

Student Dignity and Respect Policy

1 Policy Statement

Driven by our commitment to social justice, York St John University promotes fairness and challenges prejudice, and we inspire and support all members of our community to succeed. The University is dedicated to providing an inclusive, accessible and welcoming environment which supports a diverse and culturally rich community. We inspire our students and staff to value equality, diversity and inclusion and we ensure that all our students are given the opportunity to reach their full potential.

Dignity and Respect at York St John is everyone's right and everyone's responsibility. All members of the University community are responsible for maintaining a positive environment in which we can all learn and grow. Every single member of the community plays a role in creating a climate free from discrimination and unacceptable behaviour, such as bullying, harassment, racism and sexual misconduct.

In order to fully achieve these commitments, all members of the University community must conduct their relationships in a manner which values, unconditionally, respect for the dignity of students and staff as individuals. Any form of bullying, harassment, racism or sexual misconduct is therefore unacceptable, and individuals must be encouraged and supported in any legitimate complaint.

Contractors, sub-contractors and suppliers have a particular responsibility for upholding the reputation of their organisation whilst working at or visiting the University or providing a service to University staff and students. Breaches of the standards in this policy by contractors and suppliers may ultimately lead to removal from the University and termination of associated contracts.

2 Purpose

The purpose of this policy is to provide a clear framework for staff, students, visitors and contractors so that all individuals understand the University's expectations regarding behaviours that promote and protect dignity and respect, and that unacceptable behaviour is handled effectively, fairly and consistently across the University.

3 Scope

The policy covers the responsibilities of members of the University community, provides definitions of unacceptable behaviour and sets out how individuals can seek to resolve any situation where they find themselves experiencing or witnessing unacceptable behaviour by or towards students.

It complements the 'Dignity at Work' policy and procedure and the 'Personal Relationships at Work' policy which set out principles and procedures for staff.

4 Principles

The policy is underpinned by the following principles:

- Promoting a culture that upholds the principle of lawful freedom of speech, fostering open and respectful dialogue, debate, and dissent, while simultaneously cultivating an environment free from discrimination, harassment, racism, sexual misconduct, and victimisation.
- Maintaining and promoting an inclusive community, where values of kindness, honesty and integrity underpin all our activities and diversity is celebrated.
- Understanding what unacceptable behaviour is and its effect on others, including how it can undermine an individual's self-esteem, confidence or mental health.
- Challenging unacceptable behaviour, if it is safe to do so, and reporting in accordance with the procedures set out in this policy.

5 Role and responsibilities

All members of the University community – including staff, students, contractors and visitors – are accountable for the operation of this policy, as they carry responsibility for their own behaviour and actions.

Everyone is expected to:

- Behave in an appropriate manner, whether interactions take place in person or online (including social media);
- Treat each other in accordance with the commitments in this policy; and
- Engage with fair procedures in dealing with complaints.

Board of Governors

- Will keep under review the University's approach to harassment, racism and sexual misconduct to ensure that it is adequate and effective. The Board of Governors will also scrutinise the University's duty to promote and protect freedom of speech.

The Executive Board and Senior Leadership Team

- Promotes a culture that champions freedom of speech, fosters understanding among individuals from diverse backgrounds, and firmly opposes unacceptable behaviours such as racism and sexual misconduct.
- Has in place effective procedures to respond to allegations of unacceptable behaviour.
- Listens to, and where possible, acts on ideas that contribute to the realisation of the commitments set out in this policy.
- Is accountable and transparent to the University community about their actions to implement the policy.

Managers

- Read and understand the Dignity and Respect policy.
- Assist students and staff to find effective ways to address behaviour they find difficult and/or unreasonable, including, where appropriate, supporting complaint or grievance procedures.
- Are honest in communications and open in sharing information, where they are able to.

Staff

- Read and understand the Dignity and Respect policy.
- Undertake mandatory EDI and Bias e-learning modules as part of their induction and engage in further training appropriate to their role.
- Take appropriate steps if they have concerns about unacceptable behaviour.

Students

- Read and understand the Dignity and Respect policy.
- Take appropriate steps if they have concerns about unacceptable behaviour.
- Take responsibility for resolving problems and seek support and guidance to resolve or report when needed.

6 Unacceptable behaviours

The University is committed to ensuring effective prevention and effective responses to unacceptable behaviour. The University will take reports of these incidents seriously and act upon them. The University actively encourages students who experience and anyone who witnesses unacceptable behaviour to

report it and to seek support. Staff who have concerns about their own treatment should refer to the Dignity at Work policy.

Unacceptable behaviour jeopardises the mental, physical and emotional wellbeing of members of our University and the safety of our community. It diminishes dignity and impedes access to education, social and employment opportunities and can cause lasting physical and psychological harm.

The following are considered unacceptable behaviours between persons, these can be in person or online (including social media). Appendix C provides further detail and examples.

Bullying, harassment and hate crime

The terms bullying and harassment are often used interchangeably.

Abuse and harassment because of hostility towards an individual's (actual or perceived) disability, gender, gender identity, race, religion or belief, or sexual orientation will not be tolerated, and will be treated as a hate crime.

We define harassment based on the legal frameworks provided in the Equality Act 2010 and the Protection from Harassment Act 1997.

- Equality Act 2010, Section 26 - Harassment is defined as unwanted conduct related to a protected characteristic (such as race, gender, disability, etc.) that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for them.
- Protection from Harassment Act 1997, Section 1. This act defines harassment more broadly as a pattern of behaviour that causes a person distress or alarm.

These definitions include 'objective' and 'reasonableness' tests: This considers whether a reasonable person, in the same situation, would view the conduct as harassment. This helps to determine if the behaviour could generally be seen as inappropriate or harmful.

Racism

Racism covers unacceptable behaviour in relation to a person's or persons' colour, nationality, ethnic or national origins. Racism can manifest itself through unacceptable language, bullying, harassment or micro-aggressions, that communicate hostile, derogatory or negative attitudes.

Sexual misconduct and domestic abuse

Sexual misconduct covers sexual violence, which includes sexual assault and rape, and sexual harassment, which is unwanted behaviour of a sexual nature.

Domestic abuse is defined as any abusive behaviour or pattern of behaviour between those aged 16 or over who are or have been personally connected to each other.

The University acknowledges that sexual misconduct and domestic abuse can impact on individuals of any gender or sexual orientation. However, we recognise that the vast majority of individuals who experience sexual misconduct and domestic violence are women and the vast majority of those who the reports are against are men. The focus of our preventative actions will take account of this reality. But any complaint will be treated equally regardless of all parties' gender or sexual orientation.

Victimisation

Victimisation occurs when someone is treated badly or faces detriment because they complain about unacceptable behaviour or help someone who has experienced unacceptable behaviour.

Examples of unacceptable behaviour include (and this is not an exhaustive list):

- a. verbal abuse or insulting behaviour;
- b. "jokes" that are misogynist, racist, homophobic or transphobic, or jokes about an individual's age, disability, religion or belief or culture*;

- c. microaggressions, whether intentional or unintentional, that communicate hostile, derogatory or negative attitudes;
- d. unwanted physical contact ranging from touching to serious assault, including unwelcome offers of help and uninvited touching of a disabled person;
- e. unsolicited or unwelcome sexual advances, touching, staring or comments;
- f. requesting, pressuring or inducing a person to grant sexual favours or submit to sexual attentions by the use of threats or inducements;
- g. stalking, for example watching, spying or following a person or forcing contact through any means, including social media;
- h. inappropriate or unwanted questioning related to a person's protected characteristic;
- i. display or circulation of suggestive or abusive material (including graffiti);
- j. bullying, coercive or menacing behaviour;
- k. ridicule or isolation or exclusion of an individual;
- l. deliberately outing a colleague or student in relation to their gender identity or sexual orientation;
- m. inappropriate language or content of emails or postings online or through social media.
- n. Carrying weapons, including replicas
- o. Engagement in terrorism/extremism or with networks linked to terrorism/extremism

*except where this is for legitimate educational reasons to aid learning. The reasons for the use of such material must be clearly discussed and explained to students.

7 Support

The University recognises that unacceptable behaviour can have a significant impact on an individual's self-esteem, confidence or mental health, sense of belonging and student outcomes, especially if unacceptable behaviour is related to their identity, and that some individuals may not feel comfortable reporting. The University is committed to providing support to enable individuals to report concerns. Regardless of whether a reported incident meets the criteria for formal investigation, the University will provide advice and support to all students.

