

Dignity at Work

Policy

1. Introduction and Purpose

- 1.1 The University is committed to maintaining a working environment which is safe, welcoming and inclusive, and where everybody is treated with dignity and respect. Unacceptable behaviour including bullying, harassment, sexual misconduct (which includes sexual harassment), unlawful discrimination or victimisation will not be tolerated.
- 1.2 No member of our University community is expected to tolerate unacceptable behaviour, whether from a member of the University community or by a third party such as a visitor to the University, or a member of the public. Colleagues experiencing any form of unacceptable behaviour have the right to disclose, to be listened to, and to seek support. They are encouraged to raise concerns and seek advice at the earliest opportunity, without fear of repercussion, in order for the situation to be resolved.
- 1.3 All allegations of unacceptable behaviour will be investigated, and if appropriate, action will be taken.
- 1.4 This Policy aims to:
 - set standards for expected conduct and behaviour to ensure dignity at work;
 - give individuals the confidence to report concerns, informally or formally, in the knowledge that their concerns will be taken seriously, and due process followed to investigate the matter(s).

2. Scope

- 2.1 This policy relates to all those directly engaged for work by the University. It also applies to any other individuals who may not be directly employed by the University but work on campus, visitors to the campus and those who interact with our colleagues through the course of their work, including ex-students. All visitors to the University, including contractors and agency staff, are expected to abide by this Policy and those responsible for their presence on campus are expected to take reasonable steps to ensure they do so.
- 2.2 This policy covers dignity in the workplace and in any work-related setting outside the workplace, for example business trips and work-related social events. It covers all areas of the University and its locations, including overseas sites, subject to any applicable local laws.
- 2.3 There is a separate [Dignity and Respect Policy](#) for students which includes the informal and formal options available to students if they perceive they have been discriminated against, harassed, or bullied.

3. Principles

The University is committed to being a place of work and study where everyone is treated with dignity and respect, and where diversity is valued, and inclusion is actively promoted.

This aim is supported by the following principles:

- **Shared understanding** - Everyone knows what is required to contribute to an inclusive and respectful workplace.
- **Prevention** - Unacceptable behaviour is prevented through proactive measures that highlight the impact on individuals and the working environment.
- **Accessible reporting** - All colleagues are encouraged and supported to report concerns through multiple, easily accessible channels.
- **Support for affected individuals** - Anyone affected by unacceptable behaviour has access to appropriate support, including those who witness such behaviour.
- **Responsiveness to concerns** - Reports are received promptly and directed to the appropriate processes for resolution with effective oversight.
- **Transparency and accountability** - Senior leadership is informed of patterns and trends to ensure institutional accountability and demonstrate commitment to a respectful workplace.
- **Continuous improvement** - The workplace environment is continuously improved through regular review of data and feedback.

4. Legislation

- 4.1 Under the Equality Act 2010, the University has a legal obligation to ensure discrimination or harassment on the grounds of a protected characteristic does not take place. The 'protected characteristics' outlined in the Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex, and sexual orientation.
- 4.2 The Worker Protection (Amendment of Equality Act 2010) Act 2023 places a proactive duty on the University to take reasonable steps to prevent sexual harassment of colleagues in the workplace whether by another colleague or a third party such as customers, suppliers or members of the public.

5. Roles and Responsibilities

- 5.1 All members of the University community are expected:
- to take personal responsibility for their own behaviour;
 - to treat everyone with respect and dignity;
 - to contribute to preventing unacceptable behaviours, including harassment, bullying or sexual misconduct through adherence to the [University's Values](#) and raising concerns as appropriate;
 - not to discriminate or incite others to behave in discriminatory ways;
 - not to harass, abuse or intimidate others;
 - not to victimise or attempt to victimise anyone who has made a report(s) of bullying, harassment, sexual misconduct or discrimination or provided information on such incidences;
 - to act as soon as they become aware of any instance of bullying, harassment, sexual misconduct or discrimination;
 - to complete training on bullying and harassment and prevention of sexual harassment as part of their mandatory training.
- 5.2 All managers have a duty of care to their teams and are expected:
- to take effective, sensitive and rapid action when incidents of unacceptable behaviour are brought to their attention;

