

**Title: Dignity at College Policy & Procedure for Students  
(Addressing bullying and/or harassment in College)**

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# **DIGNITY AT COLLEGE POLICY AND PROCEDURE FOR STUDENTS**

## **(Addressing bullying and/or harassment in College)**

### **1. Statement of Commitment**

Thomas Rotherham College is committed to providing all students with a working environment that is free from all forms of harassment and bullying. It fully supports the right of all people to be treated with dignity and respect in line with relevant equality and human rights legislation and will take appropriate steps to achieve this. Harassment, discrimination, bullying and victimisation can lead to fear, stress and anxiety and is unlawful. The College finds any form of such behaviour unacceptable and is committed to providing an environment in which all individuals can operate effectively, confidently and competently.

The College will make all employees, students, contractors, visitors, etc. aware of the policy forbidding harassment and bullying and their responsibility to comply with the policy. If a complaint is brought to the attention of staff, it will be investigated promptly and appropriate action taken. This will involve the creation and completion of a Bullying/Harassment Report form (as required by the Safeguarding, Child Protection and Vulnerable Adults Policy). This form must be logged and stored in the Safeguarding filing cabinet.

### **2. Definitions of Harassment and Bullying**

#### **Harassment**

Harassment is defined as any unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them. It is important to note that harassment is defined by the impact on the person experiencing the unwanted conduct, rather than the intention of the 'perpetrator' of the unwanted conduct.

Harassment could be on the grounds of, but is not restricted to:

- Age
- Disability
- Domestic circumstances
- Gender
- Sexual orientation
- Race
- Colour
- Religion/belief or religious observance
- Ethnic origin
- Language
- Political affiliation

#### **Examples of harassment include:**

- Verbal or written comments of an offensive nature, use of bad language, jokes or gossiping
- Lewd, suggestive or over-familiar behaviour
- Displaying or circulating offensive material

- Insulting or ridiculing a person because of their age, sexuality, race, religion, beliefs, disability, gender, HIV/AIDS status or class
  - Isolation or exclusion from social activities
  - Criminal acts such as indecent exposure, physical attack or sexual assault and racism
- This list is intended to act as a guide illustrating unacceptable behaviour and is not exhaustive.

### **Bullying**

Bullying is defined as offensive actions which humiliate, intimidate, undermine or demean the person involved. This includes, but is not limited to using abusive language, continually ignoring or excluding an individual, picking on one person when there is a common problem, frightening someone with physical or other threats and continual shouting at or humiliating an individual.

**Cyberbullying** is an aggressive act using electronic forms of contact. This may include text message bullying, picture/video-clip bullying via mobile phone cameras, phone call or e-mail bullying, chat room or bullying via websites. (Please see the ICLT Usage Agreement for details).

### **Examples of bullying include:**

- Shouting at an individual to get things done
- Humiliating an individual in front of their peers
- Picking on one person when there is a common problem
- Conduct which is intimidating, physically abusive or threatening
- Victimisation, where a person is repeatedly or consistently treated less favourably than another
- Consistently undermining someone
- Isolation or alienation
- Sending threatening or unwelcome text messages
- Using e-mail to send bullying or threatening messages
- Silent calls or abusive messages via mobile phone
- Using defamatory blogs or personal websites and online personal polling sites
- Making negative comments about a person's physical appearance/characteristics.
- Trying to involve others in extremist activity.

## **3. Responsibilities**

The College has a corporate responsibility to take active steps to eliminate harassment/bullying in the College and to promote the well being of all of its students.

It is the duty of every member of the College, and those visiting the College premises, to take responsibility for their behaviour and modify it if necessary, as harassment/bullying is not acceptable under any circumstances. In the event of failure to do so, disciplinary action, in accordance with the College disciplinary procedures, will be taken. All staff and students are required to ensure that the policy is effectively applied and that harassment/bullying does not occur.

