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

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Related policies

- GBS Student Charter
- GBS Student Code of Conduct
- GBS Academic Good Practice and Academic Misconduct Policy and Procedure
- GBS Student Complaints Policy and Procedure
- GBS Academic Appeals Policy
- GBS Student Protection Plan
- GBS Assessment and Feedback Policy
- GBS Student Disciplinary Policy
- GBS Equality and Diversity Policy
- GBS Fitness to Study Policy
- GBS Social Media Policy
- GBS Data Protection Policy
- GBS Safeguarding and Prevent Policy
- GBS Staff Disciplinary Policy
- GBS Grievance Policy
- GBS Staff Complaints Policy and Procedure

External Reference

Office of the Independent Adjudicator in '*The Good Practice Framework: Handling Student Complaints and Academic Appeals*'. (2016)

[The Samaritans](#)

[EAP LIFE](#)

[Police](#)

[NHS Sexual Health](#)

[Survivors UK](#)

[Citizens Advice](#)

Galop

Rape Crisis England and Wales

NSPCC Abuse in Education Helpline

The Havens

Stonewall

TellMama

The Survivors Trust

Disability Rights UK

Victim Support

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GBS HE Malta Limited Anti-Harassment and Anti-Bullying Policy and Procedure: For Staff and Students¹

1. Policy Statement

1.1. GBS HE Malta Limited (GBS) as part of its commitment to equality and diversity, is committed to providing an environment in which all students and members of staff are enabled to study and work in an environment which supports and encourages harmonious relationships. Our aims are to enact and sustain behavioural and cultural change, inspire, and educate staff and students, support staff and students to ensure GBS is meeting its legal compliance, and to embed inclusivity cooperatively and cohesively across our campuses. This includes fostering good relations and a culture of respect as well as eliminating any circumstances in which bullying, sexual misconduct, harassment and hate crime may occur.

1.2. Any allegations of harassment and bullying will be treated very seriously and could result in disciplinary action being taken against the perpetrator. GBS will ensure that any student or member of staff raising a genuine concern in relation to this policy will not be victimised. All allegations of bullying, harassment, or victimisation, whether informal or formal, will be regarded as a serious matter and will be dealt with in a sensitive, objective manner, respecting the rights of all parties involved. Any information received will be handled with an appropriate level of confidentiality. Where personal information is shared or released, it will only be done for the purposes of ensuring compliance with this policy and associated procedures.

2. Scope of policy

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

¹ Students enrolled on programmes awarded by our partner Awarding Bodies are entitled to take their complaint to the University/College using the University's/Colleges complaints policy and procedure.

3. Purpose and Aims

3.1 The purpose of this policy is to promote a studying and working environment for students and staff in which harassment and bullying are known to be unacceptable and where any student or member of staff at GBS have the confidence to complain about bullying and harassment. In making a complaint students and staff will have their concerns dealt with appropriately, fairly and in a timely manner.

4. Expectations of all staff, students, and visitors

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

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

4.2 All GBS staff, students and visitors are expected to:

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

5. Responsibilities

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

5.2 GBS Senior Management Team (SMT): Responsible for ensuring that their staff are made aware of this policy and any case of harassment, bullying or sexual misconduct are dealt with appropriately. SMT must maintain oversight of instances of harassment and bullying in practice and recognise that they must actively promote a culture of zero tolerance and ensure that there are arrangements in place to support all students or staff who experience it.

5.3 GBS Academic Standards and Quality Office (ASQO)²: Responsible for implementation, monitoring and review of this policy and ensuring that training, guidance, and advice is made available to staff and can be contacted on asgo@globalbanking.ac.uk.

5.4 GBS Line Managers: Responsible for positively encouraging respect for dignity, and for addressing any issues concerning harassment and bullying that may occur. Line Managers may be asked to deal with informal complaints made by staff or students concerning harassment or bullying and may be required to investigate informal complaints against a student or group of students.

5.5 GBS Human Resources and Managing Director are jointly responsible for dealing with formal allegations of harassment and bullying against a member of staff.

