



Code: QA600

Title: Student Anti-Bullying Policy

Date: 15 February 2018

Approval: Academic Council

1.0 POLICY STATEMENT

The University encourages the promotion of a learning, working and social environment where all students and staff work positively and harmoniously together. NUI, Galway believes that the University environment should give all students the freedom to do their work, research and study without having to suffer bullying or intimidation from another student or staff member. Bullying is not a trivial matter and can manifest itself on a regular basis in all shapes and forms. Bullying will not be tolerated by the University, whether perpetrated by staff or students and will be dealt with in accordance to the procedures as set out in this document.

Students and staff have a responsibility and an obligation to adhere to the principles set out in this policy, and to make themselves familiar with all matters set out within it. All students and staff should be aware that bullying is unacceptable and can be grounds for disciplinary action. Where a finding of bullying is upheld, serious sanctions, up to and including dismissal/expulsion, are possible under the Staff Disciplinary Procedures and Student Code of Conduct.

Throughout this policy and procedure the individual who feels that they have been bullied or otherwise aggrieved is referred to as the “complainant” and the person (staff or student) against whom these allegations have been made is referred to as the “respondent”.

2.0 AIM OF THIS POLICY

The aim of this policy and procedure is to eliminate all forms of bullying behaviour, to raise awareness of the effects of such behaviour on individuals and the learning environment and to promote a climate in which students feel able to raise complaints of bullying without fear of victimisation.

3.0 WHAT IS BULLYING?

NUI Galway, for the purposes of student welfare, defines bullying as:

“Repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, in the course of their studies, which could reasonably be regarded as undermining the individual’s right to dignity in the course of these studies”¹.

¹This definition is based on the report of the “Task Force on the prevention of workplace bullying, 2001”, which has been followed in the WRC Code of Practice on Addressing Bullying in the Workplace. This definition has been modified by replacing the words “...at the place of work and/or in the course of employment” with the words “...in the course of their studies”, and replacing the words “...at work” with the words “...in the course of



NUI Galway
OÉ Gaillimh

Policies and Procedures

these studies”.

Bullying can cause a range of negative physical and emotional symptoms and problems. Bullying is a major cause of stress and can lead to problems with health and in a broader context can undermine the fabric of a good healthy working and study environment.

The most serious effects of bullying can be fear, anxiety and depression. To these may be added severe loss of confidence and low self-esteem. Bullying, like stress generally, has a detrimental effect on the organisation as a whole because people operating in a climate of fear and resentment do not give of their best. The effects on the learning organisation as a whole can include:

- Increased absenteeism • Reduced productivity/engagement • Reduced efficiency
- Low motivation • Hasty decision-making

Examples of Bullying

- Aggressive behaviour by one individual towards another.
- Repeated verbal harassment
- Personal insults and name-calling
- Persistent criticism
- Persistent picking on a person for the butt of jokes, horseplay, uncomplimentary remarks or other behaviour likely to cause offence
- The maligning or ridiculing of a person directly or to others
- Unfair delegation of duties and responsibilities
- Refusal to communicate in normal collegiate way
- Aggressive behaviour, physical intimidation, unwelcome physical contact up to and including assault.
- Cyber bullying – which can include the dissemination of hurtful, derogatory or intimidating content via electronic media, or the inappropriate use of electronic devices, including camera-phones.

This list is not exhaustive. Further examples are available on the Health & Safety Authority's Website www.hsa.ie.

For the avoidance of doubt, this policy applies to all interactions, online and offline, which arise in relation to NUI Galway. The policy covers both curricular and extracurricular activity, including society, club, and other afterhours NUI Galway related events.

What is not bullying

It is the case that single acts of the above or other acts of unpleasantness or aggression, although unwelcome personally and indeed unwelcome in the University community generally, do not constitute bullying and as such do not fall under the rubric of this policy. It is also the case that occasionally there may be ongoing disputes or disagreements between students, or students and staff which, although they can evoke strong feelings and result in a difficult working or studying environment do not constitute bullying. It is to be especially noted that Academic supervisors/tutors/lecturers should provide reasonable and proper review of a student's work and/or performance, and where those standards

are applied appropriately will not constitute harassment or bullying.

However, any difficulty in defining what constitutes bullying should not deter staff or students from complaining of behaviour which causes them distress. NUI Galway encourages students to attempt to deal with interpersonal conflicts on an informal basis, but where the matter is serious or the individual or group does not feel comfortable dealing with the matter on their own we encourage students to make contact with one of the contact points listed below who may be in a position to assist you in dealing with the matter.

4.0 ADVICE FOR STUDENTS WHO WISH TO SUBMIT A BULLYING COMPLAINT

The procedure to be invoked where one wishes to make a bullying complaint against a student is set out in Section 5.0.

