

# ANTI-BULLYING AND HARASSMENT POLICY

## SIXTH FORM COLLEGE



<b>Policy Family</b>	Student Experience
<b>Reference</b>	SFC-20

<b>Responsible Manager</b>	Deputy Principal
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### Aim

The College is committed to creating an environment that is free of harassment, and which protects the dignity of all students, staff and visitors. For the purposes of this policy, harassment is defined as unwanted conduct which intentionally or unintentionally has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment on any grounds will not be tolerated.

The College has a firm commitment to equality and diversity and will not tolerate the bullying or harassment of one member of its community by another. The aim of this policy is to assist all members of the college community to develop a working environment in which bullying and harassment are known to be unacceptable and where individuals have the confidence to complain about harassment and bullying, should they arise in the knowledge that their concerns will be dealt with confidentially, appropriately and fairly.

Observance of this policy is required for all members of staff, volunteers, members of College community and students.

The defining feature of bullying and harassment is behaviour that the recipient perceives to be offensive or intimidating. People can be subjected to personal harassment on a wide variety of grounds (refer to Annex 1). Although the terms 'bullying' and 'harassment' are not synonymous, the guidance in these procedures relates to both issues and the term 'harassment' will be used from this point onwards to encompass both. This can include hidden disabilities such as Autistic Spectrum Conditions (ASC).

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## Scope

This policy applies to all staff, volunteers, members of the College community and students within Stoke-on-Trent Sixth Form College which is a member of the Potteries Educational Trust.

8

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## Policy

### 1. Introduction

Bullying and harassment can take a variety of different forms ranging from repeatedly ignoring someone or subjecting them to unwelcome attention, to intimidation, humiliation, ridicule or offence. More extreme forms of bullying and harassment include physical threats or violence. The use of social media to bully and harass is also covered by this policy. Behaviour that may appear trivial as a single incident can constitute bullying or harassment when repeated, or in the context of the staff/student relationship.

Bullying and harassment may not always be intentional but are always unacceptable, whether intentional or not.

Bullying is the exercise of power over another person through negative acts or behaviour that undermines them personally and/or academically. Bullying can involve threatening, insulting, abusive, disparaging or intimidating behaviour which places inappropriate pressure on the recipient or has the effect of isolating or excluding them. Bullying can take the form of shouting, sarcasm derogatory remarks concerning academic performance or constant criticism. This could be oral, written, electronic or through a social network. Bullying is to be distinguished from reasonable academic debate or the actions of a member of staff making reasonable (but perhaps unpopular) requests of their students.

Annex 1 offers a range of grounds on which people may experience harassment it is important to note that these examples are not exclusive and harassment can also take place on the grounds of a person's age, style of dress or any other characteristic that makes them different from the majority or from the person who harasses them.

### 2. Harassment – General Principles

The over-riding principles in dealing with allegations or concerns of harassment are that they must be taken seriously, considered carefully and addressed speedily and where possible, in confidence.

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Any individual who feels that they are the subject of harassment, either by a student, a member of staff or anyone else with whom they come into contact in the course of their time at the college, may wish to make a note of incidents, dates, times and any witnesses, for future reference. Anyone who considers themselves to have been the subject of harassment has the right to be listened to and to be given informed advice on how the matter may be resolved. There are usually a number of options. Anyone who feels they have been harassed is likely to wish to speak to someone with whom they feel they share something in common. For this reason, they should be able to approach any member of college staff.

If harassment occurs in a group situation, the person in authority within the group has the responsibility to recognise harassment when it occurs and to take timely action to stop it. It is important that it is made clear to the perpetrator that such behaviour is unacceptable to the college and will not be tolerated. Silence or inaction can be seen as collusion and endorsement of such behaviour. If the person in authority is the harasser, others within the group should support the individual being harassed in taking action to report the harassment.

### **3. How will allegations of harassment be dealt with?**

In the event that a student considers that they are experiencing harassment, they have a number of options open to them. They may be able to speak directly to the individual concerned or to write to them expressing their concerns and requesting that the harassing behaviour stop immediately. Alternatively, or subsequently if they achieve no success, they may wish to talk to someone in order to obtain another perspective on the situation and to ensure that someone else knows about it and can take action with them to ensure that it stops. It is envisaged that the large majority of cases will be resolved by such informal procedures, which are described in more detail below, but a final option is to make a complaint.

### **4. Conciliation**

A student who is concerned about harassment should initially discuss the matter with one of the people listed below (referred to later as an 'advisor'):

- Progress Coach
- Progress and Achievement Co-ordinator
- Safeguarding & Support Manager
- Counselling Services
- Any member of staff with whom they feel comfortable

Any advisor who is approached by a student wishing to discuss a potential harassment issue should:

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- Be aware of potential Safeguarding issues and if in doubt, consult with the Safeguarding team.
  - Listen carefully to what they are being told and ensure that they understand the full facts
  - Make brief notes as a summary
- In all cases, staff and students who are aware of any incidence of harassment or bullying should pass on evidence of this to the relevant subject teacher or Progress Coach

## 5. Confidentiality

Confidentiality of any statements taken during these procedures will be used only for the purposes of the investigation and for any disciplinary action that might follow. However, if legal proceedings ensue, the College may be obliged to disclose such statements at that stage.

Having heard the facts about the incident and the context of the action or behaviour that caused concern, there are a number of options available to the advisor to facilitate resolution of the matter. For example:

- The advisor could talk to the alleged harasser to try and resolve the conflict or
- The student who has experienced harassment could be encouraged to talk to the alleged harasser on their own or with a friend, who should be a member of the college, accompanying them. The purpose of the conversation would be to make the perpetrator aware of the way their behaviour has been perceived and ask them not to repeat it or
- The advisor could facilitate a meeting between both parties to give the student the opportunity to talk to the alleged harasser and explain their view of the offending behaviour. Normally, the advisor should not take action following an approach concerning harassment without the agreement of the individual concerned other than to inform the relevant Progress Coach and Safeguarding and Support Manager.

As well as aiming to resolve matters through conciliation, advisors should consider appropriate action to facilitate the restoration of working relationships after the event.

The action outlined above will be appropriate in many cases and will often be sufficient to resolve the matter. If, however, a conciliatory approach does not achieve satisfactory results, or the nature of the incident(s) prompts the person who feels harassed to take a more formal approach, a formal complaint can be made in writing to the Principal.

## **6. Making a complaint**

Formal action may be considered where conciliation proves ineffective, or where a student, a teacher, tutor, friend or relative feels that conciliation is not appropriate. A formal complaint must be registered in writing, as soon as possible after the incident concerned, with the Principal, who will normally delegate an investigation to a relevant Senior Manager. (It is, however, recognised that complaints of this nature may relate to cumulative actions taking place over a period of time.

A formal complaint of harassment should include the nature of the complaint, with reference to dates, times and places (where possible) in relation to a specific incident(s). The names of any witness(es) to the incident(s) should also be included (where possible).

## **7. Malicious or Vexatious Complaints**

Any complainant found to be making malicious or vexatious complaints could be subject to disciplinary action.

## **8. Freedom of Expression**

Whilst it is recognised that the College must provide for freedom of expression, it is essential that a working and learning environment be maintained which is not intimidating. Education requires the communication of the views and/or beliefs of others and, therefore, it is important that the context of such communication is made quite clear.

### **Implementation**

The Anti-bullying and Harassment Policy will be implemented by all staff at the City of Stoke on Trent 6<sup>th</sup> Form College.

### **Communication**

The Anti-bullying and Harassment Policy will be communicated to all members of the College community. A copy of the policy will be published under the Policies and Procedures section on MySFC

### **Monitoring**

All members of the College community are responsible for ensuring this policy is followed across the College. The Deputy Principal and Senior Leaders will monitor the implementation of the policy and regular progress reports will be submitted to the Senior Leadership Team Meeting and other committees across the College as deemed appropriate.

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## Related Documents

Safeguarding Policy  
Complaints Policy  
Student Performance Management Policy

## ANNEX 1

People can be subjected to personal harassment on a wide variety of grounds. These include:

- Sex or gender
  - Sexual orientation
  - Gender reassignment
  - Marital status
  - Race nationality, ethnic origin or skin colour
  - Disability
  - Age
  - Employment status e.g. part-time, fixed term, permanent, self-employed etc.
  - Membership or no membership of a trades union
  - Religious or political beliefs
  - Deeply held personal beliefs
  - Health e.g. AIDS / HIV status etc.
  - Physical characteristics
  - Willingness to challenge harassment – being ridiculed or victimised for raising a complaint.
  - Learning Needs
  - Invisible illness/disability
- Sexual harassment can take the form of ridicule, sexually provocative remarks or jokes, offensive comments about dress or appearance, the display or distribution of sexually explicit material, unwelcome sexual advances or physical contact, demands for sexual favours or assault.
  - Racial harassment is usually, although not exclusively, directed at people from ethnic minorities. It may include jokes about, or gratuitous reference to a person's colour,

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race, religion or nationality. It can also include offensive remarks about dress, culture, or customs which have the effect of ridiculing or undermining an individual or fostering hatred and/or prejudice towards individuals or particular groups.

## **Sexual Harassment**

Sexual harassment is a form of discrimination outlawed by the Equality Act (2010). For the purposes of College Policy, it is defined as unwanted verbal or physical advances, and / or sexually explicit statements that have the effect of creating an intimidating environment. Examples include, but are not limited to:

- lewd comments about physical appearance
- persistent verbal or physical advances of a sexual nature
- the transmission of offensive materials or statements via electronic means or through the post
- images which are sexually explicit in nature that may be deemed offensive
- offensive graffiti
- obscene language
- unwanted physical contact
- offensive jokes or pranks of a sexual nature
- offensive comments of a homo / transphobic nature

Furthermore, harassment of persons on grounds of their actual or perceived sexual orientation will constitute sexual harassment.

**Racial Harassment** Racial harassment is a form of discrimination outlawed by the Equality Act (2010). For the purpose of College policy, it is defined as conduct which is intended to cause, or has the effect of causing, physical or emotional harm or mental distress to a person for reasons of racial, ethnic, religious or national origins or for reasons of colour. Examples might include, but are not limited to:

- insensitive jokes or pranks of a racial, ethnic, religious or national nature
- racist graffiti
- racially abusive language
- offensive images or racist propaganda
- offensive comments about physical racial characteristics or lifestyle
- the transmission of racially offensive materials or statements via electronic means or through the post
- attempts to promote or entrench racist attitudes through the recruitment of students or staff to overtly racist organisations and groups

Harassment of a person on the grounds of their association with a person(s) who belongs to a racial, minority ethnic or religious group will also constitute racial harassment.

### **Bullying**

Bullying is offensive behaviour that humiliates or undermines an individual or group. Bullying can be carried out by an individual or group of individuals. It frequently involves a person in a position of authority bullying a person who is in a more junior position. Bullying is typically unpredictable, irrational and sometimes unseen by others. Examples might include, but are not limited to:

- being shouted at
- being reprimanded in front of others
- repeated statements to an individual or third parties which demean his / her professional status and performance
- repeated gibes in reference to personal traits or appearances, invasion of privacy, or practical jokes causing physical or psychological distress
- persistent pressure to become involved in anti-social or unlawful behaviour

### **Other Forms of Harassment**

- behaviour which makes direct or indirect reference to disability or impairment and this causes discomfort, patronises, insults or offends people with a physical, sensory or mental disability
- extortion or stalking
- any behaviour which the recipient considers to be harassing or bullying

When an alleged case of harassment appears to constitute a criminal act, the aggrieved individual will be advised to contact the appropriate agency, e.g. police.