5.6 All GBS Members (staff and students): Responsible for fostering a culture of respect for dignity and for avoiding behaviour that is offensive to other people.

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

² Formerly known as GBS Quality Assurance Team

5.8 **GBS Executive Board** will have an oversight of the harassment, bullying, sexual harassment, and misconduct procedures and will be regularly provided with anonymised data concerning cases for review.

5.9 **GBS Academic Board** is responsible to advise the Executive Board on regulations and processes concerning the conduct of students, maintaining oversight, and monitoring the implementation of policies including this policy and its accompanying procedures.

6. Definitions

6.1 Harassment

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

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

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

- Bullying behaviour, and it refers to unfavourable treatment that is related to a protected characteristic, such as age, sex, disability, race, gender, religion, or sexual orientation.
- It can include behaviour that individuals find offensive even if it is not directed at them, and even if they do not have the relevant protected characteristics themselves.
- It can also be directed at those with a ‘perceived’ protected characteristic.

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

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

6.2 Bullying

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

6.2.2 Types of Bullying and Harassment

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

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

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

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

‘Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.’

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

6.3 Sexual Harassment

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

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

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

- Physical contact; invasion of personal space.
- Unwelcome and unwanted advances and propositions, or pressure for sexual activity.
- Suggestive remarks or sounds or gestures; jokes of a sexual or prejudicial nature; innuendoes or lewd comments.
- Unwanted comments on dress and appearance.

- Display or circulation of pornographic or sexually suggestive pictures, objects, or written material; threats.
- Non-consensual sexual violence. Sexual harassment can occur between members of any gender.

6.4 Cyber and Electronic Bullying and Harassment

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

6.5 Hate Crime

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

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

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

- *Physical assault* of any kind is an offence. Depending on the level of the violence used, a perpetrator may be charged with common assault, actual bodily harm, or grievous bodily harm.
- *Verbal abuse*, threats or name-calling can be a common and extremely unpleasant experience for minority groups. Victims of verbal abuse are often unclear whether an offence has been committed or believe there is

little they can do. However, there are laws in place to protect our staff and students from verbal abuse.

- *The offence of incitement to hatred occurs when someone acts in a way that is threatening and intended to stir up hatred. That could be in words, pictures, videos, music, and includes information posted on websites. Hate content may include:*
 - Messages calling for violence against a specific person or group.
 - Web pages that show pictures, videos, or descriptions of violence against anyone due to their perceived differences.
 - Chat forums where people ask other people to commit hate crimes against a specific person or group.

6.6 Victimisation

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

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

7. Criminal Offences

7.1 Harassment may take the form of a criminal offence, such as physical assault, indecent exposure, or rape. In such an event, GBS will support the student or staff member, ensuring that they are given medical and emotional support as appropriate. Whilst GBS will advise, the decision of police involvement must lie in the hands of the person making the complaint and appropriate GBS staff will facilitate and support the person in any such action.

8. Harassment in Placements

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

9. Support

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

9.1.1 **Support and advice for staff.** There are many sources of support available to employees:

- HR Managers and Officers
- Line Managers
- Welfare Team
- External Support Services

9.1.2 **Support and advice for students. For students support is available via:**

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

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

9.3 The same will apply to staff process for the Police/NHS/Sexual Assault Referral Centres/Local specialist services such as Rape Crisis etc. Staff and students can complete a referral form for mental health and wellbeing support and GBS Welfare team can provide pastoral support. Please see below a list of external support (for students, staff, and visitors) these are some examples:

- [The Samaritans](#) - general support line for anyone to talk to at any time.

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

10. Disclosures and reporting

10.1 GBS will ensure that staff are able to respond appropriately and consistently to a disclosure about Sexual Harassment and Misconduct by:

- a) Listening - If a student has disclosed information the best way to support them is to listen and empower them to make choices for themselves. This means we must leave behind our own judgements about what we would have done in their position.

