



The Institute of Ismaili Studies

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The Institute of Ismaili Studies

Anti-Bullying, Anti-Harassment and Sexual Misconduct Policy

1. Introduction and scope

- 1.1. The Institute of Ismaili Studies (the IIS) is committed to:
 - 1.1.1. fostering an inclusive culture which promotes equality and values diversity; and
 - 1.1.2. providing a safe and tolerant working, learning and social environment for all those in our physical and virtual spaces,

in which the rights and dignity of all members of the IIS community are respected, free from harassment, bullying and sexual misconduct.
- 1.2. Bullying, harassment and sexual misconduct are unacceptable behaviours and contrary to the Equality Act 2010 and/or the Protection from Harassment Act 1997, and to the IIS' ethos and mission.
- 1.3. The IIS rejects all forms of bullying, harassment and sexual misconduct, and will act swiftly and decisively should any cases come to light in accordance with this policy. The IIS is committed to preventing incidents of bullying, harassment or sexual misconduct where reasonably possible; and to provide educational and preventative training programs regarding such behaviours. The IIS also commits to make available timely support for those who have been affected by such behaviours; and to provide prompt and equitable methods of investigation and resolution to stop bullying, harassment and sexual misconduct, to remedy any harm, and to prevent its recurrence in accordance with this policy.

- 1.4. All members of the IIS community have a role to play in creating a physical and virtual environment free from harassment, bullying and sexual misconduct. This policy applies to all our students, academics, staff, officers, trustees, governors, consultants, contractors, volunteers, interns, workers, visitors and third-party providers. Everyone, especially those in positions of trust within the IIS community, is expected to contribute to preventing unacceptable behaviours, including harassment, bullying or sexual misconduct through self-awareness; and by modelling positive behaviour for others, and raising any concerns. Anyone found to be in breach of this policy will be liable to disciplinary action which could result in withdrawal of scholarships and expulsion from their programme of study, or termination of employment in case of staff.
- 1.5. This policy applies to all physical and virtual spaces permanently or temporarily occupied by the IIS and the IIS community, and extends to all IIS IT systems including email, the internet, social media and other virtual fora. It applies to all IIS work and study spaces, events including but not limited to meetings, lectures, academic fora, trips, events and social functions both in the UK and abroad.
- 1.6. The IIS is also committed to sharing this ethos with all those in the Aga Khan Centre, including Aga Khan University (International) in the United Kingdom, Institute for Study of Muslim Civilisations and Aga Khan Foundation (UK).
- 1.7. The IIS also extends this ethic to those in our other shared physical and virtual spaces that are not owned, rented or operated by the IIS, such as, but not limited to halls of residences occupied by members of the IIS community and those from other institutions, or virtual fora in which members of the IIS community and others contribute to. However, in the event of a member of the IIS community being involved in any alleged misconduct in any third-party or public physical or virtual spaces, the relevant policy of that third-party or public space will apply.
- 1.8. Breaches by members of the public will be referred to security and/or the police.
- 1.9. This policy does not form part of any contract of employment, contract for services or student contract and it may be amended at any time.
- 1.10. Accessibility: If you need this document in a different format, please contact the Senior Education Programmes Officer or Departmental Administrator. If a student has difficulty at any stage of the procedure because of a disability, they should discuss the situation with Student Services as soon as possible. Anyone else can discuss this with the Head of HR.

2. Who is responsible for this policy?

- 2.1. All members of the IIS community have personal responsibility for the practical application of this policy but overall responsibility for the effective operation of this policy lies with the Head of HR. Responsibility for compliance with pertinent legislation falls upon the Head of Quality Assurance.
- 2.2. In the case of any doubt or concern about the application of this policy in any particular instance, students should consult either the Safeguarding Officer or the Student Services Manager, and staff should consult the Safeguarding Officer for Staff.

