

Quality System

Policy Number

POL-SS-01

Policy Title

Anti-Bullying and Harassment Policy

| Written / Authorised by: | Equality Impact Assessment: | Date Reviewed: | Next review date: |
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Anti-Bullying and Harassment Policy

1.0 Policy Statement

Bishop Auckland College Group is made up of Bishop Auckland College, South West Durham Training and Durham Gateway. References to “the Group” throughout this policy is defined as those organisations stated above, unless otherwise stated.

Promote safeguarding and equality of opportunity in all aspects of our work, valuing the richness of ideas that diversity brings.

The values and strategic priorities of the Organisation demonstrate commitment to supporting learners to be active citizens in society and to show respect for each other. The Organisation is committed to equality and diversity and considers that all students have the right to be treated with dignity and respect, and will not tolerate any form of bullying or harassment. The Public Sector Equality Duty states:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the (Equality Duty) Act.

Safeguarding learners means that the Organisation has a legal responsibility and duty to ensure that all learners are kept safe and the Organisation is a safe environment in which to study and learn. The Organisation has additional child protection responsibilities in line with the Organisation’s Safeguarding Policy and the procedures of the Durham Local Safeguarding Children Board (LSCB) which can be accessed on www.durham-lscb.org.uk

2.0 Scope

This policy applies to all students at their place of study, in the Organisation’s grounds, on the Organisation’s transport, on off site visits and employer premises while undertaking Apprenticeship programmes or work placement.

As this policy can involve processing personal data, data protection regulations will be adhered to. Please refer to the General Data Protection Regulation Policy (ref: POL-DP-01) for further information.

3.0 Definition

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying and harassment can take many forms and is often motivated by prejudice against particular groups, for example on the grounds of race, religion, gender, sexual orientation it might be motivated by actual differences between people, or perceived differences. Bullying and harassment can occur face to face, via email or internet, text, telephone, in writing, in graffiti/posters, display or circulation of offensive materials/books or via a third party.

Bullying can involve an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves.

Examples of bullying and harassment:

- Emotional – ignoring, excluding, tormenting, inappropriate jokes, pranks, demanding money or property
- Physical – pushing, kicking, prodding, hitting, punching or any other use of physical contact

- Racist – racial taunts, graffiti, gestures, inappropriate language
- Sexual – unwanted physical contact or inappropriate sexual comments
- Homophobic – verbal, physical or emotional bullying behaviour because of, or focusing on the issue of sexuality
- Verbal – name calling, sarcasm, spreading rumours, making derogatory comments, intrusive questioning or goading
- Cyber – bullying online such as email, social networks, chat rooms or on a mobile phone
- Bullying outside of Pre-16 provision (Durham Gateway) – on public transport, outside local shops or in town/village centres

People may be bullied or harassed because of their characteristic including:

- Age
- Race, religion or belief
- Sex
- Sexual orientation
- Gender reassignment
- Disability
- Culture
- Economic background
- Hobbies and interests

4.0 Hate Crime

Hate crime is an offence committed against a person or property which is motivated by the offender's hatred of people because they are seen as being different. People do not have to be a member of a minority community to be a victim of hate crime. Any incident where an individual or group of people are targeted because they are believed to be of a different race, religion/belief, sexual orientation, gender identity or have a disability can be reported as a hate crime.

5.0 Signs and symptoms of bullying and harassment could include:

- Not wanting to go to the Organisation or travel on usual mode of transport
- Changing usual routines
- Becoming anxious or withdrawn
- Attempting or threatening suicide
- Crying without any obvious cause
- Feeling ill/feigning illness
- Work deteriorating at the Organisation
- Possessions "going missing"
- Becoming aggressive or unreasonable
- Bullying other students or siblings
- Displaying increasing lack of confidence and self-esteem
- Asking for or stealing money
- Having unexplained cuts or bruises
- Being excluded from group activities by other students

All members of staff have a responsibility to ensure that suspected bullying or harassment is dealt with fairly and consistently.

6.0 References

- Equality Act 2010
- Public Sector Equality Duty

- Department for Education Preventing and tackling bullying: Advice for teachers, staff and Governing bodies (July 2017)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf
- LSCB Child Protection Procedures
- Department for Education Cyberbullying Advice for head teachers and all school staff (November 2014)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/374850/Cyberbullying_Advice_for_Headteachers_and_School_Staff_121114.pdf
- Pre-16 Behaviour Policy POL-DG-01
- Safeguarding Policy POL-CP-01
- Equality and Diversity Policy POL-ED-01
- Student Behaviour and Disciplinary Procedure BAC-SS-01
- Staff Disciplinary Procedure BAC-HR-1-01
- Safeguarding Allegations against a member of staff POL-HR-12
- Recording a Bullying or Harassment Incident (RBHI) SS-BHI-01
- Recording an allegation against a member of staff form (RAS) HR-RAS-01
- College/SWDT Complaints Procedure BAC-Q-05

7. Recording incidents

7.1 Alleged bullying or harassment of a student by a member of staff

A student who feels that s/he is being bullied or harassed by a member of staff should, in the first instance, discuss the issues with their Manager or a member of the Student Services/Pastoral team, as appropriate.