Advice on the invocation of the procedure may be obtained from any source of the student's liking. The following are some examples of where such advice is available:

Head of School or Dean of College
 Students' Union
 Dean of Students (or designated authority)
 Equality Manager – Office for the Vice President for Equality and Diversity
 A Contact Person (See Section 6)

4.1 Support for Complainants and Respondents

Anyone can become the victim of a bully at some point in their life. Those who bully can, at other times also be victims themselves, redirecting their anger to someone more vulnerable than themselves. Bullying can cause severe consequences both short and long term. It is important that those involved seek appropriate support. Free and confidential help is provided by the Counselling Service. This is separate from any other additional action which the person(s) concerned may choose to take through the formal/informal procedure outlined below.

5.0 PROCEDURE FOR MAKING A COMPLAINT

5.1 Scope

The procedures set out in this document are to be followed where:

- A student feels themselves a victim of bullying by another student(s), or
- Where an allegation of bullying has been made against a student by a member(s) of staff.

Where a student makes a complaint of bullying against a member of staff, the procedure set out in the "Staff Anti-Bullying Policy" is to be followed. Students are advised and encouraged to make contact with the Students' Union, the Dean of Students (or designated authority) for further information on making such a complaint.

Where a student wishes to make a complaint about an employee of a third party contractor contracted by NUI Galway or its service companies, students are to make a complaint in writing to the Dean of Students (or designated authority) who will decide on the procedure to be followed, or otherwise how the complaint is to be dealt with.

In all cases, subject to the outcome of the procedures, there will be a presumption of innocence for the respondent(s).

5.2 What to do if you consider yourself to be the victim of Bullying

Complainants who feel they are being bullied are advised to utilise:

- The Informal Procedure (as set out at Section 5.3) or
- The Formal Procedure (as set out at Section 5.4).

It is recognised that it may not always be practical to use the informal procedure, particularly where the bullying or harassment is very serious. Therefore, a complainant may decide, for whatever reason, to bypass the informal procedure. Choosing not to use the informal procedure will not reflect negatively on a party during any subsequent assessment or proceeding.

All information concerning allegations of harassment, bullying or victimisation (whether brought under this or any other University policy) will be treated in confidence by all parties in order to protect all parties involved. Students and staff are to be aware that breaches of confidentiality may give rise to action being taken under the University's Staff or Student disciplinary policies.

5.3 Informal Procedure

The University supports the resolution of complaints, as far as is possible and appropriate, through informal processes. In many cases the problem of bullying can be resolved informally.

Complainants who believe they are being bullied and wish to attempt to resolve it informally should explain the following clearly to the respondent(s):

Details of the behaviour in question.

The fact that it is unwelcome and offensive to them.

The harmful effects it is having on them.

That it is contrary to University policy.

To facilitate this, the complainant should keep a record of events as they occur; what happened, dates, times, places, witnesses (if any), the respondent(s)' response and the impact of this behaviour.

Where students find it difficult to communicate directly with the respondent(s), they should be accompanied by a third party, for example a friend, Students' Union representative, or a Contact Person. This person's role will be to provide moral support to the complainant while they are making their issues known to the respondent(s). It is not their role to make the complaint on behalf of the complainant; however, where it is evident that the complainant is having difficulty in presenting their issues the person accompanying them will be free to assist in the presentation of the complaint. The respondent(s) should be made aware at the time the meeting is being arranged that the complainant will be accompanied at this meeting. The respondent(s) also has the right to be accompanied by a third party. Should they wish to have a person with them at the meeting, they should make the complainant aware of this at the time the meeting is being arranged.

If at this point the parties come to an agreement or solution, the remedial actions should be clearly identified and agreed to by both parties. Both parties are encouraged to agree

notes in order to remove ambiguity later. This will allow both parties to monitor the situation going forward. The objective of the informal procedure is to allow both parties agree a framework where they will be able to continue to interact together in an appropriate manner.

If this fails to resolve the issue or if either party wishes to have the matter dealt with formally they are entitled to refer the issue for processing through the formal procedure.

5.4 Formal Procedure

This procedure is to be followed where:

- If following the informal route and there is no resolution; or,
- At any point during the informal procedure the complainant wishes to do so; or,
- The matter is too serious to be resolved in an informal way.

To begin the formal procedure, a written complaint should be addressed to the Dean of Students (or designated authority). The Dean of Students (or designated authority) will then arrange for the investigation of the complaint as set out in the Student Code of Conduct.

5.4.1 Content of Written Complaint

In the letter of complaint, the complainant should set out as clearly and briefly as possible:

- The nature of the behaviour they are concerned about;
- The effect this behaviour has on them;
- Dates of, and the identity of any witnesses to, any incidents complained about, together with any documentary evidence of same;
- Details of any attempts that have been made to resolve the difficulties;
- If appropriate, the outcome/resolution they are seeking.

To assist students in setting out their complaint, there is a template complaint form set out at Appendix 2 which may be used if a student wishes to do so. This complaint form is available in soft copy on the University's website, as well as from the Students' Union, Contact Persons as well as the Dean of Students (or designated authority).

5.5 Victimisation

Where an individual makes a complaint in good faith, gives evidence in proceedings or gives notice of intention to do so, they will not be victimised or subject to sanction.

