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| **Logo  Description automatically generated** | **Equality, Diversity & Inclusion** | **Bullying, Harassment & Sexual Misconduct****Formal Complaint Form**Version: July 2023 |

This is a Formal Complaint Form for making complaints of bullying, harassment and/or sexual misconduct. You are advised to contact the [Dignity & Respect Support Service](https://www.ucd.ie/dignityandrespect/supports/dignityrespectsupportservice/) to seek support and guidance prior to the completion of this form.

There are a range of confidential internal and external supports available to you and you are strongly encouraged to avail of these supports. Details of these supports can be accessed [on the Dignity & Respect website](https://www.ucd.ie/dignityandrespect/).

**Person making complaint (Complainant)**

*The complainant is a person who makes a formal complaint, using this form, that they have been subjected to bullying, harassment and/or sexual misconduct behaviour.*

|  |  |
| --- | --- |
| Name |  |
| Contact No. |  |
| Email |  |
| Student No./Personnel No. (if applicable) |  |
| Programme/School/Unit (if applicable) |  |

**Person against whom complaint is being made (Respondent)**

Please enter any details available to you. *The respondent is a person who is named in a formal complaint as having allegedly carried out the bullying, harassment and/or sexual misconduct behaviour.*

|  |  |
| --- | --- |
| Name |  |
| Email (if known) |  |
| Programme/School/Unit (if applicable) |  |

**Which of the following best describes the situation your report relates to? (Please note that you can tick more than one option)**

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| **Bullying****☐** | Bullying is defined as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work/study and/or in the course of employment/study which could reasonably be regarded as undermining the individual’s right to dignity at the place of work/study.  An isolated incident of the behaviour described in this definition may be an affront to dignity at work but, as a once off incident, is not considered to be bullying. |

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| **Harassment****☐** | Harassment is defined as any form of unwanted conduct related to any of the discriminatory grounds under the Employment Equality Acts which has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment.  Harassment can be a one-off incident. The Formal Investigation Procedures outline a range of informal options and the formal process for resolving issues of a harassment nature. |

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| If harassment, please identify which of the following equality ground(s) you feel this complaint relates to. Please tick as many grounds as you feel are relevant to you. You will find definitions at the end of this document. |
| **☐** Age**☐** Civil Status**☐** Disability**☐** Family Status**☐** Gender  | **☐** Race/Ethnicity (including membership of the traveller community)**☐** Religion**☐** Sexual Orientation**☐** Socio-Economic Status**☐** Don’t know |

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| **Sexual Misconduct****☐** | Sexual Misconduct covers a broad range of inappropriate and unwanted behaviours of a sexual nature including sexual harassment and sexual violence. Sexual misconduct can be committed by a person of any gender and it can occur between people of the same or different genders. It is often gender targeted and perpetrated to demean, diminish, and intimidate. Sexual misconduct may occur between strangers or acquaintances, including people involved, or formerly involved, in an intimate or sexual relationship. |

**Based on your selection above (Bullying, Harassment and/or Sexual Misconduct) what form did the behaviour take? (Please choose all that apply)**

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| **☐** | Verbal |
| **☐** | Physical (In the case of Sexual Misconduct, this can include sexual assault or coercive sexual intercourse) |
| **☐** | Direct written communication (e.g. email, text, message groups, direct messages via social media sites) |
| **☐** | Public written communication via social media sites, e.g. Facebook, Twitter, Instagram |

**Please set out the details of the incident(s) that occurred, as succinctly as possible, from your perspective including any relevant context. This includes what was said and/or done and any other information you wish to include. You may attach relevant information to support your complaint, however this form is the primary means of capturing the details of the complaint.**

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**Bullying and/or Harassment Complaints: Please provide details of any informal actions that may have been taken to help to resolve the issue(s) you have identified, if relevant.**

The Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying (2021) advises that a prompt and informal problem-solving approach offers the best potential for addressing allegations of bullying effectively. It is good practice that all informal resolution avenues should be considered and where appropriate, exhausted before a formal process is instigated. Proceeding to a formal process should not be viewed as automatic as set out in the Code. Please contact the Dignity and Respect Support Colleagues or Dignity and Respect Support Service for further information on informal options available to you for resolving issues of a bullying and/or harassment nature or refer to the Support and Guidance Documents available at [www.ucd.ie/dignityandrespect/](http://www.ucd.ie/dignityandrespect/)

