

# **ANTI-HARASSMENT AND ANTI-BULLYING POLICY AND PROCEDURES FOR STUDENTS**

**Effective for employees, students, governors and volunteers  
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**Overall responsibility: Principal**

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**Endorsed and approved by Policy and Strategy Group:**

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## Anti-Harassment And Anti-Bullying Policy And Procedures For Students

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# **Anti-Harassment And Anti-Bullying Policy And Procedures For Students**

## **1) Aim of Policy**

The College is committed to valuing diversity and will not tolerate any form of harassment or bullying.

Harassment is unlawful in many cases and individuals may be legally held liable for their actions.

The College is committed to removing all types of discrimination including those based on:

- Gender (including transgender)
- Ethnicity
- Disability or Learning Difficulty
- Sexual Orientation
- Age
- Religion or Beliefs
- Cultural background
- Marital status or family circumstances
- Trade union membership or activity
- other relevant difference

## **2) What is harassment? What is Bullying?**

Harassment can take many forms and is defined as 'Unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading or humiliating environment (DCSF, 2007)

Bullying can be defined as 'The repetitive, intentional hurting of one person by another, where the relationship involves an imbalance of power. Bullying can be carried out physically, verbally, emotionally or through cyberspace' (Anti-Bullying Alliance 2008)

Harassment /bullying may be repetitive or an isolated occurrence against one or more individuals. It is the unwanted nature of the behaviour which distinguishes harassment from friendly behaviour/banter which is welcome and mutual. Harassment/bullying is both deliberate and targeted. It can be undertaken by an individual or by groups of people.

The impact of harassment/bullying on the individual can be damaging both in the short term and the long term.

## **3) Indirect Bullying**

There may be cases where an individual who observes bullying may be

personally offended by the act. This is also a form of bullying and should be reported under the normal policy guidelines.

Harassment/bullying can:

- make the recipient feel upset, threatened, humiliated or vulnerable
- undermine a person's confidence and may cause them stress
- lead to mental health difficulties and in some extreme cases can
- lead to the victim taking their own life.

The most common forms of harassment/bullying are:

|                                 |   |
|---------------------------------|---|
| <b>Physical</b>                 | Unwanted physical contact, assault or gestures, intimidation, aggressive behaviour  |
| <b>Verbal</b>                   | Unwelcome remarks, threats, suggestions and propositions, malicious gossip, jokes and banter, based on any type of discriminatory characteristic  |
| <b>Non-verbal</b>               | Offensive literature or pictures, graffiti and computer imagery, phone text messages, emails, screen savers, isolation or non-co-operation and exclusion from social activities.                      |
| <b>Cyber Bullying</b>           | Offensive, abusive, intimidating or insulting comments via text, social networking sites or any other 'e' contact. Sending or posting offensive or degrading images and videos.                       |
| <b>Prejudice Based Bullying</b> | Homophobic or Trans phobic – verbal or non-verbal offence - including abusive, intimidating or insulting comments, unwanted physical contact, assault or gestures, intimidation, aggressive behaviour |

#### 4) Responsibilities

It is the duty of every member of the College and those visiting the College premises, to take responsibility for their behaviour as harassment/bullying is not acceptable under any circumstances.

Anyone experiencing harassment/bullying has the right to make use of the procedures on harassment/bullying irrespective of the right, which may exist to pursue a grievance through a Court of Law.

If the behaviour is seen as harassment/bullying the perpetrator maybe subject to the College's Behaviour Policy.

The College will ensure that this policy is widely published and its contents made known to all staff, students, contractors and volunteers.

## **5) Supportive Framework**

The College recognises that making a complaint of harassment/bullying can be a distressing experience and that it may be difficult for students to raise these sorts of complaints. However, it is important that students do tell a member of staff within the College, who will take appropriate action. (See Procedure for Dealing with Harassment/bullying below).

Students can access a wider range of support which includes:

- Access to an Academic Coach who will guide and support them
- Support is available to all students as a way of reparation and to improve understanding of the impact of bullying/harassment
- Mental Health and Wellbeing Team
- Student Services Staff/Safeguarding Team
- Student Mentors

Students will be helped to understand the impact of bullying/harassment and to become familiar with the College's policy and procedures through;

Group Tutorials, the Student Intranet (Moodle) and information provided on leaflets/posters across the College sites.

## **6) Staff Guidelines For Dealing With Harassment/ Bullying**

Due to the seriousness with which the College views harassment and bullying both informal and formal reporting procedures have been introduced.

These have been designed to deal with complaints for harassment/bullying in a way that will ensure minimal stress for the complainant, timely resolution for complaints and a degree of flexibility appropriate to individual circumstances.

All allegations of harassment/bullying must be dealt with seriously, promptly and in confidence. Students who feel they have been subject to harassment must be encouraged to use this procedure without fear of victimisation. Retaliation against, or victimisation of, a student for making a complaint is likely to lead to disciplinary action being taken.

At all stages of the procedure, the need to maintain confidentiality will be paramount. Information circulation will be minimised to that which is necessary to ensure a fair investigation and hearing. However it may be necessary to share information on a 'need to know basis' for the wellbeing of persons concerned.

This procedure is separate from the behaviour procedure, which may be used following the results of the investigation under this procedure. Alternatively an

incident may be so serious, or there may be sufficient evidence to proceed straight away with the behaviour procedure.

If the degree of bullying/harassment is so serious then a member of the management team may ask both the perpetrator and the victim to leave the College for the day for a cooling off period. If a longer period of absence is thought necessary an Assistant Principal or member of Executive Management Team will authorise suspension in order to ensure safety of both the victim and the perpetrator.