- to eliminate any unacceptable behaviour of which they are or should be aware of as soon as reasonably practicable. Failure to deal with a report of bullying, harassment, sexual misconduct or discrimination can itself amount to misconduct.
- 5.3 Colleagues who may receive disclosures of bullying, harassment or sexual misconduct are expected:
- to provide appropriate support and ensure disclosures are appropriately managed;
 - to be familiar with guidance and complete training as required.
- 5.4 The Director of Human Resources is responsible for ensuring that this Policy is implemented, monitored and regularly reviewed.
- 5.5 The Council of the University is accountable for ensuring that the University complies with all legislative requirements.

6. Recognising Unacceptable Behaviour

- 6.1 Section 6 describes specific behaviours that constitute unacceptable conduct under this policy so they can be identified and recognised. It is not exhaustive. Further details are provided in Appendix 1.

Bullying

- 6.2 Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Discrimination

- 6.3 Unlawful discrimination takes place when an individual is, or a group of people are, treated less favourably than others based on the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity (including treating someone less favourably because they are breastfeeding), race, religion or belief, sex, and/or sexual orientation.
- 6.4 Direct discrimination occurs where someone is treated less favourably because of one of the protected characteristics set above; this can include association with or perception of a particular characteristic.
- 6.5 Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criteria or practice that puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic.

Harassment

- 6.6 Harassment is defined in the Equality Act 2010 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 the individual.'
- 6.7 Bullying or harassment will constitute unlawful discrimination where it relates to one of the protected characteristics, which are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 6.8 Vigorous academic debate, which is characterised as being respectful, encouraging a variety of viewpoints and having the effect of stimulating and encouraging thought and discussion is distinct from bullying and harassment. Expression of views which some may find offensive may also be afforded protection under the University's [Code of Practice on Freedom of Speech](#). Whilst colleagues and students will clearly hold a range of views on a variety of issues, they would be expected to treat all members of the University community with dignity and respect and ensure that the expression of their views is not manifested in such a way that creates an environment that is intimidating, hostile, degrading, humiliating or offensive to others.
- 6.9 All colleagues are expected to carry out their roles in line with the standards expected and in adherence to university policies. For managers this includes managing performance or absence, conducting grievance or disciplinary investigations and managing conflict as necessary. Discharging this role in line with these standards and policies does not constitute bullying or harassment.

Sexual Harassment

- 6.10 Sexual harassment is unwanted conduct which is of a sexual nature. The conduct need not be sexually motivated, only sexual in nature. It includes a wide range of behaviour, such as:
- sexual comments or jokes;
 - displaying sexually graphic pictures, posters or photographs;
 - suggestive looks, staring or leering;
 - making promises in return for sexual favours;
 - sexual gestures;
 - intrusive questions about a person's private or sex life or a person discussing their own sex life;
 - sexual posts or contact on social media;
 - spreading sexual rumours about a person;
 - sending sexually explicit emails or text messages;
 - unwelcome touching, hugging, massaging, or kissing.
- 6.11 Sexual harassment also occurs when a person is treated less favourably because they were pressured into or rejected unwanted conduct.

Sexual Misconduct

- 6.12 Sexual misconduct is a broad term used to encompass a range of behaviours including sexual harassment, non-consensual sexual contact (sexual assault), and non-consensual sexual penetration (rape). Further detailed definition of sexual misconduct can be found in Appendix 1 - Expanded Definitions.
- 6.13 Sexual misconduct can occur between:
- individuals who know each other;
 - individuals who have an established relationship;
 - individuals who have previously engaged in consensual sexual activity;
 - individuals who do not know each other.
- 6.14 Sexual misconduct can be committed by persons of any gender identity and can occur between people of the same or different gender identities.

Victimisation

- 6.15 Victimisation is less favourable treatment of someone who has raised concern, reported or given information about unacceptable behaviour, or who has supported someone else's complaint.

