

GBS Anti-Harassment and Anti-Bullying Policy and Procedure: Students

2022 Global Banking School

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Related GBS policies
▪ GBS Student Charter ▪ GBS Student Code of Conduct ▪ GBS Academic Good Practice and Academic Misconduct Policy and Procedure ▪ GBS Student Complaints Policy and Procedure ▪ GBS Academic Appeals Policy ▪ GBS Student Protection Plan ▪ GBS Student Disciplinary Policy ▪ GBS Equality and Diversity Policy ▪ GBS Social Media Policy ▪ GBS Data Protection Policy ▪ GBS Safeguarding and Prevent Policy
External Reference Points
Office of the Independent Adjudicator in '<i>The Good Practice Framework: Handling Student Complaints and Academic Appeals</i>'. (2016) The Samaritans EAP LIFE Police

NHS Sexual Health

Survivors UK

Citizens Advice

Galop

Rape Crisis England and Wales

NSPCC Abuse in Education Helpline

The Havens

Stonewall

TellMama

The Survivors Trust

Disability Rights UK

Victim Support

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Global Banking School Anti-Harassment and Anti-Bullying Policy and Procedure: Students

1. Policy Statement

- 1.1. Global Banking School (GBS) as part of its commitment to equality and diversity, is committed to providing an environment in which all students are enabled to study and work in an environment which supports and encourages harmonious relationships. Our aims are to enact and sustain behavioural and cultural change, inspire, and educate students to ensure GBS is meeting its legal compliance, and to embed inclusivity cooperatively and cohesively across our campuses. This includes fostering good relations and a culture of respect as well as eliminating any circumstances in which bullying, sexual misconduct, harassment and hate crime may occur.
- 1.2. Any allegations of harassment and bullying will be treated very seriously and could result in disciplinary action being taken against the perpetrator. GBS will ensure that any student raising a genuine concern in relation to this policy will not be victimised. All allegations of bullying, harassment, or victimisation, whether informal or formal, will be regarded as a serious matter and will be dealt with in a sensitive, objective manner, respecting the rights of all parties involved. Any information received will be handled with an appropriate level of confidentiality. Where personal information is shared or released, it will only be done for the purposes of ensuring compliance with this policy and associated procedures.

2. Scope of policy

- 2.1 This policy covers all GBS students irrespective of their status, position, level, or grade (such as current students, prospective students, existing students,). Under this policy all students who have experienced harassment, bullying, sexual misconduct, and violence will have equality of access to both internal and external specialist support regardless of when the experiences occurred.

3. Purpose and Aims

- 3.1 The purpose of this policy is to promote a studying and working environment for students in which harassment and bullying are known to be unacceptable and where any student at GBS has the confidence to complain about bullying and harassment. In making a

complaint, students will have their concerns dealt with appropriately, fairly and in a timely manner.

4. Expectations of all members of the GBS community

4.1 GBS has the following aims in respect of this policy and procedure:

- (a) To promote a positive environment in which all members of the GBS community are treated fairly and with respect.
- (b) Take a zero-tolerance approach to any forms of harassment and bullying.
- (c) Ensure all members of GBS community, including all students, staff and visitors, understand their responsibility to contribute to the creation and maintenance of an environment free from harassment and bullying.
- (d) Provide a framework of support for students and for all parties involved in any complaints and/or allegations.
- (e) Provide a mechanism to resolve concerns and issues raised. Every effort will be made to encourage individuals to resolve the matter informally, or failing that, at the lowest possible level through the formal procedures.

4.2 All GBS students are expected to:

- (a) Not perpetrate any form of harassment, bullying sexual violence and/or misconduct.
- (b) Seek consent when interacting with others.
- (c) Act appropriately in the work/study environment.
- (d) Be an active bystander.
- (e) Respond in a thoughtful and supportive way to disclosures.

5. Responsibilities

5.1 GBS will actively respond to all reports of sexual harassment and misconduct, whilst recognising that some experiences may constitute a criminal offence, we will ensure that, in all cases, reports are carefully and thoughtfully addressed by relevant staff members through a process that is transparent and clearly communicated to the individuals involved. The responsibilities of students at GBS are as follows:

5.2 All GBS Students Responsible for fostering a culture of respect for dignity and for avoiding behaviour that is offensive to other people.

5.3 GBS Student Representative Committee plays an important role to consider matters with regards to the general student experience therefore collaboration with the Committee and Student Representatives has been a key part in developing this policy. Student Representatives are responsible for delivering messages to the wider student body in relation to our zero-tolerance policy and the possible consequences and actions that we will take regarding harassment, bullying and sexual misconduct.

6. Definitions

6.1 Harassment

6.1.1 Harassment and bullying can take a variety of different forms, ranging from repeatedly ignoring a person or subjecting them to unwelcome attention, intimidation, humiliation, ridicule, or offence. More extreme forms of harassment and bullying include physical threats or violence. Behaviour that may appear as trivial as a single incident, can constitute harassment or bullying when repeated or takes place in the context of staff-student, student-student, or staff-staff relationships. There is substantial legislation that protects people from harassment, [the legislative definition of harassment](#) is as follows:

‘Harassment is where unwanted conduct related to a personal attribute, for example gender, of a person occurs with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.’

6.1.2 Harassment and bullying are often used interchangeably, but they have distinct meanings, this may include:

- Bullying behaviour, and it refers to unfavourable treatment that is related to a protected characteristic, such as age, sex, disability, race, gender, religion, or sexual orientation.

- It can include behaviour that individuals find offensive even if it is not directed at them, and even if they do not have the relevant protected characteristics themselves.
- It can also be directed at those with a 'perceived' protected characteristic.

6.1.3 Harassment in any form is unacceptable, whether intentional or not. The perception of the recipient is very important, but the test of reasonableness must also be applied, that is, a reasonable neutral person would regard what is happening as harassment. Normally the behaviour must continue after an objection is made, but a single incident may be serious enough to constitute harassment. This can include:

- Spoken or written words or abuse
- Offensive emails, tweets, or comments on social networking sites
- Images and graffiti
- Physical gestures
- Facial expressions
- Jokes

6.2 Bullying

6.2.1 Bullying is the abuse of power or position to undermine a person so that their confidence and self-esteem/self-worth is weakened or destroyed. Bullying may happen in public or in private. It may arise from the personal style of the bully, and attacks may be irrational, unpredictable, and unfair.

6.2.2 Types of Bullying and Harassment

6.2.2.1 Some of the most prevalent forms of harassment and bullying are as follows

- Sexual harassment
- Racial harassment
- Harassment of individuals with disabilities
- Harassment on the grounds of an individual's sexuality
- Ageist harassment
- Religion or belief harassment
- Status harassment
- *(Please see Annex 2- Examples of Harassment and Bullying).*

6.2.2.2 The above list is not exhaustive, and many other forms of harassment and bullying exist.

6.2.3 GBS has adopted the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism:

‘Antisemitism is a certain perception of Jews, which may be expressed as hatred toward 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.’

6.2.4 Any form of bullying or harassment related to antisemitism will not be tolerated by GBS.

6.3 Sexual Harassment

6.3.1 The Equality and Human Rights Commission (EHRC) defines sexual harassment as unwanted conduct of a sexual nature. It has the purpose or effect of violating the dignity of a student or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Something can still be considered sexual harassment even if the alleged harasser did not mean for it to be. It also does not have to be intentionally directed at a specific person.

6.3.2 Experiencing sexual harassment is one of the most difficult situations a student can face. All students are protected from sexual harassment. This applies to one-off incidents and ongoing incidents. This protection comes from both employment law and criminal law, depending on the circumstances involved.

6.3.3 Sexual misconduct and violence refer to a broad spectrum of behaviours that cannot be divorced from other types of gender-based violence including, but not limited to, intimate partner violence or domestic abuse, coercive and/or controlling behaviour, and stalking. GBS acknowledges that sexual misconduct and violence can be experienced by any individual, regardless of their identity. It may include:

- Physical contact; invasion of personal space.

- Unwelcome and unwanted advances and propositions, or pressure for sexual activity.
- Suggestive remarks or sounds or gestures; jokes of a sexual or prejudicial nature; innuendoes or lewd comments.
- Unwanted comments on dress and appearance.
- Display or circulation of pornographic or sexually suggestive pictures, objects, or written material; threats.
- Non-consensual sexual violence. Sexual harassment can occur between members of any gender.

6.4 Cyber and Electronic Bullying and Harassment

6.4.1 Cyber bullying involves using technology to bully people. It can include texting, instant messaging, and posting on social media and gaming websites. GBS expects all students to comply with the Information Technology (IT) conditions of use as given in the Code of Conduct for both staff and students.

6.5 Hate Crime

6.5.1 Hate crime is defined by the [Metropolitan Police](#) as:

‘Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person’s race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender’.

6.5.2 Hate crime does not require specific evidence, as long as the victim believes the incident is due to prejudice of race, religion, sexual orientation, disability or because they are transgender. Individuals do not personally have to perceive the incident as hate-related as any other person or witness can think the incident is hate-related – and that is enough for this to be recorded as such. Hate crimes generally fall into three categories physical assault, verbal abuse, and incitement to hatred.

- *Physical assault* of any kind is an offence. Depending on the level of the violence used, a perpetrator may be charged with common assault, actual bodily harm, or grievous bodily harm.

