

Learner Harassment and Bullying Policy

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Content

	Topic	Page
1	Introduction and aims of the policy	3
2	Monitoring and evaluation	3
3	Definitions	3
4	Procedures for reporting Bullying and / or Harassment	5
5	Outcomes	6
Appendix 1	Bullying Report Form	7
Appendix 2	Dealing with bullying flow chart	8

1. Introduction

Burton and South Derbyshire College aims to ensure that learning environments are supportive, where all individuals are treated with courtesy and respect and their contribution to the learning process is valued. The College will not tolerate harassment and bullying in any form and will take firm and decisive action to protect the interests of its learners whenever an incident is identified. Bullying and harassment can have a detrimental effect on all who experience this, however for learners with existing issues and reduced coping strategies, the effects as below may be very much amplified:

- Stress and anxiety
- Absenteeism and low productivity
- Lowered self-esteem and depression
- Health related problems such as digestive upset, insomnia and self-harm
- Trouble with relationships both at college and home due to stress

Aim

This policy outlines behaviour that would be considered inappropriate or unacceptable and provides procedures for the making and hearing of complaints.

The behaviours listed in this policy are not exhaustive, there may be other harassment practices that cause individuals to feel uncomfortable or are unwanted that would be acted upon under this policy. As such, all learners, staff and visitors to Burton and South Derbyshire College will be made aware of this policy.

This policy and procedure are to be used when a learner or member of staff reports bullying or harassment by a learner at the College.

When a learner or member of staff reports bullying or harassment by a member of staff at the College, they are to use the staff 'Harassment and Bullying' policy and procedure which can be found on the College Intranet. Appendix 2 explains the procedure for reporting bullying and harassment.

It is the policy of Burton and South Derbyshire College that:

- All learners are responsible for creating a learning environment free of bullying, threat, harassment and intimidation.
- Any person alleging or being accused of harassment or bullying by a learner will be provided with help and support throughout the process and will be safeguarded against victimisation.
- Harassment and bullying will be addressed by the Learner Disciplinary Policy and Procedures and specified as misconduct and potentially gross misconduct.

2. Monitoring and Evaluation

This policy will be reviewed frequently to reflect changes in practise and legislation and changes to staff designations

3. Definitions

3.1 Bullying

Bullying is treating someone differently because of who they are, not because of anything they have done. It is the persecution of an individual by another person or group of people. Bullying is the wilful, conscious desire to hurt, threaten or frighten someone else. Bullying involves dominance of one person by another, or group of others. The following are common examples of bullying, but not a complete list:

- Intimidation/threatening behaviour
- Any form of physical abuse e.g. punching, kicking
- Verbal abuse – shouting at, insulting, “putting down”
- Psychological abuse – isolating an individual, preventing them from becoming part of a group or involved in certain activities
- Anonymous letters or spreading rumours that are designed to upset
- Demanding money
- Demanding coursework to copy against a person’s will
- Stealing, hiding or damaging belongings e.g. books, clothing bags
- Teasing people about their physical appearance
- Intimidating or threatening emails or text messages

Harassment may be defined as any conduct that is unwanted by the recipient, or any conduct which affects the dignity of any individual, or group of individuals including cases where the recipient is not offended or not present. Harassment may be repetitive, or an isolated occurrence against one or more individual.

Physical Harassment includes unwanted contact (e.g. unnecessary touching), assault or gestures, intimidation or aggressive behaviour.

Verbal Harassment includes unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter which are based on a person’s sex or race or which refer to a person’s age, disability, sexuality, religion or personal experience.

Non-verbal Harassment includes offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion from social activities. Harassment may be related to age, sex, race, disability, religion, nationality or any personal characteristic of the individual(s).

Disability Harassment includes threats, physical or verbal abuse against a person or group because of their disability or jokes, mockery, unwarranted remarks, graffiti or innuendo that offends people on the grounds of their disability.

Racial Harassment includes threats, physical or verbal abuse against a person or group because of colour or ethnicity. Discrimination on the grounds of race, colour or ethnicity, jokes, mockery, unwarranted remarks, graffiti or innuendo which offends people on the grounds of their colour, race or ethnicity.

Religious Harassment includes threats, physical or verbal abuse against a person or group because of their religion or belief, jokes, mockery, unwarranted remarks, graffiti or innuendo that offends people on the grounds of religion or belief.

Gender Harassment includes threats, physical or verbal abuse against a person or group because of their gender. Discrimination on the grounds of gender, jokes, mockery, unwarranted remarks, graffiti or innuendo which offends people on the grounds of their sexual orientation, verbal or physical sexual advances which are coercive or unwelcome, whether they are intended to offend or not.

Sexual Harassment includes the use of stereotypes to demean either sex or derogatory or discriminatory statements and discrimination on the grounds of sexual orientation, jokes, mockery, unwarranted remarks, graffiti or innuendo that offends people on the grounds of their sexual orientation.