7. Forms of unacceptable behaviour

- 7.1 Section 7 sets out unacceptable behaviour across different settings and platforms. It is not exhaustive.
- 7.2 Unacceptable behaviour can take place via written formats including through electronic communication (such as emails, texts or WhatsApp messages) and social networking (such as Facebook, X and LinkedIn), as well as blogs or articles. All colleagues are expected to comply with the [Social Media Policy](#) and the University's [Email Guidelines](#). Indecent, threatening or offensive electronic communications may be cause for disciplinary action for breach of these policies as well as a cause for disciplinary action for bullying or harassment.
- 7.3 Unacceptable behaviour can also be physical, or verbal. All colleagues are expected to comply with the [Verbal and Physical Abuse \(Violence\) Policy and Procedure](#). Threatening or abusive behaviour including malicious damage to property may be cause for disciplinary action for breach of this policy as well as a cause for disciplinary action for bullying or harassment.
- 7.4 Sexual harassment or misconduct can take place in a work or educational situation:
- during any situation related to work or study, such as at a social event with colleagues, during or outside working hours;
 - against a colleague or other person connected to Royal Holloway outside of campus, including on social media;
 - against anyone outside of a work situation where the incident is relevant to the worker's suitability to carry out the role.
- 7.5 Third party sexual harassment
- Sexual harassment by third parties will not be tolerated, and the University will take steps to prevent it, including via risk assessment. Sexual harassment by third parties should be reported using mechanisms set out in section 8 - Seeking Advice and Reporting Unacceptable Behaviour at the earliest opportunity.
 - Steps will be taken to remedy reports of sexual harassment directed against third parties, including warning them about their behaviour, banning them, reporting criminal acts to the police and sharing information with other University sites and areas.
- 7.6 A single incident can constitute bullying, harassment or sexual misconduct if sufficiently grave.
- 7.7 Unacceptable behaviour can be perpetrated either by a group or an individual.

8. Seeking Advice and Reporting Unacceptable Behaviour

- 8.1 The University recognises the importance of creating an environment where our community knows how to seek advice and report inappropriate behaviour.
- 8.2 Advice about reporting options and support available if you have experienced or witnessed unacceptable behaviour is available from your manager, supervisor, or a colleague from HR. Union members may also seek advice from their respective union.
- 8.3 Concerns should be raised at the earliest opportunity and in some cases, it may be appropriate to seek resolution through dialogue or mediation. This would not preclude raising a formal report if a resolution is not gained.
- 8.4 Behaviour that is in breach of the expectations set out in this Dignity at Work policy must always be reported to ensure patterns of behaviour can be understood and appropriate action taken.
- 8.5 All reports of unacceptable behaviour will be taken seriously, and action taken will be appropriate to the circumstance.
- 8.6 Where there is an immediate danger, Security should be contacted directly by dialling 4444 via teams or +44 (0)1784 443888 from an external line. In addition to using the reporting options below.
- 8.7 The person who makes a report is usually the recipient of the behaviour of concern, but that may not always be the case. A report may be made about an incident of observed unacceptable behaviour that is directed towards someone else. A report may also be made of unacceptable behaviour such as racist or sexist language which, while not directed at them, caused them offence and distress. The complainant should have direct or sufficient knowledge of the behaviour to enable a report to be raised.
- 8.8 The following options are available to report concerns:
- **RH Dignity Voice** - The University's online reporting process for colleagues to disclose incidences of bullying, harassment or sexual misconduct. RH Dignity Voice is available for all types of reports including:
 - witnessed unacceptable behaviour;
 - experienced behaviour;
 - reports involving third parties or visitors.
 - A report can include a name or can be submitted anonymously. Anonymous reporting will not be automatically dismissed however there may be limitations in investigating anonymous reports.
 - Reports submitted through RH Dignity Voice will be triaged, assessed and responded to in line with RH Dignity Voice procedures. Contact with those submitting reports will typically be made within 72 hours (during normal working hours).
 - **Direct Policy Routes** - Concerns can be reported directly through appropriate RHUL policies, including:
 - Personal or group grievances may be raised through the [Grievance Policy](#);
 - Matters of public interest can be raised through the [Whistleblowing Policy](#).

