

Harassment and Bullying Procedure

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1. Purpose

- 1.1. Equality, diversity and inclusion are core to the University's strategic vision. A key principle of this vision is to create an inclusive environment where all individuals are valued and able to succeed, free from all forms of Harassment, Bullying, prejudice and discrimination. The University's values of integrity, inclusion, inspiration and innovation are integral to all that we do, and we are embedding inclusion in the University's working practices and culture to provide an excellent student experience and to be an employer of choice. We continue to strive for Surrey to be a place where everyone feels welcomed, valued and safe.
- 1.2. All individuals have the right to live and work in an environment where they feel safe and are free from harm. The University of Surrey will not tolerate Harassment and Bullying. This means that Incidents of Harassment and Bullying will be treated seriously, via proportionate investigation/action, in order to promote a safe environment for students, staff and Visitors. The University leadership are committed to fostering environments free from Harassment and Bullying, and to ensuring that managers and supervisors have the tools to address issues that arise, and monitor the effective use of those tools within their faculties and departments.
- 1.3. The purpose of this procedure is:
 - to set out the expected behaviours of all Members of the University and Visitors;
 - to enact the University's zero-tolerance approach;
 - to prevent abuses of power and conflicts of interest (actual and perceived);
 - to provide all Members of the University and Visitors with clear reporting mechanisms for Harassment and Bullying;
 - to set out expected responses where Incidents of Harassment and/or Bullying arise;
 - to ensure that the range of options and support is clear for everyone including people who feel they have been harassed and/or bullied, people who have witnessed Harassment and/or Bullying and people who have been accused of Harassment and/or Bullying.
- 1.4. This procedure should be read in conjunction with the University's staff and student policies, procedures, regulations, and codes. The following will be of particular relevance:

[Equality, Diversity and Inclusion Procedure](#)

[Trans and Gender Identity Procedure](#)

[Safeguarding Procedure](#)

[Sexual Misconduct Procedure](#)

[Intimate Personal Relationships Code of Practice](#)

[Data Protection Policy](#)

[Data Protection Processing Statement](#)

[Information Sharing Procedure](#)

[Acceptable Use Procedure](#)

[Social Media Procedure \(Staff\)](#)

[Social Media Procedure \(Students\)](#)

[Staff Disciplinary Procedure](#)

[Staff Grievance Procedure](#)

[Student Disciplinary Regulations](#)

[Procedure for Complaints](#)

[Regulations for Fitness to Practise](#)

[Procedure for Managed Exclusion Orders](#)

[Public Interest Disclosure \(Whistleblowing\) Procedure](#)

2. Scope and Exceptions to the Procedure

2.1. Who does this procedure apply to?

- 2.1.1. This procedure applies, without exception, to all Members of the University and Visitors to the University.

2.2. What does this Procedure apply to?

- 2.2.1. This procedure applies at all times to conduct that may constitute Harassment and/or Bullying on University of Surrey campuses, off campus and online. Incidents raised under this procedure are not limited to University premises or teaching/working hours.

- 2.2.2. This procedure relates to:

- Incidents which have occurred during an individual's period of study, work and/or visit at the University of Surrey;
- applicants who have accepted an offer of employment or a place of study at the University; and
- in exceptional circumstances, the University may investigate conduct that occurred prior to an individual becoming a Member of the University.

- 2.2.3. Consideration of an allegation of conduct that occurred prior to an individual becoming a Member of the University will only take place in exceptional circumstances and following approval from the HR Director (Staff) or Head of OSCAR (Students).

- 2.2.4. In deciding whether it is appropriate to consider conduct that occurred prior to an individual becoming a Member of the University, the University will consider:

- the severity of the alleged offence;
- whether leaving the matter unaddressed would impact on matters of safeguarding, fitness to practise, or on any obligations the provider has to professional or regulatory bodies in respect of the individual's character;
- the context of the conduct and its impact on the individual's relationship with the University;
- the strength and reliability of the evidence and the length of time that has elapsed and the effect of this on the reliability of any evidence;
- the impact on the individual undergoing the relevant process.

3. Definitions and Terminology

Adult at Risk

An Adult at Risk is an individual (aged 18 years old or older) who:

- has needs for care and support,
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of those needs, is unable to protect themselves against the abuse or neglect or the risk of it.

Authorised Person/Investigator

An Authorised Person or Investigator is the individual responsible for investigating Incidents of Harassment and/or Bullying, in accordance with the University's policies and procedures, most commonly, the [Staff Disciplinary Procedure](#) and the [Student Disciplinary Regulations](#).

Bullying

The University defines Bullying as unwanted conduct from a person or group that is:

- offensive, intimidating, threatening, malicious or insulting, and/or
- an abuse or misuse of power that undermines, humiliates or causes physical or emotional harm to another person or persons.

Campus Safety Team

This team provides an effective, integrated, high-profile, security presence delivering a professional and responsible service. www.surrey.ac.uk/about/services/campus-safety

Directly Affected Party

A Directly Affected Party is a person who is reasonably identified as:

- of particular significance in the context of an Incident, and
- likely to be directly impacted by a key decision made in respect of an Incident. A key decision is a decision whether to progress the case to the next stage of the University's processes or a decision as to the overall outcome of the University's processes.

Disclosure

A Disclosure is when an individual shares their experience, whether verbally or in writing, with a suitably trained member of staff, however, the individual may not necessarily want action to be taken. An individual making a Disclosure should be given time to make an informed choice about whether to make a Formal Report to the police, to the University or to both. A Disclosure is different to a Formal Report (see below).

Formal Report

A Formal Report is a way of officially lodging an allegation or allegations, to be followed up with potential action against a Responding Party. A Formal Report can be made to the police or to the University or to both. Where a Formal Report is made to the police, consideration will be given as to whether one or more criminal offences have been committed within the context of the criminal justice system. Where a Formal Report is made to the University, consideration will be limited to whether University policies, procedures

or regulations have been breached. The University cannot and does not make a criminal legal finding. A Formal Report is different from a Disclosure (see above).

Harassment

For the purposes of this Procedure, this term applies to behaviour within the definitions found in:

- Section 26 of the Equality Act 2010 (<https://www.legislation.gov.uk/ukpga/2010/15/section/26>) and/or
- Section 1 of the Protection from Harassment Act 1997 (in its entirety, and as interpreted by Section 7 of the Act) (<https://www.legislation.gov.uk/ukpga/1997/40/section/1>).

The definitions in both pieces of legislation above ought to be consulted in conjunction with this Procedure.

Incident

This term is used to describe allegations, complaints, suspected behaviour and formal findings of Harassment and/or Bullying.

Intimate Personal Relationship

An Intimate Personal Relationship means a relationship involving one or more of the following:

- physical intimacy (including isolated or repeated sexual activity)
- romantic intimacy
- emotional intimacy

Members of the University

Members of the University means current members of staff (including staff in University of Surrey subsidiaries and Surrey Sports Park staff), members of Council and students at the University of Surrey including (but not limited to):

- applicants to the University who have accepted an offer of a place of employment or study;
- those registered on the Foundation Year and award-bearing programmes delivered by the University; this includes new students who have been through the online registration process and have yet to complete the main registration process and students on their Professional Training Year;
- those registered to study for the award of academic credit delivered by the University;
- those registered to study for non-credit bearing modules/courses and non-award-bearing programmes delivered by the University;
- those registered as a student with another organisation operating in collaboration with the University and using University facilities, for example, Surrey International Study Centre (SISC);
- those registered as a student participating in an exchange scheme.