Individual students also have a role to play by:

- Helping to create a climate of co-operation which discourages harassment/bullying.
- Making it clear that they find such behaviour unacceptable
- Supporting other students – this may include challenging the harasser/ bully at the time of the incident, offering support in any other way and co-operating in any investigations
- Ensuring no victimisation occurs.

#### **4. Supportive Framework**

The College recognises that making a complaint of harassment/bullying can be a distressing experience and that it may be difficult for a student to raise complaints against other members of the organisation. Accordingly, students may approach a friend or member of staff to raise the issue on their behalf.

A student may wish to discuss the issue with their tutor, a mentor or with their Student Support Manager. The role of that individual will be:

- To provide support and assistance to any individual who is the alleged subject of bullying or harassment.
- To explain how the complaints procedure operates.
- To establish the main details of the complaint.
- To help the student decide what course of action to take.

The tutor/Mentor/Support Manager will discuss the case in complete confidence and will not divulge the information without the permission of the student concerned. A student who seeks the advice of Tutor/Mentor/Support Manager is under no obligation to take further action.

The College counsellor is able to provide confidential support and assistance to the complainant during this stressful time. The role also extends to the alleged harasser, if requested.

The counsellor has no role in formal investigations and neither are they a source of evidence in any proceedings, since all discussions between counsellor and client are confidential.

It is recognised that in bringing a complaint, the complainant must be protected from further harassment/bullying or detriment arising from the alleged incident and associated complaint. Any student suspected to be bullying/harassing a student as a result of a complaint being made may be suspended from College until the matter has been investigated.

#### **5. How to Tackle Harassment/Bullying**

A student who is subjected to harassment/bullying may be very vulnerable and reluctant or afraid to complain. Generally they want the unacceptable behaviour to stop and may suffer in silence rather than have attention focused on them or risk some form of reprisal. This means that all students and staff must be alert to the impact of their behaviour on others and prepared to listen and respond if someone asks them to alter their behaviour because it is offensive in some way.

It is essential that anyone who perceives that they are subject to harassment/bullying keeps notes of the details as outlined below for each incident. It is recommended that they should include:

- ✓ Date
- ✓ Time
- ✓ Place
- ✓ Name of person allegedly bullying or harassing
- ✓ What actually happened
- ✓ How the person felt at the time
- ✓ Name/s of any witnesses
- ✓ Any correspondence relating to the incident
- ✓ Any electronic communication i.e. phone texts, or emails or social message sites.

## **6. Stage I: Informal Resolution**

- Every effort should be made to resolve the issue informally in the first instance. As soon after the incident as possible, the individual should make it clear to the offender that the action is not welcome and should stop. If, for whatever reason, the individual feels unable to speak to them this may be done by an independent third person such as a member of staff or tutor.
- The tutor or a Support Manager should be informed if the harassment does not stop. Any discussion will be on a need to know basis and no action will be taken without the consent of the complainant unless the member of staff considers the incident to be extremely serious or of a child protection nature, in which case the member of staff will inform the Principal of the need to take immediate action against the alleged perpetrator.
- In agreement with the complainant one of the following courses of action may be followed:
  - a) To take no further action at this stage, but to record any future incidents and to keep the situation under review.
  - b) Informal resolution through a mediation meeting with the College Counsellor/Support Manager, or the tutor, the complainant and the alleged perpetrator. The mediator is responsible for writing accurate notes of the meeting. These must be signed and kept in the Child Protection filing cabinet. These notes may form evidence in any future investigations.
  - c) Where allegations of criminal acts such as indecent exposure, physical attack or sexual assault have been made, the complainant should be encouraged to report the matter to the police. The College have a legal responsibility to report any such incidents to the police.
  - d) If informal methods do not resolve the problem, a formal complaint can be made.

## **7. Stage 2: Formal Complaint.**

- Use of the formal element of this procedure (which may invoke the College's Disciplinary Procedure) will be necessary where the informal route proves ineffective, or for more serious instances of harassment/bullying. Incidents of harassment/ bullying may be regarded as extreme misconduct.