- 8.9 Procedures for investigating and addressing concerns are set out in the policy to which the matter is referred. If a respondent is both a student and a staff member, the University will determine the most appropriate process to investigate and address the concerns. The process chosen by the University in that instance will be the sole process used for the investigation.
- 8.10 If a report raises concerns about a safe environment, it may be deemed necessary to limit or restrict interactions between parties. This may include suspension as allowed for under University policy. Wherever possible, action will focus on enabling working relationships to continue in a positive and acceptable environment.

9. Support Available

- 9.1 Support is available to all members of the University community who are affected by bullying, harassment or sexual misconduct. For colleagues, this support includes:
- confidential support via the [Employee Wellbeing Program](#);
 - advice, guidance and support through any process for the complainant and respondent via Human Resources.
 - Support options, both internal and external to Royal Holloway will be signposted through RH Dignity Voice and on the staff intranet.
- 9.2 The University will not tolerate victimisation of individuals involved in reported incidents, those supporting those involved in reported incidents, or those providing information about a report of bullying, harassment or sexual misconduct. This may result in disciplinary action being taken.

10. Safeguards Against Misuse

- 10.1 Reports that are knowingly false or not made in good faith may result in disciplinary action against the complainant. This includes cases where the intent of the report is found to have been malicious or made to damage another person's reputation or standing without a factual basis.
- 10.2 A report that is not upheld following investigation will not, in itself, be considered to have been made in bad faith.

11. Criminal Offences

- 11.1 Where a report made may constitute a criminal law offence the reporting member of staff will be supported to consider whether they wish to report this to the Police.
- 11.2 The University reserves the right to refer a report directly to the Police if there is a risk to the safety and wellbeing of the reporting member of staff or to members of the University or wider community. In these cases the referral would be discussed with the reporting member(s) of staff.

12. Confidentiality

- 12.1 As far as reasonably practicable, confidentiality will be maintained in relation to matters arising from this policy.

13. Monitoring

- 13.1 All anonymous reports will be monitored to identify any patterns or trends that may require further institutional action.
- 13.2 Available data from RH Dignity Voice, staff surveys, exit interviews and formal disciplinary and grievance cases will be collated and analysed to understand the prevalence and distribution of unacceptable behaviour.
- 13.3 Anonymised reports will be submitted to the Equality, Diversity and Inclusion Committee.
- 13.4 The recognised trade unions will also encourage colleagues to complete monitoring data to enable effective measures to be put in place.

14. Related policies and information

- 14.1 Colleagues may find the information contained within the [Equality, Diversity and Inclusion mandatory training](#) and the [Equality and Diversity intranet pages](#) useful to support this policy. Other related documents include:
- [Grievance Policy and Procedure](#)
 - [Disciplinary Policy and Procedure](#)
 - [Personal Relationships at Work Policy](#)
 - [Code of Practice on Freedom of Speech](#)
 - [Whistleblowing Policy](#)
 - [Verbal and Physical Abuse \(Violence\) Policy and Procedure](#)

15. Policy Schedule

Policy Schedule	
Policy Title	Dignity at Work
Policy Owner	Human Resources
Policy Lead	Head of Organisational Development and Diversity
Consultation with University Unions	UCU, UNITE, GMB
Approving Body	Executive Board
Date of Approval	July 2025
Date of Implementation	July 2025
Date of Equality Impact Assessment (EIA)	25 June 2025
Last Reviewed	
Version Number	12
Review Interval	12 months

Appendix 1: Expanded Definitions

These definitions expand on those provided in section 6 of this Policy.

Bullying

Bullying is offensive, intimidating, malicious, or insulting behaviour that can make a person feel vulnerable, upset, humiliated, undermined or threatened. It can take the form of physical, verbal and non-verbal conduct. Such actions will not be tolerated in any forum, including, but not limited to: the classroom, the laboratory, the office, sporting events, social events, or in cyberspace.