Reporting Party

A Reporting Party is a person(s) who has made one or more allegations of Harassment and/or Bullying to the University. A Reporting Party could be a person who has been subject to the Harassment and/or Bullying themselves, or a person who witnessed, or has been made aware of, Harassment and/or Bullying, but was not personally subject to it.

Responding Party

A Responding Party is a person(s) whose conduct is alleged to have amounted to Harassment and/or Bullying.

Visitor

Any person:

- present on University premises (including University managed houses), or
- attending an off-campus University led event (including virtual events),

who is not a Member of the University.

Procedural Principles

4. What is Harassment?

4.1. For the purposes of this Procedure, the term 'Harassment' applies to behaviour within the meanings given in:

- Section 26 of the Equality Act 2010 (<https://www.legislation.gov.uk/ukpga/2010/15/section/26>) and/or
- Section 1 of the Protection from Harassment Act 1997 (in its entirety, and as interpreted by section 7 of the Act) (<https://www.legislation.gov.uk/ukpga/1997/40/section/1>).

The definitions in both pieces of legislation above ought to be consulted in conjunction with this Procedure. Each of these definitions will be considered. The definitions are different. One or both may apply depending on the circumstances.

4.2. In order to constitute Harassment for the purposes of this Procedure, the alleged behaviour need only fall within the definition of Harassment under the Equality Act 2010 or the definition under the Protection from Harassment Act 1997 and not necessarily both.

4.3. The University uses the legal definitions from the legislation listed above to make decisions and appropriately characterise conduct in relation to University processes only. The University cannot, and does not, make judgements as to whether alleged conduct constitutes a criminal offence. The decisions of the University are not legal rulings in this regard. In the event of police involvement, any determination as to potential criminal liability will be dealt with separately and externally via the criminal justice system.

4.4. The University applies a different, lower standard of proof to that used by the criminal justice system. In matters of staff and student misconduct, including allegations of Harassment and/or Bullying, the standard of proof applied is that of the balance of probabilities. This means that the University will consider Harassment and/or Bullying to be proven if, on the evidence put forward, it is more likely than not that Harassment and/or Bullying took place.

4.5. In the initial stage of a staff or student misconduct matter, the burden of proof lies with the University. This means that it is for the University to show that it is more likely than not that

Harassment and/or Bullying took place. The burden of proof switches to the Responding Party if they appeal the outcome of the initial stage of this process.

4.6. Where the Harassment and/or Bullying relates to a protected characteristic:

4.6.1. [Section 26 of the Equality Act 2010](#) applies in circumstances where there is Harassment and/or Bullying that is related to a protected characteristic.

The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation

4.6.2. A person (**A**) harasses another (**B**) if:

- **A** engages in unwanted conduct related to a relevant protected characteristic, and
- the conduct has the purpose or effect of -
 - violating **B**'s dignity, or
 - creating an intimidating, hostile, degrading, humiliating or offensive environment for **B**.

4.6.3. In deciding whether the conduct has the effect referred to in 4.6.2 above, each of the following must be taken into account:

- the perception of **B**;
- the other circumstances of the case;
- whether it is reasonable for the conduct to have that effect.

4.6.4. Conduct that would fall within this definition would, for example, include where **A** makes comments about **B**'s disability causing **B** to feel offended. It is important to bear in mind that each instance of unwanted conduct that forms the Harassment and/or Bullying allegation will be fact dependent, and therefore, it is not possible to provide exhaustive examples. Consideration of the effect of the conduct will include an objective assessment as to whether a reasonable person, in the same position as **B**, would be similarly affected.

4.6.5. Regardless of whether the unwanted conduct that forms the Harassment and/or Bullying allegation is considered to fall within the Equality Act 2010 definition of Harassment, it will also be considered whether or not the unwanted conduct falls within the definition of Harassment under the Protection from Harassment Act 1997 (see 4.8 below).

4.7. Where the Harassment/Bullying is wholly or partly sexual in nature:

- 4.7.1. There may be circumstances where the alleged Harassment and/or Bullying is, wholly or partly, sexual in nature. The University differentiates Harassment and Bullying of this kind from other kinds of Harassment which do not involve a sexual element. Where the unwanted conduct that forms the Harassment and/or Bullying allegation is, wholly or partly, sexual in nature, the University's [Sexual Misconduct Procedure](#) should be consulted in conjunction with this [Harassment and Bullying Procedure](#).
- 4.7.2. The University regards conduct that falls within the meaning of either or both [s26\(2\) and s26\(3\) Equality Act 2010](#) as sexual Harassment.
- 4.7.3. **A** sexually harasses **B** if:
- **A** engages in unwanted conduct of a sexual nature, and
 - the conduct has the purpose or effect of -
 - violating **B**'s dignity, or
 - creating an intimidating, hostile, degrading, humiliating or offensive environment for **B**.
- 4.7.4. Conduct that would fall within this definition would, for example, include where **A** makes sexually suggestive comments to **B** causing **B** to feel degraded and intimidated.
- 4.7.5. **A** also sexually harasses **B** if:
- **A**, or another person, engages in unwanted conduct of a sexual nature or that is related to gender reassignment or sex,
 - the conduct has the purpose or effect of –
 - violating **B**'s dignity, or
 - creating an intimidating, hostile, degrading, humiliating or offensive environment for **B**, and
 - because of **B**'s rejection of or submission to the conduct, **A** treats **B** less favourably than **A** would treat **B** if **B** had not rejected or submitted to the conduct.
- 4.7.6. Conduct that would fall within this definition would, for example, include where a third person **C** makes sexually suggestive comments to **B** causing **B** to feel degraded and intimidated. **B** rejects **C**'s comments and says they are inappropriate. **A** then treats **B** less favourably as a result of **B** having rejected **C**'s comments.
- 4.7.7. In deciding whether the conduct has the effect referred to in 4.7.3 or 4.7.5 above, each of the following must be taken into account-
- the perception of **B**;
 - the other circumstances of the case;
 - whether it is reasonable for the conduct to have that effect.
- 4.7.8. It is important to bear in mind that each instance of unwanted conduct will be fact dependent, and therefore, it is not possible to provide exhaustive examples. Consideration

of the effect of the conduct will include an objective assessment as to whether a reasonable person, in the same position as **B**, would be similarly affected.

- 4.7.9. Regardless of whether the unwanted conduct that forms the Harassment and/or Bullying allegation is considered to fall within the Equality Act 2010 definition of Harassment, it will also be considered whether or not the unwanted conduct falls within the definition of Harassment under the Protection from Harassment Act 1997 (see 4.8 below).

- 4.8. Where Harassment and/or Bullying does not involve a protected characteristic and is not wholly or partly sexual in nature:

- 4.8.1. Where the unwanted conduct that forms the Harassment and/or Bullying allegation does not relate to one or more of the protected characteristics above, and is not wholly or partly sexual in nature, it will be considered whether the unwanted conduct meets the definition under [Section 1 of the Protection from Harassment Act 1997](#).

