

Learner Anti-Bullying and Harassment Policy

Author	Assistant Principal – English Maths and Support
Date	August 2022
Person Responsible	Assistant Principal – Construction and Engineering
Approval/ review body	SLT (Senior Leadership Team)
Frequency of Review*	36 months

** Policies will be reviewed more frequently if legal changes or good practice require*

Review History:		
Date of review	Reviewed by	Reason for review
January 2011	Compliance and Policy Manager	Title change of Person Responsible
December 2012	Assistant Principal Student Experience & Support	24 months Review
January 2016	Assistant Principal – English, maths and support	24 months review
January 2019	Assistant Principal – English, maths and support	36 months review
August 2022	Assistant Principal (Curriculum C) and Deputy Executive Principal – Teaching, Learning & Improvement	To reflect structural changes and ensure that Harassment is incorporated into the policy.

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Related policies/documents: Equality & Diversity Policy, Safeguarding Children and Vulnerable Adults Policy, The Behaviour Policy, Health & Safety Policy

1. Purpose

The purpose of this policy is to set out the College's commitment to the prevention, challenge and eradication of bullying and/or harassment among its learners and to detail what actions the College will take to achieve this objective.

2. Background

North Kent College ("the College") considers that all learners have the right to be treated with dignity and respect and will not tolerate any form of bullying or harassment. Students have the right to learn in an environment that is safe and free from discrimination, bullying and harassment. The College will challenge bullying and harassment in all its forms and take quick, clear and decisive action to protect learners.

3. Scope and responsibilities

This policy applies to all learners at all campuses and sites of North Kent College, including, but not limited to: Dartford, Gravesend, Greenwich, Hadlow and Tonbridge campuses. It also applies to all college related activities that take place outside of college or where learners can be associated with the college, including on social media.

Responsibility of Governors: to establish and implement the Anti-Bullying and Harassment Policy and ensure it is regularly monitored and reviewed.

3.1. Responsibility of all staff:

- 3.1.1. be aware of Anti-Bullying and Harassment Policy and procedures for reporting incidents thereof;
- 3.1.2. be aware of the signs and symptoms of bullying and harassment as per this policy; and
- 3.1.3. act in line with this policy should they suspect or observe acts of bullying and/or harassment or have acts of bullying and/or harassment reported to them.

3.2. Responsibility of learners:

- 3.2.1. be aware of Anti-Bullying and Harassment Policy;
- 3.2.2. follow the Learner Anti-Bullying and Harassment Policy and refrain from bullying or harassing behaviour; and
- 3.2.3. report incidents of bullying and/or harassment.

3.3. Responsibility of parents/carers:

- 3.3.1. to contact the College if they are aware of, or suspect their young person is being bullied or harassed or is involved in the bullying and/or harassment of others; and
- 3.3.2. to work with College staff to mediate and help to resolve conflict.

4. Related documentation

- 4.1. Equality and Diversity Policy;
- 4.2. Safeguarding Children and Vulnerable Adults Policy;
- 4.3. Behaviour Policy; and
- 4.4. Health and Safety Policy.

5. What is Bullying?

Bullying is defined as any unsolicited or unwelcome act by an individual or a group of people which hurts, humiliates, intimidates, belittles, or undermines the self-esteem and confidence of an individual or a group of people. Bullying can occur in person, via e-mail, text, or social media, telephone, in writing, in graffiti/posters, display or circulation of materials/books or via a third party.

5.1. Examples of bullying behaviour:

5.1.1. Emotional and Psychological

Ignoring, excluding, and isolating, tormenting, intimidating, belittling, insensitive jokes or pranks, damaging property belonging to another person, demanding money, favours or property, spreading rumours or lies.

5.1.2. Physical

Threatening, pushing, kicking, prodding, hitting, punching or any other use of physical or implied contact.

5.1.3. Sexual

Unwanted physical contact or inappropriate sexual comments or circulating offensive, sexually explicit or illegal material or images, including in private messages on social media platforms or telephones.

5.1.4. Discriminatory

Bullying behaviour because of, or focusing on, diversity issues such as: race; gender; sexuality; disability; age; religion and belief; maternity; marriage and/or transgender identity. This may include inappropriate language or taunts, gestures, graffiti etc.

5.1.5. Verbal

Name-calling, sarcasm, spreading rumours, making derogatory remarks, intrusive questioning, or goading; and/or banter (bearing in mind that what someone deems as 'banter' can be offensive to someone else).