- b) **Documenting** - GBS is keen to building a better understanding of when and where people experience harassment and misconduct. To monitor this, staff should record disclosures and reports. Disclosure can be recorded without any personal details if the student does not feel comfortable and there is no risk or harm to anyone.
- c) **Signpost** - Staff will be required to signpost the student to the appropriate reporting procedure (if consent obtained) and refer them to the support available from our internal Welfare Team, Student Support Services or where needed refer to the relevant external support services or authorities. Staff should not investigate matters themselves, they must refer the case to an appropriately trained manager who can take the initial report and investigate the matter further. Once the complainant has disclosed the responsible manager will:
- Provide referral to the appropriate support services including contact information.
 - Provide assistance with making a report if the complainant chooses to do so; or
 - Document disclosures they receive

11. Staff Procedure for dealing with Harassment and Bullying

11.1 Complaints about harassment or bullying by a member of staff are often resolved by informal means. However, where a criminal act may have occurred it would be the normal procedure to proceed immediately to the formal stage. If the complainant is willing to try to resolve the matter informally this is the preferred approach and, in many instances, will result in a positive resolution.

11.2 An informal complaint may be dealt with by the member of staff's immediate line manager. Where the complaint is being made by the member of staff about his or her Line Manager, the Dean should be consulted and another Manager identified to deal with the informal complaint, with the agreement of the complainant.

11.3 Where the complaint cannot be resolved informally to the complainant's satisfaction or where the complainant wishes to make a formal complaint, GBS Human

Resources Manager should be consulted and GBS' complaints or grievance policy, as appropriate, and procedure should be used.

11.4 The Managing Director working with the Human Resources Manager will appoint an appropriate Senior Member of Staff, not immediately involved in the case, to investigate the complaint. The investigation will be completed as soon as reasonably practical and will take no longer than twenty working days. The investigation will, as a minimum, normally follow the process laid out below:

- Interview the complainant.
- Interview the alleged harasser/bully/victimiser.
- Interview any witnesses.
- Repeat any of the above stages as required.
- Compile a report of the investigation.

11.5 The report will then be given to the Managing Director and Human Resources Manager who will jointly decide how to proceed, which may include the following:

- Further attempt should be made to resolve the matter informally.
- Mediation.
- Alternative action such as redeployment should be considered.
- Appropriate Staff Disciplinary Procedure should be invoked (in this case the investigation under this procedure will be carried forward as the formal disciplinary investigation).

11.6 If the formal disciplinary procedure is invoked, the outcomes may be:

- The matter may still be capable of informal resolution.
- Mediation.
- A verbal, written or final written warning.
- Dismissal.
- Redeployment. If the complaint of harassment is upheld, it would normally be the harasser who would be redeployed.

11.7 Any member of staff who makes a complaint of harassment will be informed in writing of the outcome of the complaint and whether GBS has found that harassment has or has not taken place. It is likely that subsequent discussion will take place with both parties to ensure a professional working environment (if appropriate) is maintained.

Any member of staff who complains about harassment or bullying and is not satisfied with the outcome of the investigation and associated report with attempted resolutions, may appeal to the Chief Executive Officer, whose decision over the matter will be final. Staff should refer to the GBS Staff Complaints Policy and Procedure. *(Please see Annex 6- GBS Staff Complaints Policy and Procedure Flow Chart and Annex 7- GBS Cause for Concern Form).*

12. Student for dealing with Harassment and Bullying

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

12.2 Students may make an appointment to discuss the matter with their Student Success Tutor who will always ensure confidentiality. Additionally, the student may wish to discuss the matter informally with their Student Representative. Sometimes matters can be resolved in this manner and the student may not feel the need to take the allegations any further. However, if this approach does not offer satisfactory resolution for the student, then GBS Student Complaints Policy and Procedure should be followed. *(Please see Annex 4- GBS Student Complaints Procedure Flow Chart and Annex 5- GBS Stage 2 Formal Complaint Form).*

12.3 [GBS Complaints Policy and Procedure](#) is available from the website. This policy states that attempts should be made to resolve the issue informally before moving to the formal stage of making a complaint of allegations of harassment or bullying. However, if the allegation of harassment or bullying involves a serious issue which may be criminal, then the formal procedure must be adopted. The Managing Director should be consulted in such circumstances to ensure the correct approach and procedures are adopted and followed.

