NWSLC

NORTH WARWICKSHIRE & SOUTH LEICESTERSHIRE COLLEGE

Bullying and Harassment Policy 2023 (v1)

North Warwickshire and South Leicestershire College

Policy Author: Assistant Principal for Student Services and Support

Lead Owner: (if Different from Policy Author) as above

Target Audience: (Staff / Students / Public)

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Document History

Version Number	Amended By	Date of Revision	General Revision Description

Bullying and Harassment Policy 2023(v1)

1. Introduction

1.1 North Warwickshire and South Leicestershire College (the College) operates a zero tolerance of bullying and harassment and will not accept students bullying in any form, whether that be verbal, physical or cyber related. The College regards bullying as unacceptable behaviour and will try to stop it happening wherever and however it happens.

1.2 Any complaint will be investigated and bullies will be dealt with. This may lead to disciplinary action including them being excluded from College or even arrested if a criminal offence has been committed.

1.3 This electronic version is the definitive version of the Policy

2. Definitions

2.1 Bullying is anything that hurts someone else. This can be feelings as well as physically. The College expects you to treat everyone else with the same respect that you would want to be treated with. Bullying behaviour could be:

i. Offensive, intimidating or insulting behaviour, trying to undermine, humiliate or injure another person.

ii. It can make the target feel ashamed, upset, afraid or embarrassed.

iii. Bullying may also involve racist or sexist comments.

iv. Some bullying may be considered a crime and the Police may be called.

2.2 There are lots of things that can be bullying. Some are listed here:

i. Physical - from touching to assault.

ii. Verbal or written - through rumours, offensive language, gossip, use of e-mail, text messages.

iii. Copying emails or communications that are critical about someone to others who do not need to know.

iv. Visual displays of posters, graffiti etc.

v. Ignoring others.

vi. Pestering, spying on, upskirting, following etc.

vii. Getting others to bully someone on your behalf

2.3 Bullying also includes a wide range of repetitive behaviours with the intent to cause harm which could happen in a group or on a one to one basis. More extreme versions of these behaviours may be classed as peer on peer abuse. Some examples of bullying and peer on peer abuse are: name calling, offensive comments, hitting, pushing, theft or damage to belongings, graffiti, coercion, spreading of harmful messages through gossip, sending or spreading messages and images through mobile phones (also known as sexting) and the internet, upskirting, gender based violence, sexual assault, hazing and deliberate exclusion.

2.4 Bullying can also be linked to prejudicial behaviour or targeting of certain individuals or groups – for example homophobic bullying, bullying associated with disability, bullying related to health conditions and allergies, bullying related to race and religion, bullying of students who care for their parents or their siblings (young carers), and gender based bullying (e.g. trans phobic, sexual and sexist bullying).

2.5 Bullying related to appearance: The College knows that students can be subjected to bullying related to their physical appearance (e.g. weight, height, disfigurements, hair, teeth, skin conditions, and

clothes).

2.6 Sexual bullying: sexual bullying is any behaviour with a sexual element that is harmful, non-consensual and repeated. This could include sexual comments and name-calling, spreading of sexual rumours, use of technology and social networking sites to spread sexual gossip, comments or images, upskirting and non-consensual touch (e.g. touching body parts, pulling bra straps), which will be classed as sexual assault.

2.7 Cyber-bullying: the development of internet and mobile phone technology has provided different tools and methods for bullying others known as 'cyber-bullying'. However, fundamentally it is driven by the same behaviour and motivation as any form of bullying. One off incidents, such as sending an image which is then forwarded to a group, can quickly become repetitive. Cyber-bullying can include sending or posting of harmful messages, comments and images online or through mobile phones (known as sexting), exclusion from social networking and impersonating of others to cause harm.

2.8 Bullying and crime: There are times that bullying behaviour becomes criminal - but not all bullying behaviour is criminal. Some examples of bullying behaviour that could be considered criminal include upskirting, threatening or actual physical assault, threatening or actual sexual assault, the use of technology to bully and harm, coercing others to commit a crime, hate crime (e.g. racism). If the College thinks a crime has been committed, the police will be contacted for advice.

2.9 Bullying is not teasing and banter between friends without intention to cause harm, falling out between friends after a disagreement, behaviour that all parties consented to.

3. Signs of Bullying

3.1 Bullying involves an imbalance of power; the person on the receiving end feels like they can't defend themselves. When students are bullied their lives are made miserable, they may suffer injury and will certainly lose confidence and self-esteem. In extreme cases they may even contemplate suicide. A student's change of behaviour or appearance may be an indicator that they are being bullied.

3.2 Attendance: a student may become frightened of walking to College, unwilling to use public transport; there may be increased absence, changes to their usual routine, improbable excuses given for absence.

3.3 Changes in appearance: young people often change their appearance. However sometimes this is a sign of being bullied especially if the student seems to be covering up cuts or bruises. Sometimes there is rapid weight loss, or weight gain, or the person stops eating. More obvious signs are torn clothes.