Bullying may include, by way of example, but is not limited to:

- Shouting at, being sarcastic towards, ridiculing or demeaning others;
- Physical or psychological threats;
- Overbearing and intimidating levels of supervision;
- Inappropriate and/or derogatory remarks about someone's performance;
- Abuse of authority or power by those in positions of seniority;
- Deliberately excluding someone from meetings, work opportunities or communications without good reason;
- Ridiculing or demeaning behaviour including displaying inappropriate material that could offend someone in relation to a protected characteristic;
- Spreading malicious rumours or insulting someone particularly on grounds of protected characteristics. The University will also consider acts as bullying that are outside the legal definition of harassment under equality legislation as per item 4.1, above;
- Systematic belittling, intimidation or exclusion;
- Constantly criticising or removing duties and responsibilities without good reason;
- Unfair treatment that discriminates against people with protected characteristics, for example telling racist or homophobic jokes in the office or in student accommodation;
- Misuse of power or position in, for example, line management or supervision directed at colleagues (usually at a lower grade), or senior academics directed at other academic grades including where the other person is a Head of Department;
- Making threats without foundation or inciting others to do so;
- Inappropriate acts towards students/colleagues/visitors including racist, sexist or homophobic behaviours;
- Any other action which harms dignity, safety and well-being.

The following are not acceptable excuses for actions which may harm dignity, safety and well-being:

- a 'clash of personalities';
- it is deemed to be character building;
- it is a manifestation of an individual's 'management' or 'leadership' style;
- it was provoked by the victim.

Bullying does not include:

- managers giving reasonable instructions to colleagues in the course of their employment;
- legitimate, reasonable and constructive criticism of a worker's performance or behaviour;
- University staff giving reasonable instructions to students;
- the expression of a belief which offends, but which belief is afforded protection under the Higher Education (Freedom of Speech) Act 2023, providing that the manifestation of that belief is not bullying in nature.

Harassment

Harassment takes many forms, occurs on a variety of different grounds and can be directed at one person or many people. Harassment is conduct that it is unwanted by the recipient and which the recipient finds offensive or unacceptable. It can include unwelcome physical, verbal or non-verbal conduct and also circulating information or images via e-mail or the internet. Conduct can be harassment even if it was not intended to violate the recipient's dignity if it has that effect.

Unwanted or offensive conduct may need to be considered alongside academic freedom which permits the exploration of controversial topics in the context of teaching or research and in this situation would not normally constitute harassment.

Conduct normally becomes harassment if it persists once it has been made clear that it is regarded by the recipient as offensive, although a single incident may amount to harassment if it is sufficiently serious.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender identity, expression or reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex, or sexual orientation. It may also include victimising someone because they have been willing to challenge harassment. Harassment is unacceptable even if it does not fall within any of these categories. Harassment of a sexual nature will also be dealt with under the definition of sexual misconduct below.

Harassment may include, but is not limited to:

- unwanted physical conduct;
- continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- deliberate and persistent misgendering, where it is done to demean, intimidate, or to exclude;
- outing or threatening to out someone as lesbian, gay, bisexual or any other minoritised sexuality without their consent;
- offensive e-mails, text messages or social media content;
- mocking, mimicking or belittling a person's disability or physical appearance;

- isolation or non-co-operation and exclusion; or
- intrusion by pestering, spying and stalking.

A person may be harassed even if they were not the intended “target”. For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

Harassment does not include the expression of a belief which offends, but which belief is afforded protection under the Higher Education (Freedom of Speech) Act 2023, providing that the manifestation of that belief is not harassing in nature and unlawful.

Microaggressions

Harassment can take the form of microaggressions which have increasingly replaced more overt acts of discrimination. These subtle ‘put-downs’ can be considered ambiguous and thus more difficult to prove.