5.1.6. Cyber

All areas of internet and mobile phone use, such as email, social media, mobile 'phone apps, threats by text messaging and misuse of associated technology, e.g., camera and video facilities.

6. What is Harassment?

- 6.1. Harassment is any unwanted physical, verbal or non-verbal behaviour related to a protected characteristic defined by the Equality Act (2010) that violates an individual's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment. A single incident can amount to harassment.
- 6.2. The term 'sexual harassment' refers to when a perpetrator acts in a sexual or romantic way towards an individual who does not want this attention.
- 6.3. Harassment includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
- 6.4. Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (the protected characteristics for the purposes of the Equality Act 2010).
- 6.5. A person may be harassed even if they were not the intended 'target'. For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.
- 6.6. Behaviour is also classed as sexual harassment if it involves making a threat or promise (e.g. I will do your assignment for you if...) based on the victim carrying out a request.
- 6.7. Other examples of sexual harassment include:
 - 6.7.1. innuendos directed at an individual;
 - 6.7.2. pressure for sexual activity;
 - 6.7.3. remarks about a person's body or clothing;
 - 6.7.4. unwanted messages, letters, calls, emails, or gifts;
 - 6.7.5. unwelcome requests for dates; and/or
 - 6.7.6. inappropriate physical contact or comments.

7. Crime and Hate Crime

- 7.1. If, in the course of bullying and/or harassing another, a learner commits or is suspected to have committed a crime (an action or omission that constitutes an offence punishable by law) whilst at College or on a College trip, it is the College's policy to report this to the police.

- 7.2. Hate crime is any offence committed as in 7.1 that has been motivated by hostility based on race, religion, disability, sexual orientation, or transgender identity or where the offender has demonstrated hostility on any of these bases or where the victim or another person perceives this to be the case. Any member of staff with a concern relating to suspected crime or hate crime must raise a safeguarding concern. Where appropriate, the Safeguarding team will support that member of staff to follow the correct reporting procedures with the relevant authorities, including but not limited to the Police.
- 7.3. Any learner with a concern regarding a crime or hate crime should report this to a member of staff, who will follow the procedure as identified in 6.3 above. If their concerns relate to incidents that have taken place outside of college, that learner should be encouraged to report their concerns themselves.

8. Signs and Symptoms of Bullying and Harassment

Signs and symptoms of bullying could include:

- 8.1. not wanting to go to College or travel on usual mode of transport;
- 8.2. changing usual routines;
- 8.3. becoming anxious or withdrawn;
- 8.4. attempting or threatening suicide;
- 8.5. crying without any obvious cause;
- 8.6. feeling ill/feigning illness;
- 8.7. work deteriorating at College;
- 8.8. possessions “going missing”;
- 8.9. becoming aggressive or unreasonable;
- 8.10. bullying other learners or siblings;
- 8.11. displaying increasing lack of confidence and self-esteem;
- 8.12. asking for, or stealing money;
- 8.13. having unexplained cuts or bruises; and/or
- 8.14. being excluded from group activities by other learners.

9. Reporting Incidents

- 9.1. A member of staff who becomes aware of possible bullying and/or harassment must report this to their Manager/Head or Deputy Head of Curriculum for the curriculum area where the learners are based and any other relevant Heads of Curriculum and members of their team(s).

Serious incidents where a learner may be at risk of harm must be logged on MyConcern referencing the event, the process and outcomes. Heads of

Curriculum will be responsible for determining whether a safeguarding report needs to be made and can give instructions to this effect.

- 9.2. The student reporting bullying and/or harassment should be encouraged to make a statement to include the following:
 - 9.2.1. date(s), times(s) and place(s) of incident(s);
 - 9.2.2. name of any witnesses;
 - 9.2.3. what actually happened;
 - 9.2.4. how it made them feel;
 - 9.2.5. any action taken e.g., reported to a member of staff;
 - 9.2.6. original copies of any correspondence or written material connected with the incident; and
 - 9.2.7. where cyber bullying has taken place, screenshots should be obtained wherever possible (e.g., of Snap Chat Snaps or Instagram Stories or Pages), or the member of staff taking the statement should sign it to say they have seen any text messages/images/call records on the learner's mobile phone.
- 9.3. Any other learner involved in any alleged bullying and/or harassment, including learners accused and learners alleged to have witnessed it should also be asked to provide written statements as per 9.2.
- 9.4. Where a learner requests or requires support to make a written statement, a member of staff can write/scribe for them, taking care to ensure the learner's words are accurately recorded.
- 9.5. Any reports taken may be used as evidence in subsequent disciplinary proceedings and any other processes that arise because of the report.

