

## Anti Bullying and Harassment Policy for Students

<b>Lead:</b> Carol McArthur	<b>Status:</b>
<b>Version:</b>	<b>Date of Version:</b> 7 March 2016
<b>Approving Body:</b> Senior Team	<b>Supersedes:</b> November 2011
<b>Approved on:</b>	<b>Next Review date:</b> 7 March 2021

### Equality analysis tool<sup>1</sup>

1.	Is the policy relevant to the public sector equality duty?	Yes
2.	Have any concerns previously been raised about this policy or practice?	No
3.	Is likely to result in discrimination against a protected group?	No
4.	Does this policy positively contribute to the participation of under-represented groups in the College's activities?	Yes

### Version Control

Version	Date	Change(s)
V2	7/3/16	Inclusion of SEND code of Practice

### Access

Location	Address/Link
Sharepoint	
Service Centre	
Document Centre	

### Communication

Medium	Audience
Team Briefing, Managers' Briefing, All-site Staff Meetings, Moodle, Student Induction	All staff and students

**The Screening Template relating to the Anti Bullying and Harassment Policy for Students can be found on page 10 of this document.**

<sup>1</sup> If the answer to any of these questions is yes, please complete the Screening Template provided and include as an Appendix to your policy.

## Wakefield College

### Anti Bullying and Harassment Policy for Students

**Review Cycle:** Every 5 years

**Next Review Date:** March 2021

**Person Responsible:** **Student Wellbeing & Safeguarding Manager**

**Approving Body:** Principalship

#### 1 Purpose

In presenting this policy the College seeks to:

- express its commitment to equality and diversity and fulfil its equality duty set out in the Equality Act 2010;
- express its commitment to following DfE advice contained in Preventing and tackling bullying (October 2014) and work to prevent all forms of bullying;
- fulfil its duty of care to safeguard and promote the welfare of learners;
- maintain and promote the College values of Excellence, Inclusiveness and Respect.
- Comply with the statutory requirements of the SEND Code of Practice: 0 to 25 years (2014)

#### 2 Aim

To promote an ethos of zero tolerance of bullying and provide a framework for managing, reporting and monitoring incidents of harassment and/or bullying.

#### 3 Definitions

3.1 Bullying is behavior by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally (DfE 2014). Bullying can take many forms such as physical, verbal and cyber bullying which involves the use of technology e.g. social media, internet, mobile phones.

3.2 Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual (Equality Act 2010).

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**Impact Assessed:** 7/3/16

3.3 Examples of bullying and harassment are included in Appendix 1.

#### **4 Statement of Policy**

4.1 Wakefield College is committed to ensuring that everyone is equally valued and treats each another with respect. The College will inform all learners that all types of bullying are unacceptable.

4.2 All complaints of bullying will be taken seriously and will be dealt with as quickly as possible.

4.3 This policy applies to incidents relating to Wakefield College students. This may include incidents occurring outside College, including cyber bullying, if it involves other Wakefield College learners and has an impact on the complainant's time in College.

4.4 Incidents of bullying will be dealt with as described in the procedures at Appendix 2. Whenever possible the situation will be resolved informally but if this is not appropriate the issue may proceed to formal disciplinary action.

4.5 Where bullying is directed at learners under 18 or adults deemed as vulnerable the College will determine whether there are any issues relating to its responsibilities under the legislative requirements of safeguarding.

4.6 Bullying which involves a criminal offence will be reported to the police and will be dealt with at the appropriate level of the Disciplinary Procedures.

4.7 All learners, including those with SEN, will have access to information on using the Internet and social media safely, including guidance on how to protect themselves against cyber-bullying and exploitation.

4.8 Supporting the emotional, mental and social development of disabled children and young people and those with SEN, to include referral to internal services as appropriate and listening to the views of pupils and students with SEN to develop measures to prevent bullying

#### **5 Monitoring**

5.1 Informal complaints and issues will be recorded and monitored by the Student Wellbeing and Safeguarding Manager. Formal complaints and disciplinary action will be monitored and reported through the Student and/or Staff Disciplinary Procedures and Complaints monitoring processes. Both will be reported to the Safeguarding and Wellbeing Development Group. For SEND students, the ALS Service will be informed to work with other professionals / agencies working with the young adult to protect their wellbeing and for additional strategies to be put into place to protect the young adult from harm.