Microaggressions are defined as brief, everyday interactions that send a denigrating message to a person because they belong to a minoritised or marginalised group. Compared to more overt forms of discrimination and harassment, microaggressions are subtle and insidious, often leaving the victim confused, distressed and frustrated, and the perpetrator potentially oblivious to the offence caused. (Adapted from the Equality and Human Rights Commission’s Report on ‘Tackling racial harassment: Universities challenged.’)

Acts of microaggression are behaviours that are often based on stereotypical assumptions made about minoritised or marginalised people. Microaggressions can be verbal, non-verbal or environmental. Examples of microaggressions include, but are not limited to:

- Use of dismissive comments about foreign accents and command of the English language to question the professional competence of Black and global majority colleagues;
- A cumulative and alienating pattern of repeated slights and insults which are dismissed as victims being ‘oversensitive’, with such incidents viewed as isolated events;
- Offensive comments that are often justified as ‘jokes’ or ‘banter’;
- Being ignored or excluded from conversations or group activities;
- Being exposed to racist, sexist, homophobic or ageist material or displays.

This list is not exhaustive, and all incidents will be dealt with on an individual basis. For more information, please refer to the University’s Guide to Microaggressions at Work.

Sexual misconduct

Sexual misconduct can occur between individuals who know each other, have an established relationship, have previously engaged in consensual sexual activity, and between individuals who do not know each other. Sexual misconduct can be committed by persons of any gender identity and can occur between people of the same or different gender identities.

Prohibited behaviours with regard to sexual misconduct include, but are not limited to:

- Creating a hostile environment/sexually hostile environment;
- Domestic/relationship violence;

- Stalking;
- Invasion of privacy;
- Sexual misconduct including:
 - Non-consensual sexual contact (sexual assault);
 - Non-consensual sexual penetration (rape);
 - Engaging in sexual activity without obtaining effective consent;
 - Coercion;
 - Sexual exploitation.

The following definitions are provided for information and guidance and will be used when any investigation is being undertaken. This list is not intended to be exhaustive, and all incidents will be dealt with on an individual basis.

Coercion

Coercion is forcing another person to act based on fear of harm to self or others. Means of coercion may include, but are not limited to, pressure, threats, emotional/psychological intimidation, or the use, or threatened use of physical force.

Domestic Violence/Relationship violence in intimate relationships

Domestic/relationship violence is defined as actual or threatened psychological or physical violence, intimidation, or other forms of physical or sexual abuse that would cause a reasonable person to fear harm to themselves or to others. For this policy, “intimate relationship” means marriage, domestic partnership, engagement, casual or serious romantic involvement and dating, whether in a current or former relationship.

Effective consent

The definition of consent as defined in the Sexual Offence Act 2003 is agreeing by choice and having the freedom and capacity to make that choice.

When engaging in sexual behaviour of any kind it is important to obtain the informed and effective consent of each partner. Effective consent must be obtained for each instance and each escalation of sexual activity. Obtaining effective consent is the responsibility of all parties involved.

Consent is not effective when:

- there is only silence or passivity;
- the use of intimidation, coercion, threats, force, or violence negates any consent obtained;
- it is obtained from an individual who is incapable of giving consent due to one or more of the following or other reasons:
 - a relevant mental, intellectual, or physical disability;
 - is under the legal age to give consent;
 - is asleep, unconscious, or physically helpless;
 - is incapacitated by alcohol or other drugs.

Consent to sexual activity at one time does not imply consent to the same or other sexual activity at any other time. A person can withdraw consent at any time.

Responsibility for obtaining effective consent

For the purpose of this policy the responsibility for obtaining effective consent is held by all parties involved. Failing to obtain effective consent is a violation of this policy.

Individuals involved in sexual activity assume responsibility for their behaviour and must understand that the use of alcohol or other drugs does not reduce accountability for their actions. When involved in sexual activity the question is whether a sober and reasonable person in the same position should have known whether another person gave, or was able to give, effective consent.

Refusal, lack of consent, or non-consent may be expressed in many ways, verbally or physically. Physical resistance is not necessary to communicate a lack of consent. It is not necessary to resist physically or express verbally to indicate a lack of consent.

