

LFA Procedure 3.6

Bullying and Harassment

1. Introduction

All students have the right to study and to feel safe in an environment which is free from harassment and bullying. This procedure aims to give students the confidence to complain, without fear of reprisal or recrimination, in the knowledge that their concerns will be dealt with seriously, appropriately and fairly.

This procedure outlines how we will:

- enable students to identify and understand what harassment and bullying are
- provide a framework for handling complaints of harassment or bullying against students, and
- ensure all incidents are dealt with in a consistent, fair and appropriate manner.

Issues of harassment and/or bullying should ideally be raised promptly and in a timely manner in order that any required action or investigation of such issues can be carried out at the earliest opportunity.

2. Definitions

Bullying and harassment is unwanted behaviour which causes an individual to feel intimidated, degraded, humiliated or offended and it may be persistent behaviour or a single isolated incident. The key is that these actions or comments are viewed as being hostile or intimidating, demeaning and unacceptable to the individual experiencing them, and likely to cause this person alarm or distress.

Bullying can be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power intended to undermine, humiliate, denigrate or injure the recipient.

Harassment is defined as behaviour which causes alarm or distress, or puts people in fear of violence. Harassment may have either the purpose or the effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. If harassment is connected to an individual's (actual or perceived) age, sex, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief or sexual orientation, it is unlawful discrimination under *the Equality Act 2010*.

Bullying and harassment can therefore, be verbal and non-verbal, face to face or online. The following provides examples but it is not an exhaustive list:

- Verbal abuse.
- Insulting behaviour or personal insults.
- Sexist jokes, racist jokes, or jokes about an individual's sexual orientation, gender identity, disability, religion or belief or age.
- Behaviour which incites racial hatred, e.g. wearing racist insignia or badges.
- Offensive written or computer generated material, including the use of social media or email.
- Unreasonable, unfair or offensive behaviour relating to an individual's disabilities or mischievous interference with personal aids or equipment.
- Unwanted physical contact ranging from touching to serious assault.
- Leering and offensive gestures.
- Display or circulation of sexually suggestive or racially abusive material.
- Coercive or menacing behaviour which interferes with dignity and privacy or which undermines an individual's self-confidence.
- Asserting a position of seniority in an aggressive, abusive or offensive manner e.g. inappropriate or derogatory remark in connection with performance of duties/responsibilities.
- Intrusion by pestering, spying or stalking.



- Ridicule, isolation or exclusion from everyday social interaction or activities.

In some instances, harassment and bullying may be potentially considered as sexual misconduct. Please also refer to [LFA's Procedure 3.5 - Sexual Misconduct](#).

Any difficulty in defining harassment or bullying should not deter a student from seeking support or complaining of behaviour which causes them distress. They should also not be deterred because of embarrassment or fear of intimidation.

Reporting Party is the individual bringing forward the complaint,

Responding Party is the individual against whom the complaint is being made.

3. Scope

It is the responsibility of every member of our LFA community to help us achieve an inclusive and supportive environment, free from discrimination and to promote good relations between all people. This covers behaviour on LFA premises, or in the course of LFA activity within or outside LFA whether on-line, on-set, social, cultural, or other.

All students, staff and tutors have a personal responsibility to behave in a way that is not offensive to others and to acknowledge that views and opinions held by others may not always coincide with their own. Such differences of opinion are unlikely to constitute harassment.

Where possible, students, staff and tutors should discourage harassment and bullying by making it clear that they find such behaviour unacceptable.

Students, staff and tutors are responsible for ensuring that their behaviour could not reasonably be considered to constitute bullying or harassment of any individual or group.

The LFA reserves the right to re-direct formal complaints into alternative procedures, as it deems appropriate.

4. Making a complaint about Bullying and Harassment

Where a student considers themselves to be under physical threat or at serious risk of imminent harm, they should always contact the police in the first instance.

Students should raise complaints of harassment or bullying in a timely manner. Unless LFA is notified of incidents of harassment or bullying within a reasonable length of time, the LFA may not be able to adequately investigate or take steps to prevent or eliminate bullying or harassment.

All parties involved should act in good faith to seek a successful resolution of any complaint at as early a stage as possible.

All parties will be treated fairly, consistently and with respect.

A student raising a complaint under this procedure has the right to have the complaint investigated and handled appropriately by LFA and meetings, decisions and confirmation of decisions will not be unreasonably delayed.

The individual or individuals against whom a complaint is made shall have the right to respond to any allegations made against them.



All parties involved in the investigation process should submit any and all relevant evidence at the time of the investigation. All evidence submitted will be shared with the Reporting Party, Responding Party, Investigator/s and case manager.

Attempts should be made to resolve each complaint informally. However, the LFA recognises that this may not always be possible or desirable and individuals have the right to request that their complaint is taken straight to a formal stage.

Use of a third party to help resolve the problem, whether internal or external, may be considered where deemed to be appropriate by LFA.

A complaint determined by LFA to be malicious, demonstrably false or vexatious may give rise to disciplinary proceedings against the Reporting Party.

4.1 Informal Stage

The Reporting Party should discuss any incident of harassment or bullying with a trusted fellow student or LFA Course Teams/Personal Tutor – see section 7 below on support available. The Reporting Party should keep a note of the details of any relevant incidents which cause offence, including dates, times and the names of any witnesses; and any relevant emails, notes etc.

In some less serious cases speaking to, or writing a letter to, the person concerned to let them know their behaviour is unacceptable, can be sufficient to remedy the situation and prevent any repeat of the unacceptable behaviour. For example: “I think your behaviour/remark is offensive and I want you to stop.” A copy of any such correspondence should always be kept.