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- 5.2 Bullying incidents which are considered to be Safeguarding issues will be recorded and monitored by the Student Wellbeing and Safeguarding Manager and reported to the Safeguarding and Wellbeing Development Group. They will be reported to Governors in the annual Safeguarding report.
- 5.3 Awareness raising of bullying and e-safety will be monitored through Student Perception Survey and Student Voice Forum.

## **6 Communication**

Learners will be made aware of this policy through:

- the induction process
- tutorial
- Moodle

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## Appendix 1

### Examples of Bullying and Harassment

#### 1 Physical Abuse

- any use of violence eg hitting, pushing, pulling, kicking, spitting, biting, shoving, tripping up, 'accidentally' banging into someone
- damaging, stealing, taking, hiding, throwing around belongings, coursework or money
- forcing someone to take drugs or other substances

#### 2 Verbal Abuse

- name calling, teasing, threatening, 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 graffiti, making silent or abusive phone calls and unkind practical jokes

#### 3 Silent Bullying

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

#### 4 Cyber Bullying

- misuse of the internet, such as social networking sites, e-mail, instant messaging and chatrooms eg posting malicious material
- sending inappropriate, abusive or hurtful text messages or e-mails
- misuse of associated technology eg camera and video facilities to post offensive or degrading images or videos
- happy slapping

#### 5 Racist and Religious Bullying

- taunts, graffiti, gestures, insults, refusal to work with others because of colour, ethnicity, culture, faith community, national origin or national status

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## 6 Sexual, Sexist or Transphobic Bullying

- unwanted physical contact or inappropriate touching
- forcing someone to do something sexual against their will
- sexually abusive comments
- jokes about sexual assault or rape

## 7 Homophobic Bullying

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

## 8 Disablist Bullying

- bullying aimed at those with disabilities
- manipulating a victim to do something they should not do but may not be able to recognise
- conditional friendships where the conditions get the victim into trouble or put them in danger
- constant low level bullying intended to make the victim “snap” and retaliate uncontrollably

## 9 Stalking

Continued unwanted attention through

- following
- personal contact (directly with the individual or through their friends and family)
- telephone calls
- letters
- e-mails
- text messages
- internet chatrooms

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## Appendix 2

### Procedure for Dealing with Harassment and Bullying

Complaints of bullying and harassment could come from the following sources:

- Informal complaints
- Third party or witness complaints
- Counter complaints
- Formal complaints
- Moodle reporting

#### 1 Informal Complaints

If a complaint is made, quick action can often lead to a problem being solved informally between those involved. Sometimes it is not appropriate to take an informal approach; however it should always be considered before more formal action is taken.

If a learner feels they are being bullied they do not need to take action alone. They can contact their student group leader, a Youth Worker, a Students' Union representative, a College Counsellor, or any other member of staff with whom they would feel comfortable. That person will need to offer support and guidance to help the learner decide on the best course of action to take. If that person needs help in handling the case they can contact a Student Experience Manager or Student Wellbeing and Safeguarding Manager for advice and support.

The learner should consider how they want to approach the alleged perpetrator. They may choose to meet with them, they might want to phone them or write a letter to them. Help with this may be given by the member of staff chosen above. If the decision is made to meet with the alleged perpetrator the member of staff may need to mediate. The alleged perpetrator needs to understand the impact of their actions and realise that it is unacceptable and must be stopped. If it comes to light that there is an underlying problem that is causing the action of the perpetrator, support can also be offered to deal with those issues.

The member of staff involved should record the details of the issue, action taken and the outcome on the attached proforma and forward it to the Student Wellbeing and Safeguarding Manager for monitoring and reporting purposes.

If the situation remains unresolved, there may be no alternative but to take formal action. If this happens the learner should be encouraged to keep a record of any incidents including dates, times, location, names of individuals involved including witnesses, action they may have taken and how they were affected by the incident.

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## 2 Third Party or Witness Complaints

If a learner witnesses behaviour that is perceived to be bullying they should report it to a member of staff. If a member of staff witnesses behaviour that is perceived to be bullying, they should follow the procedures in Appendix 2 or refer it to another appropriate member of staff.

## 3 Moodle Reporting

The Moodle system can be used for self-reporting or third party reporting of bullying concerns. Any such concerns will be investigated by the Student Wellbeing and Safeguarding Manager.

## 4 Counter Complaints

If an alleged perpetrator, following a complaint, makes a counter-complaint, the two complaints may be investigated separately or simultaneously. The member of staff undertaking the investigation will make a judgment about the appropriate course of action according to the extent to which evidence, witnesses etc are the same in both cases.

