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Birkenhead Sixth Form College

Bullying and Harassment Policy

1. Policy Statement

Birkenhead Sixth Form College is committed (as defined in the Equality and Diversity Policy) to ensuring that all its members are treated with dignity and respect, irrespective of race, colour, ethnic or national origins, sex or marital status, disability, sexual orientation, age or status. It is also committed to the elimination of all forms of bullying/harassment in College, and the creation of an inclusive, safe and secure working and learning environment for all its members.

2. Policy Aims and Objectives

The aim of this policy is to prevent any form of bullying/harassment within the College. All members of the College community, including staff, students, governors and associates have a responsibility for achieving this.

Where it does occur, the policy aims to take appropriate and effective action to prevent any recurrence.

The specific policy objectives are:

- To ensure that all members of the College are aware of the types of behaviour which constitute bullying/harassment, and of their responsibilities to prevent and report any such incidents.
- To ensure all members of the College understand that bullying/harassment will not be tolerated and that appropriate measures will be taken.
- To promote a climate within the College which does not support bullying/harassment, and where everyone feels confident in bringing forward complaints of bullying/harassment without fear of victimisation and recrimination.
- To ensure that all allegations of bullying/harassment are responded to quickly, positively and in complete confidence, and that victims and perpetrators are offered counselling and support.

3. Legal Framework

The College recognises that any person who has suffered bullying/harassment might be able to seek remedies through criminal or civil law. There are many legal frameworks for consideration when a breach has occurred. These include:

- Race Relations Act 1976 (*as amended by the Race Relations (Amendment) Act 2003*).

- Disability Amendment Act (DDA) 2005.
- Sex Discrimination Act 1975.
- Criminal Justice and Public Order Act 1994.
- Protection from Harassment Act 1997.
- Crime and Disorder Act 1994.
- Human Rights Act 1998
- Equality Act 2006

4. Definition of Bullying

Bullying is deliberate, persistent and often occurs when there are no witnesses. It involves the intentional belittling of someone through the misuse of power or position that leaves the victim feeling hurt, upset, vulnerable and helpless. Examples of bullying behaviour include:

- Abuse of power or use of sanctions
- Intimidation
- Malicious or insulting behaviour
- Excluding or ignoring others
- Deliberate isolation or non co-operation in College activities
- Embarrassing or insensitive comments
- Abusive communication – for example emails or text messages by an individual or group
- Excessive supervision.

Bullying is a wilful, conscious desire to hurt, threaten or frighten someone. It may be targeted at one person, or may be widespread, usually as a result of the 'bullying style' of one person. Examples of bullying might include:

- Verbal – such as name-calling, teasing, 'secret whispering' or malicious comments.
- Physical – such as any form of hitting, punching, pushing or other form of physical activity.
- Fear – such as any action planned to frighten or threaten someone.

5. Definition of Harassment

Harassment, in general terms, can be characterised as unwanted conduct affecting the dignity of the individual. It may be related to:

- Age
- Disability or impairment
- Race, ethnic origin or skin colour
- Religion
- Sexual orientation
- Political, trade union or other opinion.

Harassment is behaviour that might be persistent or an isolated incident. The key is that the actions or comments are viewed as

demeaning and unacceptable to the recipient. Examples of harassment include:

- Unwelcome remarks, such as jokes, innuendo, teasing and verbal abuse of terms of endearment which are uninvited and found to be offensive
- Suggestive remarks about appearance or dress
- Embarrassing or insensitive comments
- Unwanted physical contact, pestering, propositioning, spying etc
- The display, storage or circulation of offensive material or graffiti.

6. Definition of Victimisation

Victimisation occurs when an individual is treated less favourably because that person has complained about the behaviour of someone who has been harassing/bullying them.

7. Effects of Bullying and Harassment

Bullying/harassment can make the recipient feel upset, threatened, humiliated and vulnerable. The effect on a person can include loss of self-esteem, defensiveness, hopelessness, illness, isolation, increased use of drugs or alcohol, strong negative feelings and stress. The result may be the formation of cliques, an atmosphere of fear that becomes the norm, increased absenteeism, and the creation of a culture in which bullying and harassing behaviour becomes accepted and increases.

