

Name of Policy

Student Anti Bullying and Harassment Policy and Procedures

Policy objectives

To ensure that staff and students are aware that bullying and harassment (including cyber-bullying) will not be tolerated either in or out of College and give guidance on the procedures for dealing with incidents.

Person Responsible for Policy

Rachel Griffiths

Dept

Student Services

Date Policy approved

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**Date of next review
(month & year)**

July 2011

Approved by

SMT

**Related policies or procedures
or parent policy if applicable**

Child & Vulnerable Adult Protection Reporting
Procedures
Safeguarding Policy
IT Student Users Policy (E-Safety)
Student Disciplinary Policy/Procedures
Tutorial Schemes of Work
Single Equality Scheme



Student Anti Bullying and Harassment Policy and Procedures

Introduction

Macclesfield College/LZ6 recognises it has a statutory and moral duty to ensure that the College/LZ6 functions with a view to safeguarding and promoting the welfare of students receiving education and training at Macclesfield College/LZ6.

We are committed to providing a supportive, friendly, safe and positive environment so that students can learn in a secure atmosphere and get the most out of their experience of college life. Bullying of any kind is anti-social behaviour and affects everyone; it is unacceptable and will not be tolerated.

Bullying may be distinguished from other unacceptable forms of aggression in that it involves dominance of one student by another (or a group of others), is usually premeditated and usually forms a pattern of behaviour rather than an isolated incident. Bullying or other forms of harassment can make students' lives unhappy, can hinder academic progress, and can cause truancy or personality changes. In the most extreme cases it can lead students to take their own lives.

Policy

All governors, teaching/training and business support staff have a responsibility to maintain an environment in which all students feel safe and confident to learn.

Bullying/harassment will not be tolerated either in or out of College. Incidents of bullying or cyber-bullying, when identified, must be brought to the attention of appropriate staff depending on the seriousness of the incident, in line with the attached procedures.

The College will encourage an anti-bullying/harassment ethos by

- Teaching about effects of bullying/harassment in tutorial
- Informing students of the College's anti bullying/harassment policy during induction
- Informing staff of the College's anti bullying/harassment policy during staff induction and via CPD

Definition

Bullying/harassment:

- is any deliberate intention to hurt, frighten or intimidate someone
- may involve physical violence, intimidation or emotional threats
- can happen once or can be repeated over a period of time
- makes it difficult for those being bullied to defend themselves.

Cyber-bullying/harassment:

- is bullying via the Internet, interactive and digital technologies or mobile phones. It is where a student is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another through social network sites (Facebook/Bebo/MySpace), text messages, IM's or any other electronic means.

For more in-depth definitions of categories of bullying/harassment see Appendix 1
Procedures

Since incidents of bullying and harassment can vary from teasing and horseplay which are not maliciously intended through to serious violence and intimidation threatening the life or mental health of the recipient, it is important to select the appropriate level of response from the following:

- challenge the behaviour
- mediation
- formal complaint

Challenge the Behaviour

Anyone who believes they are being bullied should ask the other person to stop and explain why that person's behaviour is unacceptable.

All staff and learners have a duty to challenge any bullying to which they are witness, as follows:

- make sure that bullying is or was taking place, not merely horseplay in which the recipient was a willing participant
- make it clear to the alleged bully that their behaviour is unacceptable, and explain why
- encourage and support the recipient

If a learner lacks the confidence to challenge bullying, they should seek support from an appropriate member of staff (eg personal tutor, student services).

When the alleged bully has been challenged and told their behaviour is unacceptable, that may be enough to stop it. They may have been unaware that their behaviour is offensive or unwanted.

If the bullying does not stop then the recipient may wish to seek a resolution through mediation or formal complaint.

Mediation

If the recipient feels uncomfortable about challenging the person or they have already done so to no effect, they should talk to their personal tutor or the student services manager. This can sometimes give the learner the confidence to deal with the situation themselves.

If the learner still feels intimidated they may want to ask their personal tutor to mediate a meeting with the alleged bully. This may be particularly appropriate if the alleged bully is making a counter-complaint. It is important to identify the cause of the conflict and agree a solution.

Advice and support will be available as long as the complainant needs it. Counselling is available and will be offered to both parties.

If the alleged bully refuses to participate in mediation, or having met refuses to modify their behaviour (or if having agreed, fails to do so), or if retaliation occurs then the complainant

can choose to report the incident on a formal level or they may choose to cope with the situation with advice and support from personal tutors/counsellor.

Formal Complaint

In order to initiate formal proceedings the learner must put in a written complaint.

The complaint will be investigated in line with our Complaints procedures and service standards relating to them.

An investigating officer will be assigned to the case. For students in LZ6 & ECAT this will be the Senior Personal Tutor and for those in Creative Studies it will be the Student Services Manager. The alleged bully/harasser will be made aware of the allegation as soon as the formal complaint has been received and will be given the opportunity to provide a written response. Depending upon the seriousness of the complaint, it may be necessary to separate the parties involved. This may involve a temporary suspension from College until the complaint is resolved. Both parties will be instructed to keep the complaint confidential and not to make contact with the other parties' witnesses.

The Investigating Officer will meet separately with the complainant and the alleged bully/harasser and their respective representatives, if any. Detailed written statements will be taken, which the relevant parties should sign and date, confirming that they agree with the statements collected. Both parties should be given the opportunity to nominate witnesses whom they wish to be interviewed.