- The complaint can be made to the Student Support Manager verbally or in writing but must be followed up in writing, either by the individual or by the Student Support Manager, producing a statement that the individual must sign. This statement, or letter, should relate to an incident, or a series of incidents, the last of which must have occurred within the preceding two months. The Student Support Manager will instigate an investigation into the matter.
- The investigation should normally be completed within ten working days of the complaint being received. On occasions, it may not be possible to keep within this timescale and, in such cases, the complainant and the alleged offender must both be kept informed of any need for an extension and the likely timescale for completion.
- The investigation will normally be carried out by a Student Support Manager. The person against whom the complaint has been made must be informed of the nature of the complaint and given details of the procedure involved.
- The Student Support Manager who is appointed to investigate the allegations will be required to protect the rights and confidentiality of all parties involved and ensure that all receive a full and fair opportunity to put forward their version of events.
- The Student Support Manager will meet separately with the complainant and the alleged bully/harasser. Detailed written statements will be taken which the relevant parties should sign and date, confirming that they agree that they are a true record. Both parties should be given the opportunity to nominate witnesses whom they wish to be interviewed. They will have the right to be accompanied by a parent/guardian.
- The Student Support Manager will meet anyone else who was present when the event(s) occurred or has information which is relevant to the issue. Notes of these meetings will be taken and signed to say that they are a true record.
- In certain cases, for example physical or sexual assault and/or to prevent victimisation, it may be necessary to suspend the alleged harasser/bully whilst the investigation is taking place. Suspension must be authorised by the Principal, or, in his absence, a Vice Principal.
- At the end of the investigation the findings will be presented to a Senior Manager and a decision will be made on whether 'on the balance of probabilities' the complaint is substantiated.

## **8. Findings**

- A written report must be produced by the Vice Principal Teaching and Learning or his/her nominated representative. Details of the findings and the action to be taken will be stated and given to both parties within 48 hours.
- Where it is felt that there is not enough evidence to substantiate the allegation both parties will be informed that the matter will not proceed further.
- Where the investigation does substantiate the allegation one or more of the following actions may be invoked as a recommendation from the panel:
  1. external/internal mediation between the two parties concerned to find a way of resolving the issue; and/or
  2. attendance on an appropriate training course or counselling; and/or
  3. the student disciplinary procedure to be invoked

4. Recommendation to the Principal that the perpetrator is asked to leave College.
5. **Where criminal acts such as indecent exposure, physical attack or sexual assault are involved the College has a legal responsibility to report such incidents to the police.**

## **9. Appeal**

Should the complainant or the perpetrator not be satisfied with the findings, an appeal should be submitted within 5 working days of receipt of the letter. This appeal should be in writing to the Principal giving the reason(s) for dissatisfaction.

## **10. Malicious Complaints**

Should an investigation determine that a complaint has been submitted with malicious intent the matter will be referred for consideration under the appropriate disciplinary procedure.

## Bullying/Harassment Report Form

### STUDENT

Name: \_\_\_\_\_ ID No: 0000 Tutor: \_\_\_\_\_

Contact No/Email: \_\_\_\_\_

### INCIDENT

When it occurred: (date/time) \_\_\_\_\_

Where it happened: \_\_\_\_\_

How often has it happened? \_\_\_\_\_

#### Description of Incident:

Name of person allegedly bullying or harassing student

Name: \_\_\_\_\_ ID No: 0000

Tutor: \_\_\_\_\_

**ANY WITNESSES**

Name: \_\_\_\_\_ ID No:0000

Tutor: \_\_\_\_\_

Name: \_\_\_\_\_ ID No:0000

Tutor: \_\_\_\_\_

Name: \_\_\_\_\_ ID No:0000

Tutor: \_\_\_\_\_

**What the student feels would help them:**

**OUTCOME**

**CREATOR OF REPORT**

Name: \_\_\_\_\_ Sign: \_\_\_\_\_ Date: \_\_\_\_\_