

# Procedures for Dealing with Harassment

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# 1. Introduction

- 1.1. If you feel that you are being subjected to harassment in any form by a fellow student or a member of staff or others, do not feel that you have to tolerate it. The University's primary concerns are that the harassment should stop and that there is support and assistance when needed.
- 1.2. You can seek advice and help from any of the internal agencies or individuals listed in the advice and support section of these procedural guidelines. If you are concerned by an incident or feel that behaviour towards you is inappropriate, these agencies can advise you on a course of action, suggest ways of resolving the situation, or help you to obtain specialist advice. Different steps are advised depending on the circumstances of the harassment in order to bring about the best resolution. This guidance document covers the following:
  - general immediate actions
  - procedures for dealing with harassment;
  - harassment in UEA Residences;
  - harassment in private accommodation;
  - harassment in teaching and research environments (including placements);
  - harassment from staff;
  - harassment from a non-student.

## 2. Immediate and On-Going Tasks

- 2.1. If you find that you have been subjected to behaviour which you consider to be of a bullying or harassing nature, it is advisable, if you are able, to undertake some or all of the following immediate tasks. Not all of the tasks will be appropriate according to the situation, but they may help you to tackle what is going on, especially if it is persistent.

### ***3. Tell the person to stop as soon as possible***

- 3.1. Tell the person who is behaving inappropriately towards you to stop as you consider their behaviour inappropriate and unwanted. Tell them if you consider their behaviour to be bullying or harassing. This may be enough. You may be the victim of unwitting bullying, where the person is not aware their behaviour is inappropriate or objectionable. It may be possible that words or actions have been misunderstood, in which case the misunderstanding needs to be cleared up. Even if the behaviour was intentional, a quick and clear indication that it is objectionable can be enough to stop it. However, it is advisable to also take the following steps in case the behaviour continues.

#### **4. Take names and details of witnesses**

If there were witnesses to the incident(s), try to take their name and contact details. It might be appropriate to ask them what their view of the behaviour they witnessed was.

#### **5. Write some notes about what happened**

Make a note as soon as possible while the incident is still fresh in your mind. Try to be as detailed as possible, recording:

- when and where it happened;
- what were you doing leading up to the incident;
- how do you and the person know each other (if at all);
- what was said and/or done;
- whether this was the first occasion or one of many;
- if anybody else was involved, or witnesses present;
- how the incident made you feel.

#### **6. Social Media and Cyber-Bullying: cut off sources of communication**

6.1. In addition to the solutions above, in cases where the behaviour has occurred by means of social media or other electronic means (such as text message), you should:

- block the sender of an email by adding the sender's email address to the 'block list'. The option to do this is usually located in the junk mail options of your email reader programme;
- on social networking sites and chat/messenger services, delete a user and block them so that they can no longer contact you;
- on your mobile phone (depending on your network and phone model) you may be able to block the caller add the caller's number to a 'barring list'.

6.2. By cutting sources of communication you limit the means by which the person can contact you. Do not read or respond to messages from those who are persistently bothering you.

## **7. Social Media and Cyber-Bullying: collect evidence and keep a record of interactions**

- 7.1. Don't delete offending emails – keep them (and perhaps print them off) as evidence.<sup>1</sup> Keep text messages and make a log of all the times you have received an inappropriate phone call.
- 7.2. If you have received messages, or something inappropriate has occurred on-screen which cannot be easily printed off (such as chat rooms or messenger services etc) then take a capture of the screen (this is like taking a photograph of what is showing on your computer monitor – see 'Further Information' at the end of this document).

## **8. Talk it through with a friend**

- 8.1. Discuss what happened with a friend. Talking it through may help you to re-examine the situation and look at it more dispassionately. Your friend may help you confirm your feeling that you were subject to inappropriate behaviour, or, you may on reflection think that there was just a misunderstanding.
- 8.2. Talking may also help you feel less unsure or nervous about taking the initial steps towards dealing with any inappropriate behaviour or contact.

## **9. Read and take appropriate actions as outlined in the guidance that follows**

# **10. General Procedures for Dealing with Harassment**

- 10.1. The priority will always be to arrive at a solution in which harassment stops and there is confidence that it will not re-occur. It may be necessary, depending on individual circumstances, to use other approaches than the steps suggested here in order to best achieve the solution, which may include the involvement of your Adviser or Supervisor, Senior Resident, Student Support Service, the Union of UEA Students, Security or Police, depending on the particular circumstances.