- 4.8.2. Conduct will be found to constitute Harassment if:

- **A** pursues a course of conduct (a course of conduct consists of at least two occasions of unwanted conduct by **A**),
- the unwanted conduct amounted to harassment of another, and
- **A** knew or ought to have known that their conduct amounted to harassment of the other.

- 4.8.3. Conduct that would fall within this definition includes the following example: On Saturday, **A** has an argument with **B** online which ends with **B** telling **A** that they no longer want to speak to **A**. On Monday, **A** approaches **B** on campus and shouts at **B**, causing **B** to feel intimidated and alarmed by **A**. **B** tells **A** to leave them alone. Two days later, **A** approaches **B** again, and shouts at **B**, causing **B** to feel distressed. There have been at least two occasions of unwanted conduct by **A** in relation to **B**. This amounted to Harassment of **B** as **B** was alarmed and distressed by **A**'s conduct. **A** ought to have known that repeatedly going up to **B** and shouting at them amounted to Harassment of **B**. **A** has harassed **B**.

- 4.8.4. It is important to bear in mind that each instance of unwanted conduct that forms the Harassment and/or Bullying allegation will be fact dependent, and therefore, it is not possible to provide exhaustive examples. Consideration of whether the conduct constitutes Harassment, will include an objective assessment as to whether a reasonable person, with the same information as **A**, would think the conduct amounted to Harassment.

- 4.8.5. Conduct will also be found to constitute Harassment if:

- **A** pursues a course of conduct (a course of conduct consists of at least two occasions of unwanted conduct by **A**),
- the unwanted conduct involves harassment of two or more persons, and
- **A** knew or ought to have known that their conduct involved harassment of those persons, and

- **A** intended, through their unwanted conduct:
 - to persuade any person (whether or not one of those mentioned above) not to do something they were entitled or required to do, or
 - to persuade any person (whether or not one of those mentioned above) to do something that they were not under any obligation to do.
- 4.8.6. 4.8.5 above relates to collective Harassment, where individuals are commonly harassed because of a collective identity or membership. Conduct that would fall within this definition includes the following example: **A** was dating **D**. **D** wanted to join the volleyball club. **A** was worried that **D** would cheat on them with someone at the volleyball club if **D** joined. **B** and **C** were in charge of membership of the volleyball club. **A** texted **B** and **C** ten times each over the course of two days leaving threatening messages telling **B** and **C** not to let **D** become a member of the volleyball club. **B** and **C** were distressed by these messages. There were at least two occasions of unwanted conduct by **A**. On each occasion, **B** and/or **C** were caused alarm and distress. **A** ought to have known that their conduct amounted to Harassment of **B** and **C**. **A** intended through their conduct to persuade **B** and **C** not to do something they were entitled to do. **A** has harassed **B** and **C**.
- 4.8.7. It is important to bear in mind that each instance of unwanted conduct that forms the Harassment and/or Bullying allegation will be fact dependent, and therefore, it is not possible to provide exhaustive examples. Consideration of whether the conduct constitutes Harassment, will include an objective assessment as to whether a reasonable person, with the same information as **A**, would think the conduct amounted to Harassment.

5. What is Bullying?

- 5.1. The University defines Bullying as unwanted conduct from a person or group that is:
- offensive, intimidating, threatening, malicious or insulting, and/or
 - an abuse or misuse of power that undermines, humiliates or causes physical or emotional harm to another person or persons.
- 5.2. Where unwanted conduct falling within the definition of Bullying above is carried out, in whole or in part, online using electronic media devices such as computers, laptops, smartphones or tablets, this will be regarded as cyber-Bullying. This includes, but is not limited to, unwanted conduct via:
- social media platforms such as Instagram and Snapchat,
 - email (University account or otherwise),
 - online collaboration tools such as Microsoft Teams or Zoom.

In relation to cyber-Bullying, this procedure should be read in conjunction with the University's [Staff Social Media Procedure](#) and/or [Students Social Media Procedure](#) and the [IT Acceptable Use Procedure](#).

- 5.3. The University recognises that there are a number of ways that power dynamics can operate in a University, for example, between a lecturer and a student or an early career researcher and a head of research team. The University is alert to the potential for Bullying to occur where there is an imbalance in power, as well as in other circumstances.
- 5.4. Bullying may include (without limitation):
- making physical threats,
 - making inappropriate or derogatory remarks,
 - publicly shaming or humiliating someone,
 - unreasonably withholding permission to attend training and development,
 - spreading malicious rumours,
 - persistently criticising someone without justification.
- 5.5. It is important to bear in mind that each instance of Bullying will be fact dependent, and therefore, it is not possible to provide exhaustive examples. Consideration of whether the conduct constitutes Bullying, will include an objective assessment as to whether a reasonable person, in the same position as the individual subject to the behaviour, would think the conduct amounted to Bullying.
- 5.6. There may be instances where unwanted conduct constitutes both Harassment and Bullying. Equally, unwanted conduct may constitute Harassment but not Bullying and vice versa. This procedure will be considered alongside the [Staff Disciplinary Procedure](#) and the [Student Disciplinary Regulations](#) which cover all forms of unwanted conduct that may lead to disciplinary action. The [Regulations for Fitness to Practise](#), [Staff Grievance Procedure](#), or [Procedure for Complaints](#) may also be engaged.

6. Freedom of Speech

- 6.1. Instances of Harassment and/or Bullying can be complex, sometimes involving multiple people, dynamics and factors. The University recognises that Harassment and Bullying can be the result of organisational and cultural issues as well as individual ones and is committed to continually evolving as an organisation to maintain the conditions for a thriving, healthy environment.
- 6.2. The University places significant weight on the importance of freedom of speech within the law and the importance of academic freedom and tolerance for controversial views in an educational context or environment.
- 6.3. Freedom of speech and expression are recognised as essential in the University's role in society and as an academic institution. Vigorous speech and comment and academic debate can be distinguished from the behaviours outlined in this Procedure. Whilst free speech includes speech that may be offensive or hurtful, speech that amounts to unlawful Harassment does not constitute free speech within the law and, therefore, is not protected from disciplinary action.

- 6.4. Harassment and/or Bullying of an individual who exercises their right to freedom of speech and expression within the law will not be tolerated and will be subject to disciplinary action.
- 6.5. Where an allegation of Harassment and/or Bullying is made specifically in relation to exposure to the following, the starting point will be that such exposure is unlikely to have amounted to Harassment:
- the content of higher education and foundation year course materials, including but not limited to books, videos, sound recordings, online teaching materials and pictures,
 - statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education or foundation year University of Surrey course.
- 6.6. In all other circumstances, this starting point (also known as a rebuttable presumption) does not apply. Whilst this is the starting point in cases where 6.5 applies, it can still be challenged. There may be situations where, although 6.5 applies, it can still be demonstrated that the alleged conduct nonetheless amounted to misconduct in the form of Harassment.
- 6.7. Whether the starting point (also known as a rebuttable presumption) outlined in 6.5 applies will be determined by the relevant decision maker on a case-by-case basis, based on a commonsense approach to whether any allegation(s) engages 6.5.

7. Intimate Personal Relationships

- 7.1. Harassment and/or Bullying may occur in the course of an Intimate Personal Relationship between a student and member of staff (including a student acting in a staff capacity). This Procedure should be read in conjunction with the [Code of Practice for Intimate Personal Relationships](#).