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**Bullying and/or Harassment Complaints: If you have not considered or engaged in informal actions as a means of resolving the issue(s), please outline below if there are there any reasons as to why not?**

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**Complaints of Sexual Misconduct: Please describe any steps taken to resolve the issue(s), noting this may not be appropriate in all instances of Sexual Misconduct.**

Informal resolution refers to the options available to resolve an issue without instigating the formal investigation procedure. The appropriateness of informal interventions in instances of sexual misconduct will depend on the nature of the conduct.  The key principle to be maintained is that individuals reporting allegations of sexual misconduct, with the appropriate supports should be the decision maker around whatever actions should be taken. Possible routes and actions towards informal resolution should be explored when you are engaging with University and/or external supports.

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**The role of the Screening Panel** is to make a **prima facie** decision based on the details presented in the Formal Complaint form that the complaint falls within the scope of the Bullying and Harassment policy and/or the Sexual Misconduct policy. In doing so, the Screening Panel reserves the right to review any alleged incidents as outlined in the Formal Complaint Form under all categories of bullying, harassment or sexual misconduct, including those not selected by the Complainant.

**Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

On completion, this form should be returned to edi@ucd.ie

Further details on the formal complaint process can be found at [www.ucd.ie/dignityandrespect/policies/formalprocess/](http://www.ucd.ie/dignityandrespect/policies/formalprocess/) You can seek assistance when completing the form from the Dignity & Respect Support Service.

This **Formal Complaint Form** should be used to make a formal complaint. Once submitted, the form will be reviewed confidentially by a member of the Equality, Diversity & Inclusion team to ensure it has been completed correctly. Please note the details of the complaint should be included in this form. Additional documents may be included to give greater context to the content in the form, however the main details of the complaint must be included in the form. Once reviewed, the complaint will proceed to the Preliminary Screening process. **Please note:** If the complaint is screened in following the screening process, the complaint will be sent to the respondent.

Each section of the form should be filled out to the best of your ability.

You are only required to fill out one complaint form in the instance that there are multiple types of complaint (i.e., a complaint falling into more than one definition of bullying, harassment, sexual misconduct) against the same respondent and all complaints will be investigated in the same investigation. If there are two or more respondents, you are required to fill out a separate complaint form for each named respondent.

The complaint will normally be acknowledged within 3 working days of receipt of the Complaint Form.

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**The following information is optional and will be recorded for statistical purposes only. This information will not be circulated with your complaint.**

**What is your gender?**

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| --- | --- |
| **☐** | Male |
| **☐** | Female |
| **☐** | Gender non-binary |
| **☐** | Self-Declare: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **☐** | Prefer not to say |

**Did you previously report anonymously through the Report and Support (anonymous reporting) Tool?**

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| **☐** | Yes |
| **☐** | No |
| **☐** | Unaware of this tool |

 **Have you previously contacted the Dignity and Respect Support Service?**

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| --- | --- |
| **☐** | Yes |
| **☐** | No |
| **☐** | Unaware of this Service |

***Equality Grounds Definitions:***

**Gender (including gender identity):** a person’s gender identity including male, female, transgender or non-binary
**Civil status:** a person’s civil status be it single, married, separated, divorced, widowed, civil partnered and formerly civil partnered
**Family status:** being a parent of a person under 18 years or the resident primary carer or parent of a person with a disability
**Socio-economic-status:** a combined economic and sociological measure economic and social position in relation to others, based on the income, education, and occupation of an individual and their family.
**Sexual orientation:** a person’s sexual orientation including gay, lesbian, bisexual and heterosexual
**Religion:** a person’s religious belief, background, outlook, or none
**Age:** a person’s age, this does not apply to a person aged under 16
**Disability:** includes people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions
**Race:** includes race, skin colour, nationality, or ethnic origin **Membership of the Traveller community:** recognised as an ethnic group