Learner Bullying and Harassment Policy

Issue Date	April 2016
Approval by	SLT
Date to be reviewed	April 2019
Responsibility/Main point of contact	Assistant Principal Quality Assurance and Support
Associated Documents	- Safeguarding Policy - Equality and Diversity Policy - Learner Code of Conduct - Learner Behaviour Policy and Procedure - Compliments, Comments and Complaints Procedure - Staff Disciplinary Policy
Version no.	V1/0416

The policy has undergone an Equality Impact Analysis (EQIA) confirming that there are no negative consequences in the case of this policy.

1.0   Policy Statement

1.1 Walsall Adult and Community College has a zero tolerance on any form of bullying and harassment and is committed to providing a learning environment which is free from discrimination, bullying or harassment of any kind, whether by learners, staff or others. The College expects everyone to be treated with respect, regardless of age, disability, family responsibility, marital status, race, colour, ethnicity, nationality, religion or belief, gender, gender identity, sexual orientation, socio-economic background or other characteristic.

1.2 The purpose of this policy is to enable learners to feel able to report incidents of harassment and bullying and know that these will be dealt with promptly, fairly and effectively.

1.3 This policy will support the implementation of our "Mission": "*Walsall Adult and Community College works in partnerships to raise adults' skills for work, for life and for citizenship.*"

2.0   Definitions

2.1 Bullying is a form of harassment that displays the intention of hurting another person. Bullying results in pain and distress to that person. Bullying can take many forms. Some examples are:

- **Emotional** bullying is being unfriendly, excluding someone, and tormenting (e.g. threatening gestures, interfering with personal possessions).
- **Physical** bullying can involve pushing, kicking, hitting, punching or any use of physical violence
- **Racist** bullying can be identified by the motivation of the bully, the language used, and/or by the fact that victims are singled out because of the colour of their skin, the way they talk, their ethnic grouping or by their religious or cultural practices.
- **Sexual and Sexist** bullying includes any behaviour, whether physical or non-physical, where sexuality is used to demean, humiliate or intimidate. It includes unwanted physical contact or sexually abusive comments.
- **Transphobic** bullying refers to bullying because someone is thought be transgender
- **Homophobic** bullying targets someone because of their sexual orientation (or perceived sexual orientation). It can be particularly difficulty for a young person to report, and is often directed at them at a very sensitive phase of their lives when identity is being developed. Homophobic bullying has been shown to have an extremely damaging impact with depression, suicidal thoughts and self-harm reported.
- **Verbal** bullying involves name calling, sarcasm, spreading rumours, teasing, graffiti
- **Cyberbullying** is bullying using electronic technology, includes devises such as mobile phones, computers or tablets as well as communication tools, social media sites, text messages, chat and websites. It can involve sending nasty and cruel messages, rumours sent by email or posted on social networking sites, posting embarrassing photos and videos, creating fake profiles and websites
- **Disablist** bullying is motivated by prejudice against disabled people. This can be related to a perceived or actual disability or additional need involving people with disabilities employs many of the same forms as other types of bullying.

2.2 Harassment is any conduct which involves unwanted, unreasonable and offensive conduct. It is a form of discrimination that can include sexist or racist behaviour or negative attitudes to disability or sexuality. Examples of such behaviour may include:

- insensitive jokes, teasing or ridicule
- unnecessary body contact
- prejudiced remarks
- abuse of a position of authority by a staff member over a learner

3.0   Scope

3.1 This policy applies to all College learners and apprentices.

4.0   Responsibilities

4.1 To help ensure this:
- All directors, staff and learners should have an understanding of what bullying and harassment are.
- All directors and staff should know what the policy on bullying and harassment is, and follow it when incident are reported.
- All learners should know what the policy on bullying and harassment is, and what they should do if they have problems.

5.0   Procedures

5.1 Providing Information and Training for Learners

Learners should be made aware of the following College policies and procedures at induction:
- Equality and Diversity Policy
- Bullying and Harassment Policy
- Safeguarding Policy
- Learner Code of Conduct
- Learner Behaviour Policy and Procedure
- Compliments, Comments and Complaints Procedure

Equality, Diversity and British Values issues will be addressed through the College's programme of activities. Respect and positive attitudes are encouraged within class and across College.