### **Step 1: Speak to a harassment Adviser in the Student Support Service**

- 10.2. You can take a friend or any person of your choosing to a meeting if you wish. Discuss what has happened and the steps you have taken so far. The Adviser will offer practical advice and support, and advise you whether or not the behaviour appears to constitute harassment and whether it may potentially be criminal. The Adviser will also inform you of the range of services offered by the University and Student Support Service which you may wish to access, in particular the Mental Health Well-Being Service and the University Counselling Service.

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<sup>1</sup> If it is not clear who the email is from, you can get a clue from looking at the email headers of the original electronic version of the email. You can find these by looking at the 'properties' of the email. An adviser from ITCS will be able to help with this.

- 10.3. As a result of this meeting you may wish to attempt to deal with the matter yourself, but, if you wish the Adviser to help you to take the matter further, you will need to agree next steps with the Adviser. This may include referring the case to another Adviser.
- 10.4. If the person is a member of staff or not a UEA student, you can discuss with the Adviser appropriate next steps, which may require the involvement of your School or the Police (see Section 18: Harassment from Staff or section 19: Harassment from a Non-student/Non-staff).
- 10.5. If the person whom you believe is harassing you is a UEA student, you might wish for him/her to be asked to attend a meeting with the Adviser to discuss the situation. That meeting may be informal or formal, and in most cases this will be your choice. In making your decision, the following things should be considered: who is bullying/harassing you; the severity of the harassment; the impact the behaviour is having upon you.
- **Informal route:** if you wish the matter to be dealt with informally, the person will not be subject to Disciplinary Procedures, at least not at this stage.
  - **Formal route:** if you wish to proceed formally, and the Adviser agrees that this is appropriate, the matter may, depending on the results of any investigation, be subject to Disciplinary Procedures and the person accused referred to the University Disciplinary Officer.
- 10.6. You can choose to switch from informal to formal or vice versa if the circumstances or your feelings change, for example, because of continued or reoccurring harassment. If this is the case, you must let the Adviser (or other person assisting you) know.
- 10.7. In preparation for any following steps involving the Adviser you may be asked for a written and signed statement. A statement emailed from your UEA email account is also acceptable as the email acts as your digital signature.

### ***Step 2: If the 'harasser' is a student s/he will be asked to meet with the harassment Adviser***

- 10.8. The Adviser will invite the student you believe to be harassing you for a meeting to discuss your allegation. The Adviser will explain the nature of the allegation and will use your statement as a basis of the discussion. The person has the opportunity to respond.
- 10.8.1. **If the behaviour is acknowledged:** the person will be requested to stop, and the situation will continue to be monitored.
- **Informal route:** the person will be asked to give a verbal or written apology. The person will be given a copy of these guidelines and advised of the procedure if a formal complaint were subsequently to be made within a reasonable time frame (for example, the remainder of the academic year), or if the behaviour continues or reoccurs.
  - **Formal route:** the notes taken during the meeting will be formally agreed to by the person. The case will then be referred to the University Disciplinary Officer

if the Adviser and Senior Resident Tutor agree that there appears to have been a breach of University regulations.

- 10.8.2. **If the person denies the behaviour or if it is clear that there are disagreements in perceptions of the behaviour and/or incidences:** the Adviser may suggest that the parties meet together in a neutral situation for mediation from the Student Support Service. If this suggestion is agreeable to both parties, proceed to Step 3, if not, proceed to Step 4.

### ***Step 3: Mediation meeting between all parties***

10.9. The aim of a mediation meeting is to seek clarifications of the perceptions of all those concerned. A successful meeting will lead to reconciliation and agreement to future conduct between the parties. If however, the meeting does not lead to clarification or reconciliation, then the next possible course of action is to consult witnesses.

10.10. This step is unlikely to be appropriate in harassment cases relating to allegations of sexual violence.

### ***Step 4: Further investigation / consult witnesses***

10.11. If there is significant disagreement or doubt, particularly in the absence of any supporting evidence regarding the behaviour of any of the parties involved, it may be necessary for the Adviser to undertake further investigation and to consult witnesses.

