

Dealing with Bullying and Harassment at College - policy and procedure for students

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DEALING WITH BULLYING AND HARASSMENT AT COLLEGE POLICY AND PROCEDURE FOR STUDENTS

1. Introduction

The College is committed to the elimination of discrimination on the grounds of sex, marital status, sexual orientation, race, colour, nationality, creed or religious belief, ethnic or national origins, age and disability or any other irrelevant reason. The College recognises the problems associated with bullying and harassment and is committed to providing an environment in which all students can study without the fear of victimisation. If a complaint is brought to the attention of College staff it will be investigated promptly and appropriate action taken.

The College recognises that any form of bullying or harassment of students is entirely inappropriate and can seriously undermine relationships. At a personal level it can cause extreme distress and anxiety and can affect health and the continuation of studies. In some cases, it is unlawful and a criminal offence.

Any form of harassment or bullying is unacceptable in the College, whether or not it is unlawful. This policy attempts to deliver preventative action to keep young people and vulnerable adults safe from a wide range of potential harm including bullying and harassment.

The College is committed to:-

- Ensuring that all students are treated with dignity by promoting a culture where bullying or harassment is neither condoned nor tolerated where it is found to exist.
- Providing an environment where students have the confidence to report incidences of bullying or harassment without fear of further victimisation.
- Ensuring that any complaints of bullying or harassment are investigated quickly, effectively and sensitively.
- Ensuring that all students are aware that incidents of bullying and harassment, as well as malicious claims of bullying and harassment, are regarded seriously, can amount to gross misconduct and as a consequence, can be grounds for disciplinary action, including expulsion.
- Safeguarding and promoting the welfare of students receiving education or training on the College premises, with partnership providers and in work placements.

2. What is Harassment and Bullying?

Harassment and bullying is conduct which is unwanted by the recipient where people deliberately hurt or intimidate someone else. Bullying and Harassment are generally characterised as a pattern of behaviour and not a single event, although a single event may amount to bullying.

Harassment and bullying may include:

- Being called names
- Being teased
- Being punched, pushed or attacked
- Being forced to hand over money, mobiles or other possessions
- Getting abusive or threatening text messages, emails or postings on social networking sites such as Facebook, Twitter, Myspace. 'Cyberbullying' can take place at any time and can intrude into spaces that have previously been regarded as safe and personal
- Having rumours spread about them
- Being ignored or left out
- Being attacked because of their religion, gender, sexuality, disability, appearance, ethnicity or race, hate crimes
- Being humiliated in public

Bullying and Harassment can take place both on and off College campuses.

3. Roles and Responsibilities

All staff and students have a responsibility to stamp out bullying and harassment. Staff should not behave in any way that could be seen as threatening or cause offence to students. Students must take responsibility for their own behaviour both on and off-site. Both staff and students have the responsibility to take appropriate action when they witness an incident.

4. Procedure for dealing with Harassment and Bullying

This procedure has been designed to deal with complaints of bullying and harassment which need to be handled in a sensitive manner. The procedure, therefore, seeks to ensure minimal stress for the complainant, timely resolution of complaints and a degree of flexibility appropriate to individual circumstances.

This procedure is separate from the Student Disciplinary procedure, which may need to be used following an investigation under this procedure. Alternatively, an incident

may be so serious, or there may be sufficient evidence to proceed straight away with formal action.

It is recognised that in bringing a complaint, the complainant must be protected from further bullying and harassment or detriment arising from the alleged incident and associated complaint. Simply moving the complainant to another group or campus is not an option.

False allegations of harassment or bullying will be taken seriously and further action might be considered.

If at any point during this procedure the student is in danger/at risk a Safeguarding Officer must be contacted immediately.

For emergency situations where there is immediate risk of harm please call 999.

If an allegation of bullying or harassment is made by a student about a member of staff the Director of HR or their deputy, must be contacted immediately.

STEP 1 – INFORMAL ACTION

If a student feels that they are being harassed or bullied, they should, if possible keep a record detailing the event/s. No student should feel ashamed about being bullied as it is not their fault. As soon after the incident as possible, the student should seek help to try to resolve the issue informally in the first instance. This can be done by contacting the Student Services Welfare Team, the course tutor or the Students' Union.

An incident may be so serious, or there may be sufficient evidence to proceed straight away with step 2 - formal action.

Once the student contacts a member of staff or the Students' Union, he/she should work with the student to seek to resolve the issue informally which can include the following (depending on circumstances):

- Supporting the student to tell the bully to stop
- Helping the student to prepare a written log of the event/s (if they have not already done so)
- Requesting support for the student from the Student Services Welfare team (if they have not already been involved)

- The student working with the course area(s) to attempt an informal resolution by arranging discussion with both students
- Arranging Counselling with the Student Counsellor
- Taking no further action at this stage but keeping the situation under review.

STEP 2 – FORMAL ACTION

If the bullying and harassment continues and/or the student wishes to make a formal complaint, the Area Head for the complainant should be contacted. The situation can be escalated to the Area Head by the Student Services Welfare Team, SU or staff member if they have received the initial concern or by the complainant.

The Area Head will take a written record of the incident(s) of alleged bullying and harassment and where the complaint is against another student in the College, initiate a formal investigation into the allegations.

If the complaint is against a member of staff the Director of HR must be informed before any investigation takes place.

If the complaint is against any other person that is not an enrolled student or staff member, a Safeguarding Officer must be informed, as the matter may need to be referred to the Police.

How the complaint will be investigated

The investigation will be carried out by two Area Heads, the Area Head of the complainant and the Area Head of the alleged harasser. If both the complainant and the person carrying out the alleged bullying are in the same course area the Area Head can ask for assistance from the Assistant Area Head. The investigation should ensure that as far as possible the nature of the complaint in terms of sex/race/disability and the courses attended by the students, are taken into account when nominating the second investigator.

The investigation must include interviewing both the complainant and the student against whom the complaint has been made. The student against whom the complaint was made should be informed of the nature of the complaint and provided with a copy of the written record of the complaint and the 'Dealing with Bullying and Harassment' procedure. Both students should be given the opportunity to nominate witnesses whom they wish to be interviewed.

Detailed written statements will be made of the investigation interviews, which the students should sign and date, confirming that they agree with the statements.

The investigation should normally be completed within 15 working days of the formal complaint being received. On occasions, it may not be possible to keep within this timescale. In such cases, both students must be kept informed of the need for an extension and the likely timescale for completion

Where the students are under the age of 18, their parents/guardians must be informed of the investigation and the nature of the allegations. The students may be accompanied at the investigation meetings by a friend, who must be a student at the College, a student union representative or a member of the Student Services welfare team.

Possible suspension or alternative learning arrangements during investigation

In order to relieve the stress and pressure on one or both students; to prevent the risk of further incidents and to prevent victimisation, the Area Head should consider whether alternative learning arrangements need to be put in place during the investigation. Examples of alternative arrangements are: temporary change of course attendance, undertaking course work off-site, and possible suspension from college of the alleged harasser or complainant if appropriate.

Actions following investigation

The investigators will, on completion of the investigation, review the information collected and decide whether the complaint is substantiated. In some cases, there will not be any witnesses and it will be one student's word against another's. In these cases, the investigators will consider whether on balance of probabilities, the incidents/actions occurred.

The investigators will decide either to:

- Take no further action, that the allegations have not been substantiated; or
- Progress the case through the student disciplinary procedure. Where the alleged harasser is on a course in another Area of Study, the Area Head for the alleged harasser will initiate the Disciplinary procedure; or
- Take action other than to initiate the Disciplinary procedure. This may include:
 - Facilitating a re-conciliation meeting between both students
 - Making arrangements for both students to study as separately as possible (including the possibility of implementing Campus movement orders, restriction of time on campus to timetabled hours only)
 - Setting up arrangements to monitor the situation

5. Central recording of bullying and harassment cases

As part of its commitment to equality and diversity, safeguarding and reporting on the number of hate crimes, the College must centrally record bullying and harassment cases reported to the College. A central log of cases will therefore be maintained by Student Services Welfare Team.

Curriculum staff, representatives of the Student Union and student services staff must record each case of bullying and harassment using the form attached in Appendix 1.

A copy of this must be sent to Student Services (Welfare) and the Area Head (if the Area Head is not investigating)

6. Action when the complainant is dissatisfied

If the complainant or alleged bully/harasser disagrees with the decision, then the appeal procedure in the Student Disciplinary procedure (if disciplinary has been issued) or College complaints procedure will be followed.

7. Communication of the Policy

The policy will be communicated in the following ways:

To students through:-

Student Induction, Course handbooks, one to one and group tutorials, copies of the policy available from Student Services (Welfare) Team, and student portal.

To Staff through:-

Staff Induction, access to the policy on the College portal and further training as appropriate.

8. Associated Policies

Student Disciplinary Policy

Student Behaviour Policy

Dealing with Harassment and Bullying at Work – Policy and Procedures for Staff

Safeguarding policy

Induction

Procedures for responding to Compliments and Complaints

Central Report of Bullying/Harassment concern action and resolution

Please return this form either by secure email (sswelfare@colchester.ac.uk) or deliver to Student Services (Welfare), ground floor B block, Colchester Campus or Student Services (Welfare), Student Hub, Braintree Campus

Date of Report:	
Complainant's Name & ID Number: Course Name & Code:	
Alleged harasser(s) Name & ID Number: Course Name & Code:	
Details of Any Witnesses: Name: Name: Course & ID Number: Course & ID Number:	
Allegations: Provide a brief account of the allegations (Attach an account of the incident, including any relevant events leading up to the incident or if formal action has been taken provide contact details of the person holding the records)	

Action taken and by whom:

Any other relevant information:

Staff name: Signed:

Date:

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