3. What is bullying?

- 3.1. There is no legal definition of bullying. However, it's usually defined as behaviour that is: repeated, intended to hurt someone either physically or emotionally, and is often aimed at certain groups. Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.
- 3.2. Bullying can take the form of physical, verbal and non-verbal conduct. It takes many forms and can include: physical assault, teasing, making physical or psychological threats, name calling, spreading malicious rumours, unfair treatment, picking on or regularly undermining someone, overbearing and intimidating levels of supervision, inappropriate derogatory remarks about someone's performance and cyberbullying - bullying via mobile phone or online (for example email, social networks and instant messenger). It can happen face-to-face, by letter, by email or by phone.
- 3.3. Bullying itself is not against the law, but some forms of bullying are illegal and will be reported to the police. These include: violence or assault, theft, repeated harassment or intimidation, for example name calling, threats and abusive phone calls, emails or text messages and hate crimes. Some forms of bullying can be seen as forms of harassment, and harassment is against the law.
- 3.4. Legitimate, reasonable and constructive criticism of performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own. Vigorous academic debate will not amount to bullying when it is conducted respectfully and without violating the dignity of others or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

4. What is harassment and what is sexual misconduct?

4.1. Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is unlawful under the Equality Act 2010. This is when the unwanted behaviour is related to one of the following protected characteristics:

- age
- sex
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sexual orientation

4.2. Harassment is unacceptable even if it does not fall within any of these categories.

4.3. Harassment like bullying takes many forms, occurs in a variety of different ways and can be directed at one person or many people. An essential characteristic is that a given behaviour is unwanted by the recipient and that the recipient finds the conduct offensive or unacceptable. Improper conduct usually becomes harassment if it continues once it has been made clear that it is regarded by the recipient as offensive, although a single incident may amount to harassment if sufficiently serious. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

4.4. Harassment may include, but is not limited to, for example:

- unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- outing or threatening to out someone as gay or lesbian, or having possible links to AIDS/HIV, or the status as an ex-offender;
- offensive e-mails, text messages or social media content;

- mocking, mimicking or belittling a person's disability;
- physical activity;
- jokes, offensive language, gossip, slander, offensive or sectarian songs and letters;
- posters, graffiti, obscene gestures, emblems, flags;
- offensive emails, screen savers;
- isolation or non-cooperation and exclusion;
- coercion for sexual favours;
- pressure to participate in political/religious groups;
- pressure to conform to unwanted group behaviours;
- intrusion by pestering, spying and stalking;
- abuse of power or hierarchy;
- willingness to challenge harassment (leading to victimisation);
- challenging membership, or non-membership, of a trade union;
- comments on physical characteristics.

4.5. Sexual misconduct is a form of harassment and is unacceptable behaviour of a sexual nature. This covers a broad range of inappropriate and unwanted behaviours of a sexual nature including but not limited to: all criminal sexual offences, forms of sexual violence including sex without consent, intimate partner violence, sexual abuse (online and offline), non-consensual sexual touching, stalking, abusive or degrading remarks of a sexual nature, grooming, coercion or bullying with sexual elements, sexual harassment (unwanted behaviour of a sexual nature which violates your dignity, makes you feel intimidated, degraded, or humiliated) and sexual invitations and demands.

4.6. A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

4.7. Freedom of speech and academic freedom are protected by law though these rights must be exercised within the law. Vigorous academic debate will not amount to harassment when it is conducted respectfully and without violating the dignity of others or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

5. What to do if you are subject to bullying, harassment or sexual misconduct

5.1. INFORMAL STEPS

- 5.1.1. If you are being harassed or bullied or being subject to sexual misconduct, consider whether you feel able to raise the problem informally with the

person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable, or that it is offensive and/or interfering with your work or activities. You should make it clear that you want the behaviour to stop. In circumstances where this is too difficult or embarrassing to do unaccompanied, you should seek support from a peer, colleague or speak to the Student Services Manager or the Student Safeguarding Officer (if you are a student), or the Staff Safeguarding Officer (if you are member of Staff).

5.1.2. If you are in any doubt as to whether an incident or series of incidents which have occurred constitute bullying, harassment or sexual misconduct, then in the first instance:

- Students should approach the Student Services Manager; and
- Staff and everyone else should approach the Head of HR

on an informal basis. You will be advised in confidence as to whether the complaint necessitates further action, and whether the matter will be dealt with formally or informally as appropriate.