10.12. If after further investigation and/or discussion with witnesses it appears:

10.12.1. **that there are grounds for the complaint:** the Adviser will speak to the alleged harasser again and ask them to acknowledge the behaviour and then proceed in accordance with Step 2 (10.8.1 above). If the behaviour is not acknowledged and the Adviser in discussion with the Senior Resident Tutor considers that there is a clear case to answer with respect to University legislation, the matter may be referred to the University Disciplinary Officer to adjudicate on the matter formally according to the balance of probabilities.<sup>2</sup>

10.12.2. **that there is no supporting evidence or witness testimony:** the Adviser will be unable to adjudicate at this stage and will continue to monitor the situation. The Adviser will make it clear to both parties that both should be mindful not to inflame the situation any further. You should alert the Adviser if any further problems were to occur.

## **11. Harassment in UEA Residences**

11.1. If you feel that you cannot tell the person to stop, or if having already done so the harassment continues, discuss the problem with your Senior Resident (SR). You may decide it would be helpful for your SR to go with you to speak to the person you believe to be

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<sup>2</sup> UEA Disciplinary Procedures, Section A, s.1.6, ([http://www.uea.ac.uk/calendar/section3/regs\(gen\)/disciplinary-procedures/sectiona](http://www.uea.ac.uk/calendar/section3/regs(gen)/disciplinary-procedures/sectiona)).

harassing you, or you may wish that the SR alone should speak to that person; if this is the case, for any effective progress to be made towards a resolution it will be necessary for the SR to identify you. It may be helpful to make a written statement that the SR can read to the person. **Experience has shown that most cases of bullying/harassment in residences end at this step following the help and intervention of the SR.**

- 11.2. The SR will report the discussion to the Senior Resident Tutor. All contacts between an SR and a student are reported to the Senior Resident Tutor (SRT) as matter of course; the SRs have no discretion in this but normal Student Support Service confidentiality protocols will apply, and the interaction will not be shared with others outside the Student Support Service. Depending on what action you agreed with the SR, the SRT will invite you for a meeting to discuss the incident(s), and the steps you and/or the SR have undertaken. You can accept or decline the invitation as you wish.
- 11.3. If you feel that you cannot take these steps, or the harassment continues, or the Senior Resident is involved or implicated in the harassment, speak to the Senior Resident Tutor and follow the General Procedures for Dealing with Harassment above.

## 12. Harassment in Private Accommodation

If you are experiencing harassment from your fellow housemates in private accommodation, you should speak to a general adviser in the Student Support Service. The general adviser will follow the steps outlined in the *General Procedures for Dealing with Harassment* above.

## 13. Harassment in Teaching and Research Environments (including Placements)

- 13.1. Individual Schools are responsible for the academic environment – this includes having a general regard for the conduct, welfare and safety of students during teaching/research events of any kind. All members of staff have a duty to attempt to stop any act of harassment and to report such behaviour to the Senior Adviser, Course Director or Head of School for consideration and possible referral to the Senior Resident Tutor (see *Guidelines for Staff in dealing with Student Non-academic Misconduct*<sup>3</sup>).
- 13.2. If you are being harassed by a classmate in a seminar, a lecture, a lab class, on a field trip, placement, or in any environment which is related to your course (either taught or research), then you must bring the behaviour of the person to the attention of the member of staff leading the session or in direct supervision of you. You should do this immediately whilst it is happening (if practicable) or at the end of the session. It is possible that the staff member witnessed the behaviour and is therefore in a strong position to help you.
- 13.3. Agree with the member of staff a way forward, for example, the member of staff could speak to the person about their behaviour and tell them to cease; this would be particularly

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<sup>3</sup> Forthcoming.

effective if the member of staff witnessed the behaviour. Alternatively you should talk to your Adviser or the Senior Adviser.