8. Objective Test

- 8.1. In considering allegations involving claims of harassment, bullying and/or offensive behaviour, an objective test will be used. The test assesses whether it was reasonable for the conduct in question to have had the effect described by the Reporting Party (for example, violating their dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment for them). The context of the incident(s) will be considered, including the circumstances in which the conduct arose, the reasons for the conduct and the relationship between the parties. The conduct under consideration will undergo an initial assessment to determine whether it meets the severity threshold necessary to be categorised as potential misconduct and therefore whether this warrants formal investigation under the appropriate University Procedures.

9. How can I report Harassment and/or Bullying?

- 9.1. Below are the actions individuals, (students, staff, Visitors) unless stated otherwise, may take in relation to Incidents of Harassment and/or Bullying. One step need not be completed before

moving to the next. For instance, there will be some cases where early intervention is not appropriate or where a party may not feel safe or comfortable in engaging in early intervention.

9.2. Early intervention:

- 9.2.1. Early intervention is not obligatory and will not always be appropriate, but it can lead to a resolution where an honest and constructive conversation is possible. Such conversations may enable the person who experienced the Harassment and/or Bullying to explain how and why something was hurtful and enable the Responding Party to understand the consequences of their actions. If staff or students are unsure of whether they should approach the situation in this way, they should seek support from their Human Resources Advisor or line manager (if staff), their supervisor or from other University support services (if a student).
- 9.2.2. If a Member of the University believes they or another member or Visitor has been harassed and/or bullied, they may choose to:
- have an initial discussion with the Responding Party to raise their concerns (only when it is safe and considered appropriate to do so);
 - have an initial discussion with their own line manager or supervisor to facilitate a constructive conversation or help address the situation;
 - members of staff who do not feel comfortable approaching the relevant line manager or supervisor may ask for support from the HR Advisory team (HRAdvisory@surrey.ac.uk), or their local HR Business Partner;
 - students who do not feel comfortable approaching the relevant member of staff may ask for support from a Personal Tutor, Senior Personal Tutor, Supervisor, the Student Success Team, the Students' Union, OSCAR or a member of the Campus Safety Team (this list is not exhaustive).
 - Postgraduate Researchers may also approach the Postgraduate Research Director, the Associate Dean for the Doctoral College or the Doctoral College for support.
- 9.2.3. Staff and students should approach individuals with whom they feel comfortable discussing their concerns.

9.3. Report + Support <https://reportandsupport.surrey.ac.uk/>

- 9.3.1. This website offers direct help and guidance in confidence. Those who submit Formal Reports with contact details will hear back within three University working days and receive advice and support. All submissions are treated impartially, with the appropriate level of investigation.
- 9.3.2. Report + Support is available 24 hours a day, allowing for a time and place that feels safest to the individual, with clear information about their options and signposting to appropriate support services for what they have experienced. The University monitors Report + Support during University working days between 09:00 and 17:00, Monday to Friday (only).

It is not intended as an emergency response tool and responses will not be immediate. In emergencies, the University's designated Campus Safety team can be reached 24 hours a day, seven days a week on 01483 682002.

- 9.3.3. The Formal Report may result in action being taken in line with a relevant procedure and/or support services being signposted.

9.4. **Contact the Campus Safety Team** - campus-safety@surrey.ac.uk, link: [Campus safety | University of Surrey](#)

- 9.4.1. The Campus Safety Team can talk through how to make a Formal Report and what support is available.

9.5. **Contact the Office of Student Complaints, Appeals and Regulation (OSCAR)**

- 9.5.1. OSCAR coordinates investigations of Incidents of Harassment and/or Bullying relating to students. Students who wish to make an allegation in relation to Harassment and/or Bullying should contact OSCAR via www.surrey.ac.uk/oscar. If appropriate, the Human Resources team and OSCAR will work together on cases involving both staff and students.
- 9.5.2. Students may be both a student and a member of staff. Students may address complaints to OSCAR or use the [Staff Grievance Procedure](#) if appropriate. The University recognises the complexities in relation to these cases. The Doctoral College offers support and guidance to Postgraduate Research Students (PGR) students and has dedicated PGR staff to support enquiries.

9.6. **Mediation**

- 9.6.1. Mediation is an informal, voluntary process where a neutral third party is appointed to support the parties involved in a dispute in reaching a satisfactory outcome. The purpose of mediation is to create a safe environment where parties can communicate and work towards the restoration of a positive working relationship. The HR Advisory team will arrange mediation between staff if it is appropriate and if both parties are comfortable engaging in it. Students should seek advice from the Hive. It should be noted that a person can request mediation without making a Formal Report of Harassment and/or Bullying.

9.7. **Grievances (staff only)**

- 9.7.1. Grievances may be raised by staff who have been harassed and/or bullied or who consider that another Member of the University or Visitor has been harassed and/or bullied. In addition, Managers may engage the [Staff Disciplinary Procedure](#) to deal with occurrences of Harassment and/or Bullying that they become aware of. It is not necessary for a grievance to have been issued for a manager to take this step. Members of staff reporting Harassment and/or Bullying by a student are advised to contact OSCAR for advice and

support. In these cases, the [Student Disciplinary Regulations](#) or [Regulations for Fitness to Practise](#) would normally apply.

9.8. Contact Line Manager (staff only)

- 9.8.1. An employee's Line Manager will be able to provide support and signpost the reporting options (such as Report + Support).

9.9. Contact the Human Resources Department (staff only) -

<https://surreynet.surrey.ac.uk/staff-services/human-resources>

- 9.9.1. The HR Advisory Team will be able to advise and support staff who feel that they are being impacted by any behaviours outlined within this Procedure. The Advisory Team will be able to guide on the most appropriate reporting route, provide information on what support can be accessed and signpost to the other support teams/departments within the University.

9.10. Anonymous Reporting to the University

- 9.10.1. If a Member of the University has been harassed and/or bullied or is concerned that another member or Visitor has been harassed and/or bullied, they can report the concern anonymously using the following link: [Report+Support](#).
- 9.10.2. Visitors or third parties may also report concerns of Harassment and/or Bullying towards, or by Members of the University, using the following link: [Report+Support](#).
- 9.10.3. The University appreciates that for many reasons, people may not feel comfortable reporting and providing their details. Therefore, this online form allows anonymous reporting. These reports provide statistical information which is used to inform the University's proactive and preventative work. This also allows the University to monitor issues across the University. With anonymous reporting, the University will not be able to offer direct advice and are unlikely to begin any formal processes. If the report is very serious, it may be forwarded to relevant parties, but there will be limits to the University's response.
- 9.10.4. Members of the University can arrange a confidential conversation before submitting a Formal Report by emailing the Report + Support team at reportandsupport@surrey.ac.uk. The team can then speak to the individual via email, Microsoft Teams or in person (whatever works best for the individual). It is important to note that if the team believes that the individual, or someone else, is at risk of serious harm, then they may need to report that information to the University and/or the police.
- 9.10.5. Anonymous Disclosures can be made at any time and can be made alongside any of the listed actions within this *Procedure*.