5.2 Reporting Incidents

A learner who is being bullied or harassed within College, no matter who by, should report this one of the safeguarding team. The safeguarding team will provide support for the learner.

The learner and Designated Safeguarding Lead should look at the options and discuss what the learner wants to do. If, at this point, any safeguarding concerns emerge this will be picked up and addressed under the Safeguarding Policy.

If the learner is afraid that any action may worsen the situation, they may refuse intervention. The learner will be advised that if this is the case little can be done to help them, but their decision will be respected. A record will made of the decision.

The learner could be referred to an outside organisation for support and help to build assertiveness and self-confidence.

If agreed, a mediator, usually a member of staff, acts as an independent third party, bringing together those in conflict and seeks to help them resolve the problem themselves.

The learner will be informed and consulted and his or her wishes respected as far a possible when formal action is taken. In cases where bullying or harassment puts either the learner or others at risk, the College has to intervene because it has a duty of care to all its members.

5.3 Investigation and Action

The appropriate curriculum manager will investigate the incident, produce a report when the bullying is proven with recommendations and take appropriate action, with the learner's consent. The Bullying and Harassment Report form (appendix 1) should be used for this purpose. Recommendations could be mediation, disciplinary, exclusion, consult with or report to police. If the complaint/concern involved a member of staff this would be immediately referred to the HR Manager.

Where serious misconduct is involved or where mediation has failed, then disciplinary procedures should follow. Very serious incidents may result in exclusion from College.

If necessary and appropriate, the College will consult the police or advise the learner to do so. For example, if the learner is being 'stalked' or is subject to similar anti-social behaviour, or if they have been sexually assaulted, they may choose to report this. A third party who is offended by a racist or homophobic incident may report this to the police, without the consent of the person being harassed or attacked.

5.4 Record Keeping

Information will be recorded and stored as safeguarding concerns. Information should be shared with others only by consent. The Designated Safeguarding Lead will provide a report for the EDI Forum for monitoring and analysis.

6.0 Signs and Symptoms of Bullying

6.1 College staff should be vigilant of the possible signs and symptoms that a learner may be being bullied, talk to them and provide necessary support. Possible signs and behaviours include:
- Frightened/concerned of walking to or from college
- Don't want to use their usual mode of transport to college
- Start to skip classes or be absent from college
- Shows signs of becoming withdrawn or anxious
- College work suffers and their grade drops
- Unexplained cuts and bruises
- Having possessions which are damaged or go missing
- Becomes aggressive, disruptive or unreasonable
- Reluctant to say what's wrong
- Nervous or jumpy when a message, text or email is received

7.0 Monitoring and Review

7.1 This Policy has been approved by the Board of Directors and is to be reviewed by the Board on a triennial basis.

7.2 The internal monitoring of the implementation of this policy will be the responsibility of the Assistant Principal Quality and Support.
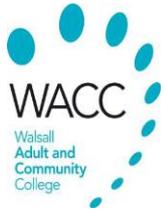
Bullying & Harassment Report

A report should be made on any incident of alleged bullying or harassment that is referred to a curriculum manager for investigation and/or action

The completed form should be emailed to the Designated Safeguarding and Prevent Lead.

1 Details of the person alleging bullying or harassment			
Name:			
Course:			
Age:	Sex:	Ethnicity:	Disability: Y ☐ N ☐

2 Details of the person accused of bullying or harassment			
Name:			
Course:			
Age:	Sex:	Ethnicity:	Disability: Y ☐ N ☐

3 Details of the incident – describe the incident/s briefly, including, where relevant events leading to, any relevant details of participants not given above**,** what was involved**,** and anyone else present:

4 Details of the investigation – state briefly who you talked to and the conclusions you reached:

5	**Outcome of investigation** – outline any action taken (e.g. mediation, disciplinary, exclusion)

6	**Has the incident resulted in police involvement?** Y ☐ N ☐
	If yes, give details including the police incident number:

7	**Prevention**
	a) Had any measures been taken to try to prevent an incident of this kind? If so, what were they and could they have been improved?
	b) If no measures had been taken beforehand, could action now be taken to prevent future incidents? If so, what are they?

8	**Any other relevant information**

Name: **Signature:**

Position:

Date: