying yourself. They also explain how the University deals with reports of harassment, bullying, hate crime or assault. The guidelines complement the University's People Supporting Strategy 2015-19 which states that 'Our aim is for the University to be a place where diversity is respected and valued, and where we all know that unacceptable behaviour is challenged in an appropriate way'. The guidelines should be read in conjunction with our Guidelines for the professional conduct of staff and our Complaints of Harassment or Bullying Procedure (for use by employees, workers, contractors or visitors) and the Student Concerns and Complaints Procedure.

POLICY STATEMENT ON HARASSMENT AND BULLYING

The University of Essex celebrates diversity, challenges inequality and is committed to establishing an environment that is free from any form of harassment or bullying. We have a zero tolerance approach to harassment and bullying and all employees, workers, contractors, students and visitors are expected to be treated, and to treat each other, with dignity and respect regardless of age, disability, gender identity, marriage and civil partnership status, pregnancy and maternity, religion or belief, sex, sexual orientation, socio-economic background, political beliefs and affiliations, family circumstances or other irrelevant distinction. Harassment and bullying adversely affect working, learning and social conditions for employees, workers, contractors, students and visitors and are unacceptable.

POLICY STATEMENT ON EQUALITY, DIVERSITY AND INCLUSION

The University of Essex celebrates diversity, challenges inequality and is committed to sustaining an inclusive and diverse community that is open to all who have the potential to benefit from membership of it and which ensures equality of opportunity for all its members. We expect employees, workers, contractors, students and visitors to be treated, and to treat each other, with dignity and respect regardless of age, disability, gender identity, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background, political beliefs and affiliations, family circumstances or other irrelevant distinction.

ⓘ Visitors are considered to be any person or persons who are not employees, workers, contractors or students who are legitimately on campus i.e. visiting academics, prospective students, consultants, staff of businesses or organisations hosted by the University.

ⓘ Zero tolerance means that (i) we will take action and (ii) the action will be proportionate to the circumstances of the case.

DEFINITIONS OF HARASSMENT

Harassment is a form of discrimination and is illegal under the Equality Act 2010. The University considers harassment to be unwanted conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, threatening or offensive environment for that person which interferes with their learning, working or social environment. Harassment can be in verbal, written or physical form and can cause stress, anxiety, fear or sickness on the part of the harassed person.

Differences of attitude, background 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, this does not make it acceptable.

Being under the influence of alcohol or drugs will not be accepted as an excuse for harassment.

Some general examples of harassment might include teasing, comments about personal characteristics or appearance, unreasonable criticism, promises of reward or threats made to secure sexual favours or negative comments about someone's race, ethnicity, nationality, age, gender, gender identity, sexual orientation, disability, religion or belief. Some more specific forms of harassment are detailed on the following pages.

Any act of harassment that involves the abuse of a position of authority or trust will be regarded by the University as very serious and could constitute gross misconduct.

ⓘ Our zero tolerance approach does not mean 'one strike and you're out' but it does mean that any demonstrated incidents of harassment or bullying will be regarded seriously and treated as grounds for disciplinary action up to and including dismissal, with or without notice, or expulsion from the University.



SEXUAL HARASSMENT

Sexual harassment is illegal under the Equality Act 2010 and is considered a form of sex discrimination. The University considers sexual harassment to be the inappropriate introduction of sexual comments or activities into teaching, learning, working or social situations.

The following are some examples of activities that might constitute sexual harassment:

- unnecessary and unwelcome physical contact
- sexual assault
- suggestive and unwelcome comments or gestures
- emphasising the gender of an individual or a group
- persistent unwelcome requests for social or sexual encounters and favours
- display, or electronic transmission, of pornographic, degrading or indecent images or threatening, abusive or unwanted comments of a sexual nature.
- non-consensual sharing of sexually explicit media.

These activities will be considered to be very serious if they are accompanied by one or both of the following:

- explicit or implicit promises for compliance that are a misuse of an institutional position (e.g. promises of higher assessment marks for a student or a recommendation for promotion for a member of staff)
- explicit or implicit threats of penalties for non-compliance that are a misuse of an institutional position (e.g. refusal to provide appropriate support/advice or resources).