12.4 Students should read the GBS Student Complaints Procedure Guidance Notes, available from the website and VLE. There are three stages to the complaints process:

Stage 1: Conciliation

Stage 2: Formal Complaint

Stage 3: Appeal to the Dean

12.5 If the student remains dissatisfied after going through the three stages given above and through our partners formal processes, then he or she may refer the complaint to the [Office of the Independent Adjudicator Higher Education.\(OIAHE\)](#)

13. Reporting to Executive Board

13.1 An annual report summarising any formal and informal allegations of harassment or bullying against members of staff that upon investigation have been found to be valid will be produced by the Human Resources Manager for consideration by the Senior Management Team. The report should ensure anonymity for both the complainant and the person alleged to be the recipient of harassment or bullying.

14. Monitoring and Review

14.1 This policy may be amended by GBS at any time. GBS will ensure that all staff receive appropriate training to enable them to comply with this policy. GBS will regularly test our systems and processes to monitor compliance. Any issues related to the monitoring and review of this policy, please contact asqo@globalbanking.ac.uk.

15. Data Protection and Confidentiality

15.1 GBS is registered with the Information Commissioner's Office as a Data Controller. Details of the School's registration are published on the [Information Commissioners website](#). GBS as a Data Controller shall implement appropriate technical and organisational measures to ensure that processing of personal information is performed in accordance with the UK General Data Protection Regulations (UK GDPR) and under the Data Protection Act 2018 (DPA).

15.2 As per the data protection guidelines, GBS will maintain confidentiality, where possible throughout the disclosure, reporting and investigative processes in recognition of the sensitive nature of Sexual Harassment and Misconduct matters. As such, information will usually only be shared with relevant individuals (who may be internal or external to GBS for example counsellors, witnesses, external experts from specialist agencies like Rape Crisis, Sexual Assault Referral Centre, or the Police/NHS) with the consent of the reporting individual.

15.3 GBS reserves the right and may be under a legal obligation to share information in exceptional circumstances where such disclosure is necessary to protect any individual or GBS staff, students, visitors from harm or to prevent a crime from taking place. All individuals involved in any process under this policy must keep information that is disclosed to them as part of the process, private and confidential.

15.4 Information should not be shared to anyone requesting information outside of GBS, such as a student's/staff parents, spouses, and other relatives in relation to their welfare. They do not have the right of access, and information should only be released with the consent of the student/staff. GBS will consider any unauthorised disclosure of confidential information as violation of this policy and will be addressed accordingly.

15.5 By submitting a complaint, students and staff are agreeing that GBS can process, use, and share information it contains to enable the complaint to be considered. Information may be disclosed to any person who has a need to see it for the complaint to be fully investigated. Information may also be shared with relevant people after a complaint to facilitate actions and recommendations after investigation. For Data Protection purposes and compliance matters, please contact dpa@globalbanking.ac.uk.

15.6 All documentation relating to complaints will be kept confidential and shall be disclosed only to those persons who have a right to the information by virtue of their role in the complaints process.

16. Alternative Format

16.1 This policy can be provided in alternative formats (including large print, audio and electronic) upon request. For further information, or to make a request, please contact:

- **Name:** Student Welfare Management Team
- **Position:** Student Welfare Officer/Manager
- **Email:** welfare@globalbanking.ac.uk

Annex 1- Harassment and Sexual Misconduct Definitions

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

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

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

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

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

Annex 2- Example of Harassment and Bullying

(a) Harassment based on personal attributes may include:

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

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

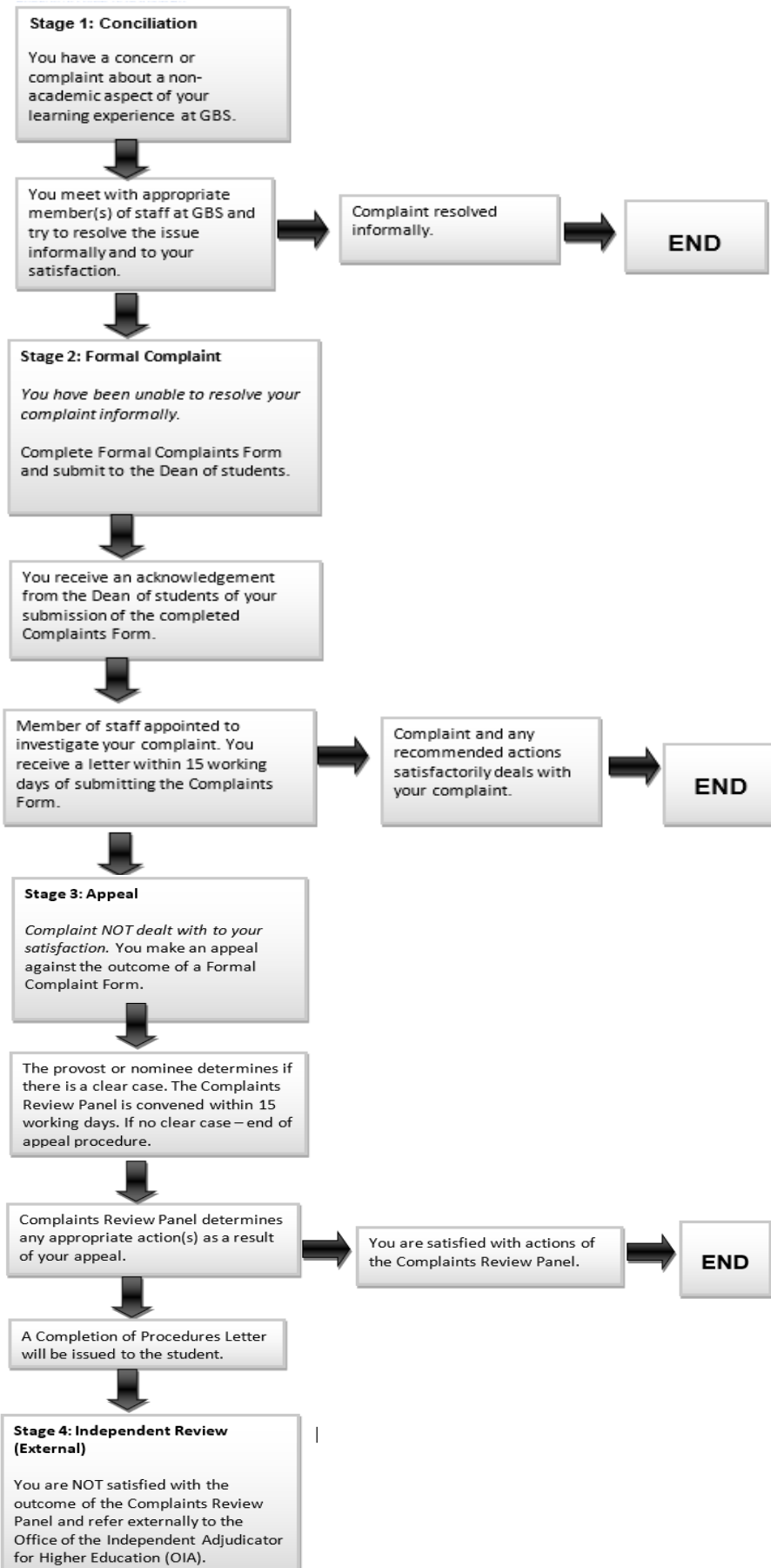
The above list of examples is not exclusive or exhaustive. Harassment can occur on the basis of any personal attribute that makes the individual different from others, or from the person who harasses him or her.