Victimisation is regarded as gross misconduct, and students should note that any such action may result in formal investigation, a disciplinary hearing and serious sanction.

5.6 Malicious complaints

All complaints of harassment, bullying or victimisation will be considered within the context of the right of each individual to be treated with dignity and fairness. However, a formal complaint of bullying and harassment should never be made on a malicious or vexatious basis and the possible making of a complaint should never be used as a threat against an individual.

Where, following investigation under the Formal Procedure, it is concluded that complaints were made or threatened to be made on a malicious and/or vexatious basis, the complainant's conduct will be investigated under the University's Staff or Student

Disciplinary policies and may lead to disciplinary action up to and including summary dismissal/expulsion of the complainant.

6.0 Contact Persons

Contact Persons will be made available to students to assist in navigating the procedures set out in this document. Their role is to provide information and emotional support in a confidential, non-judgemental and off-the record manner to any student involved in this process. A description of their role is more fully set out at Appendix 1 below.

Details of the current list of Contact Persons will be available on the University website, from the Students' Union and the Office of the Dean of Students (or designated authority).

7.0 Responsibilities

Name	Responsibility
Dean of Students (or designated authority)	Policy Owner, Ensure that reviews of this policy occur at least once every 5 years and that best practice is reflected in any revisions

Appendix 1: Contact Persons and their Role

Role of the Contact Person:

1. The role of the Contact Person is to provide information and emotional support in a confidential, non-judgmental and off-the-record discussion(s) to any student who feels that s/he is being subjected to bullying, harassment or sexual harassment, or to any student against whom a complaint of bullying, harassment or sexual harassment has been made. In doing so, the Contact Person is expected to be accessible, supportive and available and to listen, discuss and provide information to the complainant.

2. The Contact Person only offers emotional support and advice for issues relating to bullying, harassment or sexual harassment, applicable only to areas of University operations and/or programmes. The role does not extend to any other forms of grievances or personal problems, nor should the Contact Person engage in any investigations related to the issues raised to him/her.

3. The objective for the Contact Person is to help the student to clarify what s/he is experiencing and to empower the student to decide what course of action, if any, s/he may wish to take. The Contact Person may not act as an advocate or representative on behalf of the person s/he is supporting nor can s/he tell the person what course of action to take.

4. A Contact Person may not approach the respondent/complainant on behalf of the person s/he is supporting. They may, however, accompany the person s/he is supporting to meetings with the other party, on request of the person s/he is supporting.

5. The Contact Person may offer support to a student who feels that s/he is being subjected to bullying, harassment or sexual harassment or a student against whom a complaint of bullying, harassment or sexual harassment has been made but not both. If a Contact Person is approached by both parties, s/he should support the first person who requests support and refer the second person to another Contact Person.

6. All discussions will be treated as completely confidential by the Contact Person, who will not be requested to disclose information to a third party. However, in a situation of exceptional circumstance regarding safety, including suicidal intent, sexual abuse and/or threats to the life of others, the Equality Manager should be contacted so that appropriate professional assistance can be sought. All individuals who make contact with a Contact Person will be made aware of these guiding principles of confidentiality.

Appendix 2: Student Complaint Form



OÉ Gaillimh
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Student Complaint Form for Complaints of Bullying, Harassment and/or Sexual Harassment

Please read the relevant Student Policy or Policies prior to completing this form¹.

¹ Student Sexual Harassment and Harassment Policy (QA606), Student Anti-Bullying Policy (QA600) and/or the Student Code of Conduct (QA616).

Students are advised that all information provided in the course of any investigation or procedure arising from a complaint will be dealt with sensitively, fairly and, as far as is possible, in confidence.

Please write in BLOCK LETTERS

STUDENT ID NUMBER:
COURSE AND YEAR:

SURNAME:	
FORENAME(S):	
ADDRESS:	
EMAIL ADDRESS:	MOBILE No:
COMPLAINT AGAINST (COLLEGE, SCHOOL, SERVICE, UNIT OR INDIVIDUAL):	

STATE THE NATURE OF COMPLAINT INCLUDING A DESCRIPTION OF WHAT HAS HAPPENED TO GIVE RISE TO THE COMPLAINT, TO INCLUDE DATES, TIME AND OTHER DETAILS. ATTACH SEPARATE SHEET IF NECESSARY.

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HAVE YOU ALREADY RAISED THE CONCERNS INFORMALLY IN THE FIRST INSTANCE?
YES / NO (CIRCLE). IF YES, PLEASE STATE STAFF DEALT WITH AND DATE CONCERNS RAISED.
IF APPLICABLE LIST ANY ADDITIONAL DOCUMENTS ATTACHED.
Suggested Action or Remedy (Optional)

Statement by Student

I wish this complaint to be considered under the Formal Procedure as set out in the Student Anti-Bullying Policy, Harassment and Sexual Harassment Policy and Code of Conduct as applicable. I declare that the statements made are to the best of my knowledge true.

Student's Signature..... Date.....

**Completed Form to be returned to:
Dean of Students (or designated authority), NUI Galway.**