

P806 Anti Bullying and Harassment Policy for Students

1 INTRODUCTION

Peterborough Regional College is committed to ensuring that everyone is equally valued and treats one another with respect. The College has a legal duty to prevent all forms of bullying and to publish information to demonstrate compliance with the Equality Act 2010. It is recognised that a student's academic progress may be adversely affected if he/she is subjected to any form of harassment including bullying irrespective of the severity of the situation. The College will inform all students that all types of harassment and bullying are unacceptable. All complaints of harassment, bullying and prejudice related incidents are taken seriously and will be dealt with quickly and with respect for all people involved. The College has a duty of care to ensure that all students are protected from different forms of harassment and/or bullying and is committed to eliminate all forms of discrimination on the grounds of all protected characteristics as defined in the Equality Act 2010. Protected characteristics are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

1.1 DEFINITION:

Bullying/harassment is defined as any unsolicited or unwelcome act by an individual or a group of people which hurts, humiliates, intimidates or undermines the self-esteem and confidence of an individual or group of people. Bullying can occur face to face, via e-mail, text, social networking sites, telephone, in writing, in graffiti/posters, display or circulation of offensive materials/books or via a third party.

It is not the intention of the harasser that matters, but the effect on the person harassed. What one person may be able to accept may cause distress to another.

Examples of bullying behaviour – use Appendix 1

2 SIGNS AND SYMPTOMS OF BULLYING

These could include:

- Not wanting to go to College 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- Becoming anxious or withdrawn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 College
- 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

3 PURPOSE

The purpose of this policy is to set out the College’s commitment to the prevention and eradication of bullying among its students, and to detail what actions the College will take in pursuit of these goals.

4 SCOPE

This policy applies to all College students at their place of study, in College grounds, on College transport, on off-site visits and at other locations while undertaking work placement. The College is not responsible for bullying taking place at other locations, however support is available to learners involved in bullying incidents. Strategies will be explored through tutorials and other college activities/events to prevent bullying and promote anti-bullying.

5 RELATED DOCUMENTATION

- Equality and Diversity Policy (101)
- Student Disciplinary Procedure (809)
- Health Safety Welfare Policy (412)
- Safeguarding Children, Young People and Vulnerable Adults Policy (820)
- Positive Behaviour Policy (823)
- Complaints and Dissatisfaction Resolution Policy (103)
- Learner Code of Practice and Expectations Agreement

6 RISK ANALYSIS

The risk of not having this policy or non-adherence to the policy is that incidences of harassment or bullying may go unchallenged or dealt with inappropriately.

7 IMPACT ASSESSMENT

This policy has had a Stage 1 Impact Assessment completed

8 DATA PROTECTION –

All notes, witness/victim statements, letters and incident logs will be stored securely for a period of 5 years. Information about incidents of bullying will be shared with staff on a strictly ‘need to know’ basis.

9 RESPONSIBILITIES AND PROCEDURES:

- 9.1.1 All members of staff have a responsibility to ensure that suspected bullying is dealt with fairly and consistently.
- 9.1.2 Managers and tutors are responsible for dealing with cases of harassment and bullying, both to address the behaviour of the alleged bully and to provide suitable support for the victim.
- 9.1.3 All staff and students are responsible for supporting victims and reporting incidents of harassment and bullying.
- 9.1.4 Any student subjected to harassment or bullying should report this to one of the following:
- Tutor or Achievement Support Lead
 - Faculty Manager
 - Academic Director
 - Executive Director (Students)
 - Any member of the Wellbeing team
 - Security
 - Any other person in whom they have confidence
 - The Duty Principal or Safer Schools Officer should be contacted in instances of serious threats of violence or in cases of physical assault
- 9.1.4 The above people will listen to the allegation and support the complainant in deciding what they would like to happen next. The discussion will be confidential and no further action will be taken without the complainant's permission, unless the listener believes that significant health and safety, safeguarding or other risks are present. In such cases the listener will inform the complainant of their need to take action against the alleged harasser.

9.2 POSSIBLE COURSES OF ACTION

- 9.2.1 To take no further action at this stage but to record the incident and keep the situation under review, enabling the complainant to seek further advice in the future if necessary
- 9.2.2 If the alleged perpetrator has not already been approached, then ask the person to stop the offending behaviour and again keep the situation under review
- 9.2.3 Begin formal investigations into the allegations.

9.3 RECORDING INCIDENTS

- 9.3.1 The member of staff who becomes aware of possible bullying should record all details on pro monitor for the attention of the appropriate faculty manager/academic director. The student reporting bullying should be encouraged to make a statement to include 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
- Where cyber bullying has taken place, printouts should be obtained wherever possible (e.g. of emails), or the member of staff taking the statement should sign it to say they have seen any text messages/call records on the learner's mobile phone. At this stage – it is important to advise the victim that they should block the alleged bully from being able to contact them via social media/ on their phone. Failure to do this could impact on the investigation

9.3.2 Where a student requests or needs it (e.g. because they have learning difficulties, or their first language is not English), a member of staff or a representative of their choice can record this for them, taking care to ensure the student's words are accurately recorded and agreed.