Students can access free support to help them manage their wellbeing and welfare, including support to access external enhanced support services, for example the NHS, hate crime reporting centres, or local specialist services. Students can self-refer for a meeting with a specialist practitioner or visit a drop-in session. More information on the service can be found here - [Wellbeing and Welfare | York St John University \(yorks.ac.uk\)](https://www.yorks.ac.uk/wellbeing-and-welfare).

For general support, including information about what academic accommodations may be possible to students during disciplinary investigations, students can speak to their tutor or course leader, a welfare adviser or someone in the Students' Union. Additional information and guidance is also available via the student section of the University website; <https://www.yorks.ac.uk/students/>

YSJ Report + Support

The Report + Support online platform provides further information about unacceptable behaviours, how to make disclosures and report incidents, and where to seek support internally and outside the University <https://reportandsupport.yorks.ac.uk/>. All reports received will be logged and responded to appropriately. Where disclosures are made anonymously, these will also be reviewed and inform improvements, however it will not always be possible to respond directly.

8 Resolutions

All individuals at the University are responsible for adhering to the principles outlined in this policy.

The University is dedicated to upholding freedom of speech within the law, while challenging any form of abuse, discrimination or harassment. Every member of our community is encouraged to engage in thoughtful discussions on contentious topics, even when these may lead to discomfort, assured of being treated with dignity and respect. Any concerns identified under this procedure will always be taken seriously. The University will take appropriate action in response to inappropriate behaviour by applying the relevant disciplinary procedures. Students can seek resolutions under this policy via the routes set out below. Staff members should refer to the Dignity at Work policy available on the Human Resources area of the University staff intranet.

Police

The University recognises that it is not placed to undertake a criminal investigation but will cooperate fully with any associated police investigation and subsequent legal proceedings. Any behaviour that could be a criminal offence should be raised with the Disciplinary Officer and University Secretary or their nominee who will advise on reporting to the police.

In an emergency or if a person is at risk of immediate harm, individuals should contact emergency services at 999, and University security if on Lord Mayor's Walk campus.

9 Informal Resolution

York St John is committed to dealing with issues raised under this policy effectively, without unreasonable delay and in an atmosphere of shared trust and confidence. Students are encouraged, where possible, to resolve concerns locally.

Where a student believes they are being subjected to treatment which is contrary to this policy, they should seek to address this at the earliest possible stage. Where they feel able and safe to, the student should make clear to the person causing the offence that such behaviour is unacceptable to them, regardless of whether the person is a student or a member of staff.

The person concerned may be unaware that their behaviour is inappropriate and oblivious to any objection to it. Informal resolution gives an opportunity for the individual to be made aware of the impact of their behaviour and adapt it accordingly.

Where a student feels unable to resolve the matter by themselves, they are strongly encouraged to seek advice and support from Wellbeing and Welfare Support, an independent member of staff or the Students' Union. The student can also seek guidance and log their concerns via Report + Support.

To improve our monitoring of breaches of this policy and the University response, instances of informal resolution that the Casework Team are aware of will be logged to identify any themes and trends.

10 Formal Report

If it is not possible to resolve the concern using informal resolution, the complainant feels unable to raise it with the individual causing them concern, or where it is not appropriate, the formal procedure may be invoked.

If a student feels unable to resolve concerns informally, they may proceed to formally reporting their concerns.

Where a student feels that their rights under this policy have been infringed by a staff member, a contractor, or a supplier providing a service on behalf of the University the student can complain under the [University Complaints Procedure](#).

Where a student feels that they are being subjected to harassment, bullying or victimisation by another student of the University a report should be made under the [Student Disciplinary Policy and Procedure](#). Allegations of sexual harassment and sexual misconduct will be dealt with under the [Sexual Harassment and Sexual Misconduct Policy and Procedure](#).

The University will always investigate and respond to formal complaints and reports of misconduct and aim to confirm the outcome for the students concerned. However, in order to comply with data protection regulations, it may not always be possible to provide specific details.

11 Monitoring and Review

The University will monitor and review its performance on an annual basis in relation to its actions to promote dignity and respect and the effectiveness of this policy and associated procedures. An annual report will be provided for Academic Board and then onward to the Board of Governors for approval, assurance and oversight.

