**ANTI-BULLYING & HARASSMENT POLICY**

**Introduction**

No one should have to put up with being bullied either at work or in college. The following may help clarify what constitutes bullying and how to identify if bullying is taking place and what can be done to stop it.

This policy applies to all students and staff at the College irrespective of their age and whether or not a student is in the care of the College when bullying behaviour occurs. While this policy focuses mainly on the bullying of students by other students, it is recognised that other forms of bullying may occur.

The College maintains a zero-tolerance approach to any form of bullying, whether online and/or in person, including sexual harassment and violence, racist, sexist and homophobic (or any other trans-related phobias) behaviour and abuse. Students and staff are encouraged to report any concerns or issues, however small, to a trusted member of staff and/or the Designated Safeguarding Lead (DSL) so that appropriate and timely action can be taken and relevant support offered. The DSL will always be informed of concerns raised.

CECOS is committed to providing a work environment in which all individuals are treated with respect and dignity. Bullying and harassment will not be tolerated from any person in the workplace.

**Aims**

Through the operation of this policy we aim:

to promote and drive a positive and supportive culture among all students and staff throughout the College; to ensure students and staff are aware that any form or level of bullying will not be tolerated and that all concerns and allegations will be investigated;

to ensure students and staff know what constitutes bullying, the disciplinary measures in place to deal with it and how to report concerns and/or abuse; to create an environment where students and staff feel confident to report concerns and/or abuse knowing they will be taken seriously, supported and that appropriate action will be taken.

**Related policies and documents**

Safeguarding

Equal Opportunities Policy

Student Charter

Student Code of Conduct

Social Media Policy

Widening Participation and Social Inclusion Policy

1. **What is bullying at work?**

Bullying behaviour is always extremely serious, always unacceptable4 and will not be tolerate by the College as it is harmful to the person being bullied, interferes with student/staff rights to enjoy their learning and/or work free from intimidation, and it contrary to the values and culture of CECOS College.

There are many definitions of bullying and harassment. Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying is when someone tries to intimidate another person, often in front of colleagues or other students. It's usually, though not always, done to someone in a less senior position, or someone who is less able or popular. If someone is forced to resign due to bullying they can make a constructive dismissal claim and gain compensation through an Industrial Tribunal.

A person is probably being bullied if, for example, they see themselves as:

* constantly picked on
* humiliated in front of colleagues or other students
* made the focus of sexual or other unkind jokes
* comments on body shape or appearance
* regularly unfairly treated
* physically or verbally abused
* blamed for problems caused by others
* always given too much to do, so that they regularly fail in their work
* regularly threatened with the sack or suspension/exclusion
* unfairly passed over for promotion or denied training/learning opportunities or opportunities to engage in activities.
1. **How can harassment be defined?**

Harassment may be characterised as behaviour which is offensive and ongoing, for example, making sexual comments, or abusing someone's race, religion, disability, physical attributes or sexual orientation.

It's not possible to make a legal claim directly about bullying, but complaints can be made under laws covering discrimination and harassment. **Harassment is unlawful under the Equality Act 2010.**

CECOS considers harassment to be:

* Spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of age, race, sex, disability, sexual orientation and religion or belief)
* Copying memos that are critical about someone to others who do not need to know
* Ridiculing or demeaning someone – picking on them or setting them up to fail
* Exclusion or victimisation
* Unfair treatment
* Overbearing supervision or other misuse of power or position
* Unwelcome sexual advances – touching, standing too close,
* The display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
* Making threats or comments about job security without foundation
* Deliberately undermining a competent worker by overloading and constant criticism
* Posting hurtful, false or offensive messages online about another student or member of staff
* Preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment are not necessarily face to face. They may also occur in written communications, electronic communications including email, phone, social media and automatic supervision methods such as computer recording of downtime from work or the number of calls handled if these are not applied to all workers.

Cyberbullying (online) is an offense under the Malicious Communications Act 1988, section 1, which criminalises cyberbullying where ‘electronic communications are indecent or grossly offensive, convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to the victim’. It also includes, (section 127) ‘electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could also be deemed to be criminal behaviour.’

Cyberbullying that involves taking and distributing indecent images of young people under the age of 18 falls under the Sexual Offences Act 2003. This includes non-consensual sharing of nude and semi-nude images and/or videos.

For further information on what constitutes bullying and harassment within the workplace and your legal rights please refer to the ACAS booklets Bullying and harassment at work – a guide for employees. Both are available from the ACAS website http://www.employment-advice-bureau.co.uk

1. **Recognising bullying**

Anyone may become a victim of bullying. There are a whole range of factors, characteristics and social dynamics that may make someone vulnerable to bullying behaviour, often based on ‘so-called’ difference to the ‘norm’. These include age, physical appearance, nationality, race, gender, sexual orientation, disability, religion and culture. Other factors may include being new to the College, shy, lacking in self-esteem and confidence. Someone may also be a target simply because of an irrational decision by a bully.