8. Monitoring

The policy will be monitored by the Equality and Diversity Co-ordinator in conjunction with the Assistant Principal (Estates and Services). Progress reports will be presented to the Equality and Diversity Committee and summarised in the annual report to the Corporation.

Procedures for dealing with Bullying and Harassment - Students

Guidelines for students

If a student feels that they or others are being bullied, harassed, or discriminated against in College or whilst taking part in College activities, they should talk to someone about it. Students should discuss their concerns with their personal tutor, course tutor or any other member of staff. If necessary they can make a formal complaint. Specific advice is available from the Equality and Diversity Co-ordinator, the Principal, Assistant Principal (Estates and Services) who has overall responsibility for Equality and Diversity, Assistant Principal (Student Services), Director of Student Services or Director of Adult and Community Learning.

Any concerns or complaints will be dealt with in confidence and acted upon with sensitivity. Copies of the Complaints Procedure can be accessed via the College website, are kept by all senior staff and are available from the main reception office.

Guidelines for Staff

All complaints about bullying/harassment should be taken seriously and treated sensitively. It is important to discuss possible/desirable strategies with the victim in the first instance and proceed as appropriate.

If you are the person to whom the incident is reported or who has first discovered the incident, take time to make the situation safe if necessary, i.e. control of bully and support for victim. Call another member of staff if you need to.

Take time to write a full account of the incident. Give this report to the Director of Student Services/Director of Adult and Community Learning as soon as possible, preferably the same day. A copy of the report should also be sent to the Assistant Principal (Student Services).

Ensure that the victim and bully are interviewed separately and both are offered support. Where appropriate write to the parents detailing the incident and stating that the College is taking action.

Convene a meeting, if this is considered appropriate, whereby conciliation between all parties might be reached. Be sensitive to the needs of the victim here, and make sure there is someone present who can effectively mediate.

Involve senior members of staff as necessary. Submit a copy of the report to the Equality and Diversity Co-ordinator for information and monitoring purposes. If necessary arrange a tutor group discussion highlighting that bullying/harassment is unacceptable and will not be tolerated.

Where it is found that a student has failed to observe the College's Code of Conduct, disciplinary procedures should be followed.

Procedures for dealing with Bullying and Harassment - Staff

In the event that a member of staff feels that they are experiencing bullying/harassment they have a number of options open to them. Staff may wish to seek advice or discuss their concerns with their line manager, Human Resources Manager, Equality and Diversity Co-ordinator or Assistant Principal (Estates and Services). Any discussion will be treated sensitively and in confidence.

There are two basic ways in which bullying/harassment may be dealt with, the informal approach and the formal approach, both are of which are outlined below.

Stage 1 - Informal Procedure

The member of staff suffering the bullying/harassment should inform the perpetrator that his/her behaviour is unwanted, unacceptable or causing offence and ask for it to stop. Sometimes individuals do not realise that their behaviour is causing offence.

It may be helpful at this stage for the person suffering bullying/harassment to talk in confidence to the Human Resources Manager. Informal discussions should continue as long as possible to try to resolve the problem.

The question of suspension might need to be considered if it is proving difficult for the two staff to work together while the procedure is being followed. This would be on full pay and not a disciplinary action.

Stage 2 – Formal Procedure

If the informal steps do not resolve the issue, or if there is a single serious incident of bullying/harassment, which means that the informal approach is not appropriate, then the formal procedure will be followed. Bullying/harassment is a conduct issue and as a result the College's Disciplinary Procedure will be used for this purpose.

An investigation into the whole situation will be conducted by the Assistant Principal (Estates and Services), and if necessary, a disciplinary interview held. Suspension will again be considered while this process is undertaken.

If bullying/harassment is proved, it may be deemed gross misconduct and the appropriate disciplinary action will be taken in accordance with the Disciplinary Procedure.

In certain circumstances bullying/harassment can be unlawful behaviour contrary to statute law as set out in the Protection from Harassment Act 1997. A breach could lead to a term of imprisonment and/or a substantial fine.

If the complaint is against the Assistant Principal (Estates and Services) then the investigation will be conducted by a Deputy Principal. A complaint made against a Deputy Principal will be investigated by the other Deputy Principal. Likewise the Chair of the Corporation will investigate any complaint made against the Principal.