12 Good Faith

This policy is intended to promote a consistent approach in handling reports that are made in good faith.

No action will be taken if a report which, following an investigation, proves to be unfounded and is judged to have been made in good faith. If there is evidence that allegations of bullying, harassment or sexual misconduct have been made vexatiously, that false information has been provided or that the person making the report has otherwise acted maliciously, appropriate action may be taken against them under relevant disciplinary procedures.

13 Counter Reports

It is acknowledged that counter-reports of bullying and harassment sometimes arise when a report is made. In the event that a report gives rise to counter-reports, where appropriate, these should be considered at the same time as the original report, as an independent report.

14 Associated Links

<https://reportandsupport.yorks.ac.uk/>

<https://www.yorks.ac.uk/policies-and-documents/equality-and-diversity/>

<https://www.yorks.ac.uk/students/concerns-and-complaints/>

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	<p>Section 4</p> <p>Rewording of the first principle to provide clarification around freedom of speech in light of the Freedom of Speech (Higher Education), Act 2023.</p> <p>Section 5</p> <p>Clarification added on Board of Governors scrutinising the University's duty to promote and protect freedom of speech.</p> <p>Clarification on the responsibilities of the Executive Board and SLT.</p> <p>Section 6</p> <p>Examples updated</p> <p>Section 8</p> <p>Rewording around freedom of speech and how policy applies.</p> <p>Section 10</p> <p>Addition to clarify allegations of sexual harassment and sexual misconduct will be dealt with under the new policy.</p> <p>Appendix A</p> <p>Addition of Sexual Harassment and Sexual Misconduct Policy and Procedure.</p> <p>Appendix C</p> <p>Harassment - Further detail added regarding gender and sex, harassment, and misogyny.</p>	26/06/24	Academic Board
	<p>Section 6</p> <p>Definition of harassment amended to mirror OfS definitions.</p> <p>Section 7</p> <p>Clarification that the university will provide support, even if investigation threshold is not met and advice on the support available.</p>	20/08/24	Executive Board

Appendix A

Relevant policies and procedures

[Acceptable Use of IT services](#)

[Student Disciplinary Policy and Procedure](#)

[Sexual Harassment and Sexual Misconduct Policy and Procedure](#)

[Complaints](#)

[Data Protection](#)

[Dignity at Work](#)

[EDHR Policy Statement](#)

[Fitness to Study](#)

[Freedom of Speech](#)

[Health, Safety and Wellbeing](#)

[Personal Relationships at Work](#)

[Safeguarding](#)

[Social Media \(Acceptable use of IT services\)](#)

[Trans Equality policy](#)

[Whistleblowing](#)

Appendix B

Relevant legislation and guidance

[Criminal Justice Act 2003](#)

[Domestic Abuse Act 2021](#)

[Equality Act 2010](#)

[Human Rights Act 1998](#)

[Malicious Communications Act 1988](#)

[Protection from Harassment Act 1997](#)

[Sexual Offences Act 2003](#)

[OfS Policies and Procedures on preventing and addressing harassment and sexual misconduct](#)

Appendix C

Definitions and Examples

Harassment

The Equality Act defines harassment as “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Relevant protected characteristics in the Equality Act are: age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation. York St John uses the terms ‘gender identity and expression’ for gender reassignment and ‘gender’ for sex.

Sex’ is understood as a spectrum and at YSJ we recognise this spectrum for example it could include intersex, male and female, or other sex identities. However, UK legislation only recognises male and female with a person’s legal sex being determined by a doctor, this is framed as assigned gender at birth this is then recorded on the birth certificate. Gender and Sex are often used interchangeably partly in recognition that much of the inequality between women and men is driven by underlying social and power structures rather than by biology. Although the Equality Act protects people from discrimination because of their sex, other UK legislation (such as the regulations requiring employers to publish their gender pay gap) refers to gender.

Trans individuals are also protected under gender reassignment.

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.

The Protection from Harassment Act 1997 outlines harassment offences as ‘causing alarm or distress’ and ‘putting people in fear of violence’. The behaviour must happen on more than one occasion by the same person or group to be considered harassment; however, it can be different types of behaviour on each occasion.