10. What happens when an Incident of Harassment and/or Bullying is raised?

- 10.1. The University will consider in each context, and on a case-by-case basis, the actions that are appropriate to address an Incident depending on the circumstances in which it is raised.
- 10.2. Directly Affected Parties
 - 10.2.1. Reasonable steps will be taken to inform a Directly Affected Party as to certain decisions relating to an Incident and the reasons for those decisions.
 - 10.2.2. Where it is indicated that a reasonable and proportionate summary, in writing, of the outcome and the reasons for the decision will be provided, what is considered reasonable and proportionate will depend on the facts of the individual case and the Directly Affected Party's involvement. This determination will be made by the relevant OSCAR Case Manager/Human Resources Advisor or Campus Safety Team member as appropriate.
 - 10.2.3. The determination as to who constitutes a Directly Affected Party in any given case will be made by the OSCAR Case Manager/Human Resources Advisor or Campus Safety Team member as appropriate.
 - 10.2.4. Where there is a named Formal Report, the following will usually be considered to be a Directly Affected Party:
 - the Responding Party;
 - the Reporting Party;
 - an eyewitness or eyewitnesses.
 - 10.2.5. A Directly Affected Party may opt out of being informed of decisions they would otherwise be notified of. To opt out, the Directly Affected Party should contact OSCAR or Human Resources (as applicable). If no contact is made by the Directly Affected Party, it will be assumed that the Directly Affected Party wishes to be informed of the relevant outcome.
 - 10.2.6. Communications with a Directly Affected Party will usually be sent via the individual's University email account, if a Member of the University, or the email address provided if otherwise. Where a Responding Party is a member of staff, Human Resources may communicate with them via the personal email address held in the University's records.
 - 10.2.7. If an individual is not identified as a Directly Affected Party, and they wish to gain access to information pertaining to a case that has been administered, in full or part, by OSCAR or Human Resources, they may make a request to OSCAR or Human Resources (as appropriate) which will be considered on a case-by-case basis. An assessment will be made as to the potential risks/benefits to the Directly Affected Parties of sharing the requested information. This would be in accordance with relevant privacy notices, and normally in consultation with the Information and Governance team, if appropriate.

Individuals can contact the Information and Governance team directly if they have any queries or concerns.

10.3. Disclosures

- 10.3.1. Where a Disclosure has been made, the individual making the Disclosure will usually be given time to make an informed choice about whether to make a Formal Report to the police, to the University or to both. However, there may be cases where the individual making the Disclosure is assessed to be at risk of harm or there is risk of harm to others. In such circumstances, the University may refer the matter to police without prior consultation with the disclosing party.
- 10.3.2. If an individual makes a Disclosure but decides not to make a Formal Report to the University and indicates that they do not want the matter to be progressed, the University will assess whether, despite the indication given, the Incident requires further investigation. Factors for consideration when determining this include (but are not limited to):
- the ability to investigate without the involvement of the disclosing party including whether, and to what extent, there are identifiable and reasonable avenues for investigation;
 - the reasons given by the disclosing party for deciding not to make a Formal Report;
 - the potential impact, if any, on the disclosing party of investigating the matter without their participation;
 - whether Incidents of a similar nature involving the same Responding Party have been raised previously;
 - the nature and seriousness of the alleged conduct.
- 10.3.3. The outcome of this determination will either be that the Disclosure will be investigated, notwithstanding the views of the disclosing party, or that the Disclosure will not be progressed. There is no right of appeal in relation to this determination.

10.4. Anonymous Formal Reports

- 10.4.1. In relation to anonymous Formal Reports, the University's ability to progress the Formal Report will be limited. The University will assess whether, despite the anonymous nature of the Formal Report, further investigation is required. Factors for consideration when determining this include (but are not limited to):
- the ability to investigate without the details of the Reporting Party, including whether, and to what extent, there are identifiable and reasonable avenues for investigation;
 - the reasons given, if any, for making the Formal Report anonymously;
 - whether allegations of a similar nature involving the same Responding Party have been raised previously;
 - the nature and seriousness of the alleged conduct.

- 10.4.2. The outcome of this determination will either be that the Formal Report will be investigated notwithstanding its anonymous nature, or that the Formal Report will not be progressed. There is no right of appeal in relation to this determination.

10.5. Suspected Incidents

- 10.5.1. In circumstances where the University has not received a Disclosure or Formal Report but reasonably considers that there are grounds for suspecting that Harassment and/or Bullying has taken, or is taking place, consideration will be given as to how best to proceed.
- 10.5.2. Ordinarily, where the Responding Party is a student, OSCAR will make the determination as to how to proceed. Where the Responding Party is a member of staff, a Human Resources manager will make this determination. In instances involving members of the public, the Campus Safety Team will make the determination.
- 10.5.3. The outcome of this determination will either be that the suspected Harassment and/or Bullying will be investigated, or that it will not. There is no right of appeal in relation to this determination.

10.6. Named Formal Reports

- 10.6.1. If an individual makes a Disclosure followed by a Formal Report to the University or provides a Formal Report straight away, and their contact details are provided, the Formal Report will be progressed. The way the Formal Report is progressed will depend on whether the Responding Party is a student, member of staff, Visitor, member of the public and/or Adult at Risk, as described below.
- 10.6.2. Named Formal Reports where the Responding Party is a student:
 - 10.6.2.1. Where a Formal Report is received by the University involving allegations against a student and the Reporting Party provides contact details, action will normally be taken in accordance with the [Student Disciplinary Regulations](#) or [Regulations for Fitness to Practise](#) (for students studying Regulated Courses).
 - 10.6.2.2. The Formal Report will be investigated by an Authorised Person (normally a member of OSCAR) in accordance with the [Student Disciplinary Regulations](#). If the matter is progressed via the [Regulations for Fitness to Practise](#), OSCAR will appoint an appropriate Investigator. Investigations will be conducted by individuals independent of the parties concerned.
 - 10.6.2.3. The Reporting Party will normally be invited to attend an initial meeting, the purpose of which is to establish how the Reporting Party wishes to proceed. The Reporting Party can indicate one or more of the following options:

- request that the University formally investigate the Incident. Informal resolution of allegations of this nature is not normally appropriate and will not normally be recommended;
 - report the Incident to the police, if they have not already done so;
 - initiate support via Centre for Wellbeing and/or external agencies;
 - take no further action at this time.¹
- 10.6.2.4. Whilst the views of the Reporting Party will be taken into account, there may be instances where the Reporting Party does not support a formal investigation but the University proceeds with one, nonetheless. This will be addressed on a case-by-case basis.
- 10.6.2.5. Consideration will be given by the Authorised Person or Investigator upon receipt of the Formal Report, in conjunction with OSCAR, as to whether a Managed Exclusion Order should be sought. If the Responding Party resides in University accommodation, this may involve a move to alternative accommodation off or on campus.
- 10.6.2.6. The Responding Party has the right to appeal against the terms of a Managed Exclusion Order. The process to be followed is outlined in the [Procedure for Managed Exclusion Orders](#). An exclusion does not signify a view on the part of the University that the Responding Party has committed an alleged offence.
- 10.6.2.7. The Authorised Person/Investigator will conduct a proportionate investigation which will normally include making enquiries of relevant individuals. There will be timely communications with both the Reporting Party and the Responding Party.
- 10.6.2.8. Once the Authorised Person/Investigator has completed their investigation, a minor misconduct sanction may be issued. The Authorised Person/Investigator will record their decision, and the penalty imposed. The Authorised Person/Investigator will send a copy of the completed documentation to the Responding Party, one copy to OSCAR for its records, and retain a copy for their own records. The Responding Party may appeal against any findings or sanctions. The Reporting Party does not have the right to appeal such an outcome.
- 10.6.2.9. Reasonable steps will be taken to provide Directly Affected Parties with a reasonable and proportionate summary, in writing, of the outcome and the reasons for the Authorised Person/Investigator's decision. This will be provided ordinarily within five University working days of the outcome being reached.