9.3.3 This information will inform the mediation process if it decided to embark on this. It will also be used as evidence in any subsequent disciplinary proceedings.

9.4 CONFIDENTIALITY

9.4.1 As a general guideline, members of staff will respect confidentiality of the individual as long as it is consistent with the College Safeguarding Policies.

9.4.2 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 bullying but may not wish to take matters further. In this case a strategy should be developed with the student to address the situation.

9.5 INITIAL MEETING AND INVESTIGATION

9.5.1 The Faculty Manager dealing with the allegation of bullying should set up an initial interview with both parties separately and explain the College policy on bullying. The victim should be enabled to discuss the incident and all possible courses of action e.g. empowering the victim to address the issue with the perpetrator, mediation or invoking the Disciplinary Procedure.

9.5.2 Once the facts have been considered a decision will be made either to:

- Take no action, because the allegation has not been substantiated
- Initiate the College's Student Disciplinary procedure
- Take action other than to initiate the disciplinary procedure

These actions could include:

- Monitoring the situation to ensure that harassment does not recur and making a recommendation as to the person (s) who will be responsible for monitoring the situation and the relevant timescale
- Subject to both parties agreeing, the investigating person may meet with them and their representatives together as part of a mediation process
- Making arrangements for both parties to study as separately as possible

9.5.3 Counselling can be offered to both parties. Appointments can be made in the Wellbeing Centre.

9.5.4 If the student is a victim of hate crime, he/she should be offered the opportunity to report this to the Police.

9.6 MEDIATION

9.6.1 The mediator could be the learner's Personal Tutor, but may also be the Faculty Manager or a member of the Wellbeing team. The mediator can help participants to resolve their dispute and to co-exist at the College, through using the following procedure:

- Both parties define the problem as they see it, individually with the mediator
- The impartial mediator identifies the key issue for both parties – these are listed on paper
- 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 towards reconciliation
- At the joint meeting, led by the mediator, both parties should be encouraged to speak at a time. The mediator needs to firmly control the meeting to ensure it does not turn into a battle
- 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

9.7 STUDENT DISCIPLINARY PROCEDURE

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

10 ALLEGED BULLYING OF A STUDENT BY A MEMBER OF STAFF

10.1 A student who feels that he/she is being bullied by a member of staff should discuss the issue with their Personal Tutor or Faculty Manager/Academic Director as appropriate.

10.2 If it is not possible to resolve the issue, the student can make a formal complaint in writing. This should be handed in to the Director of Quality. The

complaint will be investigated and the student will be contacted regarding the outcome.

11. PEER ON PEER ABUSE

- 11.1 Peer on peer abuse can manifest itself in many ways. This can include bullying, sexual violence and harassment, being coerced to send sexual images and teenage relationship abuse. There are clear links with sexual exploitation and domestic abuse.
- 11.2 Any indication that a child has suffered from peer on peer abuse will be dealt with under the child protection procedures, and victims will be supported appropriately.
- 11.3 Consideration will always be given to the welfare of both the victim(s) and the perpetrator(s).

11.4 Child on Child Sexual Violence and Harassment

- 11.4.1 Children's sexual behaviour exists on a wide continuum. Occasionally, sexual behaviour may give cause for concern, and may be considered harmful. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context.
- 11.4.2 Sexual violence and sexual harassment can occur between two young people of any age and sex. It can also occur through a group of young people sexually assaulting or sexually harassing a single young person or group.
- 11.4.3 Sexual violence may include rape, assault by penetration or sexual assault. Sexual harassment refers to 'unwanted conduct of a sexual nature', such as sexual comments, sexual taunting or physical behaviour such as deliberately brushing against someone.
- 11.4.4 Online sexual harassment may include non-consensual sharing of sexual images and videos, sexualised online bullying, unwanted sexual comments and messages, and sexual exploitation, coercion and threats.
- 11.4.5 **Sexual violence and sexual harassment will not be tolerated and is not an inevitable part of growing up.**
- 11.4.6 The response to a report from a young person is important. All victims should be reassured that they are being taken seriously and that they will be supported and kept safe. The wishes of the victim in terms of how they want to proceed following a report should be taken into account, to allow them as much control as possible whilst the investigation progresses.
- 11.4.7 Any referral should follow the child protection procedures outlined in the Safeguarding Children, Young People and Vulnerable Adults policy.

12 SUPPORTING THE BULLY

- 12.1 There is often an underlying reason for bullying behaviour. A bully can be very insecure and may:
- Have been bullied 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
- 12.2 Support may be required to enable a bully to change his/her behaviour. Breaking patterns of behaviour and expectations of other students and staff may make him/her a victim to others. Bullies wishing to reform should be encouraged to seek help and advice from the College Counsellor, their Personal Tutor, or be put in touch with external support organisations such as ChildLine or KidScape.
- 12.3 A bully should be encouraged to change his/her behaviour and should not be intimidated, humiliated or made to feel uncomfortable when seeking support.