HARASSMENT BECAUSE OF SEXUAL ORIENTATION

Harassment because of sexual orientation, actual or perceived, is illegal under the Equality Act 2010 and is a form of discrimination. The University considers this form of harassment to be:

- harassment of someone because of their actual sexual orientation
- harassment of someone because of their perceived sexual orientation
- harassment of someone because of the actual or perceived sexual orientation of those with whom they associate.

The following are some examples of activities that might constitute harassment because of sexual orientation:

- making suggestive or unwelcome comments or gestures emphasising the actual or perceived sexual orientation of an individual or group
- engaging in homophobic or biphobic behaviour, using homophobic or biphobic language or displaying homophobic or biphobic materials
- making homophobic or biphobic insults or threats
- engaging in banter or making jokes which are degrading to a person's actual or perceived sexual orientation
- outing an individual as lesbian, gay or bi without their permission
- ignoring or excluding an individual from activities because they are lesbian, gay or bi
- spreading rumours or gossip about an individual's actual or perceived sexual orientation
- asking an individual intrusive questions about their private life

- making assumptions and judgements about someone based on their actual or perceived sexual orientation
- verbally or physically abusing or intimidating someone because of their actual or perceived sexual orientation

HARASSMENT BECAUSE OF GENDER IDENTITY, EXPRESSION AND HISTORY

The Equality Act 2010 (The Act) makes it unlawful to discriminate against, harass or victimise a person who 'has proposed, started or completed the process to change his or her sex'. This is known in law as 'gender reassignment' and individuals do not have to be under medical supervision to be protected by law. The University's policy goes beyond that and covers all trans staff, students and visitors i.e. all those whose gender identity, expression and/or history differ from their birth sex.

The term 'trans' may include, but is not limited to, those who transition from male to female or female to male and those who see themselves as not clearly fitting into a male or female identity. Trans people may or may not alter their bodies through medical assistance.

The following are some examples of activities that might constitute harassment because of gender identity, expression and/or history:

- refusing to address a trans person by their preferred name and correct gender pronoun
- repeated and deliberate mis-gendering of a trans person or people
- denying a trans person or people access to the appropriate single sex facilities such as toilets or changing rooms
- engaging in banter or making transphobic comments, taunts or jokes
- outing an individual as trans without their permission or spreading rumours or gossip about their gender identity, expression and/or history

- ignoring or excluding an individual from activities because they are trans
- asking a trans person intrusive questions about their private life
- making assumptions and judgements about someone based on their gender identity, expression and/or history
- verbally or physically abusing or intimidating someone because they are trans

HARASSMENT BECAUSE OF RACE

In a multi-cultural community such as the University of Essex, harassment because of race is especially unacceptable and will not be tolerated. Harassment because of race is illegal under the Equality Act 2010 and is regarded as a form of discrimination.

The University considers harassment because of race to include any hostile, intimidating, humiliating, degrading, threatening or offensive act or expression by a person or group against another person or group on grounds of racial, ethnic, or national origin, or incitement to commit such an act on racial grounds. Such behaviour includes:

- discrimination on the grounds of race, ethnicity or nationality
- derogatory name-calling
- insults, threats and racist jokes
- ridicule of an individual for racial or ethnic difference
- racist graffiti, images or insignia.

HARASSMENT BECAUSE OF RELIGION OR BELIEF

Harassment because of religion or belief is illegal under the Equality Act 2010 and will not be tolerated. Harassment can never be justified therefore using religion as a reason for harassing someone because of their gender identity or sexual orientation, for example, is unacceptable.

Harassment because of religion or belief of an individual or group can be because:

- of their religious beliefs
- they have no religious belief
- they have changed or renounced their religious allegiance

The following are some examples of activities that might constitute harassment because of religion or belief:

- teasing or mocking someone for holding a particular religion or belief
- persistently asking an individual intrusive questions about how they choose to observe their religion or belief
- ostracising someone because of their religion or belief

HARASSMENT BECAUSE OF DISABILITY

Harassment because of disability is illegal under the Equality Act 2010 and will not be tolerated.