¹ The University reserves the right to refer a matter to the police if it is assessed at any point that the Reporting Party and/or others are at risk of harm to themselves or from others. This would usually be discussed with the Reporting Party.

- 10.6.2.10. The Authorised Person/Investigator may also find that there is insufficient evidence to support the allegation(s). In such cases, no further action will be taken. Neither the Responding Party nor Reporting Party has a right to appeal such an outcome.
 - 10.6.2.11. If the Authorised Person/Investigator finds that there is sufficient evidence to indicate that the misconduct may, if proven, constitute a major offence, then the matter may be referred for consideration by a Student Disciplinary Panel or Fitness to Practise Panel.
- 10.6.3. Student Disciplinary / Fitness to Practise Panel hearings
- 10.6.3.1. Where a case proceeds to a Student Disciplinary/Fitness to Practise Panel hearing, the Responding Party is entitled to be accompanied at any such Panel hearing by a supporter (including a member of the Students' Union). Where a Responding Party is asked to attend a Panel hearing, they will be given not less than five University working days' notice.
 - 10.6.3.2. Panel members will be independent of the investigatory process and are asked to declare any potential conflict of interest. One of the Panel members will be an elected student representative of the Students' Union.
 - 10.6.3.3. Witnesses may be invited to attend the hearing, and this could include the Reporting Party. If the Reporting Party attends the hearing, measures can be put into place to safeguard this individual, for example, screening the witness from the Responding Party's view and prohibiting direct questioning of the witness by the Responding Party.
 - 10.6.3.4. Student Disciplinary Panel and Fitness to Practise Panel hearings are conducted in accordance with the [Procedure for Hearings by Panel](#). Possible outcomes include but are not limited to warnings, exclusion, suspension from studies, and expulsion.
 - 10.6.3.5. A Responding Party will be informed, in writing, of the decision and the reasoning for that decision within five University working days of the outcome being reached. Full written reasoning will be provided to the Responding Party as soon as reasonably practicable. The Responding Party will be informed of their right to appeal against the findings of the Panel within the specified time limit. A Panel decision remains in force until the outcome of any appeal is known. The Reporting Party does not have the right to appeal such an outcome.
 - 10.6.3.6. Reasonable steps will be taken to provide Directly Affected Parties with a reasonable and proportionate summary, in writing, of the outcome and the reasons for the decision. This will be provided ordinarily within five University working days of the outcome being reached.

10.6.4. Named Formal Reports where the Responding Party is a member of staff:

- 10.6.4.1. Where a Formal Report is received by the University making allegations against a member of staff and the Reporting Party has provided contact details, action will normally be taken in accordance with the [Staff Disciplinary Procedure](#). Investigations will be conducted by individuals independent of the parties concerned.
- 10.6.4.2. A Human Resources Business Partner/Advisor will normally have an initial meeting with the Reporting Party. Within this meeting, the Reporting Party has the following options available to them (more than one option can be taken). The Reporting Party can:
- request that the University formally investigate the Incident. Informal resolution of allegations of this nature is unlikely to be appropriate and will not normally be recommended;
 - report the Incident to the police, if they have not already done so;
 - initiate support via the Employee Assistance Programme (BHSF RISE) and/or external agencies;
 - take no further action at this time. ²
- 10.6.4.3. Whilst the views of the Reporting Party will be taken into account, there may be instances where the Reporting Party does not support a formal investigation but the University proceeds with one, nonetheless. This will be addressed on a case-by-case basis.
- 10.6.4.4. To support all parties, neutral precautionary measures may be implemented (including, but not limited to, a no contact instruction for both parties and boundaries within University academic units or service areas).
- 10.6.4.5. During the investigation, the Investigator and HR Business Partner/Advisor will assess the risk, and this may result in the Responding Party being suspended from work in accordance with the [Staff Disciplinary Procedure](#). A suspension does not signify a view on the part of the University that the Responding Party has committed an alleged offence.
- 10.6.4.6. A procedure will be agreed for timely communications with both the Reporting Party and the Responding Party.
- 10.6.4.7. The Investigator, along with the Human Resources Business Partner, will decide if following the investigation, there is a disciplinary case to answer. This could result in no further action, an informal warning or the matter being referred to a Disciplinary Panel hearing. A Reporting Party does not have a right to appeal this decision.

² The University reserves the right to refer a matter to the police if it is assessed at any point that the Reporting Party and/or others are at risk of harm to themselves or from others. This would usually be discussed with the Reporting Party.

- 10.6.4.8. Disciplinary Panel hearings are conducted in accordance with the [Staff Disciplinary Procedure](#). Should the outcome of the investigation be a referral to a disciplinary hearing, the individual should be notified in writing of the date of the hearing with a minimum of 10 calendar days' notice.
- 10.6.4.9. Disciplinary Panel members will be independent of the investigatory process and are asked to declare any potential conflict of interest.
- 10.6.4.10. Witnesses may be invited to attend the hearing, and this could include the Reporting Party. If the Reporting Party attends the hearing, measures can be put in place to safeguard this individual, for example, screening the witness from the Responding Party's view and prohibiting direct questioning of the witness by the Responding Party.
- 10.6.4.11. Possible outcomes of disciplinary Panel hearings include no further action, first written warning, final written warning, and dismissal.
- 10.6.4.12. The Responding Party will be informed, if possible, verbally, of the decision and the reasoning for the decision of the Disciplinary Panel. In any event, the Responding Party will receive confirmation of the outcome, in writing, ordinarily within seven working days of the outcome being reached. Full written reasoning will be provided to the Responding Party as soon as reasonably practicable. The Responding Party will be informed of their right to appeal against any findings or sanctions. A Panel decision remains in force until the outcome of any appeal is known. The Reporting Party does not have the right to appeal such an outcome.
- 10.6.4.13. Reasonable steps will be taken to provide Directly Affected Parties with a reasonable and proportionate summary, in writing, of the outcome and the reasons for the decision. This will be provided ordinarily within seven University working days of the outcome being reached.
- 10.6.5. Named Formal Reports where the Responding Party is a third party (indirectly employed by the University/undertaking a service for the University):
 - 10.6.5.1. Where the Responding Party is not directly employed by the University but has a connection to the University via their employment, the University will consider whether it would be proportionate in the circumstances to notify that employer and/or to end the working relationship with the individual or their employer. This will be treated on a case-by-case basis and normally after receiving advice from Human Resources and/or Governance and Risk Assurance support.
 - 10.6.5.2. Examples of individuals who may fall into this category include, but are not limited to:
 - contractors