3.4 Often bullying goes unreported as victims may feel they are either somehow to blame or that the repercussions will make matters worse. It is important therefore for all staff, students and parents/carers to work together to ensure students feel able to report bullying and to be supported when they do so.

4. Related Policies, Procedures and Documents

4.1 The Children Act 1989 and 2004

4.2 The Police Act 1997

4.3 The Human Rights Act 1998

4.4 The Data Protection Act 1998

4.5 The Protection of Children Act 1999

4.6 Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges: DfE (Sept 2022)

4.7 Safeguarding and Protecting Children and Vulnerable Adults Policy

4.8 Health and Safety Policy

4.9 Student Disciplinary Procedure

4.10 Staff Disciplinary Policy

4.11 Public Interest Disclosure (Whistleblowing) Policy

4.12 DBS and Safer Recruitment Policy

4.13 Staff Code of Conduct

4.14 Other policies and documents may be identified from time to time as circumstances change and may be added to this list.

5. Bullying & Harassment Investigations

5.1 The College will try to stop bullying as soon as we know about it. The quicker you let us know and the more information we have, the easier it will be to deal with.

5.2 If you have been bullied, you should keep notes of the details for each incident. Notes should include the following information:

i. date, time and place;

ii. name of person(s) bullying you;

iii. what actually happened;

iv. how you felt;

v. the name of any witness.

5.3 **Stage 1 - Informal Action**

The College will assign a member of staff to talk to the alleged bully to ask them to stop. If this does not work then we will conduct a formal investigation with a view to taking formal disciplinary action if bullying and harassment is found to have taken place.

5.4 **Stage 2 - Formal Action**

This may be used where:

i. the issue is too big for informal action; or

ii. informal action has not worked.

The appointed investigating manager will meet with named parties on an individual basis to collect statements and any evidence (e.g. screenshots, text messages, notes etc.). The investigation should be completed within 5 working days of the complaint.

In cases where the College needs to keep people apart one or both parties may be suspended while an investigation takes place in line with the Student Disciplinary Policy.

Suspension does not mean the College thinks anyone is guilty it may just be the best course of action to complete the investigation. At the end of the investigation all parties will be invited to attend a formal meeting to discuss the findings and outcomes of the investigation. This may result in disciplinary action being taken.

At any formal meeting, students can bring a friend or parent, Pastoral staff member, or another trusted adult to support them.

5.5 In all cases College staff will monitor future behaviour to stop further bullying. This is facilitated by the Designated Safeguarding Team, who maintain and monitor the safeguarding interventions notes detailing all bullying & harassment cases, with outcomes. This is updated and reviewed on a regular basis to ensure appropriate action has been taken and that appropriate support is in place.

5.6 Some students with Special Educational Needs and Disabilities may be especially vulnerable to bullying or have difficulties in communicating problems. The College has an extensive team of specialist Additional Learning Support (ALS) staff who work closely with students to identify needs, support and advocate for students so they have the best possible chance of success on their course.

The staff are skilled, experienced and often, because they work closely with students are able to identify signs early. Any report of a student with Special Educational Needs and Disabilities being bullied will involve a member of the ALS teams, unless it is inappropriate.

5.7 **Appeal**

If either person disagrees with the decision or that the rules were not applied properly, then they have the right to raise the matter under the College grievance procedure.

6. Equality Statement

6.1 By virtue of the provisions of the Equality Act 2010, the College has a duty to have due regard to the need to:

i. eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;

ii. advance equality of opportunity between people of different groups;

iii. foster good relations between people from different groups.

6.2 In implementing this Policy and associated procedures, the College will actively take these aims into account as part of its decision making process and will demonstrate how this has been undertaken.

6.3 Where necessary a full equality impact assessment will be undertaken.

7. Data Protection Impact Assessment

7.1 Data Protection Impact Assessments (DPIA) are an essential part of the College's accountability obligations under the UK GDPR. Conducting a DPIA is a legal requirement for any type of processing, including certain specified types of processing that are likely to result in a high risk to the rights and freedoms of individuals. Under UK GDPR, failure to carry out a DPIA when required may leave the College open to enforcement action

7.2 A DPIA, relating to any relevant areas within this Policy and Procedure, will therefore be undertaken to enable the systematic analysis, identification and minimisation of data protection risks and to demonstrate how the College complies with its data protect obligations.

8. Implementation, Monitoring and Review

8.1 The effectiveness of this Policy will be ensured through:

i. an annual review of the Policy by the Corporation;

ii. informing the Corporation annually as to how staff have complied with the Policy; this will include termly /annual reports to the Learning and Quality Committee.

8.2 This Policy will be reviewed annually, or as otherwise directed by the Principal, or legislative changes and should be read in conjunction with safeguarding process and procedures and the Staff Code of Conduct. Staff from all areas of the College will be consulted as part of this process.

Appendix 1

Safeguarding Poster – Learner Process to Log a Concern



Black & White version:

