

Student Anti Bullying Policy

Subject:	Student Anti Bullying
Date of approval:	February 2015
Effective date:	March 2015
Person responsible:	Director - Learning & Support Services
Approved by:	SMT
For action by:	Student Support
For information to:	All staff and students

POLICY NO. S4/15

1.0 Background and Institutional Context

1.1 All learners at Uxbridge College have the right to study without being subjected to harassment or bullying. Everyone has a duty to discourage all forms of harassment and bullying. This policy aims to ensure that the College environment is free from all forms of harassment or bullying behaviour.

The College is committed to respecting the dignity of all people and promoting the values of integrity and fairness. This forms part of the overall commitment to equality of opportunity and valuing diversity. The College wants to have a diverse learner population in a working environment where all individuals treat each other with respect and consideration. Harassment and bullying can impact on the health, confidence, morale and performance of those affected by it, including anyone who witnesses it. Students must comply with and demonstrate active commitment to this policy. Everyone has a duty to discourage all forms of harassment, bullying and victimisation.

1.2 Aims

The aim of this policy is to ensure, as far as possible, that harassment, bullying and/or victimisation do not occur in the College and that should they occur, there are procedures with specified timescales to deal with them and prevent recurrence.

Any complaints of harassment, bullying and/or victimisation will be taken very seriously and investigated as a matter of urgency and disciplinary action will be taken if any complaint is upheld.

All students should discourage harassment, bullying or victimisation by making it clear that it is unacceptable and supporting people who suffer such treatment. The College is committed to ensuring that any member of staff approached for guidance on the issue of harassment or bullying will act in a supportive and sensitive manner.

We expect:

- Tutors to promote learners' awareness of the procedures for dealing with complaints of harassment or bullying and to seek advice on how to manage allegations of harassment, bullying or victimisation from Student Support, should they need it. They should maintain confidentiality as far as is practically possible and seek to ensure there is no recurrence of harassment, bullying or victimisation after the complaint has been resolved
- All staff to be responsive and supportive
- All members of the College community to respect others regardless of background and to challenge harassment, bullying and intolerance.

1.3 The Legal Position

The College recognises the protection given to its learners by the following legislation:

The Equality Act 2010

The College, as a public body, recognises the duty placed upon it by the above Act to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

Safeguarding Children and Young People

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'. Where this is the case, the College will report their concerns to their local authority children's social care.

Criminal Law

Although bullying in itself is not a specific criminal offence in the UK, it is important to bear in mind that some types of harassing or threatening behaviour – or communications – could be a criminal offence, for example under the Protection from Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986.

If the College feels that an offence may have been committed it will seek assistance from the police. For example, under the Malicious Communications Act 1988, it is an offence for a person to send an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender.

Bullying outside of College premises

The College will discipline students for incidents outside the College premises “to such an extent as is reasonable”. This can relate to any bullying incidents occurring anywhere off the school premises, such as on public transport, outside the local shops, or in a town or village centre.

1.4 Making a complaint

Uxbridge College does not want any student to suffer distress or leave because of harassment, bullying or victimisation by others. However, if a complainant wishes to remain anonymous, it may not be possible to take action against the person causing the distress or offence, although it may be possible to address the complaint through indirect means by drawing attention to this policy and through training.

It is recommended that where possible and appropriate, attempts should be made to resolve the complaint informally. Differences in culture, attitude and experience can mean that what is perceived as harassment, bullying or victimisation by one person might not be seen as such by others. The informal procedures can often resolve matters.

In line with legislation, the College will apply a test of reasonableness by taking all the circumstances into account when an investigation takes place.

1.5 What to do if you feel you have been bullied or harassed by someone:

1.5.1 Individual Action

There are times when people are unaware of the effect their behaviour is having, or has had, on others. Raising the issue personally, at the earliest opportunity, is often enough to make a person realise that what he or she is doing, or has done, has caused distress or offence. This gives the person the opportunity to apologise and undertake not to repeat the behaviour.

1.5.2 Informal Procedure

- a. If it is too difficult to approach the alleged offender individually, support can be sought from a Tutor or Student Support Officer. If appropriate, they will approach the alleged offender and try to explain clearly that the behaviour is not welcome, is unacceptable, is inappropriate or is offensive. They will ask the alleged offender to stop the upsetting actions. This is often enough to stop any further recurrence of the harassment or bullying behaviour.
- b. If telling the person how the victim feels fails to stop the harassment or bullying behaviour, or if this option is unacceptable, then on receipt of the complaint a meeting may be set up with the alleged offender to discuss the allegation informally.
- c. Alternatively, a mediation meeting between the alleged offender and victim can be set up. This meeting will give the opportunity to explain what has happened and how each person feels. Student Support can advise on mediation meetings. No meeting will be set up without the consent of both parties.

1.5.3 Formal Procedure

You should keep a record/diary of the harassment or bullying behaviour including dates, times and the names of any witnesses. This record will become very important should the complaint become more formal.

If the harassment or bullying continues then the College's Disciplinary policy will be used and the tutor and Head of School/Director will decide on either stage 1, 2 or 3 disciplinary hearing.

2. Definition of Harassment

Harassment is behaviour which fails to respect the dignity and rights of others. The most frequent form of harassment is inappropriate comments or jokes. Denying the intention to hurt, mock or humiliate does not excuse the conduct. It may be related to age, sex, race, disability, religion or belief, nationality, sexuality, gender orientation or any personal characteristic of the individual. It may be persistent or a one off incident. The key is that the actions or comments are viewed as: demeaning and unacceptable to the recipient. Harassment creates an intimidating, hostile or humiliating environment.