- agency staff
 - franchise staff and similar (e.g. Co-Op staff)
 - people who perform a service to the University away from the campus (e.g. a lecturer at an overseas University where a Surrey Student is on Exchange)
 - people who work for independent organisations with premises situated on the University campus.
- 10.6.5.3. Where the Reporting Party is indirectly employed by the University or is undertaking a service for the University, any Formal Report should be discussed with a member of the HR Advisory Team or the lead University staff member. Formal Reports can also be made via [Report+Support](#).
- 10.6.5.4. Individuals are entitled to be informed of the outcome of a Formal Report of Harassment and/or Bullying where they are a Directly Affected Party. Reasonable steps will be taken to provide a Directly Affected Party with a reasonable and proportionate summary, in writing, of the finding(s) and the reasons for the decision. This will ordinarily be provided within five University working days of the outcome being reached.
- 10.6.5.5. Where the University considers it proportionate to notify the Responding Party's employer and/or end the working relationship with the individual or their employer, it will be for the employer to inform the Responding Party of this.
- 10.6.6. Named Formal Reports where the Responding Party is a member of the public:
- 10.6.6.1. Where a Formal Report is received by the University making allegations against a member of the public and contact details have been provided by the Reporting Party, the Head of Campus Safety (or their nominee) will consider the appropriateness of a banning order.
- 10.6.6.2. The Head of Campus Safety will normally have an initial meeting with the Reporting Party. Within this meeting, the Reporting Party has the following options available to them (more than one option can be taken). The Reporting Party can:
- report the Incident to the police, if they have not already done so
 - initiate support via Centre for Wellbeing and/or external agencies
 - take no action at this time³
- 10.6.6.3. Directly Affected Parties will not normally be provided with details of the outcome of a Formal Report where Harassment and/or Bullying is alleged that involves members of the public. This is because cases of this kind will only be progressed where the

³ The University reserves the right to refer a matter to the police if it is assessed at any point that the Reporting Party and/or others are at risk of harm to themselves or from others. This would usually be discussed with the Reporting Party.

option to report the Incident to police is exercised. In such circumstances, the allegation(s) will become a police matter and requests for the details of any outcome should be directed to the police.

10.6.7. Formal Reports involving those under 18 years old and those considered Adults At Risk:

10.6.7.1. Formal Reports involving those under 18 years old and those considered as Adults At Risk, will be referred to the Designated Principal Safeguarding Lead (DSL) and the investigation and subsequent actions will be in line with the Safeguarding Procedures and in collaboration with the DSL.

11. What support is available in relation to Incidents of Harassment and/or Bullying?

- 11.1. Harassment and/or Bullying may cause feelings of humiliation, isolation and loss of confidence. It is also acknowledged that to be accused of Harassment and/or Bullying is very serious and, this can cause for a Responding Party, feelings such as anger, anxiety and isolation. For everyone involved, if left unaddressed, there is a risk of harm to mental health and wellbeing in both the short-term and longer-term. Support services are available to all Members of the University where there is an Incident of Harassment and/or Bullying.
- 11.2. Support is available for all Members of the University regardless of whether a Formal Report is made and irrespective of the outcome of any investigation.
- 11.3. Everyone, whether students or staff, will have equitable access to internal and external support and they will each have a member of staff assigned to them during any formal proceedings to offer welfare and pastoral support.
- 11.4. Various academic support options are available to a student experiencing challenges to their academic engagement as a result of a Harassment and/or Bullying allegation. This includes, for example, extensions to assessment deadlines.
- 11.5. The Harassment and Sexual Misconduct page of the University website acts as the Single Comprehensive Source of Information containing extensive information on the variety of support (both personal and academic) available to anyone who is a party related to an Incident of Harassment and/or Bullying. The Single Comprehensive Source of Information should be consulted in conjunction with this Procedure.

12. How can I complain if I am dissatisfied with how the University has handled an Incident of Harassment and/or Bullying?

- 12.1. Any Member of the University who is dissatisfied with how the University has handled matters relating to Harassment and/or Bullying may be eligible to raise a complaint.

- 12.2. Student complaints are dealt with via the University's [Procedure for Complaints](#) which provides full details of the student complaints process.
- 12.3. Staff complaints are dealt with via the University's [Grievance Procedure](#) which provides full details of the staff complaints process.
- 12.4. Eligibility and time limits for raising complaints are outlined in the relevant policy/procedure above.
- 12.5. Visitors or third parties may contact the University using the following link:
<https://www.surrey.ac.uk/visit-university/contact>

13. Training

- 13.1. For students, mandatory training on Harassment and Bullying is delivered as part of the student induction process and on annual re-registration. This includes information on Intimate Personal Relationships (prohibited and otherwise). The University actively supports students to participate in training but it is accepted that there may be situations where it is not beneficial for a student to participate. Opt-outs in these situations will be considered on a case-by-case basis.
- 13.2. For staff, mandatory specialist training on Harassment and Bullying is delivered to those likely to be involved in receiving Disclosures about Incidents of Harassment and/or Bullying, investigating such Disclosures or Formal Reports and/or making decisions. Mandatory training is also provided in relation to freedom of speech rights and responsibilities.
- 13.3. Staff training includes information on Intimate Personal Relationships, prohibited and otherwise, information about appropriate professional boundaries, and the likelihood of Harassment and/or Bullying occurring within Intimate Personal Relationships.

14. What is the University doing to address Harassment and Bullying?

- 14.1. The University has taken the following steps to address Harassment and Bullying. Please note, the following list is not exhaustive:
 - There are multiple ways to report Harassment and/or Bullying (more information on this is available in the Single Comprehensive Source of Information).
 - Report + Support has been implemented to improve the ability of individuals to report Harassment and/or Bullying, either anonymously or on a name basis.
 - The University has implemented robust policies and procedures to deal with Harassment and/or Bullying including, but not limited to, the [Student Disciplinary Regulations](#), the [Staff Disciplinary Procedure](#) and the [Grievance Procedure](#). Policies and procedures are also in place to provide academic support to students affected by an Incident of Harassment and/or Bullying, as the case may be, via the [Regulations for academic appeals](#), [Regulations for support to study](#), [Regulations for extenuating circumstances](#) and the [Code of practice for temporary and permanent withdrawals: taught programmes](#).

- Managers are required to implement the [Harassment and Bullying Procedure](#) in their area and ensure that all their staff and students are aware of this procedure. There are no exceptions.
- When Harassment and/or Bullying is reported, support functions are highlighted to the Reporting Party, Responding Party and any witnesses regardless of whether they are staff or students. Information relating to support is made clearly available via various mediums, for example, on [Report + Support](#), in the [Harassment and Bullying Procedure](#), in the Single Comprehensive Source of Information and in person through managers and personal tutors. Support for both personal wellbeing and academic support is available.
- Mandatory training and learning is provided to staff and students to set expectations of behaviour and for managers to be equipped to respond and support.
- The University collaborates with the Students' Union and recognised Trade Unions to deliver a clear and consistent message that Harassment and Bullying are never tolerated. This includes work on campaigns and education.

14.2. The University will take the following steps to make a significant and credible difference to protect students and staff from behaviour that amounts to Harassment and/or Bullying:

- The University will continue to promote a zero-tolerance approach to Harassment and Bullying including through senior oversight and leadership;
- The University will work with its student population to understand and respond effectively to Harassment and Bullying in the University community;
- The University will collect, monitor and publish anonymised data in relation to Formal Reports of Harassment and/or Bullying and final outcomes to formal University proceedings as appropriate;
- The University will ensure it is sufficiently resourced to respond to Incidents of Harassment and/or Bullying;
- The University will implement clear procedures in relation to Intimate Personal Relationships which are strongly discouraged and, in certain circumstances, entirely prohibited;
- The University will implement regular University-wide campaigns and targeted actions to protect students and staff from behaviour that amounts to Harassment and/or Bullying;
- The University monitors the number and types of Incidents and the personal characteristics of Reporting Parties in cases of Harassment and/or Bullying, to inform its overall anti-Harassment and Bullying strategy.