- *Verbal abuse*, threats or name-calling can be a common and extremely unpleasant experience for minority groups. Victims of verbal abuse are often unclear whether an offence has been committed or believe there is little they can do. However, there are laws in place to protect our staff and students from verbal abuse.
- *The offence of incitement to hatred occurs when someone acts in a way that is threatening and intended to stir up hatred. That could be in words, pictures, videos, music, and includes information posted on websites. Hate content may include:*
 - Messages calling for violence against a specific person or group.
 - Web pages that show pictures, videos, or descriptions of violence against anyone due to their perceived differences.
 - Chat forums where people ask other people to commit hate crimes against a specific person or group.

6.6 Victimisation

6.6.1 Victimisation is defined as the subjection of a person to a detriment because he or she has made (or intends to make, or you believe they have/will make), in good faith, an allegation of harassment or has supported someone else in making an allegation. Victimisation relates to someone being treated less favourably because of a protected act. A protected act is:

- (a) Making a claim or complaint of discrimination (under the Equality Act)
- (b) Helping someone else to make a claim by giving evidence or information.
- (c) Alleging that you or someone else has breached the Act.
- (d) Doing anything else in connection with the Act. (Definition as within the Equality Act 2010)

7. Criminal Offences

7.1 Harassment may take the form of a criminal offence, such as physical assault, indecent exposure, or rape. In such an event, GBS will support the student, ensuring that they

are given medical and emotional support as appropriate. Whilst GBS will advise, the decision of police involvement must lie in the hands of the person making the complaint and appropriate GBS staff will facilitate and support the person in any such action.

8. Harassment in Placements

8.1 GBS will take all reasonable steps to ensure that external organisations providing work placement opportunities for students have relevant policies and procedures in place to prevent and deal with issues of harassment and bullying. Any student subject to harassment or bullying in such a situation will be supported appropriately by GBS.

9. Support

9.1 GBS will ensure that those affected will be assessed and will consider academic, welfare and support needs. Support resources are available to any student regardless of their choice to proceed to a report.

9.1.1 Support and advice for students is available via:

- Student Success Tutors
- Programme Leaders, Associate Deans and Deans
- Dean of Students
- Welfare Team

9.2 GBS Welfare Team can advise students on external support services and counselling. These support services will be easily accessible and advertised on student Moodle, GBS website, leaflets through Student Support Services, Staff SharePoint, GBS announcements and regular communications etc.

9.3 Please see below a list of external support for students, . These are some examples:

- The Samaritans - general support line for anyone to talk to at any time.
- Police- Practical information about reporting incidents and the police force in your area.
- NHS Sexual Health
- Survivors UK - national organisation focusing on male rape and sexual abuse.

- Citizens Advice- Citizens Advice has more information about what you can do if you have experienced, or know someone who has experienced, a hate incident or crime.
- Galop – LGBT+ sexual violence support
- Rape Crisis England and Wales- Rape Crisis can help you find a Rape Crisis Centre, get online emotional support, or find information and self-help tools.
- NSPCC Abuse in Education Helpline- Provides victims of abuse with the appropriate support, advice, and onward action, including on contacting professionals or the police if they wish.
- The Havens- The Havens are specialist centre in London for people who have been raped or sexually assaulted.
- Stonewall- Stonewall can help you find LGBT support services and community groups that are local to you.
- TellMama offers a secure service that allows people from across England to report any form of anti-Muslim abuse.
- The Survivors Trust
- Disability Rights UK- Disability Rights UK has a disabled students' helpline, providing advice to disabled students studying in England. They also campaign to improve disabled people's rights and to tackle hostility, bullying and hate crime.
- Victim Support- Offer free and confidential support to help you move beyond the impact of crime.

10. Student Procedure for dealing with Harassment and Bullying

- 10.1 Students concerned about harassment may initially wish to discuss the matter with a friend, family member or another student. Confidentiality is very important in dealing with cases of alleged harassment and bullying since it is much more difficult to resolve informally if information about the matters become common knowledge.

Students may make an appointment to discuss the matter with their Student Success Tutor who will always ensure confidentiality. Additionally, the student may wish to discuss the matter informally with their Student Representative. Sometimes matters can be resolved in this manner and the student may not feel the need to take the allegations any further. However, if this approach does not offer satisfactory

resolution for the student, then [GBS Student Complaints Policy and Procedure](#) should be followed.

11. Monitoring and Review

- 11.1 This policy may be amended by GBS at any time. GBS will regularly test our systems and processes to monitor compliance. Any issues related to the monitoring and review of this policy, please contact Governance Team at governance@globalbanking.ac.uk.