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

Annex 3- Legislation

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

Annex 4- GBS Student Complaints Procedure Flow Chart



Annex 5- GBS Stage 2 Formal Complaint Form

You need to complete this form to lodge a Stage 2 formal complaint. You should only make a Stage 2 formal complaint after you have tried to resolve the issue or issues that have caused you concern by informal means. You should submit the completed Stage 2 Formal Complaint Form to the Dean of students at GBS HE Malta Limited. You will receive an acknowledgement following the submission of this form within five working days.

Please ensure that you complete every part of this form. Normally, you should expect to receive a formal response to your complaint within fifteen working days of submitting the completed Stage 2 Formal Complaint Form.

If you have any questions or queries, please contact the Dean of students in the first instance.

YOUR DETAILS:			
Full Name:		Student ID:	
Course of study:		Address:	
Tel:		Email:	

FOR OFFICE USE ONLY			
INVESTIGATOR DETAILS:			
Name:		Position:	
Date:		Time:	
Tel:		Email:	
Type of Complaint:			

NATURE OF COMPLAINT
<i>Please state clearly...</i>

Please give further details about your complaint together with any evidence and/or facts that support your complaint...

Please indicate how you think the issues that you have raised in your complaint could be resolved to your satisfaction...

Please describe how you have tried to resolve your complaint by informal means...

FOR OFFICE USE ONLY

INVESTIGATION INFORMATION & OUTCOME ACTIONS:

Details of Investigation:

Procedure(s) Revised due to Complaint:

DETAILS OF ACTIONS TAKEN AND INVESTIGATION OUTCOMES:

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HAVE THE MITIGATING ACTIONS PREVENTED THE COMPLAINT FROM OCCURRING AGAIN?
(Describe)

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STUDENT DECLARATION

Data Protection Act 2018- By signing this form you are also agreeing to the following: GBS HE Malta Limited will process the information provided by you and your personal data for the purposes of investigating and resolving your complaint and monitoring and evaluating the effectiveness of the student complaints procedure. If you do not give your consent by signing this form GBS HE Malta Limited will not be able to progress your complaint.

Please ensure that you complete each section of this form. When completed please sign and date, then submit to the Dean of Students at GBS HE Malta Limited.