College staff have a responsibility for ensuring that learners behave and work to an acceptable standard as set out in the Learning Agreement. The appropriate handling of legitimate concerns about a learner's conduct or performance does not constitute harassment.

2.1 Examples of Harassment

Sexual Harassment can be:

- a. Physical conduct ranging from the invasion of personal space and/or inappropriate touching to serious assault
- b. Questions or remarks about a person's sex life
- c. Comments or ridicule on appearance or dress
- d. Unwanted sexual advances
- e. Suggestive looks and gestures
- f. Sexually explicit remarks or innuendoes
- g. Displays or distribution (including electronic) of pornographic or sexually suggestive material, including graffiti, posters or other offensive material.

Pregnancy and maternity harassment can be:

- a. Conduct, verbal, non-verbal or physical, which denigrates a woman because she is pregnant
- b. Stereotypical comments, assumptions and generalisations
- c. Putting a pregnant woman under pressure to conform or prove herself
- d. Deliberate exclusion for reasons related to pregnancy
- e. Penalising a pregnant learner because she missed a coursework deadline
- f. Refusing a place to a potential learner because she is pregnant.

Racial Harassment can be:

- a. Conduct, verbal, non-verbal or physical, which denigrates an individual because of his or her ethnic background
- b. Obscene gestures or jokes about, or gratuitous references to, a person's colour, racial or ethnic origin or nationality
- c. Stereotypical comments, assumptions and generalisations
- d. Putting individuals under pressure to conform or prove themselves
- e. Deliberate exclusion for reasons related to ethnic background

/Contd..

- f. Offensive remarks about dress, culture or customs which have the effect of ridiculing or undermining the individual, or fostering hatred and/or prejudice towards individuals or particular ethnic groups
- g. Inappropriate displays or distribution (including electronic) of posters, photographs, drawings, racist propaganda, flags or emblems or other offensive material.

Disability Harassment can be:

- a. Ignoring, disparaging or ridiculing individuals who have a disability
- b. Denying opportunities because of mistaken assumptions about an individual's capabilities
- c. Stereotypical remarks about people who have disabilities
- d. Unwelcome touching, physical abuse or intimidation
- e. Exclusion from events, conversation or information
- f. Impractical or unfair expectations
- g. Personal remarks, jokes or inappropriate references to an individual's appearance
- h. Uninvited, patronising or derogatory comments.

Harassment on grounds of sexual orientation can be:

- a. Homophobic remarks, gossip or jokes whether spoken or written (including electronic)
- b. Offensive comments relating to a person's sexuality
- c. Threats to disclose a person's sexuality to others
- d. Offensive behaviour/abuse relating to HIV or AIDS status
- e. Intrusive questions about a person's actual or perceived sexuality.

Harassment on the grounds of religious belief can be:

- a. Jokes about items of clothing, religious artefacts religious beliefs or rituals
- b. Displays or distribution (including electronic) of offensive materials
- c. Exclusion from activities without justification
- d. Offensive comments relating to a person's religious belief.

Harassment on the grounds of transexuality can be:

- a. Jokes, name calling, humiliation, gossip, or derogatory remarks
- b. Intrusive questioning related to the transexuality of the individual
- c. Exclusion or being singled out for different treatment.

Harassment on the grounds of age can be:

- a. Jokes or insults about a person's age
- b. Singling a person out for different treatment
- c. Denying opportunities because of mistaken assumptions about an individual's capabilities because of their age.

The above examples are not meant to be an exhaustive list but to give guidance on what can constitute harassment.

2.2 Definition of Bullying

Bullying is persistent, offensive, intimidating, malicious or insulting behaviour which causes the recipient to feel distressed, vulnerable, humiliated or threatened. It can undermine self-confidence, performance and cause stress. The Health and Safety Executive define stress as "the adverse reaction a person has to excessive pressure or other types of demands placed upon

them.” The bully is often trying to divert attention away from their own inadequacies and shortcomings.

Typical examples of bullying behaviour include:

- a. Shouting and/or screaming at people either in public or in private
- b. Open aggression, threats, physical attacks
- c. Persistent, unjustified criticism
- d. Spreading malicious rumours by various means e.g. face to face, behind a person’s back, texts, postings on social websites and emails
- e. Making wild or inaccurate accusations by various means e.g. face to face, behind a person’s back, texts, postings on social websites and emails
- f. Name calling, ridicule or humiliation by various means e.g. face to face, behind a person’s back, texts, postings on social websites and emails.

2.3 Victimisation

Victimisation is unlawful and is a disciplinary offence. The College will not tolerate victimisation against a learner or member of staff because he or she has made, intends to make, a complaint or allegation, or has given, or intends to give, assistance and/or evidence in an investigation. The College will also not tolerate victimisation or discrimination against former learners or members of staff. For example, because a person has made a complaint of disability harassment.

2.4 Cyber-bullying

The rapid development of, and widespread access to, technology has provided a new medium for ‘virtual’ bullying, which can occur in or outside college. Cyber-bullying is a different form of bullying and can happen at all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click.

The resource below has more information on tackling this type of bullying.

Useful links and resources

“Advice on child internet safety 1.0”, UK Council for Child Internet Safety, DfE 2012
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/177099/DFE-00004-2012.pdf

Preventing and tackling bullying Advice for headteachers, staff and governing bodies October 2014, DfE.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/368340/preventing_and_tackling_bullying_october14.pdf