Both victim and perpetrator will be advised that the victim is free to take legal action and to contact the police independently.

In circumstances where the student/and or staff feel that the victim is not safe, contact should be made with a member of the safeguarding team who may contact the appropriate external agency.

## **7) Informal procedure**

All incidents of bullying/harassment should be addressed speedily and where possible within the informal procedure.

If an incident happens where the student or member of staff thinks it could be harassment or bullying and the victim does not wish for it to happen again, it may be decided to resolve the problem informally. In some cases it may be possible and sufficient to explain clearly to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it is offensive, debilitating and that it impacts negatively on the student's life. The victim needs to make it clear that they want the offensive behaviour to stop.

In circumstances where this strategy proves too difficult for the victim, staff should encourage the victim to seek support from a friend, tutor, counsellor, welfare adviser, youth worker or, employer, if a work-based learner or apprentice. This person can help the victim devise a shared action plan.

If the harassment/bullying is being perpetrated by a student within the College who continues to harass/bully, or, in the event of the victim not wanting to challenge the perpetrator the member of staff who is acting as advocate to the allegation will refer to the curriculum manager of that area to decide how to take it forward. The issue will be taken forward in collaboration with the victim's wishes and suggestions.

It may be appropriate for an curriculum manager to challenge the alleged perpetrator with the allegation and if necessary to ask the perpetrator to leave the premises whilst an investigation takes place. This suspension must be authorised by an Assistant Principal or a designated member of the Executive Management Team. The primary concern is the safety of the alleged victim.

If the Curriculum Manager challenges the alleged perpetrator and they admit to the incident and provide a reason for it, mediation may be suggested as a suitable strategy. Both the victim and perpetrator need to agree to mediation.

Both the perpetrator and victim need to be reassured that any incidents of bullying/harassment will not be tolerated at College.

If the behaviour continues or if it is not appropriate to resolve the problem informally, it should be raised through the College's Formal Procedure.

Circumstances may be such that it may be appropriate to refer directly to the police via the College's Community Police links.

All incidents will be monitored to ensure the situation has been resolved. Curriculum Managers will decide who will carry out the monitoring and devise a suitable action plan with the victim. Perpetrators will often appear to comply so consideration must be given as to whether the intervention has secured lasting change and the victim feels safe.

If the perpetrator is not a College student, the alleged victim should be advised to contact the police, inform their parents/carers or contact any other appropriate support services including counselling, their Personal tutor or any relevant external agency.

## **8) Keeping a record**

Staff need to keep a record of any bullying/harassment incidents which should cover the following aspects:

- Date, time and place of alleged incident(s)
- Name of perpetrator
- Nature of incident
- Feelings of victim
- Perpetrator's response
- Name of any witnesses
- Action taken and whether reported and to whom
- Any correspondence relating to the incident(s) and subsequent action

## **9) Formal procedure**

Where informal methods fail, or serious harassment occurs, the college will invoke its behaviour policy.

Consideration will be given to the immediate separation of the complainant and the alleged harasser. In serious cases the alleged harasser may be suspended by an Assistant Principal or a member of the Executive Management Team.

The victim will be asked to provide a statement to establish full details of what happened. A curriculum manager will then carry out a thorough, impartial and objective investigation as quickly as possible. Those carrying out the investigation will not be connected with the allegation in any way. An investigation will be carried out quickly, sensitively and with due respect for the rights of both the victim and the alleged harasser.

The investigation will involve interviews with the alleged perpetrator and the student making the complaint. The alleged perpetrator will be given full details of the nature of the complaint and will be given the opportunity to respond.

The victim and the alleged harasser will have the right to be accompanied at any interviews. The victim will not be asked to provide details of the allegations repeatedly unless this is essential for the investigation.

Confidentiality will be maintained throughout the investigation. Where it is necessary to interview witnesses the importance of confidentiality will be emphasised to them.

When the investigation has been completed the victim will be informed as to whether their allegation is considered to be well founded.

If the allegation is well founded disciplinary action may be taken against the perpetrator and, depending on the circumstances and the seriousness of the complaint, this may result in exclusion for that person

If the allegation is not well founded, consideration will be given to as to how both parties can continue to study together at the College, and, mediation might be used as a restorative measure .

The College takes these matters very seriously. However, malicious complaints of bullying/harassment can have a serious and detrimental effect upon a member of staff or student. Any unwanted allegation of harassment, made in bad faith, can be deemed potential gross misconduct.

## **10) Bullying as a Safeguarding issue**

Under the Children Act 1989 a bullying incident should be addressed as a Child Protection concern when there is:

‘Reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm’

As such, it will sometimes be appropriate to report bullying incidents to the MASH Team via a member of the safeguarding team.

It is good practice to consider that the alleged perpetrator may be bullying because of problems in her or his life.

## **11) Support for students**



If the victim feels distressed or would just like to be able to talk about what they are going through in an informal way, the Student Services Team can provide support and assistance.

Support can be provided to both the complainant and the alleged harasser. However, different members of the support team will see the victim and the alleged harasser.

## **12) Reviewing and Monitoring of the Procedure**

It is the College's responsibility to review and monitor the progress of the policy and procedure on a three yearly basis and bring about change where necessary.

## **13) Linked Policies & Procedures**

This Policy cross-references with the following documents:

Complaints Procedure

Child Protection: Safeguarding Children & Vulnerable Adults Policy

Behaviour and Disciplinary Policy

Health & Safety Policies and Procedures

E Safety Policy