



## ZERO TOLERANCE POLICY

Manager Responsible for Review: HR Manager

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## **Policy Statement**

A motion called 'Becoming a Zero Tolerance to Sexual Harassment Union' was passed in Guild Council which stipulated that the Guild was to adopt a policy in regards to Sexual Harassment in ALL GUILD VENUES AND AT ALL GUILD EVENTS. Zero Tolerance towards Sexual Harassment is an NUS accreditation which the Guild worked towards following this motion. However, the Guild believes that a Zero Tolerance approach should be taken towards any form of harassment based on defining characteristics that takes place in any of the Guild's venues or events. These defining characteristics, as defined in the Equality Act 2010, are: age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation – regardless of whether these characteristics are perceived or actual.

### **1. Definition of Harassment**

Harassment is an incredibly difficult concept to define as a range of different laws cover the different aspects of harassment. The NUS defined sexual harassment as '**unwanted, persistent and of a sexual nature**'. This can be extended to all of our above mentioned defining characteristics, for example:

- *Unwanted, persistent and of a racist nature.*
- *Unwanted, persistent and of an ageist nature.*

### **2. Characteristics and examples**

Although not easy to define every circumstance which might count as harassment based on any of the above defining characteristic, below is a **NON-EXHAUSTIVE** list of examples. These examples also cover the protected characteristics of third-parties (discrimination by association), using fancy dress to imitate or mock a particular characteristic and the use of microaggressions, which subtly, indirectly or unintentionally discriminate.

REMEMBER THESE APPLY REGARDLESS OF WHETHER THE DEFINING CHARACTERISTIC IS ACTUAL OR MERELY PERCEIVED.

#### **2.1. Age**

- *Negative comments about a person's age.*
- *Age related jokes and stereotypes.*
- *Assumptions based on age*

#### **2.2. Disability**

- *Derogatory or intimidating references about a person's mental or physical state.*
- *Jokes and stereotypes about a person's disability.*
- *Offensive remarks about appearance or behaviour.*
- *Patronisation based on a person's disability.*
- *Disadvantaging someone based on a person's disability.*

### **2.3. Gender Identity**

- *Outing someone with malicious intent.*
- *Deliberate and malicious use of improper pronouns.*
- *Jokes and stereotypes about gender identity*
- *Any offensive comments relating to the rejection of gender binaries or the expression of gender.*

### **2.4. Marriage and Civil Partnership**

- *Any offensive or stereotypical comments based on your marital status*

### **2.5. Pregnancy and Maternity**

- *Offensive, stereotypical or belittling comments based on your pregnancy*
- *Jokes relating to a person's pregnancy*
- *Unwanted or intrusive questioning about a person's pregnancy*
- *Unwanted physical contact*

### **2.6. Race**

- *Negative comments about your skin colour or physical characteristics.*
- *Use of racially derogatory words and phrases.*
- *Use of gestures that would offend your particular racial or ethnic group.*
- *Use of offensive stereotypes.*
- *Offensive remarks or stereotypes about a person's race or culture.*
- *Racial jokes.*
- *Using fancy dress to imitate or mock a particular race or ethnic group.*
- *Using grouping language in an offensive way.*
- *Antisemitism*

#### **2.6.1 Antisemitism**

The Guild of Students recognises the International Holocaust Remembrance Alliance (IHRA) 2016 definition of Antisemitism, as follows;

*'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.'*

#### **2.6.2 Islamophobia**

The Guild of Students recognises the All-Party Parliamentary Group (APPG) definition of Islamophobia, as follows;

*'Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.'*

### **2.7. Religion and Belief**

- *Derogatory comments or stereotypes about an individual based on their*

*religion, religious beliefs or lack of religion.*

- *Use of gestures or symbols that would offend a particular religious group.*
- *Deliberately defacing religious symbols.*
- *Offensive comments regarding religious dress.*

