

BUE Student Bullying and Harassment Policy

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Student Bullying and Harassment Policy

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1. Introduction

BUE is committed to a policy of equality of opportunity and aims to ensure that none of our students are subject to harassment or bullying of any nature in teaching, learning, or working environments. The policy and procedures set out below seek to encourage students to come forward with their concerns so that they can be dealt with promptly, impartially 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. Any form of discrimination, harassment or victimisation that is proven may be treated as a disciplinary offence under the Student Disciplinary Procedure.

The University is wholly committed to fostering an environment in which all students, regardless of their background and personal circumstances, should be treated with dignity, respect and fairness. The University recognises that bullying and harassment can have a serious detrimental effect on the confidence, morale, performance and health of those affected. As such, allegations of bullying and/or harassment against or by any member of the University will be taken seriously by the University. Any student found to make a false, frivolous, malicious, mischievous or vexatious complaint will be dealt with under the University's disciplinary procedure.

The purpose of this policy is to promote a culture where bullying and harassment are acknowledged to be unacceptable and are not tolerated. Where allegations of such behaviour occur, this policy seeks to ensure that they are dealt with fairly, in a timely fashion, and without fear of victimisation.

If you have any questions related to Bullying and Harassment or you wish to talk to someone, please contact The Student Hub:

thestudenthub@bue.edu.eg.

2. Aims and Objectives

The aim of this policy and procedure is to:

- Create and sustain a learning environment which is free from any kind of discrimination, bullying, harassment or victimisation;
- Address swiftly and effectively incidents of bullying, harassment or victimisation of, or by, students;
- Ensure that individuals are supported and encouraged in the event of any legitimate complaint;
- Establish that all members of the University, both staff and students, are responsible for ensuring that individuals do not suffer any form of bullying or harassment;
- Promote the message that harassment, bullying or victimisation will not be tolerated in any form.

3. Important Definitions

I. What is harassment?

This policy defines harassment as follows:

Where a person reasonably considers unwanted behaviour to be offensive, even if the effect was unintended by the alleged harasser. In addition to being in breach of University Policy, harassment relating to protected characteristics may be unlawful.

According to this policy, Harassment can be physical, communicated verbally, or be expressed through other means of communication, such as letters, digital communication channels, social media, emails and text messages. It may be expressed directly to the complainant, occur in their presence, or be communicated about them to a third party.

Typically, harassment is behaviour that is persistent and develops over time, although a one-off incident that is particularly serious could also constitute harassment.

Examples of harassment may include:

- Insults, name-calling and offensive language and gestures.
- Inappropriate jokes including racist, sexist, or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender.
- Ridiculing and undermining behaviour.
- Inappropriate or unnecessary physical contact.
- Any form of sexual harassment involving the use of explicit or implicit sexual overtones.
- Physical assault or threats of physical assault.
- Intimidating, coercive or threatening actions and behaviour.
- Isolation, non-cooperation or deliberate exclusion.
- Inappropriate comments about a person's appearance, intrusive questions or comments about a person's private life and malicious gossip.
- Producing or sharing offensive images and literature, including, but not limited to, letters, emails, postings on websites and texts.
- Pestering, spying or stalking.
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These examples are not intended to be exhaustive. They are, however, indicative of behaviour that would be considered unacceptable conduct by the University.

All allegations of Harassment will be treated sensitively and confidentially. Investigation of allegations will normally require limited disclosure on a “need to know” basis only.

It is important to recognise that harassment can occur outside of traditional power relationships. For example, a staff member could be harassed by a student.

II. What is bullying?

This policy defines bullying as follows:

Bullying is unwanted offensive, intimidating, malicious or insulting behaviour, abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. It can also

be involving negative behaviour being targeted at an individual, or individuals, repeatedly and persistently over time.

Bullying can be one person against another, or a group of people against an individual, and can also take place outside of traditional power relationships.

Examples of bullying behaviour may include:

- Ridiculing or shouting at a person.
- Setting someone up to fail, e.g. withholding necessary information
- Unwarranted or invalid criticism and criticism which lacks the necessary constructive support to help the recipient improve their performance.
- Persistently 'singling out' a person without good reason or deliberately excluding, isolating or ignoring an individual.
- Trolling, stalking or 'cyberbullying' through online and social channels.

These examples are not intended to be exhaustive. They are, however, indicative of behaviour that would be considered unacceptable conduct by the University.

III. What is victimisation?

For the purposes of this Policy, victimisation is when a person is subjected to detrimental treatment because they have (or are believed to have), in good faith:

- Made allegations of harassment or discrimination;
- Intend to make such an allegation;
- Have supported another person in bringing an allegation forward.

Examples of victimisation may include labelling an individual as a 'troublemaker' or refusing to advance them academically, refusal to provide a reference once the learning relationship has ended, or to treat them in any way less favourably as a result of their actions.

Victimisation will be treated as a form of harassment under this Policy.

IV. Hate Offenses

The University defines hate offenses as behaviour motivated by prejudice, hatred or intolerance that intentionally demeans individuals and groups defined by their ethnicity, race, religion and belief, gender, disability, or age.

Hate offense are treated as a form of harassment under this Policy.

V. Bullying and Harassment via electronic media, including the use of social media

Bullying and Harassment can take place through electronic and social media (e.g. social channels such as Twitter, Blogs, Wikis, Forums, email, etc.). In sending emails, all students and staff should consider the content, language and appropriateness of such communications. If instances of online harassment are reported, they will normally be dealt with in the same way as if they had taken place in a face-to-face setting.

