

## **Policy Statement on Harassment**

SWMTC is committed to a working and learning environment that is free from any form of harassment. Harassment is the inappropriate use of comments or actions to prejudice the flourishing of another individual staff or student on the Course. (It therefore goes beyond the ordinary processes of critical exchange and evaluation between staff and student, or among students.) It adversely affects working and social conditions for students, staff and visitors to SWMTC and is unacceptable. Any incident of harassment, including on the grounds of sex or racial origin, marital status or sexual orientation, age, or physical or mental disability, will be treated as grounds for disciplinary action, including dismissal or exclusion from the Course.

### **Sexual Harassment**

Sexual harassment always involves unwanted attention that emphasises sexual status over status as an individual, student or colleague. It can occur in a variety of circumstances but always has a distinctive feature: the inappropriate introduction of sexual comments or activities into teaching, learning, administrative working or social situations.

### **Racial Harassment**

Racial harassment is any hostile or offensive act or expression by a person of one racial or ethnic origin against a person of another, or incitement to commit such an act. Those who may be particularly affected are students and staff who are in a small minority within SWMTC and, for fear of ridicule or reprisals, find it difficult to complain.

Any difficulty in defining what constitutes harassment should not deter staff or students from complaining of behaviour that causes them distress. Nor should anyone be deterred from making a complaint because of embarrassment or fear of intimidation or publicity. SWMTC will respect the particular sensitivity of harassment complaints and their consequences as well as the need for the utmost confidentiality.

Everyone can contribute toward preventing harassment through an active awareness of the issues involved and also by ensuring that standards of conduct for themselves and for friends and colleagues do not cause offence.

### **Procedures for Dealing with Harassment**

If you feel that a student or a member of staff is subjecting you to harassment, do not feel that it is your fault or that you have to tolerate it. SWMTC's primary concern is that anyone who is subjected to harassment should receive support and assistance and, where appropriate, remedy. We also recognise that confidentiality is of the utmost importance.

There are a number of possible courses of action that you can take to deal with harassment:

1. You are encouraged to talk about the problem with your staff tutor or the Principal. If this is not an appropriate person to contact, students may approach the Principal directly, or ask the Principal (or, if need be, the Chair of Council) that a contact of the appropriate sex is made available to discuss the issue. The person whom you contact could advise you on a course of action, take the matter up on your behalf or refer you for specialist advice. They may suggest a way of resolving the problem that you had not thought of. Do not hesitate to contact someone even if an incident occurs only once.
2. Any discussion will be confidential and further action involving you will not be taken without your express permission; in particular the person about whom you are complaining will not be given your name as a complainant without your express permission.
3. Where possible you should make it clear to the person causing the offence that such behaviour on that person's part is unacceptable to you and that it interferes with your work, study or social life. You may find it easier to do this by letter (you should keep a copy). Alternatively you may wish to get support from a friend, colleague, or line manager to help you explain your feelings to the person harassing you. If you feel unable to confront the person concerned this does not constitute consent to the harassment.
4. It is important to begin to make a note of the details of any relevant incidents which distress you - particularly if you feel unable to speak to the person concerned or, if having spoken, the behaviour persists. You should include a note of the way in which the incidents cause you to change the pattern of your work or social life.
5. If the harassment continues (or is of a more serious nature than can be dealt with by means of the above) then you are strongly advised to seek the help of the Principal (or, if need be, the Chair of Council) if you have not already done so. This will enable you to discuss the nature of your complaint in confidence and to try to arrive at an acceptable solution on an informal basis.
6. If the harassment is serious or has not been resolved by the above means then you or someone acting on your behalf has the right to make a formal written complaint to the Principal. If the problem still cannot be resolved to your satisfaction you may then take your complaint (in writing) to the Chair of Council.

### Cases of assault

1. If you have been attacked, you are advised to seek help immediately. You may decide to report the attack to the police. Your staff tutor, or the Principal, will willingly give you support and help you decide what to do. If you go to them further action involving you will not be taken without your express permission. If you decide to go to the police you will not have to go alone, unless you so wish.
2. If you have been sexually assaulted or raped you are advised to seek advice and medical help as soon as possible. Information on advice and help for

women and men who have been raped or sexually assaulted is included on the attached list.

3. For your own protection and the protection of others it is important that any attack should be reported either to the Principal or staff tutor. In either case, when reporting the attack you will not have to go alone, unless you so wish.
4. Even if an attack happened some time ago you are encouraged to report it and/or seek advice from either your staff tutor or the Principal.

### Vexatious Complaints

Complaints of harassment are treated seriously by SWMTC. It should therefore be noted that anyone making mischievous or malicious complaints might have disciplinary action taken against them, up to and including dismissal or exclusion from the Course.

### What to do if you are accused of harassment

Harassment is an issue that must be taken seriously by colleagues, students and SWMTC Council. An accusation of harassment does not signify a judgement that you are guilty and there will need to be a discussion with you in order to establish the true nature of the situation. It is possible that there might be a behaviour-at-work problem that has arisen because you have not realised the effect of your actions and you may not have intended the effects complained of. The perception of the person complaining of harassment is, however, an important factor in determining whether or not harassment has taken place.

You may contact your staff tutor or the Principal if you are accused of harassment. The aim of the person you contact will be to facilitate discussion with a view to resolving the problem at source if possible. You have the right throughout any discussions or formal actions, to be accompanied by a colleague of your choice.

In many cases the problem will be solved informally through discussion. You will be asked to reflect on your behaviour and the possibility that you might be at fault, whether consciously or not. A simple discussion between you and the person with a complaint may set matters right.

Details relating to the circumstances that gave rise to the complaint, the existence of witnesses and the nature of the professional relationship between the person complaining and yourself will all be taken into account. If the complaint is taken to a formal stage, SWMTC will ensure that any formal procedures are fairly and properly followed.

Throughout any informal or formal procedures the principal objective is that of identifying the underlying issues and eliminating the cause of offence as quickly as possible and with minimal recrimination.

## **ROMANTIC/SEXUAL RELATIONSHIPS**

### **Advice to academic staff, tutors, training ministers, placement supervisors and students**

1. SWMTC values good professional relationships between academic staff, tutors, training ministers, placement supervisors and students both within and outside the teaching environment. The relationship should be supportive, enabling good communication between teachers and students so that enquiry and learning may be facilitated; trust and confidence are important elements. Core staff/personal tutors/home ministers/placement supervisors should be aware that entering into a romantic/sexual liaison with students could jeopardise this distinctive relationship and may involve an abuse of their authority. This advice is intended to cover both heterosexual and homosexual relationships.
2. Where there is, or has been, a romantic/sexual relationship between a member of core staff and student it is essential that the staff member ensures that s/he is no longer involved in the assessment of that student's work. This is primarily to protect impartiality but is also to protect the member of staff from the possibility of accusations of favouritism, and to protect the student from any danger that their work will be marked more severely to emphasise the intention not to show favour.
3. A student who is having, or has had, a sexual/romantic relationship with a member of core staff has the right to ask that their work be marked/assessed by someone else, and is encouraged to do so. As far as possible, the student's right to privacy will be respected.

### **Advice to all staff**

4. Where sexual/romantic relationships occur between members of staff each member of staff must ensure that they are not involved in any way in the assessment of the other (eg: appointment, decision on permanency or promotion or dismissal). This is primarily to protect impartiality but is also to protect both members of staff from the possibility of accusations of favouritism or from the danger of the assessment being negative to emphasise the intention not to show favour. This advice is intended to cover both heterosexual and homosexual relationships so that appropriate support can be given.