Signs that someone is being bullied may include:

* frequently feeling unwell, missing lessons, leaving early and avoiding parts of the College;
* dramatic changes in friend groups or seeming isolated;
* suddenly becoming withdrawn, anxious, lacking in confidence;
* unusually reluctant to participate in class or engage in group work;
* becoming disengaged with their studies and noticeable change in their academic performance;
* uncharacteristic aggressive or disruptive behaviour;
* physical injuries such as unexplained cuts, bruises and rips in
* clothing and equipment;
* belongings getting ‘lost’ or damaged;
* asking to borrow money or stealing (to pay a bully);
* problems with eating and sleeping;
* bullying others;
* self-harm and suicide attempts.
1. **Why bullying may not be reported.**

There are many reasons why a someone who has suffered bullying may be reluctant to report it, for example:

* They fear they will not be believed because the alleged bully is popular; and that reporting will make them less popular;
* They believe the things the bully is saying and doing are too embarrassing to discuss;
* They blame themselves for being bullied;
* They believe there is nothing anyone else can do;
* They are concerned their parents will find out and think less of them;
* They think they should try and toughen up and grow a thicker skin; or
* They plan to avoid contact in order to not deal with the problem, thereby isolating themselves.

There are also reasons why someone who has witnessed or learned of bullying behaviour may not want to make a report. They may be concerned about reporting on others and becoming unpopular; feel it is not their concern; fear being associated with the alleged victim.

Staff also need to be aware that students may not feel ready or know how to tell someone they are being bullied, and may not know that what they are experiencing is in fact bullying.

1. Before taking action

If you think someone is being bullied, it is best to talk it over with a colleague, a tutor or a line manager, because what may seem like bullying might not be. This is particularly the case if this happens to you. For example, you might have more work to do because of a change in the way your organisation is run, or due to changes in course assessment requirements. If you find it difficult to cope, talk to your tutor or supervisor, who might be as concerned as you are. Sometimes all it takes is a change in the way you work to give you time to adjust. If no notice is taken of your concerns, and indeed more work is given in addition, then take advice.

1. **What to do if you're bullied at work or are aware of bullying**

Employers and senior staff in colleges have a 'duty of care' to their students and employees, and this includes dealing with bullying and harassment in a place of learning. There are measures you can take if you are aware of, or a target of bullying and harassment.

1. **Get advice**

Speak to someone about how you might deal with the problem informally. This might be:

* + A tutor, a student services officer, a programme manager or a senior member of staff
	+ An employee representative or someone in the human resources department
	+ Your line-manager, supervisor or head of department.

N.B If the bullying is affecting your health then advice from a doctor should be sought.

1. **Talk to the bully**

The bullying may not be deliberate. If you can, talk to the person in question, who may not realise how their behaviour has been affecting you or others. Work out what to say beforehand. Describe what has been happening and why this is a problem. Stay calm and be polite. If you don't want to talk to them yourself, ask someone else to do so for you.

1. **Keep a written record or diary**

Write down details of every incident and keep copies of any relevant documents.

1. **Making a formal complaint**

This is the next step if you can’t solve the problem informally. To do this you must follow the grievance procedure.

The diagram below provides a summary of steps that can be taken to deal with reported incidents of bullying and harassment. You are free to consult external sources of advice as well as those available to you through the College.



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| --- |
| **Harassment/Bullying Incident Report Form**  |
| Date(s) and approximate time(s): | Room/Location(s):  |
| Person(s) Completing Form:  |  |
|  |  |
| Job title or Course title:  |  |
| Person(s) alleged be initiating the bullying/harassment:  |  |
| Job Title or Course title (if known): |  |
|   |  |
| Person(s) Affected where not the person(s) completing the form: |  |
| Job Title or Course title (if known) |  |
| Type of Harassment Alleged (please indicate): |
| Racial: | Sexual:  | Religious: | Other: |
|  |  |  |  |
| Please indicate all behaviours below that also apply to the incident(s) being reported:  |
| Name Calling  | Stalking | Inappropriate Gesturing | Staring/Leering |
|  |  |  |  |
| Writing/Graffiti | Threatening | Refusing to acknowledge or persistently ignoring | Taunting/Ridiculing |
|  |  |  |  |
| Inappropriate Touching | Demeaning Comments | Stealing | Damaging Property |
|  |  |  |  |
| Pushing or physically shoving | Threatening with a weapon | Intimidating | Demanding money |
|  |  |  |  |
| Other (please give details: |  |
| Describe the Incident:  |
|  |
|  |
| Witnesses present:  |  |
| Physical Evidence:  |  |
|  |
| **Signature:** |  |
| **PLEASE RETURN THIS FORM TO HUMAN RESOURCES OR STUDENT ADMINISTRATION**  |
| **NOTICE: False accusations of bullying or harassment will be subject to appropriate disciplinary action** |

**Version Control**

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| --- | --- | --- | --- | --- | --- |
| No | Date | Changes | Reason | Author | Next Review |
| 1 | 23/09/2014 |  | New Policy | Director | 19/09/15 |
| 2 | 24/09/2015 | Minor changes | Review | Centre Manager | 19/09/16 |
| 3 | 19/09/2016 | Date and version revised | Annual review | Centre Manager | 20/09/17 |
| 4 | 20/09/2017 | Date and version revised | Annual review | Centre Manager | 18/09/18 |
| 5 | 20/09/2019 | Date and version revised | Annual review | Centre Manager | 18/09/20 |
| 6 | 10/11/21 | Updating to reflect QCHE | Bi-annual review | Director of Quality | 10/11/23 |
| 7 | 09/01/23 | Minor updates | Review | Director of Quality | 10/01/24 |
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