The following are some examples of activities that might constitute harassment because of disability:

- direct verbal abuse or comments that make a disabled person feel uncomfortable, intimidated or degraded
- excluding a disabled person from activities without consultation
- refusing to consider reasonable adjustments that would enable a disabled person to take part in an activity
- refusing a disabled person goods or services that are available to others
- refusing to consider dietary requests
- physical abuse

HARASSMENT BECAUSE OF AGE

Harassment because of age is illegal under the Equality Act 2010 and will not be tolerated.

The following are some examples of activities that might constitute harassment because of age:

- direct verbal abuse or comments about age that make a person feel uncomfortable, intimidated or degraded
- unjustified exclusion of a person because of their age
- ageist jokes
- using inappropriate language, related to age, to describe someone (e.g. 'over the hill', 'wet behind the ears')

HARASSMENT OR BULLYING VIA SOCIAL MEDIA OR OTHER ELECTRONIC MEANS

Harassment or bullying through social networking sites and messaging apps such as Facebook or Twitter or through other electronic means such as text message or email is not acceptable. The following are some examples of what might constitute this form of harassment or bullying:

- Pages that identify and shame individuals
- Images altered to degrade individuals
- Photos or videos of physical bullying posted to shame the victim
- Sharing personal information to blackmail or harass people and
- Repeatedly targeting other people with unwanted friend requests or messages
- non-consensual sharing of sexually explicit photographs

BULLYING

Bullying is offensive behaviour, which violates a person's dignity, or creates an intimidating, hostile, degrading, threatening or offensive environment or which humiliates or undermines an individual or group.

Bullying can be carried out by an individual or a group of people. It frequently, but not always, involves someone in a position of authority bullying someone who is in a more junior position.

Bullying is typically unpredictable, irrational and sometimes unseen by others.

Examples of bullying include:

- repeatedly shouting at an individual or group
- repeatedly 'telling off' an individual or group in front of other people
- ⓘ In certain situations, one-off actions may constitute bullying.
- criticising an individual in an inappropriate manner or belittling them about their work, personality or appearance
- persistently ignoring or 'talking down' an individual
- pressurising an individual into behaviour or actions against their wishes

HATE INCIDENTS OR CRIMES

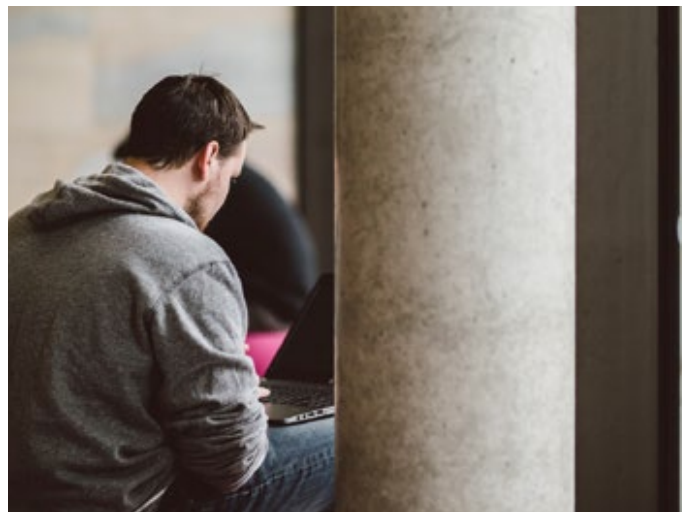
Hate crimes or prejudice-based incidents are defined as any incident, which may constitute a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hostility based on a person's:

- race or perceived race
- religion or perceived religion
- gender identity or perceived gender identity
- disability or perceived disability
- sexual orientation or perceived sexual orientation

The incident or crime can take many forms, and be perpetrated by either an individual or group, including:

- physical attacks, such as physical assault, damage to property, offensive graffiti, neighbour disputes and arson
- threat of attack, including offensive letters, abusive or obscene telephone calls and other intimidating behaviour
- verbal abuse or insults, abusive gestures
- other abuse, such as offensive leaflets and posters, unfounded and malicious complaints and bullying

ⓘ The University has adopted the International Definition of Antisemitism: Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.



WHAT YOU SHOULD DO IF YOU EXPERIENCE HARASSMENT OR BULLYING

If you feel that you are being subjected to harassment or bullying in any form by a student, a member of staff or a visitor, do not feel that it is your fault or that you have to tolerate it. The University's primary concern is that the harassment stops and that there is support and assistance available when needed.

You are strongly advised to report it to the Harassment Report and Support Service. You are also advised to make it clear to the person causing offence that such behaviour on that person's part is unacceptable to you. You may find it easier to do this by letter/email (you should keep a copy). This may in some instances be sufficient to stop it.

Please be aware that if you do not report the harassment to a Harassment Support Worker and/or your Head of Department/Section or ask the person harassing you to stop, this may seem to constitute consent.

It is important to make a note or keep a diary of the details of any relevant incidents which distress you – particularly if you feel unable to speak to the person concerned or if, having spoken to them, the behaviour persists. If the harassment has caused you to change the pattern of your work or social life or if it has had any effect on your health, you should include this information as well.

THE HARASSMENT REPORT AND SUPPORT SERVICE

The University has appointed and trained a network of Harassment Support Workers who will listen to you and offer advice and support. The Harassment Report and Support Service can be accessed by employees, workers, contractors, students and visitors to the University. Reports of harassment or bullying received by a Harassment Support Worker will be passed on to Human Resources (where the alleged perpetrator is an employee, worker, contractor or visitor) or to the Student Progress Team (where the alleged perpetrator is a student) and appropriate action will be taken.

In order for appropriate action to be taken the complainant's anonymity may need to be lifted.

Where a complaint of harassment or bullying received via the Student Concerns and Complaints Procedure involves an employee, worker, contractor or visitor, Human Resources will advise on process and any investigation.

⚠ **You do not have to experience harassment or bullying yourself to report it. If you observe someone else being harassed or bullied you are strongly encouraged to report it.**

Where a complaint of harassment or bullying received via the Complaints of Harassment or Bullying Procedure involves a student, Human Resources will either try to resolve the complaint informally through the relevant Head of Department or pass it on to the Student Progress Team to deal with, depending on the nature of the complaint.

HOW TO CONTACT THE HARASSMENT REPORT AND SUPPORT SERVICE

You can contact the Harassment Report and Support Service through our Report and Support System. You are strongly encouraged to use this system to contact the Harassment Report and Support Service however, if you prefer, the service can also be contacted directly by email at harass@essex.ac.uk

The Report and Support System also allows you to make an anonymous report however you should be aware that the University is unable to take any action as a result of receiving an anonymous report.

The Harassment Report and Support Service operates from 9.00am to 5.00pm Monday to Friday during both term time and vacation.

You can also contact:

- your Head of Department/Section. If you experience bullying or harassment then they should ensure that appropriate action is taken to make it stop.
- other agencies listed in the Advice and Support section of these guidelines.

WHAT YOU SHOULD DO IF YOU EXPERIENCE SERIOUS ASSAULT OR SEXUAL VIOLENCE

If you experience serious assault or sexual violence and are in danger, or you witness a serious assault or sexual violence and the person involved is in danger, it is particularly important that you seek help immediately. You should therefore report it to the University in the first instance. If you are on Colchester campus, contact the Information Centre on Square 2, either in person or by **calling extension 2222 or 01206 872222**. If you are on Southend Campus, contact University Square Reception either in person or by **calling 01702 328400 or 07872 7988085**. If you are on Loughton Campus, call reception during office hours on **extension 5983 or 020 8508 5983** or security from 5pm to midnight (Monday to Saturday) on **07825 670709**. The University will advise you on reporting to the Police and can also send Patrol Officers to the site of the incident.

You can also contact any of the other services listed on pages 21-23 of this booklet.

Examples of such serious offences include: physical assault, indecent exposure, sexual assault or rape including date rape. If you have been sexually assaulted or raped then the police, as part of their investigation, will offer medical help as soon as possible.

If you have been the victim of, or witnessed, an assault or sexual violence, the Harassment Report and Support Service can offer guidance and direct you to various internal and external support agencies.

ALLEGED PERPETRATORS: STUDENTS

If you are a student and you are alleged to have committed a criminal offence and the matter is being dealt with under the criminal process, the University will suspend any disciplinary process until the criminal process is at an end.

If the matter is not being dealt with under the criminal process or where the criminal process has concluded, the University will consider whether a breach of discipline appears to have occurred and the matter will be dealt with through the Code of Student Conduct procedures.

Harassment Support Workers can offer advice and support if you have been the victim of an assault.

ALLEGED PERPETRATORS: EMPLOYEES

The University is able to investigate incidents of alleged serious misconduct against employees, including assault and, where appropriate, institute disciplinary procedures.

If you are an employee and you are alleged to have committed an offence serious enough to commence formal disciplinary action, this will be dealt with under the University's Disciplinary Procedure.

WHAT YOU SHOULD DO IF YOU EXPERIENCE OR WITNESS A HATE INCIDENT OR HATE CRIME

You can report a hate incident or crime to the University's Hate Incident Reporting Centre (HIRC). The HIRC can assist staff and students in reporting hate incidents or crimes to Essex Police. You can also report an incident directly to the police. To book an appointment with a trained Hate Crime Ambassador please email hirc@essex.ac.uk and someone will respond to arrange a suitable time. You should report incidents to the University by contacting one of the following:

(Please add **01206 87** if calling from an external phone or **224** before the four digit number if calling using the StudentCom service in University accommodation).

Student Services Hub T 4000

Students' Union Advice Centre T 2021

Head of Equality, Diversity and Inclusion T 3506

Director of Human Resources T 3394

***Please note**

You are encouraged to report an incident to the University in the first instance, but if you do report an incident directly to the police, please ensure you also report the incident to the University by contacting one of the agencies mentioned above.

The Student Services Hub will also be able to give information about the personal and academic support that is available within the University.

Members of staff may also want to inform their trade union.

MAKING A COMPLAINT OF HARASSMENT OR BULLYING

If you have been unable to stop the harassment or bullying you may wish to consider making a complaint.

If you are an employee, worker, contractor or visitor and you want to make a complaint of harassment or bullying you should use the Complaints of Harassment or Bullying Procedure.

If you are a student and you want to make a complaint of harassment or bullying by someone working for the University, you should use the Student Concerns and Complaints Procedure. If you would like to make a complaint about another student, use the [Code of Student Conduct](#).

CONFIDENTIALITY

The University has an obligation to protect both you and other members of the campus community and for this reason the appropriate University authorities may need to be informed. You will be advised of this before any disclosure is made. Information will only be disclosed to relevant parties and all investigations will remain confidential.

VICTIMISATION

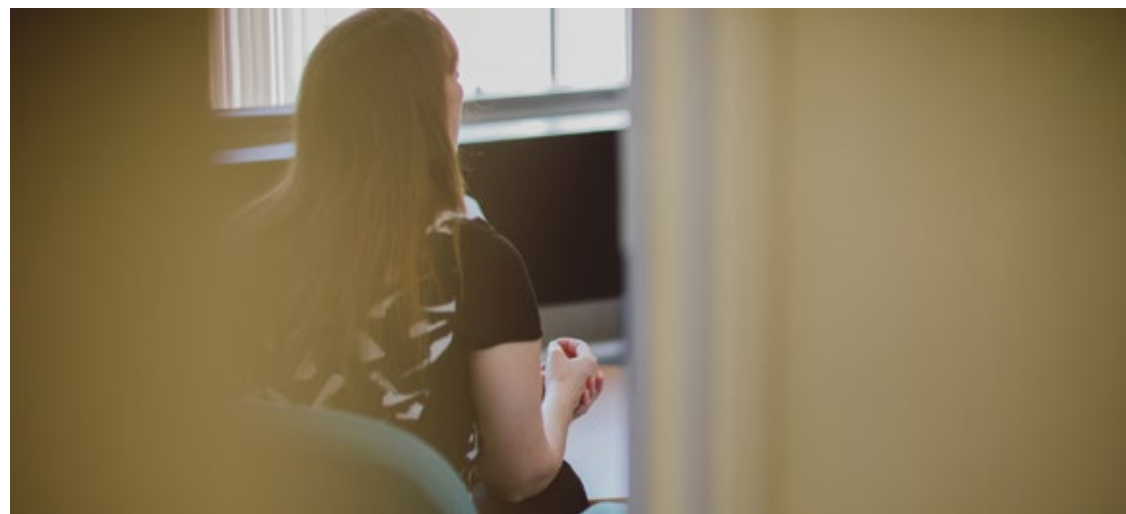
Treating a person detrimentally because they have made a complaint about discrimination or harassment or have given evidence relating to such a complaint is illegal under the Equality Act 2010 and will be treated very seriously.

VEXATIOUS COMPLAINTS

Complaints of harassment and bullying are treated seriously by the University. It should therefore be noted that anyone making mischievous or malicious complaints will be dealt with under the appropriate disciplinary procedures.

ACADEMIC FREEDOM

Academic Freedom is an essential part of academic and University life and flourishes where there is tolerance of, and respect for, a wide range of views and beliefs. However, academic freedom cannot be used as an excuse for subjecting an individual or group to bullying or harassment or for committing a hate incident or crime.



ADVICE AND SUPPORT

Equality, Diversity and Inclusion

T 3506/3507
E diversity@essex.ac.uk

Harassment Report and Support Service Helpline

T 4334
E harass@essex.ac.uk

Student Services Hub Colchester Campus

T 4000
E askthehub@essex.ac.uk

Loughton Campus

T 02085 085983
E askthehub-lc@essex.ac.uk

Southend Campus

T 01702 328200
E askthehub-sc@essex.ac.uk

Human Resources

T 3433
E staffing@essex.ac.uk

Students' Union Advice Centre

T 2021
E su@essex.ac.uk

Nightline

T 2020/2022
E nl@essex.ac.uk

NHS 111

(for emergency medical help or advice)
T 111

University Medical Practice

T 01206 794484
E hcentre@essex.ac.uk

Multi-Faith Chaplaincy

(Follow website address and click on User Groups for individual email addresses)
T 3108
▶ www2.essex.ac.uk/chaplaincy

University Emergency Colchester campus

T 2222

Loughton campus

T 5983 (during office hours)
T 5983 (5pm - midnight)

Southend campus

T 01702 328400 or 07872 7988085
(For Fire, Police or Ambulance only)

Security

T 2125/3148
E patrol@essex.ac.uk

Joint Trade Unions

UCU
T 4967
E lcollins@essex.ac.uk

Unison

T 4166
E jwakeman@essex.ac.uk

Unite

T 3974
E ccmcau@essex.ac.uk

OTHER AGENCIES

Colchester Police Station

T 01206 762212

Loughton Police Station

T 01279 641212

Essex Police

T 01245 491491

Police – non-emergency

T 101

Equality and Human Rights Commission

T 0845 604 6610
▶ www.equalityhumanrights.com

Colchester Rape Crisis Line

T 01206 769795

South Essex Rape & Incest Crisis Centre

T 01375 380609
E info@rapecrisis.org.uk

Essex Partnership of Rape Crisis Centres

T 0300 003 7777

Essex Sexual Assault Referral Centre

(Brentwood)
T 01277 240620
E info@rapecrisis.org.uk

Samaritans (national)

T 08457 909090
E jo@samaritans.org.uk

Colchester Samaritans

T 01206 561234
E jo@samaritans.org.uk

Southend Samaritans

T 01702 611911
E jo@samaritans.org.uk

Victim Support

T 0845 3030900

Outhouse East

T 0845 1232388
E info@outhouseeast.org.uk

Terence Higgins Trust Colchester

T 01206 798595

London Lesbian and Gay Switchboard

T 020 7837 7324
E admin@llgs.org.uk

Help and Advice for HIV and AIDS

T 01403 210202
▶ www.avert.org/contact.htm

Stonewall

T 0800 050 20 20
E info@stonewall.org.uk

POLICY CREATOR: HUMAN RESOURCES

University of Essex
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Review date: April 2021