

Appendix A – Definitions

The terms bullying and harassment are often used interchangeably. In general they can be defined as behaviour directed towards an individual, that is unwelcome, uninvited and causes a detrimental effect. Bullying and harassment can occur for many reasons. However, there is additional protection within law for people who experience harassment due to particular personal characteristics.

Bullying

There is no legal definition of bullying, but it usually includes the following:

- Bullying is a form of aggressive behaviour where the perpetrator **intends** to inflict harm or distress on the victim
- Bullying is an experienced aggressive behaviour that is experienced **repeatedly** over time. A single conflict, argument or other isolated act of aggression is not deemed to be bullying
- Incidences of bullying involve a power imbalance between the perpetrator and the victim, where the perpetrator is deemed to be more powerful than the victim. Such a power imbalance can include differences in physical strength, popularity or ability.

A one off fight or falling out is not bullying, this is more akin to conflict. Conflict is quite common in relationships, and common causes of conflict at university include; living with others in shared accommodation, working with others on group projects and general fallings out in friendship groups.

Bullying and harassment can take a number of different forms and can include:

- Physical bullying; such as hitting, kicking, physical fights and threats of physical violence
- Verbal bullying; such as name calling and using threatening language
- Psychological/ Emotional bullying; such as excluding people from conversations and/ or activities, hostile looks and stares, rumour spreading and ignoring people
- Cyberbullying; such as sending nasty or hostile text messages, posting nasty/ embarrassing/sexually explicit or humiliating messages, images or videos on social media
- Humiliating initiation rites, hazing

Harassment

Harassment is behaviour that has the **purpose** or the **effect** of: violating dignity or: offending, hurting, degrading or intimidating a person or persons. It may be a single event, sporadic events or a continuing process.

There is additional protection within the Equality Act 2010 for persons who experience harassment related to any of the 'protected characteristics' of age, disability, gender reassignment, race, religion or belief, sex (gender) or sexual orientation. Sexual harassment is unwanted behaviour of a sexual nature and has the same purpose or effect as described above. The law also covers harassment by perception or by association with an individual or individuals with a protected characteristic, for example, where an individual is harassed because they are friends with someone who is lesbian or gay or because they are perceived to be lesbian or gay.

Hate Crime

A hate crime is any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender. An act which is not an offence may be treated as a hate incident. Any allegation of hate crime is likely to invoke the disciplinary procedures. For more information about hate crime reporting and support visit the [University Hate Crime webpages](#)

Sexual Harassment

Sexual harassment is defined as unwanted behaviour of a sexual nature. Sexual harassment is when someone behaves in a way which makes you feel distressed, intimidated or offended and the behaviour is of a sexual nature. Sexual harassment is a form of discrimination under the Equality Act 2010. Sexual harassment is not okay and has no place in the University community as this York St John video makes clear [‘It’s not okay’ video](#)

Sexual harassment includes many things;

- Unwanted pressure for sexual favours.
- Unwanted deliberate touching.
- Unwanted sexual looks or gestures.
- Unwanted letters, texts, telephone calls, or materials of a sexual nature.
- Displaying pictures, photos or drawings of a sexual nature
- Unwanted sexual teasing, jokes, questions, comments, wold whistling or cat calls.
- Sexual comments about a person's clothing, anatomy, or looks.
- Telling lies or spreading rumours about a person's personal sex life
- Actual or attempted rape or sexual assault