- 13.4. If the harassment continues following the implementation of the School's harassment protocol, in the case of harassment from a student, the matter should be referred by the School to the Senior Resident Tutor who shall follow the *General Procedures for Dealing with Harassment* above with due consideration for the circumstances and steps already taken.
- 13.5. If the alleged behaviour appears to breach a School's professionalism standards (where applicable), it may be most appropriate for the matter to be investigated and pursued by the school under the auspices of General Regulation 14 – Professional Misconduct and/or Unsuitability (web address: [http://www.uea.ac.uk/calendar/section3/regs\(gen\)/gen-regs-for-students/14-professional-misconduct-and-or-unsuitability](http://www.uea.ac.uk/calendar/section3/regs(gen)/gen-regs-for-students/14-professional-misconduct-and-or-unsuitability)).

## 14. Harassment from Staff

If your concern involves a member of staff you should speak in the first instance to the Senior Resident Tutor or the Director of Student Services. It may be that this discussion will help you to deal with the situation yourself. However, if the matter cannot be resolved informally, with your agreement, the matter will be referred to the relevant Head of School or Head of Service for action, depending on whether the member of staff is a member of academic or academic-related/support staff. If the Head of School or Head of Service is the subject of your concern, the Senior Resident Tutor, with your agreement, may refer the matter to the appropriate line manager who will be the relevant Executive Dean or the Registrar & Secretary. If the Executive Dean is involved, the matter will be referred to a Pro-Vice-Chancellor. The *General Procedures for Dealing with Harassment* given above will be followed with due consideration for the circumstances and steps already taken.

## 15. Harassment from a Non-Student/Non-Staff

The University does not have any jurisdiction over people who are neither students nor staff, so you should report the harassment to the Police for investigation as a criminal matter. Nevertheless, the University will try to assist you where it can and will act on advice from the Police and assist in their investigations.

## 16. Helping friends and safe-guarding others <sup>4</sup>

You may be concerned, and distressed, that a friend is being subjected to bullying or harassing behaviour, or is in an abusive relationship, or is a victim of crime. You may feel helpless, but help and support can be found from the University or other agencies. Some suggestions:

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<sup>4</sup> Guidance on reporting bullying, harassment of other abuse of minors (those under 18 years of age) is provided in the University's Safeguarding Policy (currently being developed).

- Speak to your friend and explain why you are concerned, making reference to the examples of behaviour outlined in the University's *Policy and Guidelines on Bullying, Harassment, Abuse, Assault and Stalking, and the Use of Social Media*.
- Speak to the harasser directly if you feel confident, but without being antagonistic. State what you witnessed and explain why you think his/her behaviour is inappropriate.
- If you witness someone being harassed or being subjected to misbehaviour, bring it to the attention of a member of UEA staff as soon as possible, preferably immediately:
  - If you live in UEA Residences, call the Duty Senior Resident (SR), or Security, whenever an incident is occurring that is cause for concern. The SR or Security Officer can then attend the incident and can then witness the behaviour for themselves. The caller's name will not be revealed to another student. If any untoward behaviour is witnessed by an SR or Security Officer, their subsequent report can act as a basis for addressing the behaviour.
  - in the Library, tell the nearest available member of staff, or staff on the helpdesk;
  - in a seminar class, tell the member of staff leading the session;
  - in a lecture, tell the member of staff giving the lecture as soon as practicable;
  - in the Students' Union, tell the reception or bar staff;
  - elsewhere on campus, report it to Security on 01603 59 2352.
- You can speak to any person in this guidance about any issue that is concerning you, and agree a way forward.

## 17. Pursuing a Complaint if you are Dissatisfied

If your concern has not been addressed to your satisfaction, you have the right to register a complaint in accordance with University Complaints Procedure. The University reserves the right to consider a complaint under Stage 2 (Appeal Stage) of the non-academic Complaints Procedure if the steps taken to date in effect constitute Stage 1 of the Complaints Procedure.<sup>5</sup>

## 18. Confidentiality and Natural Justice

- 18.1. As a general principle, when you seek help to deal with harassment, confidentiality will be agreed and maintained wherever possible. However, there may be situations where confidentiality has to be broken, and this will be made clear to you at the time. For example, if you tell someone, in confidence, something which demonstrates an unreasonable risk to you or to someone else, the person will need to draw this formally to the University's attention.<sup>6</sup>

<sup>5</sup> UEA, 'Non-academic Complaints Procedure', [http://www.uea.ac.uk/calendar/section3/regs\(gen\)/non-academic-complaints-procedure](http://www.uea.ac.uk/calendar/section3/regs(gen)/non-academic-complaints-procedure).