Age Harassment includes threats, physical or verbal abuse against a person or group because of age, jokes, mockery, unwarranted remarks, graffiti or innuendo that offends people on the grounds of their age.

Provocative Behaviour includes the wearing of badges, clothing or insignia that may cause offence or display or circulation of offensive material (emails and text) and stereotyping (labelling).

3.2 Prevention of abuse

Developing positive cultures and good practice with vulnerable learners:

- Wherever possible, abuse must be prevented. Creating 'safe care' or support for vulnerable people involves a holistic approach, which centres upon the needs of the cared-for/supported person. It may be that the abused person is not immediately aware that they are being abused or bullied and others may need to speak for them.
- Learners and staff should be alert and feel confident about reporting suspected abuse – preferably to a Safeguarding Officer.
- A good balance should be maintained between confidentiality and positive information sharing.
- If in doubt, initial concerns should be shared with a Progress Coach, Course Leader or Additional Support staff.

3.3 What do I do if I am bullying someone?

Discuss it with your Progress Coach or another member of staff. They will be able to assist you to find the help you need and will welcome the opportunity to help you to improve the way you behave towards others. Learner Services can refer you to an appropriate adviser or counsellor, if so required.

4. Procedure to Report Bullying or Harassment

4.1 The procedure given below will not necessarily be followed in this order, as it is recognised that some incidents are so serious that they will lead to an immediate formal report of the incident. However, the following points provide guidance on the procedure you may follow if you feel you are being harassed or bullied.

- In the first instance ask the person to stop (do not retaliate). If you do not feel you can do this, ask a member of staff to do it. This will make it clear to the bully that their behaviour is unacceptable.
- Keep a log. Make a note of the times, places and nature of unwelcome behaviours you are experiencing. Keep any evidence such as text messages or e-mails.
- Tell somebody about the incident(s) and speak to a Progress Coach or College Safeguarding Officer. The incident(s) should be reported to a member of staff to ensure it is dealt with. If you feel you cannot tell a member of staff, in the first instance, you should tell a friend or a member of your family who could talk to a member of staff on your behalf.
- To ensure the incident is fully investigated. You will need to make a written statement: Learners can be offered support from Learner Services throughout this process.

4.1.1 Complete a Bullying/Harassment Report Form (Appendix 1 on page 7 of this document) Clearly indicate the nature of the incident and detail times/ dates and locations where applicable. If you have difficulty completing the Report Form, your Progress Coach, Course Leader or a member of Learner Services will assist you in this. Submit the completed form to Reception (Feedback staff).

4.1.2 You will receive an acknowledgement of receipt of your Report Form within five working days. We aim to deal with all reports within three weeks but some, especially if they are complex, may take longer. If it is going to take longer than three weeks to deal with your report, we will let you know and keep you informed of progress.

4.2 If a member of College Staff initiates an investigation, they will follow the guidelines as found on page 8 of this document

5. Outcomes

Some forms of harassment are illegal - The Equality Act came into operation on 1 October 2010 and was followed by additional legislation specifically related to public sector organisations in April 2011. The Equality Act brings together more than 166 separate pieces of legislation into one single Act. Combined, these make up an Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Equality Act simplifies, strengthens and harmonises legislation to provide the UK with a united discrimination law which protects individuals from unfair treatment and actively promotes a fair and more equal society.

Following an investigation into the bullying or harassment of a learner, the person initiating the bullying or harassment may have disciplinary action taken against them. Learner and staff disciplinary procedures are available on the Intranet.

If you are unhappy with the response to your report, you can appeal. The request for appeal must be submitted within two weeks of the written response, setting out clearly the basis of dissatisfaction with the findings of the formal investigation. This request should be addressed to: Deputy Principal Corporate Relationships.

Appendix 1

Bullying/Harassment Report Form

We are sorry that you feel that you have been suffering bullying or harassment at the College. The College will not tolerate harassment and bullying in any form and is committed to taking firm and decisive action to protect the interests of learners whenever incidents are identified. We are pleased that you are reporting the incident(s) to us for investigation and staff will fully support you throughout this process. Please complete the form, providing as much detail as possible to enable us to fully investigate the incident(s).

Please note that any report of bullying/harassment will not have any effect on the way the learner is treated or assessed by staff.

Name..... Date of Birth.....

Address

Post Code..... Learner ID Number

Contact telephone number Date of Report.....

Do you consider the nature of this incident to be: Physical Verbal Cyber Hate *(see policy for definitions)*

Please set out clearly the nature and origin of the incident/s. (Please continue overleaf if necessary)

If applicable, please describe any steps you have taken to resolve this situation informally. (Please continue overleaf if necessary)

I declare the information above to be correct and I understand that any false information may lead to disciplinary action

Signature of reporting learner

The information provided on this form will be stored and processed under the GDPR (2018)

Appendix 2

Dealing with Bullying Flowchart

Key

DD = Deputy Director
 SO = Safeguarding Officer
 PC = Progress Coach

