



POPE'S COLLEGE (AUTONOMOUS)
Sawyerpuram -628 251
(Re-accredited with "A" Grade with CGPA of 3.28)



ANTI-HARASSMENT POLICY

The college is committed to equal opportunities and to providing an environment in which all Faculties, staff, and students are treated with dignity and respect and in which they can work and study free from any type of discrimination, harassment, or victimization. All members of the College are responsible for upholding this policy and should act under the policy guidance in the course of their day-to-day work. Offensive behavior will not be tolerated. Harassment is a serious offence which is punishable under the College's disciplinary procedures.

This Policy, and the Code of Practice which accompanies it, apply to the academic and office staff of the College, and all others for whom the College is responsible. References to 'Academic staff' include principal, Full time and Part-time teachers, and Guest lecturers, who teach the students of the College.

The College is committed to making all staff and students aware of this policy and the accompanying guidance and to providing effective guidance and briefing on it. The College takes steps to ensure that both the policy and guidance are fully understood and implemented. The policy and guidance will be brought to the attention of all staff and students and are available on the College website.

Management of the College and all including students who fall into these categories, have specific responsibilities. These include setting a good personal example, making it clear that harassment will not be tolerated, being familiar with, explaining, and offering guidance on this policy and the consequences of breaching it, investigating reports of harassment, taking corrective action if appropriate, and ensuring that victimisation does not occur as a result of a complaint.

Definition of Harassment

Harassment is unwanted conduct on the grounds of sex, marital status, gender reassignment, race, disability, religion/belief, sexual orientation, or age that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment.

Harassment on grounds of sex, race, religion, disability, sexual orientation or age may amount to unlawful discrimination. Harassment may also breach other legislation and may in some circumstances be a criminal offence. Harassment may occur through the use of internet, email, or telephone.

The other person's motives are not the main factor in deciding if behaviour amounts to harassment. Just because certain behaviour may be acceptable to the alleged harasser or another person does not mean it is not harassment. Being under the influence of alcohol or otherwise intoxicated will not be admitted as an excuse for harassment, and may be regarded as an aggravating feature. Bullying may be characterised by offensive, intimidating, malicious, or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. It includes any behaviour which makes someone else feel threatened, frightened, humiliated, or taken advantage of. Some common forms of verbal abuse include verbal abuse; taunting; setting impossible deadlines or objectives; withholding key information or giving false information.

Victimisation occurs specifically when a person is treated less favourably because he/she has asserted his/her rights under this guidance, either in making a complaint or in assisting a complainant in an investigation. The College will protect any member of staff, student, or visitor from victimisation for bringing a complaint or assisting in an investigation.

Victimisation is a form of misconduct which may itself result in a disciplinary process, regardless of the outcome of the original complaint of harassment.

Sexual harassment has been characterised as a particularly degrading and unacceptable form

of treatment, and is unacceptable to the College, as well as unlawful, such that a victim may bring legal proceedings. If the conduct amounts to assault it may also constitute a criminal offence. All those to whom this Policy and the accompanying Code of Practice apply are under a duty not to engage in sexual harassment. Complaints that sexual harassment has occurred between persons to whom this Policy and the accompanying Code of Practice apply will be taken seriously by the College, and where appropriate may result in disciplinary proceedings. The College will monitor the incidence of sexual harassment in the College, and the resolution of complaints, by means of an annual statistical report to Governing Body from the appointed Advisors.

Sexual harassment is a form of sex discrimination. Direct sex discrimination is less favourable treatment on the grounds of sex. Sexual harassment is direct sex discrimination by way of uninvited conduct based on the sex of the recipient which is intimidating, hostile or offensive to the recipient. It can include harassment which has not been directed at them specifically, but that they have witnessed and which violated their dignity. It may include unwelcome behaviour of a sexual nature which the recipient finds intimidating, hostile or offensive, ranging from unwelcome sexual advances, unpleasant or denigratory remarks, to the display of offensive material of an explicitly sexual nature. Such conduct may be physical, verbal or nonverbal. An aggravating feature of some cases of sexual harassment may be the abuse of a position of authority or trust. In general, the starting point for the determination of what is intimidating, hostile or offensive to the recipient will be the perceptions of the recipient of the alleged conduct. The College's policy dictates that the provisions of the Sex Discrimination Act and the Equality Act cover homosexual as well as heterosexual harassment.

Reasonable and proper management instructions administered in a fair and proper way, or reasonable and proper review of a member of staff's or a student's work and/or performance will not constitute harassment. Behaviour will not amount to harassment if the conduct complained of could not reasonably be perceived as offensive.

In summary, examples of behaviour that may constitute harassment are:

- verbal or physical threats;
- insulting, abusive, embarrassing or patronising behaviour or comments;
- offensive gestures, language, rumours, gossip, or jokes;
- humiliating, intimidating, demeaning, and/or persistent criticism;
- open hostility;
- suggestive comments or body language;
- publishing, circulating, or displaying pornographic, racist, sexually suggestive, or otherwise offensive pictures or other materials;
- unwanted physical contact, ranging from an invasion of space to a serious assault

Advice to individuals who may be suffering one or more forms of harassment

Individuals may be unsure whether certain behaviour amounts to harassment. The first step may be to discuss the matter in confidence with a friend or colleague who is familiar with the College setting. Faculties or staff may want to discuss the matter with immediate superiors, College Management or colleagues. Students may want to discuss the matter with the teacher or any other college officials with pastoral responsibilities.

