What happens when I report bullying or harassment?

The University is committed to taking all reasonable steps necessary to provide a safe environment conducive to the academic, social and personal development of all students. Members of the University are therefore expected to comply with the law at all times, and to avoid behaviours that may constitute a danger to themselves and others, or to the wellbeing and reputation of the University and wider community.

The University regards any form of bullying or harassment as unacceptable.

Duty of Care
The University takes seriously its Duty of Care to its students. If a student of the University has been the victim of bullying or harassment, the University will take reasonable steps to ensure their physical safety and facilitate their access to appropriate specialist support, while respecting their feelings and decisions. In supporting and safeguarding the University’s values, members of the University also have a responsibility to encourage individuals affected by sexual misconduct issues to seek help. This policy applies to all members of the University.

Risk Assessment
In all cases of reported bullying or harassment including referral by a third party, the University will discharge its Duty of Care by establishing the misconduct and circumstances when the bullying or harassment has occurred. This will take into account the potential risks to the individual, their peers and the organisation. The University will take affirmative action to mitigate risks where bullying or harassment may be involved. This could include the involvement of the Police and/or immediate suspension of students where we feel that their behavioural history indicates a potentially serious risk to any person or property. This process is separate from disciplinary action.

Disciplinary Action
The University recognises that it is not placed to undertake a criminal investigation. It will, however, cooperate fully with any associated Police investigation and subsequent legal proceedings. The University may also establish separate disciplinary proceedings where such measures are indicated by the behaviours and circumstances.
Where disciplinary procedures are invoked, they will follow the process laid out in the University’s Ordinance 40, Dignity at Work and Study Policy and any other relevant discipline policies. Medical, Dental or Nursing students should note that the Fitness to Practice procedures interact with the non-academic misconduct policy and may be invoked when such a student faces allegations of misconduct relating to bullying or harassment.

The University will at no time undertake any investigations or actions which may confound any police investigation. Hence, disciplinary action may run in parallel to Risk Assessment processes, as the two processes are independent. In the event of Police investigation, University disciplinary proceedings will be placed on hold, but
Risk Assessment may continue because the University feels that this is a reasonable and proportionate way of discharging its Duty of Care to all concerned.

**Unacceptable Behaviours**
Bullying or harassment covers a broad range of unwanted behaviour that makes someone feel intimidated, degraded, humiliated or offended. It is not necessarily always obvious or apparent to others. Bullying or harassment can be between two individuals or it may involve groups of people. It might be obvious or it might be insidious. It may be persistent or an isolated incident. It can also occur in written communications, by phone or through email, on social media and is not just face-to-face stalking, abusive or degrading remarks and the vast range of inappropriate behaviour in between. Further information about the types of unacceptable behaviour can be found in the [University’s Harassment and Bullying Policy](#).

**Criminal Offences**
The University will not normally report an incident of bullying or harassment to the Police without the complainant’s permission. However, in reference to the University’s Duty of Care, it may be necessary to notify the Police of behaviour/areas of concern especially where there is believed to be a risk to others. If a criminal investigation is undertaken, the University will facilitate the Police enquiry wherever possible. Hate crime will be reported through

**Vexatious Complaints**
The University treats genuine reports of misconduct seriously. However, the possibility of malicious or spurious complaints is recognised and any complaints identified as such will be dealt with severely under the University’s discipline policies.

**Confidentiality**
The University recognises the importance of privacy in cases of misconduct where bullying or harassment is alleged. Confidentiality will be maintained as far as possible unless otherwise agreed; however, there may be circumstances – e.g. danger of physical assault – that mean it will be necessary for the University to disclose certain information to additional University personnel or to third parties on a ‘need to know’ basis: this is consistent with meeting our Duty of Care obligation.

**Reporting**
Details of non-academic misconduct are reported and held centrally, subject to the provisions of the Data Protection Act, by the Authorised Student Discipline Officers within Student Services.

**Student Services, University of Dundee February 2018**