

University of Birmingham

guildofstudents

ZERO TOLERANCE POLICY

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 are: sexual orientation, race, religion, disability, medical condition, ethnicity or age – 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

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.**

Although not easy to define every circumstance which might count as harassment based on any of the above defining characteristic, here is a **NON-EXHAUSTIVE** list of examples:

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

2.1. Sexual Orientation

- *Unwanted, intentional groping, pinching or smacking of your body.*
- *Any offensive or stereotypical comments based on your sexual orientation.*
- *Unwelcome sexual invitations, innuendos, and offensive gestures.*
- *Having items of your clothing lifted or undone without agreeing.*
- *Outing you with malicious intent.*

2.2. Gender

- *Offensive, stereotypical or belittling comments based on your gender.*
- *Any offensive comments relating to the rejection of gender binaries or the expression of your gender.*
- *Intrusive questions into your gender.*
- *Deliberate and malicious use of proper pronouns.*
- *Sexist/objectifying jokes or comments.*
- *Outing you with malicious intent.*

2.3. Race

- *Offensive remarks or stereotypes about a person's race or culture.*
- *Racial jokes.*
- *Use of gestures that would offend a particular racial or ethnic group.*
- *'Black face' – using makeup to imitate.*

- *Using grouping language in an offensive way.*

2.4. Religion

- *Derogatory comments or stereotypes about an individual based on their religion.*
- *Use of gestures that would offend a particular religious group.*
- *Deliberately defacing religious symbols.*

2.5. 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.*
- *Deliberate patronisation based on your disability.*
- *Deliberately disadvantaging you based on your disability.*
- *Outing you with malicious intent.*

2.6. Ethnicity

- *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.*
- *Derogatory comments about your nationality.*
- *Attempts to satirically imitate your ethnicity.*
- *Use of offensive stereotypes.*

2.7. Age

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

3. 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.

4. Dealing with harassment

4.1. 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.

4.2. 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.

4.3. Dealing with harassment takes three steps:

4.3.1. **Identify behaviour:** Unwanted behaviour relating to one of the defining characteristics.

4.3.2. **Ask the person to stop:** Either yourself or a member of staff (i.e. security) must ask the person to stop. It must be explained to the perpetrator that the Guild has a Zero Tolerance policy towards the behaviour and it should cease immediately.

4.3.3. **Persistence:** If it then continues the person can be asked to leave and the complaint should be documented and reported.

5. How to report an incident of harassment

5.1. Complaints will be dealt with according to the '**Guild membership Discipline and Appeals Policy**'.

5.2. The complaint procedure is outlined under point **3** of the above mentioned policy. Under point **3.2** and **3.3** it states that complaints should be made to the Vice-President (Democracy and Resources)

(VPDR@guild.bham.ac.uk) and the Human Resources and Admin co-ordinator should be copied in (l.clark@guild.bham.ac.uk).

- 5.3. However, if the individual does not feel comfortable speaking to the VPDR then the incident can be reported to the Vice-President (Welfare) (VPW@guild.bham.ac.uk) or any other sabbatical officer, but not more than one of the sabbatical officers.
- 5.4. Whichever route is followed all incidents will be reported to and normally investigated by the Vice-President (Democracy and Resources) as the chair of Membership Disciplinary and Appeals.
- 5.5. Complaints about a **Guild Officer** should be reported to the President (president@guild.bham.ac.uk) or the VPDR, and will be dealt with according to the procedure outlined in the '**Officer Disciplinary Policy**'.
- 5.6. We actively promote the police's online reporting system 'Report It!' (www.report-it.org.uk) where people can report harassment anonymously or not depending on a person's preference.

6. Harassment Elsewhere

- 6.1. 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.
- 6.2. If you experience Harassment anywhere else on campus you can report it to the University via one of their Harassment Advisers which can be found online: <https://intranet.birmingham.ac.uk/hr/index.aspx>
- 6.3. 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. We have no jurisdiction over the wider community or internet.
- 6.4. 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.