

## Malta Business School Harassment Policy

Revision History			
Version Number	Revision Date	Revised by	Summary of changes
Version 0	01-10-2025	CC	Official and formal policy set up.

## **MBS Harassment policy**

### **1. Statement of zero tolerance**

Malta Business School (MBS) upholds a **zero-tolerance stance towards any form of harassment**. Every person within our community: staff members, tutors, and adult learners, deserves to work and study in an environment that is respectful, safe, and free from intimidation or abuse.

Harassment in any form — whether verbal, physical, sexual, racial, psychological, digital or other — undermines trust, damages wellbeing, and erodes the inclusive values upon which our learning community is built. It is not only unethical but also unlawful under national and local legislation.

The School is committed to taking immediate and appropriate action to address all allegations of harassment. Any individual found to have engaged in such behaviour will face disciplinary action, up to and including termination of employment or expulsion from the institution.

### **2. Aims and objectives of the policy**

The aims of this policy are to:

- Promote a culture of dignity, respect, inclusivity and professionalism across the school community.
- Ensure all staff, tutors, and learners understand what constitutes harassment and how to prevent it.
- Provide clear procedures for reporting and addressing incidents of harassment.
- Protect individuals from retaliation or victimisation after reporting harassment.
- Comply with legal and ethical standards relating to equality, fairness, and human rights.

### **3. Declaration of principles**

At MBS we believe that:

- Every person has the right to learn and work in an environment free from harassment.
- Harassment, in any form, is a violation of the dignity and rights of all our learning community.
- All complaints of harassment will be taken seriously, confidentially, and investigated promptly.
- Both complainants and respondents will be treated fairly and respectfully throughout the process.
- The school will provide awareness, and support to prevent harassment and promote a positive culture.
- Retaliation against any individual who raises a concern or assists in an investigation will not be tolerated.
- All the MBS community such as staff members, tutors, stakeholders and adult learners are bound by this policy.
- All the MBS community such as staff members, tutors, stakeholders and adult learners share the responsibility for maintaining a harassment-free environment and must report any observed misconduct.

#### 4. Definition of terms

To ensure clarity, the following terms are defined within the scope of this policy. This is not a full and complete list as other forms of harassment can occur:

- **Harassment:** Unwanted conduct (verbal, non-verbal, physical, or digital) that violates a person's dignity or creates an intimidating, hostile, degrading, or offensive environment.
- **Bullying:** Repeated and intentional behaviour that causes physical, emotional, or psychological harm to another person. It involves an abuse of power and may take the form of verbal abuse, exclusion, intimidation, or physical aggression. Bullying may occur in person or online (cyberbullying – as mentioned below).
- **Intimidation:** Is the act of deliberately making someone feel afraid, pressured, or powerless in order to influence their behaviour or decisions. It can involve threats, aggressive behaviour, or the misuse of authority to create fear or compliance.
- **Intolerance:** Is the unwillingness or refusal to accept views, beliefs, or behaviours that differ from one's own. It often leads to unfair treatment, prejudice, or discrimination against individuals or groups perceived as being different.
- **Discrimination:** Is the unfair or unequal treatment of individuals or groups based on characteristics such as race, gender, age, disability, religion, or other protected attributes, rather than on merit or individual ability.
- **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favours, or other conduct of a sexual nature (verbal or physical), including inappropriate comments, touching, or suggestive gestures.
- **Online Harassment (Cyber Harassment or Cyberbullying):** Use of electronic means (for example on email, social media, and messaging platforms) to intimidate, threaten, stalk, humiliate, or to spread harmful content about another individual.
- **Verbal Harassment:** Offensive, degrading, or insulting remarks, jokes, or language directed at a person based on gender, age, race, disability, or other protected characteristics.
- **Non-Verbal Harassment:** Derogatory gestures, staring, displaying offensive materials, or body language intended to intimidate or demean.
- **Physical Harassment:** Unwanted physical contact, assault, or any form of physical intimidation.
- **Racial Harassment:** Any unwelcome behaviour based on race, ethnicity, colour, nationality, or cultural background that offends, humiliates, or intimidates another person. This includes racial slurs, derogatory remarks, stereotypes, mockery of accents, exclusion, or offensive jokes.
- **Psychological Harassment:** Repeated or sustained behaviour that undermines an individual's self-esteem, confidence, or mental wellbeing. This may include manipulation, exclusion, constant criticism, belittling, intimidation, spreading rumours, or deliberate isolation.
- **Stalking:** Persistent and unwanted attention or following (online or offline) that causes distress, fear, or discomfort.
- **Exploitation:** Often involving a power imbalance (such as a tutor with a learner or a manager with an employee), exploitation can occur when there is the taking of unfair advantage of another person often through intimidation, degradation and abusive use of power. For example, when a tutor pressures a student for favours in exchange for grades (sexual or professional exploitation and harassment); or when a manager assigns personal tasks to staff members beyond professional duties (abuse of authority).
- **Blackmail:** Using threats or coercion to obtain personal, sexual, or professional favours.
- **Victimisation:** Unfair treatment or retaliation against someone who has made or supported a harassment complaint.