## **2.8. Sex**

- *Offensive, stereotypical or belittling comments based on gender.*
- *Intrusive questions into gender.*
- *Sexist/objectifying jokes or comments.*
- *Any suggestion that one gender is superior to another*

## **2.9. Sexual Orientation**

- *Any offensive or stereotypical comments based on a person's sexual orientation.*
- *Unwelcome sexual invitations, innuendos, and offensive gestures. Outing a person without their knowledge or consent*

## **3. Sexual Harassment**

The NUS has drawn out examples of sexual harassment, including:

- *Unwanted sexual comments (including comments about your body or private life)*
- *Unwelcome sexual invitations, innuendos, and offensive gestures*
- *Wolf whistling, catcalling or offensive sexual noises*
- *Groping, pinching or smacking of your body, such as your bottom or breasts*
- *Having your skirt or top lifted without agreeing*
- *Someone exposing their sexual organs to you without consent*
- *Taking pictures up someone's skirt without consent ('upskirting')*

## **4. The Internet**

The Zero Tolerance Policy only relates to harassment that takes place in our events or venues. Included in this definition are any accounts, pages, groups or feeds 'owned' and controlled by the Guild but not the wider internet.

However, it is necessary for any incidents that do take place on these forums to be reported in order to be dealt with as we cannot patrol these groups.

## **5. Dealing with harassment**

5.1. The purpose of the Zero Tolerance policy is not merely to punish those who commit harassment, but rather the ultimate aim is to create a culture where what counts as harassment is understood and not accepted.

5.2. It is often the case that neither the perpetrator nor the victim is aware that the conduct counts as harassment, and it is all too often the case that victims accept behaviour as 'normal', especially in pubs and clubs where people use alcohol as an excuse for degrading or offensive behaviour towards others.

5.3. Where possible, it is important to inform the perpetrator that their behaviour is unwanted. This can be done directly or by informing a member of Guild staff about the behaviour. However, it is recognised that this may not be possible in all circumstances.

5.4. All reports of harassment will be taken seriously by the Guild.

## **6. How to report an incident of harassment**

6.1. Complaints will be dealt with according to the Guild Complaint Process. Complaints should be addressed to [complaints@guild.bham.ac.uk](mailto:complaints@guild.bham.ac.uk)

6.2. We actively promote the police's online reporting system 'Report It!' ([www.report-it.org.uk](http://www.report-it.org.uk)) where people can report harassment anonymously or not depending on a person's preference.

6.3. In instances of sexual harassment, see the You Report, We Support tool on the University's website.

6.4. In instances of Hate Crime, see Guild Advice's Hate Crime Reporting information on the Guild's website.

## **7. Harassment Elsewhere**

7.1. Whilst the Guild Policy only relates to harassment in Guild venues or at Guild events, we have worked with the University to get a Zero Tolerance commitment at University level.

7.2. If you experience Harassment anywhere else on campus you can report it to the University via one of their Harassment Advisers.

7.3. In line with NUS policy, the Guild's Zero Tolerance approach is only extended to harassment that takes place within our venues and events or on internet pages we control, as defined in point 3. We have no jurisdiction over the wider community or internet.

7.4. If you experience harassment outside of campus you should report it to the police on either 999, their non-emergency phone-line 101 or on the 'report it' link above. This is also true for the internet, however in the first instance harassing material should be reported to the website provider as they have jurisdiction to remove content and users.

7.5. The Guild's Zero Tolerance policy applies to any event ([including virtual events](#))

organised by the Guild or one of our student groups, even if this takes place externally. While we may not be able to act immediately at an external venue, we would encourage reports to be made through the complaints process (in addition to any necessary external reporting such as to the police) so that we can investigate this with the group responsible for the event if appropriate.

### **8. Advice and Support**

8.1. For further information and support, please see the Guild Advice pages on the Guild website. Guild Advice can be contacted through [guildadvice@guild.bham.ac.uk](mailto:guildadvice@guild.bham.ac.uk).