15. Confidentiality/Information Sharing

- 15.1. The University collects information sensitively and treats it with appropriate confidentiality, irrespective of the mechanism used to raise an Incident of Harassment and/or Bullying. Throughout all proceedings, the University will act in compliance with data protection legislation. It may be necessary to share sensitive information in order to facilitate an investigation. Details of relevant privacy notices can be found here: <https://www.surrey.ac.uk/student-support-services-privacy-notice>

- 15.2. Under data protection legislation, the University may share personal data with the consent of the data subject, unless there is a stated exception (see below). If, during any proceedings in which an individual is involved, they request access to such data as being relevant to the proceedings, the individual may be referred to the “Make a Privacy Request” web form at: <https://www.surrey.ac.uk/information-governance/make-privacy-request>.
- 15.3. In exceptional circumstances, information may be shared with appropriate authorities, including external entities (e.g. Police, Social Services), without the consent of the data subject. This includes, but is not limited to, where it is necessary to protect the vital interests of the data subject and/or where a safeguarding concern has been raised. This may include information of a personal and/or sensitive nature. With respect to safeguarding concerns, this would normally be in consultation with a member of the University’s Safeguarding team.
- 15.4. Information, including that of a personal and/or sensitive nature (special category data), may be shared between members of University staff, and/or members of staff of the Surrey International Study Centre (SISC), and/or other appropriate authorities/institutions, where there is an appropriate lawful basis for the sharing and it is deemed necessary, in order to facilitate the effective functioning of the University’s policies and procedures, and/or to ensure the safety of members of, and Visitors to, the University, in accordance with relevant privacy notices.
- 15.5. A failure to appropriately respect confidentiality and/or data protection requirements could result in disciplinary action being taken against that individual.
- 15.6. Anonymised aggregated information concerning Student Disciplinary, Fitness to Practise, or other student/staff casework, may be shared publicly, and/or form part of training exercises, where such information is considered to be of wider interest or relevance. This would be in accordance with relevant privacy notices, and normally in consultation with the Information and Governance team, if appropriate.

16. Governance Requirements

16.1. Implementation: Communication Plan

This procedure will be communicated in a variety of ways:

- The Single Comprehensive Source of Information
- SurreyNet launch
- A Leader’s Alert
- Inclusion at Staff Induction
- Inclusion at Faculty/Department Induction
- Referenced in the Staff Handbook
- Process infographics and video case studies to be produced for students and staff to ‘demystify’ and instill confidence in process.

- Data will be gathered, monitored and used to address ongoing concerns and ensure effectiveness of procedures. Mechanisms include: Annual Report and Support report <https://reportandsupport.surrey.ac.uk/support/analysis-of-report-support-submissions>; EDI dashboard including a Harassment and Bullying KPI; Staff survey data (quantitative and qualitative monitoring); Equality networks/Union/FEDIC feedback.

16.2. Implementation: Training Plan

Training and learning will be provided for all staff and students to set expectations of behaviour and for managers to equip them to respond and support. The principles of this procedure will be embedded within the following training:

Staff training:

- Diversity in the Workplace e-learning module
- Race Equity e-learning module
- Allyship in HE e-learning module
- LGBTQIA+ Awareness Training
- Anti Bias Training
- Religious Life and Belief training/Cultural Competency led by the Chaplaincy
- Personal Tutor training
- Manager Training Programme

Student training:

- Student EDI training provision led by Student Success and EDI Team
- Social media campaign/Instagram takeovers
- Students Union campaigns
- Inclusive Curriculum review.

16.3. Advice about this procedure

Advice about the operation of this procedure can be obtained via the Equality, Diversity and Inclusion team, the Human Resources Department and Office of Student Complaints, Appeals and Regulation (OSCAR).

16.4. Failure to comply

The following may be treated as misconduct under the *Staff Disciplinary Procedure* or *Student Disciplinary Regulations*:

- failing to comply with this Procedure;
- making false, malicious, or vexatious allegations under this Procedure; or
- retaliating against or victimising staff or students who make complaints or participate in good faith in investigations under this Procedure.

16.5. Review

- 16.5.1. Major changes require consultation and approval by the Operations Committee before becoming operational.
- 16.5.2. Minor changes will be agreed by the operational owners and submitted to the Executive Owner, COO, for Chair's Action to approve before becoming operational.
- 16.5.3. This procedure will be monitored on an ongoing basis by Equality, Diversity and Inclusion. Equality, Diversity and Inclusion reports to the Executive Board and Council regularly via the EDI Executive.

16.6. Legislative Context and Higher Education Sector Guidance or Requirements

- [Equality Act 2010](#)
- [Criminal Justice and Courts Act 2015](#)
- [Sexual Offences Act 2003](#)
- [Protection from Harassment Act 1997](#)
- [Children Act 1989](#)
- [Children Act 2004](#)
- [Care Act 2014](#)
- [Mental Capacity Act 2005](#)
- [Data Protection Act 2018](#)
- UK General Data Protection Regulation 2016/679
- [Condition E6: Harassment and sexual misconduct, Office for Students \(2024\)](#)
- [Statement of expectations](#) for preventing and addressing harassment and sexual misconduct affecting students in higher education, Office for Students (2021)
- [Changing the culture: our work on tackling harassment](#), UUK Guidance (2022)
- [UUK guidance on tackling staff-to-student sexual misconduct](#), UUK Guidance (2022)
- Higher Education (Freedom of Speech) Act 2024

- 16.7. Sustainability: The Sustainable Development Goals (SDGs), particularly SDG 16 (Peace, Justice and Strong Institutions), apply directly to a disciplinary procedure by promoting fairness, transparency, accountability, and respect for human rights. A disciplinary process that aligns with the SDGs ensures due process, treats all individuals with dignity, and fosters a safe, inclusive, and ethical academic environment. By upholding these values, the University contributes to a just and peaceful institution, reinforcing its role in shaping responsible global citizens.

17. Stakeholder Engagement and Equality Impact Assessment

17.1. An Equality Impact Assessment was completed on 09 July 2025 and is held by the Authorised Co-ordinator.

17.2. Stakeholder Consultation was completed, as follows:

Stakeholder	Nature of Engagement	Request EB Approval (Y/N)	Date	Name of Contact
Governance	Review of circulated procedure		13 May 2025	Kelley Padley, Governance Officer
H & S	Review of circulated procedure	N	12 May 2025	Matthew Purcell, Director of Health & Safety
Sustainability	Review of circulated procedure	N	2 May 2025	Martin Wiles, Head of Sustainability
Academic Freedom / Freedom of Speech	Review of circulated procedure		16 May 2025	Abigail Bradbeer
Our Data	Review of circulated procedure			Ewan Robson, Data Protection Officer
Our Students	Broad consultation across CSO	Y	1/5/2025	Emma Rowsell, Chief Student Officer