## 5. What to do if you are a victim of harassment

If you believe that you are being harassed:

- **Tell the person to stop** — if you feel safe to do so. Clearly state that their behaviour is unwanted and unacceptable.
- **Seek immediate support** — talk to a trusted peer, tutor, or staff member.
- **Document the incidents** — record dates, times, places, witnesses, and descriptions of what occurred.
- **File a formal complaint** — contact the Head of Programmes or the Dean, in confidence, and send your complaint while including as much detail as possible such as:
  - Your name.
  - The name of the alleged harasser.
  - The nature of the alleged harassment.
  - Dates and times when the alleged harassment occurred.
  - Name/s of potential witness/es to the alleged incident.
  - Any action taken by the complainant to stop the alleged harassment.

You are encouraged to report harassment even in the absence of evidence.

- **Avoid isolation** — reach out to support services for emotional or professional guidance such as the National Commission for the Promotion of Equality (NCPE), Victim Support Malta or the Women's Rights Foundation.

Confidentiality will be maintained throughout, and the School will take steps to ensure your safety and wellbeing.

## 6. Procedure following a complaint

When a complaint is received:

- Immediate steps may be taken to separate complainant and alleged harasser.
- An **initial review** will be conducted.
- If appropriate, a **formal investigation** will be initiated.
- The Dean will set up an ad-hoc Investigating Board within five (5) days.
- This Investigations Board will be composed of two full-time employees as nominated by the Dean. Where possible, the constitution of the Board will reflect equal gender balance and representation.
- The complaint will be acknowledged within five (5) working days.
- Both parties (complainant and alleged harasser) will be informed of the process and their rights.

## 7. Investigations

When a formal inquiry needs to be initiated:

- Investigations will be conducted objectively, confidentially, fairly and promptly.
- The Investigations Board may decide to appoint specialist persons as members on the investigations board.
- All persons involved in the investigation will maintain and ensure confidentiality at all times.
- Given the sensitive nature of such investigations, board members should ensure an efficient and expedient investigation process.

- The Investigations Board will gather statements, review evidence, and interview relevant individuals.
- MBS acknowledges that some witnesses may be reluctant to appear before the Investigations Board. In such cases, questions can be asked to the witness in private (in front of only one person and not the entire Board). It is recommended that this person will be one of the two full-time employees as nominated by the Dean.
- Both the complainant and respondent will have an equal opportunity to present their account.
- The Investigations Board will prepare a report outlining findings and recommendations for disciplinary action or resolution.
- If harassment is confirmed, disciplinary procedures will follow.

### 8. Disciplinary hearings

If the investigation concludes that a breach has occurred:

- The matter will proceed to a **disciplinary hearing**.
- Possible outcomes include **formal warnings, suspension, mandatory training, demotion, termination, or expulsion from the School** (for students).
- Both parties will be informed of the decision and their **right to appeal**.
- Appeals against the decision and appeals against the outcomes may be made.
- False or malicious allegations will also result in disciplinary action, which can include dismissal or withdrawal from the programme of studies (for students).

### 9. Conclusion

MBS reaffirms its commitment to maintaining a safe, respectful, and inclusive environment. Harassment in any form will not be tolerated. All members of the school community share the responsibility to uphold the principles of dignity and respect in every interaction.

Inappropriate behaviour can take the form of lots of seemingly small incidents. If you notice inappropriate behaviour from anyone involved with the School we encourage you to take action. It will usually be your choice whether you want us to investigate the incident or not. There might be some cases where we would need to investigate the incident to protect you or other colleagues or other students. If you report an incident anonymously, we will not, usually, be able to investigate. However, this will be very helpful for us to know about what is happening. Your reporting will inform the work we do to make things better.

Together, we will foster a culture of professionalism, empathy, and accountability, ensuring that every staff member, tutor, and learner can work and learn in an environment free from fear or intimidation.

### 10. Related documents

Criminal Code

Equality for Men and Women Act (Chapter 456)

MBS Code of Ethics for Staff and Tutors

MBS Code of Ethics for Learners