12. Data Protection and Confidentiality

- 12.1 GBS is registered with the Information Commissioner's Office as a Data Controller. Details of the School's registration are published on the [Information Commissioners website](#). GBS as a Data Controller shall implement appropriate technical and organisational measures to ensure that processing of personal information is performed in accordance with the UK General Data Protection Regulations (UK GDPR) and under the Data Protection Act 2018 (DPA).
- 12.2 As per the data protection guidelines, GBS will maintain confidentiality, where possible throughout the disclosure, reporting and investigative processes in recognition of the sensitive nature of Sexual Harassment and Misconduct matters. As such, information will usually only be shared with relevant individuals (who may be internal or external to GBS for example counsellors, witnesses, external experts from specialist agencies like Rape Crisis, Sexual Assault Referral Centre, or the Police/NHS) with the consent of the reporting individual.
- 12.3 GBS reserves the right and may be under a legal obligation to share information in exceptional circumstances where such disclosure is necessary to protect any individual or GBS staff, students, visitors from harm or to prevent a crime from taking place. All individuals involved in any process under this policy must keep information that is disclosed to them as part of the process, private and confidential.
- 12.4 Information should not be shared with anyone requesting information outside of GBS, such as a student's parents, spouses, and other relatives in relation to their welfare. They do not have the right of access, and information should only be released

with the consent of the student/staff. GBS will consider any unauthorised disclosure of confidential information as violation of this policy and will be addressed accordingly.

13. Alternative Format

13.1 This policy can be provided in alternative formats (including large print, audio and electronic) upon request. For further information, or to make a request, please contact the Governance Team at governance@globalbanking.ac.uk.

Annex 1- Harassment and Sexual Misconduct Definitions

Harassment (as defined by Section 26 of the Equality Act 2010) includes unwanted behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics:

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation

Sexual misconduct relates to all unwanted conduct of a sexual nature. This includes, but is not limited to:

- Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010)
- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
- Assault (as defined by the Sexual Offences Act 2003)
- Rape (as defined by the Sexual Offences Act 2003)
- Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)²
- Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)

Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015)

Annex 2- Example of Harassment and Bullying

(a) Harassment based on personal attributes may include:

- **Sexual Harassment**, for example unwelcome sexual advances, sexually provocative looks, remarks or jokes, comments on appearance, displaying offensive images in posters or screensavers, inappropriate texting or emailing, touching and other forms of assault. (There are professional and ethical reasons for staff and students to maintain an appropriate professional relationship).
- **Racial Harassment**, for example derogatory name-calling, insults, reference to skin colour, racist jokes, ridicule for cultural difference, verbal abuse, and assault. GBS welcomes and values the cultural diversity of its community. Differences in understanding about acceptable behaviours in various cultures may not be harassment, but the people involved in any such difference will be supported in reaching an understanding.
- **Disability Harassment**, for example not recognising competencies, drawing attention to disability or personal appearance, jokes, ignoring or focusing on a person because of their disability.
- **Ageist Harassment**, for example denigrating competencies, patronising, ridiculing, marginalising, leaving people out of social activities.
- **Sexual Orientation Harassment**, for example homophobic jokes or remarks, abuse relating to HIV/AIDS status, threats to disclose sexual orientation, ridiculing civil partnerships.
- **Religion or Belief Harassment**, for example not supporting religious requirements such as prayer, offering inappropriate catering to minority groups, offensive remarks, and jokes, ridiculing religious requirements in dress.
- **Gender Reassignment Harassment**, for example ridiculing dress and personal appearance, offensive jokes, and remarks.

- **Status Harassment**, for example patronising, ostracising or marginalising colleagues with different job roles or students with different backgrounds. Showing favouritism may also be regarded as status harassment.

The above list of examples is not exclusive or exhaustive. Harassment can occur on the basis of any personal attribute that makes the individual different from others, or from the person who harasses him or her.

(b) Bullying is the exercise of power over another person through negative acts or behaviour that undermines him either personally, academically and/or professionally. Bullying can involve threatening, insulting, abusive, disparaging, or intimidating behaviour which places inappropriate pressure on the recipient or has the effect of isolating or excluding them. Bullying can take the form of shouting, sarcasm, derogatory remarks concerning academic performance or constant criticism and undermining. Bullying is to be distinguished from vigorous academic debate or the actions of a teacher or supervisor making reasonable (but perhaps unpopular) requests of his/her students.

Annex 3- Legislation

- Equality Act 2010
- Health and Safety at Work Act 1974
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Employment Rights Act 1996
- Protection from Harassment Act 1997 (only parts of this Act apply in Scotland)
- Human Rights Act 1998
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Employment Relations Act 1999
- Race Relations Amendment Act 2000
- Special Educational Needs and Disability Act 2001
- Employment Act 2002
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Civil Partnerships Act 2004
- Gender Recognition Act 2004
- Disability Discrimination Act 2005
- Employment Equality (Age) Regulations 2006
- Equality Act 2006