Often a person approached in this way may not have been aware that their actions have been perceived as bullying or harassment and thus stop the behaviour without the need for further action. Where the behaviour continues or if the behaviour is of a more serious nature, a student may consider a more formal approach necessary.

4.2 Formal Stage One

Where appropriate, a Reporting Party should speak or write to the relevant Course Team or Head of Courses (hoc@londonfilmacademy.com) and include the following details

- Reporting Party's contact details and student number
- a summary of the incident or incidents and how or why they believe have been harassed or bullied
- any witnesses who have consented to being interviewed
- the desired outcome sought by the Reporting Party.

Students can request that these staff speak on their behalf to the person concerned in accordance with the Informal Stage.

In the event that these steps fail to resolve the matter the student may request an investigation to be carried out by the Head of Courses (hoc@londonfilmacademy.com) who will meet with the individual against whom the complaint is made to advise them of the allegations and invite their response.

If appropriate, it may be advised that a meeting be held with both parties with the aim of facilitating a discussion and reaching a resolution. This may include the use of trained mediators where appropriate.



The outcome of a Formal Stage One complaint process may conclude:

- Complaint not founded;
- Situation mutually resolved; or
- Complaint founded.

Where a complaint is deemed by LFA to be founded, but LFA considers action short of formal disciplinary action to be appropriate in order to reach a suitable resolution, LFA may request either or both of the following:

- The person against whom the complaint was made to offer a written apology to the student; and/or
- The person against whom the complaint was made to undertake training or personal counselling to ensure repeats of such behaviour shall not occur in the future.

4.3 Formal Stage Two

If it is determined by LFA that the Informal stage or stage one formal has not resolved the situation, or if in the circumstances an investigation under Stage One has been deemed by LFA not to be appropriate then LFA will conduct a formal investigation that may lead to disciplinary action.

Formal investigations are received and reviewed by the Disciplinary Committee and must include a summary of what discussions have taken place and the reasons why the previous actions to date have been unsatisfactory and the desired outcome sought by Reporting Party.

LFA will then carry out a separate investigation. This may involve re-interviewing the Reporting Party and others directly involved including the Responding Party. Interview notices will be made in writing in advance. Students are entitled to bring someone with them to any meetings held to discuss the complaint. This person, referred to as a 'friend', should be a member of LFA (e.g. a fellow student or course deliverer) and/or a parent/guardian (if the student is under 18 years old).

Following investigation, a full response should normally be expected within 20 working days from the receipt of the complaint form. Where this is not the case the student should be informed of an alternative timescale. Any recommended remedies will be implemented by the department concerned as soon as possible, and written confirmation of action taken will be sent to the Head of Courses. LFA will need to keep records of complaints and their investigation and will monitor the information relating to complaints to allow LFA to improve its services. Complaints will be logged and monitored. The complaint record will be separate from the student academic record.

4.4 Stage Three Appeal

If, at the end of the process, the student is still unhappy with LFA's actions, they may appeal in writing to the Academic Board or their nominated representative by email (appeals@londonfilmacademy.com). The student should expect to receive an outcome within 20 working days of the complaint being reviewed. If resolution of a complaint has failed internally, BA and MA students ONLY may submit a formal complaint to the University of Derby. For full details, please refer to the [University of Derby's Complaints Procedure](#).

At the end of this process a Completion of Procedures (COP) Letter is issued to the student. This letter lets the student know they have reached the end of the LFA or UoD's internal process and there is no further avenue for the student internally.



5. Office of the Independent Adjudicator (OIA)

If students remain dissatisfied with the final outcome and all above are complete, they may request an independent review of their case by the Office of the Independent Adjudicator for Higher Education:

Office of the Independent Adjudicator
Second Floor Abbey Gate, 57-75 Kings Road, Reading RG1 3AB
Telephone: 01189 599813, Email: enquiries@oiahe.org.uk, Website: www.oiahe.org.uk

Normally a student cannot complain to OIA without a COP letter.

6. Confidentiality

Throughout all proceedings, the LFA will act in compliance with the *General Data Protection Regulation (GDPR) and Data Protection Act 2018*.

The LFA will only share information internally and may share with the relevant validating partner, or externally to the LFA with the reporting party's express permission or in exceptional circumstances to –

- safeguard members of the LFA and validating partner community and fulfil the LFA's duty of care
- discharge the LFA's duties or as required by law

Any disclosure of information will be restricted to relevant information and conveyed only to those entitled to it for justifiable reasons.

The LFA will retain anonymised data to understand patterns of behaviour and to inform future support services, policy and procedures.

7. Support available

There is a wide range of support services and resources available to LFA community members:

- LFA Safeguarding Lead - safeguarding@londonfilmacademy.com
- LFA Head of Academic Governance - hoag@londonfilmacademy.com
- LFA Head of Courses – hoc@londonfilmacademy.com
- Togetherall - a safe, online community where people support each other anonymously to improve mental health and wellbeing <https://togetherall.com/en-gb/>
- National Bullying Helpline - Information and advice for anyone dealing with bullying <https://www.nationalbullyinghelpline.co.uk/>
- ScreenSkills course designed to help you recognise and address harassment and bullying behaviours in yourself and others. <https://www.screenskills.com/online-learning/learning-modules/tackling-harassment-and-bullying-at-work/>
- University of Derby Union of Students Advice Service: 01332 591507 or advice@derbyunion.co.uk
- Office for Students - <https://www.officeforstudents.org.uk/for-students/student-rights-and-welfare/harassment-hate-and-sexual-misconduct/>