<sup>6</sup> Student Support Service, *Confidentiality Policy* (2012).

- 18.2. The decision about whether action is taken by the University to deal with harassment normally rests with you, but the University will have to act if it judges there to be an unacceptable risk to you or to someone else.
- 18.3. It is important for you and the University to recognise that the alleged harasser must not be prejudged and that he or she has rights; this includes being informed of any allegations which are to be investigated, having the chance to state his or her case, and the right to have the matter remain confidential. Both parties will be informed of the outcome of an investigation undertaken according to section 10 and whether a referral for formal disciplinary action is or is not made and whether the complaint was upheld.
- 18.4. If an allegation of harassment is pursued by a student through these procedures but found to have been brought with vexatious, mischievous or malicious intent, it may provide grounds for disciplinary action to be taken against that student.

## 19. Advice and Support

The following people are experienced in dealing with sensitive problems confidentially. They will be able to advise you on the procedures for dealing with harassment and support you if you wish to follow any of the routes suggested in this document.

Advice and support within the School can be provided by:

- Head of School
- Your Personal Adviser
- Senior Adviser (or Deputy)
- Research Supervisor or other member of your Supervisory Team
- School Postgraduate Research Director
- School Director (PGR) or Associate Dean (PGR)
- Other staff known and trusted by you

Advice and support within the University can be provided by:

- The Student Support Service (01603 59 2761)
- The Senior Resident Tutor (01603 59 3730)
- The Student Services Manager (01603 59 2491)
- The Mental Health Team (01603 59 3032)
- The Security Lodge (01603 59 2352)
- The University Counselling Service (01603 59 2651)
- The Multifaith Centre (01603 59 2214)
- Students' Union Advice Centre (01603 59 3463)
- Nightline (01603 59 2500 - term time only 8pm to 8am)
- Your Senior Resident – for students living in UEA accommodation.

## 20. Further Information

Direct.gov.uk, 'This is Abuse' – <http://thisisabuse.direct.gov.uk>

Direct.gov.uk, 'Bullying' – <http://www.direct.gov.uk/en/YoungPeople/HealthAndRelationships/Bullying/index.htm>

Equality Act 2010 – <http://www.legislation.gov.uk/ukpga/2010/15>

Equality Challenge Unit – <http://www.ecu.ac.uk>

The Harbour Centre (Sexual Assault Referral Centre) – <http://www.theharbourcentre.co.uk>.  
Telephone: 0845 456 4810, Monday – Friday, 8am - 5pm.

The Sue Lambert Trust - <http://www.suelamberttrust.org>

Mankind - <http://www.mankindcounselling.org.uk>

National Rape Crisis Helpline - 0808 802 9999

M. J. McCormack, UEA Security, 'Guidelines and Protocol for dealing with 'Stalkers' and other 'Harassment' matters' (2007).

Stop Hate UK – <http://www.stophateuk.org>

True Vision – <http://www.report-it.org.uk>

### ***Taking a 'Screen Capture'***

If you want to make a record of something that has been sent to you on social media, try not to 'Cut and Paste' it into a new document as its usefulness as evidence will have been harmed because the pasted text can then be edited. It is much better to take Screen Captures. How to take a 'screen capture' on a PC running Microsoft Windows:

1. Make sure the window which has the offending message/chat is visible on screen.
2. Press Ctrl, and whilst still holding it down, press the 'Print Screen' button (which is normally located above the numeric keypad on the top right of your keyboard).
3. Then open up a programme such as Microsoft Word, press Ctrl, and whilst still holding it, press the letter 'V'. This will paste your photograph of your screen (your 'screen capture') into the document which you can then save and print off.

Alternative methods exist for other operating systems, such as Mac OS, iOS, Android, and Windows Phone 8, for example:

<http://www.take-a-screenshot.org/>

<http://windows.microsoft.com/en-us/windows7/take-a-screen-capture-print-your-screen>

<http://www.apple.com/uk/findouthow/mac/#capturescreen>

<http://www.howtogeek.com/121133/how-to-take-screenshots-on-android-devices-since-4.0/>

<http://www.windowsphone.com/en-gb/how-to/wp8/photos/take-a-screenshot>