The member of staff who is alerted to the concern should refer to the Safeguarding Allegations against a member of staff Policy. The member of staff (or student if appropriate) should complete the **Referral Form – Reporting an allegation against a member of staff (RAS)**

The form should then be given immediately to the Head of Human Resources or Director of Service Standards/SWDT General Manager for further investigation. The Head of Human Resources or Director of Service Standards/SWDT General Manager will have due regard to the LSCB procedures relating to allegations against staff, carers and volunteers. The Head of Human Resources or Director of Service Standards/SWDT General Manager will consider whether a referral to the Local Authority Designated Officer (LADO) is necessary.

The information on the **RAS form** may be used as evidence in any subsequent staff disciplinary proceedings.

7.2 Recording an alleged bullying or harassment of student by another student

If a student is experiencing difficulty or distress as a result of someone else's actions, they should contact their tutor, a member of the Student Services/Pastoral team or any member of staff. The student reporting bullying or harassment should be encouraged to disclose the following:

- Date(s), time(s) and place(s) of incident(s)
- Name of any witnesses
- What actually happened
- How it made them feel
- Any action taken e.g. reported to a member of staff
- Original copies of any correspondence or written material connected with the issue

The member of staff who is alerted to the concern should complete **Section 1** of the **Recording a Bullying or Harassment Incident (RBHI)** form located on the Organisation's intranet under Safeguarding or available from Student Services.

The RBHI form, completed by the member of staff, will be forwarded to Student Services. The report will be actioned by the relevant Manager and retained in Student Services. The student will be kept informed of the outcome (**Section 2 of RBHI form**).

Where any incident results in a student at risk of harm the Organisation's Safeguarding Policy will immediately be invoked and the Safeguarding Officer will be contacted.

8.0 Resulting Action

8.1 Raising a Safeguarding Concern

Where the situation involves raising a Safeguarding concern the Safeguarding Officer will be contacted who will agree the course of action to follow.

8.2 Mediation

If mediation is the action agreed the mediator can be a member of the Student Services/Pastoral team or a Manager. The mediator can help participants to resolve their dispute and to coexist at the Organisation, through using the following process:

- Both parties define the problem as they see it, alone with the mediator
- The impartial mediator identifies and records the key issues for both parties
- At the end of the individual session with the mediator, the mediator ascertains whether or not the parties are willing to meet together, along with the mediator. This is the point when real mediation can take place, if both parties are willing to try, to move toward reconciliation
- At the joint meeting, led by the mediator, both parties should be encouraged to speak and express their opinion
- The mediator sets up a plan of action which will satisfy each party and obtains agreement on these
- A follow up meeting is agreed and the situation monitored at agreed intervals

8.3 Student Disciplinary Procedure

The Student Disciplinary Procedure may be invoked in the case of particularly serious incidents of bullying or harassment, if, after following mediation no satisfactory plan of action can be formulated or if the perpetrator continues his/her bullying or harassing behaviour.

For Pre-16 provision please refer to the Durham Gateway Behaviour Policy.

8.4 Formal Complaint

The student may wish to make a formal complaint against the perpetrator following discussion with a member of staff. This will be facilitated through the Group's Customer Complaints Procedure.

8.5 No further action

Following discussions with students it may result in no further action being taken.

8.6 Supporting the student against which the allegation has been made

There is often an underlying reason for bullying and harassing behaviour. An individual can be very insecure and may:

- Have been bullied or harassed themselves
- Be afraid of becoming a victim to someone else
- Want to be accepted into a certain group

- Want to be well known for their physical status
- Have low-levels of self-esteem and self confidence

Support may be required to enable the student to change his/her behaviour. Breaking patterns of behaviour and expectations of other students and staff may make him/her a target to others. Individuals wishing to reform who should be encouraged to seek help and advice from Student Services/Pastoral team or be put in touch with external support. A student who displays inappropriate behaviour should be encouraged to change his/her behaviour and should not be intimidated, humiliated or made to feel uncomfortable when seeking support.

9.0 Confidentiality

As a general guideline, members of staff will respect confidentiality of the individual as long as it is consistent with the Group's Safeguarding Policy. However, where confidentiality has to be broken, then the complainant should be involved in that process. In some cases the individual may just want to talk about the issues but may not wish to take matters further. In this case a strategy should be developed with the student to address the situation.

10.0 Referral to External Agencies

Where it is appropriate to make an external referral the Safeguarding Officer will give consideration to making a referral to First Contact Service, Police or another relevant external agency.

From any resulting action it may be appropriate to make an external referral to an external agency for support for the students. Details of action taken will be recorded in Section 2 of the RBHI form.

11.0 Storage of records

All records will be stored confidentially in Student Services or Human Resources if the allegation involves a member of staff.

For further information contact:

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Durham Gateway

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