The Investigating Officer will, on completion of the investigation, review the material collected and decide whether the complaint is substantiated. They will be responsible for compiling a report of their findings and advising both parties of the outcome in writing. At this stage, if the incident was of a very serious nature, it may still be possible to reconcile the parties through mediation.

In cases where there are no witnesses it will be one persons word against another and the Investigating Officer will consider whether on the balance of probabilities, the incidents/actions occurred.

If the Investigating Officer finds that there has been a breach of the College Anti Bullying & Harassment Policy, they should notify the relevant Head of School, who should arrange a disciplinary hearing under the College's Student Disciplinary Procedure. Information and statements taken during the investigation should be made available to the Head of School. The complainant will be notified of the outcome of any disciplinary procedures.

Should somebody make an unfounded allegation of bullying/harassment for malicious reasons it should be investigated under the College's Disciplinary Policy & procedure.

Conclusion of the Formal Complaint

Where a complaint is upheld, it is the responsibility of the bully/harasser's personal tutor to seek to ensure that there is no subsequent victimisation, either by the bully or the bully's friends. If a disciplinary takes place it should be made clear that reprisals will not be tolerated and will be treated as seriously as the original complaint.

The Counselling service will be made available to both parties of the complaint, irrespective of outcome. Counselling may be of assistance to the complainant where investigations have shown no cause for disciplinary action, or may help support the person accused whilst the investigation is ongoing.



Appendix One: Definitions of Harassment

Harassment

- Harassment includes any verbal or physical abuse, unwanted behaviour or advances. Harassment may be behaviour the recipient finds offensive and which causes them to feel humiliated, threatened, distressed or patronised. The creation of an intimidating or demeaning working or learning environment may also constitute harassment.
- Harassment may be deliberate or unconscious, repeated action or an isolated incident. Harassment can be deemed to have occurred even if the perpetrator does not intend it as such.

Sexual Harassment

- Sexual harassment means unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity or women and men at college. This can include unwanted physical, verbal or non verbal conduct.
- Sexual harassment can include the following:
 - Unwelcome sexual advances whether of a verbal or physical nature up to and including demands for sexual favours
 - Unnecessary touching, patting, pinching or brushing against someone's body
 - Unwelcome comments about a person's sexual attractiveness or body parts
 - Personal body space. It is important to recognise the close proximity which falls short of actual physical touch can also be unwelcome or uncomfortable
 - Verbal and written harassment through jokes, offensive language, gossip, slanderous letters, email messages comments on social network sites
 - Display or circulation of pornographic, offensive or suggestive material, including photographs, posters and emails
 - Derogatory comments about the ability or intelligence of one or other gender
 - Talking about sex or sexual activities in circumstances where others cannot avoid overhearing

Racial Harassment

- Racial Harassment can include the following:
 - Physical abuse or intimidation on grounds of racial or ethnic background
 - Racist language or abuse
 - Racist jokes including those made about any ethnic group
 - Isolation, non co-operation, or exclusion from talk or activities, either inside or outside the classroom on grounds of racial or ethnic background
 - Visual display of racially offensive posters, graffiti, gestures or emblems

Harassment of People with a Disability

- The forms of harassment which people with a disability are commonly subjected to are as follows:
 - Jokes about a person's disability, not only in relation to those who have any form of physical impairment, but also those who have a learning disability
 - Unwanted or patronising comments which draw attention to the person's impairment
 - Unwanted or patronising comments which draw attention to any aids or equipment they may use, such as a wheelchair or hearing aid
 - Stereotyped comments in relation to the capability of a person with a disability
 - Isolation, refusal to assist, non co-operation or exclusion from talk or activities, whether inside or outside the classroom
 - Abuse directed at a person's disability

Harassment on the Grounds of Sexual Orientation

- Harassment on the grounds of an individual's sexual orientation may result in offence being caused to the dignity of the recipient.
- Harassment on the grounds of sexual orientation may take the form of:
 - Physical abuse or intimidation on grounds of a person's sexuality
 - Jokes, innuendo and teasing aimed at an individual's sexual orientation
 - Threatening to publicise the fact that someone is lesbian or gay, or actually publicising this without their permission
 - Isolation, non co-operation or exclusion from talk or activities, either inside or outside the classroom

Harassment of Individuals on Religious Grounds

- Harassment on the grounds of religion may take the form of:
 - Physical abuse or intimidation on grounds of religious beliefs
 - Derogatory references being made to a person's religious beliefs and/or practices
 - Innuendo and teasing on the basis of religious beliefs

Bullying

- Bullying is a form of harassment which intimidates, undermines, coerces or humiliates the individual to whom it is directed. It includes actions, comments, physical contact or behaviour which is found to be objectionable by the recipient. It can take place in public or in private. The alleged bully may claim, or may not actually have malicious intent and may regard his/her behaviour as a 'laugh'. The key issue is how it makes the recipient feel.
- Bullying may take the form of:
 - Physical abuse: actual assault; threatening and derogatory gestures and facial expressions; hostile looks and staring
 - Verbal abuse: spoken, texted or pictorial words and images which are threatening, defamatory or humiliation, including gossip, jokes and banter
 - Non-verbal: isolation; exclusion from talk or activities; hiding or damaging personal belongings or other practical jokes; offensive graffiti, text messages, emails or notes
 - Cyber-bullying: targeted harassment through electronic means. It is cyber-bullying when both parties are under 18, should one or more parties be 18 or over it becomes cyber harassment or cyber stalking dependent on the level/nature of intimidation