Harassment under the Equality Act, 2010 and for protected characteristics: For behaviour to qualify as harassment, it must either intend to or actually create an intimidating, hostile, degrading, humiliating, or offensive environment. Whether conduct is considered harassment depends on the recipient’s perception, the context of the incident, and whether it is reasonable to view the conduct as offensive.

Harassment can be in person or online.

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. Different areas in the UK have included misogyny as a hate crime, this includes both of our campuses in York and London. An act which is not an offence may be treated as a **hate incident**.

Microaggressions have been defined as: brief, everyday interactions that send denigrating messages to people of colour because they belong to a racially minoritised group. Compared to more overt forms of racism, racial microaggressions are subtle and insidious, often leaving the victim confused, distressed and frustrated and the perpetrator oblivious of the offense they have caused (Rollock, 2012). Microaggressions may amount to harassment depending on the impact of the individual or they may lead to harassment when repeated or escalated. The concept microaggressions is also used for other marginalised groups such as disabled people (“does he take sugar”).

Racism

We believe that 'race' is a social construct without biological merit that has historically been used to categorise different groups of people based on perceived physical differences, and to justify domination and subordination. In the Equality Act, the term 'race' can mean a person's colour, nationality (including citizenship), ethnic or national origins. Race also refers to ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race. A racial group can be made up of two or more distinct racial groups, for example Black British people, British Asian people, British Jewish people, Romany Gypsies and Irish Travellers.

The Stephen Lawrence Inquiry report (MacPherson)¹ defined racism as "in general terms [consisting] of conduct or words or practices which advantage or disadvantage people because of their colour, culture or ethnic origin. In its more subtle form it is as damaging as in its overt form." In its description of institutional racism, the report states that it can manifest in behaviour "which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people"².

Some religious groups are increasingly racialised, for example Muslims and Sikhs. Unacceptable behaviour against these groups may therefore be regarded as racism.

Examples of racism include:

- refusing to work with someone or deliberately isolating them because of their race, colour, nationality or ethnic origin;
- displaying racially offensive material including graffiti, graphics, slogans or logos that have racial undertones (e.g. t-shirts or mugs);
- racist jokes, banter, insinuations, insults and taunts;
- verbal and physical abuse/attacks on individuals because of their race, colour, nationality or ethnic origin;
- assaults motivated by race, colour, ethnic or national origins; or
- using language that is offensive or derogatory on the basis of race, or making racist remarks to or about a person.

Sexual misconduct and Domestic Abuse

Sexual misconduct

Sexual misconduct covers sexual violence, which includes sexual assault and rape, and sexual harassment, which is unwanted behaviour of a sexual nature which has the same effect as harassment.

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, wolf 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

¹ Available at [4262.pdf \(publishing.service.gov.uk\)](#)

² [Stephen Lawrence Inquiry, 6.4 \(February 1999\)](#)

Domestic Abuse

The Domestic Abuse Act 2021 defines Domestic Abuse as any abusive behaviour or pattern of behaviour between those aged 16 or over who are or have been personally connected to each other.

Behaviour is “abusive” if it consists of any of the following—

- physical or sexual abuse;
- violent or threatening behaviour;
- controlling or coercive behaviour;
- economic abuse (this means any behaviour that has a substantial adverse effect on someone's ability to acquire, use or maintain money or other property, or obtain goods or service);
- psychological, emotional or other abuse; and

it does not matter whether the behaviour consists of a single incident or a course of conduct.

Behaviour may be behaviour from Person A “towards” a person B under the policy despite the fact that it consists of conduct directed at another person (for example, B’s child).

Two people are “personally connected” to each other if any of the following applies—

- a. they are, or have been, married to each other;
- b. they are, or have been, civil partners of each other;
- c. they have agreed to marry one another (whether or not the agreement has been terminated);
- d. they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- e. they are, or have been, in an intimate personal relationship with each other;
- f. they each have, or there has been a time when they each have had, a parental relationship in relation to the same child;
- g. they are relatives.

This definition includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage, and individuals are not confined to one gender or ethnic group.

Stalking

The Protection of Freedoms Act 2012 identifies stalking as a form of harassment. [Suzy Lamplugh Trust](#) defines stalking as ‘*A pattern of fixated and obsessive behaviour which is repeated, persistent, intrusive and causes fear of violence or engenders alarm and distress in the victim*’.