13. MONITORING AND EVALUATION

- 13.1 All incidences of reported harassment/bullying must be recorded on pro monitor along with actions and outcomes. Formal complaints and disciplinary action will be monitored and reported through the Student and or Staff Disciplinary Procedures and Complaints monitoring processes.
- 13.2 Informal complaints and issues will be recorded and monitored by the Executive Director (Students) and reported to the Equality and Diversity Committee and Safeguarding Committee.

14. DEALING WITH PREJUDICE RELATED INCIDENTS

Reporting of prejudice related incidents is one way in which the College will demonstrate compliance with the Equality Act 2010.

14.1 UNDERLYING PRINCIPLES

- 14.1.1 Each prejudice related incident holds unique and distinctive features, which need to be considered. Responses should be informed by the principles below. These principles need to be adopted if the College is to challenge and counter prejudice related incidents and ensure the wellbeing and achievement of all learners within the College community.
- All students are entitled to an education, which respects and values their identity, individuality and background and is free from prejudice, harassment and adverse discrimination

- Prejudice related bullying could prevent students from learning and be a significant barrier to their achievement
- Prejudice related bullying impacts on social and emotional wellbeing
- Strategies for dealing with discrimination need to be linked to the behaviour and anti-bullying policy
- All staff, students, parents, carers and governors should be aware of the policy and procedures for dealing with prejudice related incidents
- All allegations of prejudice related bullying should be taken seriously and investigated thoroughly

14.1.2 The College will keep the victim and their parents/carers informed during an investigation and advise them of any action that is taken. This should be discussed sensitively with the young person beforehand.

14.1.3 All prejudice related incidents will be recorded. The Governors will be informed in an annual report of issues relating to any such forms of discrimination.

14.2 EXAMPLES OF PREJUDICE RELATED BULLYING

Prejudiced related harassment could include one or more of the categories listed in appendix 1 where there is perceived to be, either wholly or partly, a motive, which is racist, disability related or homophobic. It also covers name-calling, insults, threats and prejudice related 'jokes'; and incitement of others to behave in a prejudiced way. It also includes ridicule of a person's appearance, speech, background, religion, culture; the regular use, consciously or unconsciously of offensive and discriminatory language. An example of this would be the 'casual' use of homophobic language such as the use of *gay* to mean stupid. Staff should challenge the derogatory use of the word *gay* in this way.

14.3 RESPONDING TO A PREJUDICE RELATED INCIDENT

All prejudiced behaviour should be treated as a serious matter. It is crucially important that the member of staff who first encounters the incident shows firm disapproval and takes positive action to deal with the situation. A failure to respond could be seen as condoning prejudiced behaviour and could discourage students and parents/carers from reporting incidents and sharing their concerns with staff. Prompt, appropriate and consistent responses from all members of staff can encourage students who might otherwise suffer in silence to report incidents and share their concerns and worries.

14.4 RECORDING AND REPORTING PROCEDURES

Members of staff may not be sure when they should record an incident as prejudice-related following remarks made by young people related to any of the protected characteristics.. The following questions may be helpful to assist this decision.

If the answer to any of the following 3 questions is 'Yes' then the incident should be recorded:

- Was anyone offended/hurt/upset by the remark?
- Would a representative of the community concerned have been offended? (if in doubt record)
- Was the way the remark was formulated or delivered derogatory, mocking or negative about the group or individual or character concerned? (If in doubt record)

Appendix 1

Examples of Bullying Harassment

1 Physical Abuse

- any use of violence e.g. hitting, pushing, pulling, kicking, spitting, biting, shoving, tripping up, 'accidentally' banging into someone
- damaging, stealing, taking, hiding belongings and /or throwing them around e.g. money (taxing), belongings or coursework
- forcing someone to take drugs

2 Verbal Abuse

- name calling, teasing, threats and intimidation, taunting, mimicking, sarcasm, being generally 'unfriendly' making someone look silly and making things up to get someone in trouble
- ridiculing particular customs, music, accents or the dress of anyone from a different culture
- offensive racist graffiti, making silent or abusive phone calls and unkind practical jokes

3 Emotional Abuse

Ignoring, excluding, tormenting, insensitive jokes or pranks, damaging property belonging to another person, demanding money or property

4 Silent Bullying

- ignoring someone/leaving them out, stopping someone joining in, the spreading of rumours, threatening gestures and following someone around

5 Cyber Bullying

- all areas of the internet , such as e-mail and internet chatroom misuse e.g. posting insulting notices about someone
- sending abusive text messages or emails
- misuse of associated technology e.g. camera and video facilities
- happy slapping

6 Racist Bullying

- racial taunts, graffiti, gestures
- refusal to work with others because they are a different culture

7 Sexual Bullying

- unwanted physical contact or sexually abusive comment

8 Homophobic Bullying

- bullying usually aimed at gay, lesbian or bisexual or those with gay, lesbian or bisexual relatives/friends
- the use of generic insults relating to homophobic terms

9 Stalking

Continued unwanted attention through

- personal contact (directly with you through your friends and family)
- telephone calls
- letters
- e-mails
- text messages
- internet chatrooms

10 Hate Crime

Hate crime is any offence 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.