Students and staff should avoid:

- Using language which would be deemed to be offensive to others.
- Forming or joining an online group that isolates or victimises students or colleagues.
- Any website used to knowingly share illegal content.

VI. Reasonableness

On occasion, individual perceptions of behaviour may differ due, for instance, to differences in attitude, experience or culture, and what one person would consider acceptable behaviour may be unacceptable to another.

The defining factor in determining whether conduct amounts to harassment is that the behaviour is unacceptable to the recipient and could 'reasonably be considered' to amount to harassment. The intention of the person engaging in the behaviour, whether or not they meant to harass, is not a primary factor in determining if harassment has taken place.

When considering allegations of harassment, the member of staff hearing the complaint on behalf of the University will consider 'reasonableness' to determine if harassment has taken place. That is, with due regard to the circumstances, including in particular the perception of the complainant, and whether the behaviour in question could 'reasonably be considered' to cause harassment, thereby creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

VII. Good Faith

Where complaints of harassment or bullying are made in good faith, the University will take them seriously and do everything reasonable to resolve the issue including, where appropriate, taking disciplinary action against the perpetrator(s).

If at any time, there is evidence that allegations of harassment or bullying have been made vexatiously, that false information has been provided or that the complainant has otherwise acted in bad faith, disciplinary action may be taken. Any investigation based upon those allegations will likely be terminated.

4. Procedures to be followed where a student considers they have been bullied or harassed.

- Wherever possible behaviours and outcomes should aim to be resolved at an informal level. The individual concerned may not realise that their behaviour is unwelcome or upsetting. An informal discussion may help them to understand the effects of their behaviour so that they agree to change it.
- Informal and amicable resolution of issues is usually much easier if matters are raised without delay.

- Students may find it helpful to keep a diary of the instances of harassment or bullying to which they believe they have been subjected. It is important to note the date, time and place of the incident, exactly what was said or done, the context in which it was said or done, how it made them feel and what action (if any) was taken. The names of any witnesses should be noted and relevant documents retained.
- Mediation should be considered at informal and formal stages.

I. Informal process

Before raising a formal complaint, the student is encouraged in the first instance, to talk directly and informally to the person whom he/she believes is harassing him/her and explain clearly what aspect of the person's behaviour is unacceptable, or is causing offence, and request that it stop. It may be that the person whose conduct is causing offence is genuinely unaware that their behaviour is unwelcome or objectionable and that a direct approach can resolve the matter without the need for formal action.

- Where a student would like support to make such an approach, he/she, may in the first instance think about contacting any of the following for appropriate advice: Their Personal Academic Tutor.
- The Programme Leader.
- A member of The Student Hub team or the Director Student Services.
- A supportive lecturer or any other member of academic staff.

When a student approaches any of the above for advice, the student may be asked to outline what **informal** action, if any, he/she has already taken themselves to resolve the situation. If this has not already taken place, the student will be offered advice and guidance on steps that can be taken.

II. Formal process – Student Complaints Procedure

- If the informal method fails to resolve the harassment or bullying, or serious harassment or bullying occurs, the next course of action available to the student is to raise a formal complaint through the Student Complaints Procedure.
- The procedure is designed to enable an individual or groups of students to bring matters of concern to the attention of the University and provide a mechanism for the formal investigation to those concerns with the aim of a satisfactory conclusion.
- The purpose of the investigation is for the University to establish a fair and balanced view of the facts relating to the complaint. The extent of investigation required will depend on the nature of the allegations and will vary from case to case.
- It is accepted that there may be instances where the nature of the complaint is too serious to be dealt with informally and it is necessary to undertake a formal investigation of the complaint from the outset. It may be that a student feels unable to approach the alleged bully or harasser informally from the outset, or that, due to the nature of the alleged conduct, this is not appropriate. Formal proceedings may also be appropriate where a previous attempt at an informal resolution has been unsuccessful.
- **The student involved should set out the complaint, in writing, to either The Student Hub (thestudenthub@bue.edu.eg) or the Director of Student Services and request further advice on the University Formal Complaints Procedure.**

- It is important that any student alleging bullying or harassment co-operates fully and promptly in any formal complaint. This will include providing details of the names of any relevant witnesses, disclosing any relevant documents to the investigator and attending investigative interviews, if required.
- A formal complaint may involve interviewing and taking statements from the student(s) and any staff member(s) involved and any witnesses, and/or review staff member(s) involved and any witnesses.
- Any subsequent harassment and bullying incident after a formal complaint has been received will normally be treated as a separate case.
- Appropriate investigation will be carried out before reaching a decision. The investigation will normally involve interviewing the student, the person complained about and any witnesses, and reviewing any relevant documents. Students are expected to co-operate fully and promptly.
- Investigations will not normally include historic issues which were not raised at the appropriate time, or matters which were previously investigated. However, where the behaviour complained about is part of a pattern, older incidents may be investigated to the extent where it is reasonable and practical to do so.
- Any person appointed to conduct an investigation will not be involved with the individuals or issues concerned.
- The University will treat the issues raised sensitively and maintain strict confidentiality as far as possible. Investigation of allegations will normally require limited disclosure on a “need to know” basis. For example, the identity of the individual concerned and the nature of the allegations will be shared with the person complained about so that they are able to respond to the allegations. Some details may need to be given to potential witnesses; and, where this is necessary, the importance of confidentiality will be emphasised.