5.1.3. If informal steps are not appropriate, or have been unsuccessful, you should follow the formal procedure relevant to your circumstance set out in 5.2 below.

5.1.4. As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all members of the IIS community and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so. Please note that the IIS may decide to investigate any evidence of bullying, harassment or sexual misconduct whether or not a complaint has been made.

5.2. FORMAL STEPS

5.2.1. If you wish to make a formal complaint about bullying or harassment or sexual misconduct:

- Students should do so in accordance with the Students Complaints Policy
- Staff and other members of the IIS community should do so in accordance with the Grievance Policy

5.3. We will investigate complaint(s) in a timely and confidential manner. A separate policy defines the role of the investigators, to make sure they are appropriately trained to investigate each case as well as to support all parties involved.

Consideration will be given to separating you and the alleged wrongdoer until the complaint(s) are resolved and/ or other arrangements can be put in place. We will also seriously consider any request that you make for changes to your own studying or working arrangements during the investigation. Whether or not your complaint is upheld, we will consider how best to manage any ongoing academic or working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, location or reporting lines of one or both parties.

- 5.4. Disciplinary action will be taken in accordance with our Student Disciplinary Policy or our staff Disciplinary Policy. Serious breaches of this policy will constitute gross misconduct under both policies. Anyone who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under the relevant disciplinary procedure.
- 5.5. Where your complaint is about someone other than a student or member of staff, such as a customer, supplier or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the IIS and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. Depending on the outcome with a third party, appropriate action might include putting up signs setting out acceptable and unacceptable behaviour; speaking or writing to the person or their superior (or both) about their behaviour. In very serious cases it might be appropriate to ban a person from the premises or terminate any business or academic relationship with them.
- 5.6. If criminal investigations and/or judicial proceedings are ongoing, or are likely to commence in respect of a particular case, the IIS will nonetheless continue its own investigation and ensuing disciplinary actions, subject to police advice. In case the Police or the Crown Prosecutor decide to take no further action in relation to a given case, this does not necessarily preclude or negate the outcome of the IIS' investigation and/or disciplinary action.
- 5.7. If a member of the IIS community is convicted of a criminal offence or accepts a Police caution in relation to a behaviour that falls within the scope of this policy, they must disclose this to the IIS. If deemed necessary, appropriate disciplinary measures may be taken.

6. Protection and support for those involved

- 6.1. Anyone who make complaints (or assist another to do so) or who participates in good faith in any investigation must not suffer any form of retaliation or victimisation

as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Student Disciplinary Policy or our staff Disciplinary Policy

- 6.2. If you believe you have suffered any such treatment you should inform the Student Services Manager (if you are a student) or the Head of HR (if you are a member of staff). If the matter is not remedied you should raise it formally using the Students Complaints Policy or Grievance Policy
- 6.3. We offer access to confidential counselling, which is available on request for anyone affected by, or accused of, bullying or harassment. The details are available in confidence from Human Resources. If necessary or advisable, referrals can also be made to the police, NHS, sexual assault referral centres or hate crime reporting centres, or to local specialist services such as Rape Crisis.

7. Confidentiality and record keeping

- 7.1. Strict confidentiality will be maintained throughout the investigation into the allegations.
- 7.2. Individuals not involved in the complaint or the investigation will not be told about it. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a “need to know” basis. Breach of confidentiality may give rise to disciplinary action under our Student Disciplinary Policy or our staff Disciplinary Policy.
- 7.3. It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.
- 7.4. Confidential records of ongoing matters dealt with in accordance with this policy will be kept. Information about a complaint by or about a student or member of staff may be placed on the student’s record or employee’s personnel file (as relevant), along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.

8. Document control

- 8.1. The IIS will regularly monitor the effectiveness of this policy to ensure that it is working in practice and will review and update this policy as and when necessary.

Version	Role / Activity	Person(s) responsible	Date
	Document owner	QA&E	
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