## 5 Formal Complaints

If an informal approach has not been possible or is seen as inappropriate or has not found a solution, the learner should make a formal complaint. This should then be investigated by the Head or Deputy Head of Department as described in the Student Disciplinary Procedures.

## 6 Complaints Against a Member of Staff

If the complaint of bullying is against a member of staff the informal stages of this procedure may apply. However if a formal complaint about bullying or harassment by a member of staff or the Corporation is received, this will be dealt with using the Staff Disciplinary Procedure.

## 7 Safeguarding Children and Vulnerable Adults

If a case of bullying and/or harassment is considered to be a safeguarding issue in relation to the College policy, the appropriate referrals will be made according to College procedures. The Student Wellbeing and Safeguarding Manager will deal with the referral of student cases and the Director of Human Resources will deal with cases involving staff.

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## Bullying and Harassment Policy

### Report of Informal Complaint

Member of Staff	
Date of report	
Details of complaint:	
Action taken	
Outcome	
Issue resolved    Yes/No	Issue referred to formal procedure Yes/No
<b>Please return this form to the Student Wellbeing &amp; Safeguarding Manager</b>	

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## Appendix One: Screening Tool

### Public sector equality duty

The Public Sector Equality Duty requires College to have **due regard** for the need to:

- eliminate discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people from different groups; this involves considering the need to:
- remove or minimise disadvantages suffered by people due to their protected characteristics;
- meet the needs of people with protected characteristics;
- encourage people with protected characteristics to participate in activities where their participation is low; and to
- foster good relations between people from different groups - this involves tackling prejudice and promoting understanding between people from different groups.

Consequently, we need to assure ourselves that our policies will not have an adverse differential impact on any particular group. This pre-screening section will enable you to identify whether your policy is likely to have an adverse differential impact.

Please use the following template to help determine whether an equality analysis is required

<b>Name of the policy</b>
Author(s):Carol McArthur

<b>Author(s) of Equality Analysis:</b>
Name: Carol McArthur
Job title: Student Wellbeing and Safeguarding
Date: 7/3/16
Signature: C.McArthur

In order to decide whether the policy requires further action, please complete the following questions:

**1. What are the main aims, purpose and outcomes of the policy?**

To promote an ethos of zero tolerance of bullying and provide a framework for managing, reporting and monitoring incidents of harassment and/or bullying

**2. Will these aims affect our duty to:**

	<b>Yes / No</b>	<b>How?</b>
advance equality of opportunity?	Yes	Positively
eliminate discrimination?	Yes	Positively
eliminate harassment?	Yes	Positively
foster good relations between people from different groups ?	Yes	Positively
tackle prejudice and promote understanding between people from different groups?	Yes	Positively

**3. What aspects of the policy, including how it is delivered, or accessed, could contribute to inequality?**

Visually impaired students may have difficulty accessing this policy by usual means so a copy will be sent to adaptations to disseminate as required appropriately to these students.

**4. Will the policy have an impact (positive or negative) upon the experience of people, including those who share a protected characteristic?**

Please complete the following table:

<b>Protected characteristic</b>	<b>Meet needs of people with this characteristic</b>	<b>Encourage participation (if under-represented)</b>	<b>Remove or minimise disadvantages</b>	<b>Possible negative impact</b>
Race	Yes	Yes	Yes	
Gender	Yes	Yes	Yes	
Disability	Yes	Yes	Yes	
Religion / belief	Yes	Yes	Yes	
Sexual orientation	Yes	Yes	Yes	
Gender reassignment	Yes	Yes	Yes	
Pregnancy /maternity	Yes	Yes	Yes	
Age	Yes	Yes	Yes	
Marriage / civil partnership*	Yes	Yes	Yes	

**Evidence:**

All students enabled to achieve their best in college without fear of bullying or harassment and a culture of respect and tolerance for others promoted, in line with the Prevent Duty and promotion British Values.

**6. What different needs, experiences or attitudes are particular communities or groups likely to have in relation to this policy?**

**Next steps**

If your answers to these questions have identified potential negative impacts, then you should consider further consultation or action to minimise the differential impact. Please contact the Assistant Principal: Inclusion & Partnerships for support.

If no further action is required, please sign the declaration below and include with all published copies of the policy.

**Declaration**

The policy does not have a significant impact upon equality issues and therefore does not require any further action.

<b>Author(s) of EA.</b>
Name: Carol McArthur
Job title: Student Wellbeing and Safeguarding Manager
Date:7/3/16
Signature: C.McArthur