Stalking behaviour can include:

- making unwanted communication
- consistently sending gifts (e.g. flowers)
- damaging property
- physical or sexual assault

Examples of harassment related to protected characteristics

Age

Harassment on the grounds of age may include behaviour based on assumptions about what a person of a particular age can / cannot do, excluding a person from consideration for training or specific activities,

referring to a person's age in an appropriate way etc. It may also include 'jokes' and name-calling and the expression of age-related stereotypes.

Antisemitism

Being Jewish is a protected characteristic in terms of both a race and a religion, and as such are protected against harassment under the Equality Act. On 9 July 2019, the Executive Board agreed to adopt the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism:

"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."

Disability

Examples of inappropriate behaviour towards disabled people include verbal and non-verbal abuse.

Verbal abuse includes use of offensive or patronising language, including 'jokes', asking intimate questions about a person's disability, inappropriate assumptions about a disabled person's social life outside work.

Non-verbal abuse includes assuming people with a physical impairment have a mental impairment, the "does he take sugar" effect of not addressing the person directly, exclusion from social events, and uninvited touching.

Gender

The Equality Act defines 'sex' as either male or female. The University uses the term 'gender' to include people with non-binary identities.

The following examples may constitute sex harassment or sexual harassment.

Requesting, pressuring or inducing a person to grant sexual favours or submit to sexual attentions by the use of threats or inducements arising from positions or duties within the University, including academic assessment or internships.

Unsolicited or unwelcome sexual advances, touching, staring or comments where: the behaviour is repeated or continued after it has been made clear that it is unwelcome; or it is part of a pattern of offensive behaviour by the same person; or an assault is involved.

Sexual 'jokes' or stories, comments on a person's appearance or dress, of a sexually suggestive or offensive character and the display or circulation of sexually suggestive or offensive material.

Gender identity

Gender reassignment or transition is a personal, social, and sometimes medical, process by which a person changes their gender from the sex registered at birth. Anyone who takes these steps, or who is perceived as taking these steps, is protected from discrimination under the Equality Act. An individual does not need to be accessing trans healthcare to be protected. So, for example, a person who was assigned female at birth but who identifies and decides to present as a man without undergoing any medical procedures would be covered. Individuals who identify as non-binary or gender-queer or genderfluid are also protected under the provisions of this Dignity and Respect policy and Trans Equality Policy.

Harassment may also include inappropriate acts motivated by perceptions based on stereotypes of trans people, such as purposefully ignoring someone's preferred pronoun (he/she/they), denying a trans person or

persons access to the appropriate single-sex facilities such as toilets or changing rooms or asking prurient questions about the process of transitioning.

Trans individuals should be free to choose who they tell and when about their transition (planned, ongoing or completed). Some students may be comfortable for some students or lecturers to know and not others and therefore it is not appropriate to assume that others know about a student's trans identity or history. Deliberately outing a colleague or student will also be considered as harassment.

Pregnancy, maternity and parenting

The Equality Act does not offer additional protection against harassment because of pregnancy or maternity. However, individuals who are subject to unacceptable behaviour because of pregnancy, maternity or parenting roles are also protected under the provisions of this Dignity and Respect policy.

Race

See 'racism'.

Religion and belief

In the Equality Act religion or belief can mean any religion, for example an organised religion like Christianity, Judaism, Islam or Buddhism, or a smaller religion like Rastafarianism or Paganism, as long as it has a clear structure and belief system. The Equality Act also covers lack of religion.

Examples of harassment related to religion may include: making remarks about religions generally and their practices or specifically mocking a person's religious beliefs; making unwanted comments on dress; making it unnecessarily difficult for people to conform to their religious beliefs; exacerbating or causing arguments over religious differences between religious groups or people following particular faiths; gossiping/chatting about a person's religious views or beliefs; excluding a person because of their religious views or beliefs, or treating somebody differently because of their views; sectarian views, beliefs and violence; or displaying symbolism and slogans that are offensive or could be interpreted as offensive.