Written Complaints

Format of Complaints

Written complaints may take the form of a letter or memorandum describing the conduct on which the complaint is based. It should include:

the date(s) and place(s) on which the offensive conduct occurred,

the names of any witnesses, and the name of the respondent

any efforts to resolve the complaint and the results of these efforts

if appropriate, the specific outcome the complainant seeks

Filing of Complaints

Students: As noted above, complaints against another student should be filed to the Principal or the Head of the Department.

Employees: Complaints against employees should be filed to the principal.

Notification of Respondent

Within fifteen working days of the receipt of the complaint, the Principal will ask the Harassment committee to investigate the matter. The co-ordinator of the committee will notify the respondent in writing, advise the respondent of the name of the complainant, the nature of the allegations, refer the respondent to this policy, and provide a copy of the complaint. The Harassment Coordinator will receive a copy of this correspondence, and, upon its receipt, will confer with the complainant and the respondent independently to review options for resolution of the complaint

Possible Findings

If harassment is the finding, the Harassment Coordinator will find any prior history of infractions in the institutional memory file. The Harassment Coordinator will then recommend a resolution in writing and deliver the recommendation to the Principal.

The principal will review and accept or reject the Coordinator's recommendation. The decision is ordinarily made within fifteen working days of the receipt of the coordinator's recommendation. The decision will be intimated in writing to the complainant, the respondent, and the Harassment Coordinator. If it is determined that there are insufficient grounds to support the claim of harassment, the parties will be so informed in writing and the complaint will be dismissed.

Hearing Committee

If the Principal decides that the situation is not so grave to forward to the Internal Complaint Committee, the principal will appoint a Harassment Hearing Committee to review the case and, after determining the facts, to make a recommendation.

Composition of Hearing Committee

The Principal will appoint a five-member committee to hear the case. The members will be the Principal, the harassment coordinator, and three members selected from the Governing body members.

Committee Procedures

- The Harassment Coordinator will provide Committee members with copies of the complete policy on Discriminatory Harassment; deliver to the Chairperson of the Hearing Committee a complete set of documents in the case; assist the Chairperson in scheduling a hearing, ordinarily within fourteen (14) days of the request for a hearing; assist the Chairperson in identifying the witnesses whom the complainant and respondent intend to call, and identify other persons who might assist the Committee.

- The hearing will be held, if possible, on consecutive working days and will be closed to persons other than those participating. However, either party may be accompanied by an advisor and/or legal coordinator, with whom he or she may consult, upon request, at reasonable times during the hearing. The intention to be accompanied by legal counsel or an advisor must be communicated to the Chairperson at least two (2) days before the hearing.

Advisors and legal counsel may neither address the Committee nor question witnesses.

- The hearing will begin with the presentation of the complainant's case and be followed by the respondent's response. The Committee will then question both parties and allow the parties to question each other, provided, however, that upon the request of the complainant, the Committee shall establish an alternative questioning procedure if the complainant elects not

to directly confront the respondent

- Witnesses will not be present except during their testimony. Witnesses, beginning with those of the complainant, will relate their knowledge of relevant facts through questions posed both by the Committee and by both parties. Once the Committee is satisfied that all relevant information has been presented, both parties may present summary statements and/or briefs to the Committee
- The Committee will meet privately to determine the facts and the extent to which they constitute discriminatory harassment under a preponderance of evidence standard.

Possible Findings

If the Committee determines that discriminatory harassment has occurred, the will be given access to the record of any prior infractions by the respondent. The Committee will then assess the seriousness of the case based on the severity of the harassment, the extent to which it was a single or repeated incident, and any record of past infractions.

The Committee will communicate its report and recommendation to the Governing Body.

If the Governing Body accepts the report, it will determine and impose the sanctions. Where appropriate, the necessary steps will also be taken to reverse actions which the respondent may have taken in the harassment of the complainant (e.g., restoration of rights or privileges, review of academic or personnel evaluations). The Principal / Teacher-in-Charge will send written notice of the resolution of the complaint to the respondent, within ten (10) working days after the decision of Governing Body.

If it is determined that there are insufficient grounds to support the claim of harassment, the parties will be so informed in writing and the complaint will be dismissed. If it is determined that a claim of harassment is knowingly false, the Hearing Committee will recommend appropriate sanctions to the complainant's area and a notation will be made in the complainant's file.

Procedures for Appeal

Respondent or complainant can appeal to the Governing Body in the following grounds

- the decision lacked a factual basis
- it did not conform to the procedural requirements of this policy
- it was based on bias
- it violated the respondent's academic freedom

A formal appeal must be filed in writing within fourteen (14) working days after the respondent is informed of the decision.

Students: Students may appeal to the Harassment coordinator who will either sustain or reverse the decision, or refer the case back to the Principal/Governing Body.

Faculty: For a sanction other than dismissal, faculty may appeal to the Principal. If the sanction is dismissal by the Principal during the term of a contract, faculty may appeal to the Governing Body.

Non-Teaching Staff: Employees may appeal to the Principal, who will either sustain or reverse the decision, or refer the case back to the Governing Body for further review and resubmission.

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