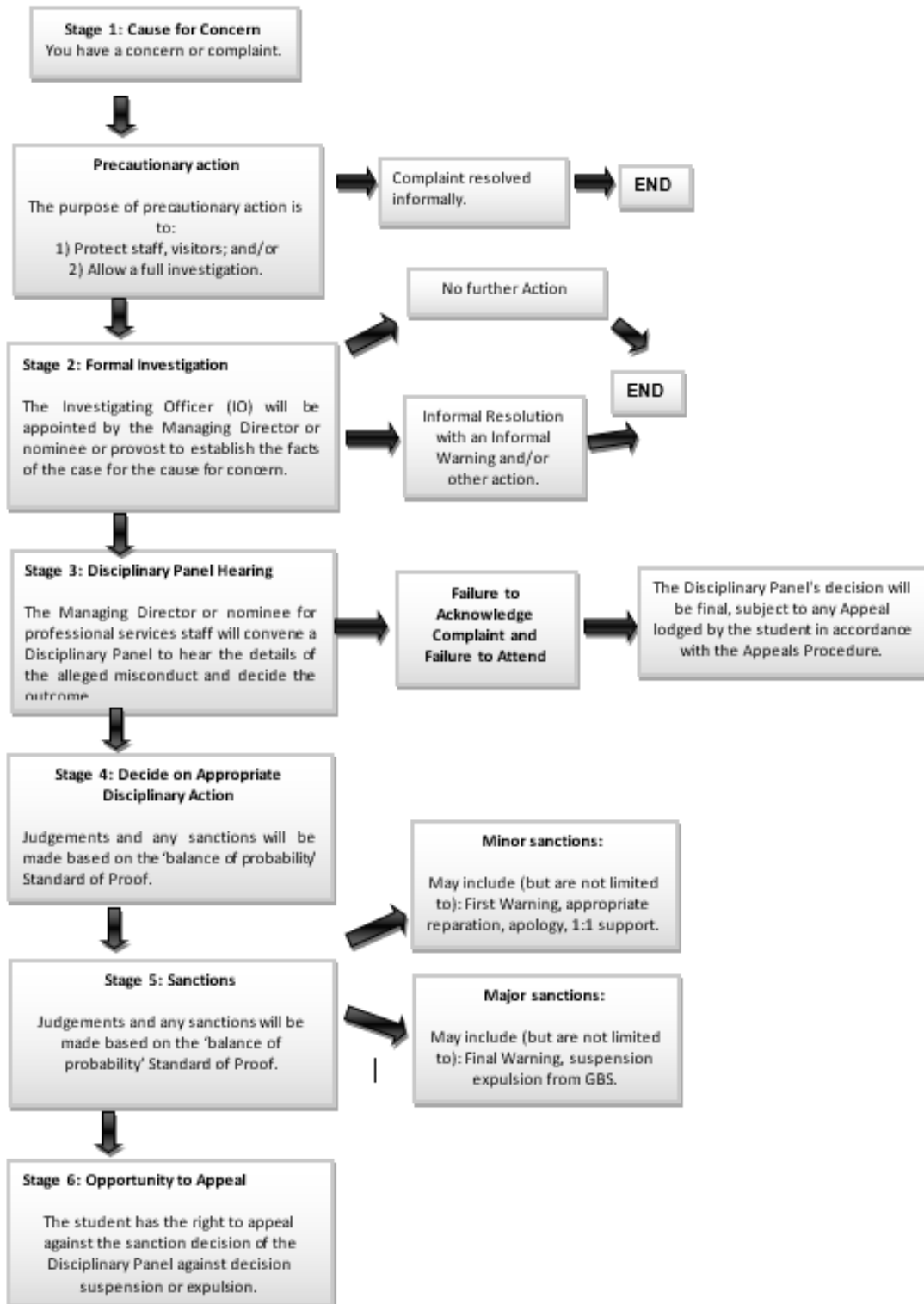
I confirm that the information given on this form and in supporting documents is true to the best of my knowledge and belief. I agree that my complaint may be disclosed to relevant members of GBS HE Malta Limited to the extent necessary for its consideration.

I authorise the reviewer(s) of this complaint to consider this form and any relevant information held by GBS to the extent necessary for the consideration of complaint.

Student Signature**Date:**

GBS Staff Signature**Date:**

Annex 6- GBS Staff Complaints Policy and Procedure Flow Chart



Annex 7- GBS Cause for Concern Form

YOUR DETAILS:			
Name:		Position:	
Date:		Time:	
Tel:		Email:	

INVESTIGATOR DETAILS:			
Name:		Position:	
Date:		Time:	
Tel:		Email:	

CONCERN/COMPLAINT DETAILS:
Date/Time/Location or period:
Description & Nature of concern/complaint:

Type of Concern/Complaint:	

IMMEDIATE ACTION TAKEN TO CONTAIN/MITIGATE CONCERN/COMPLAINT:	
Staff Involved in Concern/Complaint:	
Procedures involved in Concern/Complaint:	
Third Parties involved in Concern/Complaint:	

INVESTIGATION INFORMATION & OUTCOME ACTIONS:	
<i>Details of Investigation:</i>	
Procedure(s) Revised due to Concern/Complaint:	

DETAILS OF ACTIONS TAKEN AND INVESTIGATION OUTCOMES:	
<i>Do you have any suggestions for resolving the concern/complaint? If so, please explain.</i>	
HAVE THE MITIGATING ACTIONS PREVENTED THE CONCERN/COMPLAINT FROM OCCURRING AGAIN? (Describe)	
<i>Do you have any additional information or concerns/complaints? If so, please explain.</i>	
Is this the first time you have raised this concern about this person?	YES/NO/N/A
WERE APPROPRIATE MEASURES IN PLACE?	YES/NO/N/A
<i>If yes to the above, describe measures...</i>	
GBS Manager Signature Date:	
Staff Signature Date:	