'Belief' means any religious or philosophical belief and includes a lack of particular belief. The courts have developed criteria for a philosophical belief. For a philosophical belief to be protected under the Act it must:

- be genuinely held
- be a belief and not just an opinion or viewpoint based on the present state of information available
- be about a weighty and substantial aspect of human life and behaviour
- attain a certain level of cogency, seriousness, cohesion and importance, and
- be worthy of respect in a democratic society, not incompatible with human dignity and not in conflict with fundamental rights of others. For example, Holocaust denial, or the belief in racial superiority are not protected.

Beliefs such as humanism, pacifism, vegetarianism and the belief in man-made climate change are all protected.

Under the Human Rights Act 1998, the right to manifest a particular religion or belief is qualified, which means that it cannot be used to harm the rights and freedoms of others. In the context of the Equality Act, this means that expressing a belief can be regarded as harassment if it meets the definition.

Sexual orientation

The term 'sexual orientation' in the Equality Act covers a sexual orientation towards persons of the same sex, persons of the opposite sex, or persons of either sex. York St John includes sexual orientation towards persons of a different gender, including non-binary.

Harassment includes behaviour that is offensive, frightening or in any way distressing. It may be intentional bullying which is obvious or violent, but it can also be unintentional, subtle and insidious. It may involve nicknames, teasing, name calling or other behaviour which is not with malicious intent, but which is upsetting. It may be about the individual's sexual orientation (real or perceived) or it may be about the sexual orientation (real or perceived) of those with whom the individual associates. Bi-phobia would include 'banter' about being "greedy" or promiscuous. This could amount to bullying or harassment related to sexual orientation.

Lesbian, gay and bi members of the University community should be in control of who they are out to and when. Some may be comfortable for some individuals to know and not others and therefore it is not appropriate to assume that others know about a student's sexual orientation. Deliberately outing a colleague or student will also be considered as harassment.

Appendix D: Sources of Help and Guidance

Internal Support

If you feel you are being subjected to bullying, harassment, racism or not treated in a manner in keeping with the Student Dignity and Respect Policy, please use any of the following support available:

- Wellbeing and Welfare Support <https://www.yorks.ac.uk/health-and-wellbeing/wellbeing-support/>
- Report+Support <https://reportandsupport.yorks.ac.uk/>
- Your tutor or Course Leader
- A Welfare Adviser email welfareenquiries@yorks.ac.uk or wellbeingenquiries@yorks.ac.uk
- Visit the Student Information Desk
- Speak to someone in the Students' Union <https://ysisu.com/support>
- Contact security by calling 01904 876444 or call/text 07885 201182.

Support Outside the University

The [Report+Support platform](#) and self-help resources via the Wellbeing Support team provide a range of contacts and advice for additional support services.

- The Bullying UK helpline is a useful support organisation, you can ring them on 0808 800 2222, or find advice and resources via Twitter @bullyinguk
- Helplines – it can be helpful to speak to someone on an anonymous basis and the following helplines allow you to do this:
 - Samaritans – 116 123 jo@samaritans.org
 - Nightline – 01904 323735, listening@york.nightline.ac.uk 8pm - 8am during term time
 - Switchboard LGBT+ helpline - 0300 330 0630, chris@switchboard.lgbt, chat online <https://switchboard.lgbt/> 10am – 10pm every day
 - TellMAMA for people who have experienced anti-Muslim hate, racism and discrimination 0800 456 1226, SMS 0115 707 00 07, WhatsApp 0734 184 6086, info@tellmamauk.org, FB and Twitter @TellMamaUK
- IDAS <https://www.idas.org.uk/> is a charity that provides comprehensive support services to all those experiencing or affected by domestic abuse and sexual violence. Services include refuge accommodation, outreach support and access to a free, confidential helpline - 03000 110 110 or email info@idas.org.uk
- SURVIVE <http://survive-northyorks.org.uk/> is another local charity dedicated to supporting survivors of sexual abuse, assault and rape. Their helpline is open Wednesdays 1pm-3.30pm 01904 642830 or email survive@survive-northyorks.org.uk
- If you have been raped or sexually assaulted please consider contacting Bridge House <https://www.bridgehousesarc.org/> on 0330 223 0362 or email bridgehouse.sarc@nhs.net Bridge House is a Sexual Assault Referral Centre providing a dedicated service for anyone who has been raped or sexually assaulted recently or in the past. They offer a safe and welcoming environment and provide emotional and practical support