Force

Use of force compromises the ability to give effective consent, and may include words, conduct, or appearance. Force includes causing another's intoxication or impairment through the use of drugs or alcohol. Coercion, intimidation, and non-physical threats can all be forms of force.

Hostile environment

A hostile environment is created if conduct undertaken is sufficiently severe, persistent or pervasive to limit the recipient's ability to participate in or benefit from their environment or creates a hostile or abusive environment. This hostile or abusive environment also impact the recipient's ability to give effective consent.

Incapacitation

Incapacitation is the physical and/or mental inability to make informed, rational judgments and decisions. States of incapacitation include sleep and blackouts. Where alcohol or other substances are involved, incapacitation is determined by how the substance impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments.

In evaluating whether a person(s) was incapacitated for purposes of evaluating effective consent, the following will be considered:

- Did the person(s) initiating sexual activity know that their partner(s) was/were incapacitated?

If not,

- would a sober, reasonable person in the same situation have been able to recognise that the partner(s) was/were incapacitated?

If the answer to either of these questions is "yes," effective consent was absent.

For purposes of this policy, incapacitation is a state beyond drunkenness or intoxication. A person is not incapacitated merely because they have been drinking or using drugs.

The standard for incapacitation does not turn on technical or medical definitions, but instead focuses on whether a person has the physical and/or mental ability to make informed, rational judgments and decisions. A person must look for the common and obvious warning signs that show that a partner may be incapacitated or approaching incapacitation. Although every individual may manifest signs of incapacitation differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. A person who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?”, “Do you know how you got here?”, “Do you know what is happening?” and “Do you know who else is here?”

Because the impact of alcohol and other drugs varies from person to person, one should be cautious before engaging in sexual contact or intercourse when either party has been drinking alcohol or using other drugs. The introduction of alcohol or other drugs may create ambiguity for either party as to whether effective consent has been sought or given. If one has doubt about either party’s level of intoxication, the safe thing to do is to forgo all sexual activity.

Invasion of privacy

This includes, but is not limited to, recording, photographing, or transmitting images or other personal aspects, including those of private sexual activity and/or the intimate parts of another person without effective consent; allowing third parties to observe images, including of private sexual acts without effective consent; engaging in voyeurism without effective consent.

Retaliation

Retaliation includes threats, intimidation, reprisals, and/or adverse employment or educational actions against a person based on their report of prohibited conduct or participation in the investigation, report, remedial, or disciplinary processes provided for in this Policy.

Non-consensual sexual penetration (rape)

This is defined as the sexual penetration of any bodily orifice with a body part or other object without effective consent. This could be committed by force, threat, intimidation, coercion, or through exploitation of another’s mental or physical condition (such as lack of consciousness, incapacitation due to drugs or alcohol, age, or disability) of which the respondent was actually aware or which a reasonable person in the respondent’s position should have been aware.

Sexual assault

Non-consensual sexual contact (sexual assault) is defined as any physical contact with another person of a sexual nature without that person’s effective consent. The touching of a person’s intimate parts (such as genitalia, groin, breast, buttocks, mouth, or clothing covering same); touching a person with one’s own intimate parts; or forcing a person to touch another’s intimate parts would be violations of this policy if they occur without effective consent.

Sexual assault is also defined as the sharing of private, sexual materials, either photos or videos, including digital, of another person without their consent and with the purpose of causing embarrassment or distress.

Sexual exploitation

Sexual exploitation is taking sexual advantage of another person and includes, without limitation: indecent exposure; causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over him or her; causing the prostitution of another person; and knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection.

Stalking

Stalking is a course of conduct involving more than one instance of unwanted attention, harassment, unwanted physical or verbal contact, use of threatening words and/or conduct, or any other course of conduct directed at an individual that could be reasonably regarded as alarming or likely to place that individual in fear of harm or injury, including physical, emotional, or psychological harm. Stalking can be undertaken by any means, including social media etc.