10. Confidentiality and Communication

- 10.1. In accordance with the College's Safeguarding Children and Vulnerable Adults Policy, all incidents will be treated with discretion and on a 'need to know' basis. Where there is a safeguarding concern associated with bullying, appropriate reports will be made with the relevant stakeholders and this will be communicated with the learner/s involved and their parents/guardians, where appropriate.
- 10.2. Where the Safeguarding Team have advised that a matter does not need to be reported further, a strategy should be developed with the learner/s involved to address the situation. This must be recorded on the safeguarding helpdesk and may also be recorded as a 'Note' on eTrackr, where appropriate.
- 10.3. Where an allegation is deemed to be serious, a report has been made to an external agency or disciplinary action is being taken because of an allegation of bullying and/or harassment, parents/guardians of the alleged victim/s and the accused should be contacted and informed of the report and the action of

the College. Where disciplinary action is being taken, communication should be in line with the College Behaviour Policy.

11. Stage 1 - Initial Meeting and Investigation

- 11.1. The Head(s) of Curriculum dealing with an allegation of bullying and/or harassment should set up an initial informal interview with both parties individually to explain the College policy on bullying and harassment. The alleged victim should be enabled to discuss the incident and all courses of action e.g., empowering the victim to address their concerns personally and directly,
- 11.2. Where a learner making an allegation of bullying and/or harassment does not feel comfortable addressing the matter themselves, then they may be supported by a member of staff, as deemed appropriate by the Head of Curriculum.
- 11.3. Support can be offered to all parties through signposting to the College Counsellor.
- 11.4. If it is believed that a learner is a victim of a crime or a hate crime, this should be reported as identified in Section 7 of this policy.
- 11.5. Where the matter is not able to be resolved at this informal stage, the Head of Curriculum may escalate the matter. This must be referred to the Safeguarding Team who will make a recommendation about whether they can facilitate mediation or whether the matter should be dealt with in accordance with the college behaviour policy. This will be determined by the severity of the matter and influenced by the wishes and behaviour of any relevant parties, including their willingness to participate, which may make mediation an inappropriate resolution.

12. Stage 2a – Formal Mediation

If it is the professional opinion of the Head of Curriculum that mediation could provide a satisfactory resolution to the matter **and** the alleged victim(s) and alleged bully(ies) are willing, then the mediator should be the learner's Personal Tutor but may be any other member of staff within that curriculum area with whom the alleged victim is comfortable as deemed appropriate by the Head of Curriculum. They may also be supported by a member of the Student Support Team. The Student Support Team can support with advice and assistance and may be able to support in meetings at the request of the Head of Curriculum. The procedure for mediation is as follows:

- 12.1. both parties should be encouraged to define the problem as they see it, individually with the mediator;
- 12.2. the impartial mediator identifies the key issues for both parties – these are listed on paper;
- 12.3. at the end of the individual session with the mediator, the mediator ascertains whether the parties are willing to meet, along with the mediator. This is the point when real mediation can take place, if both parties are willing to try, to move towards reconciliation;

- 12.4. at the joint meeting, led by the mediator, both parties should be encouraged to speak and express their opinion with only one person allowed to speak at a time. The mediator needs to firmly control the meeting to ensure it does not turn into a confrontation. If there is a concern that violence may occur, then the meeting should not proceed;
- 12.5. at the end of the meeting, the mediator should set up a plan of action which will satisfy each party and obtain agreement on these; a copy of this action plan will be placed on any relevant learner's eTrackr record as a 'Note';
- 12.6. a follow up meeting time will be agreed, and the situation monitored at agreed intervals for a set period; and
- 12.7. if mediation is not effective and any bullying and/or harassment continues, then appropriate disciplinary action should be taken in accordance with the college Behaviour policy.

13. Stage 2b – Behaviour Policy

The Behaviour Policy will be utilised in the first instance, at the discretion of the Head of Curriculum in the case of serious incidents of bullying and/or harassment or, following mediation where no satisfactory plan of action can be agreed or if the bullying and/harassing behaviour continues.

14. Alleged Bullying of a Student by a Member of Staff

- 14.1. A learner who feels that they are being bullied by a member of staff should discuss the issue with their Personal Tutor or Head of Curriculum as appropriate. If they feel that this is difficult, then they can discuss their concern with their Assistant Principal or with a member of the safeguarding team who can raise the matter on their behalf.
- 14.2. If it is not possible to resolve the issue, the learner can pursue the matter through the formal Complaints Procedure. The complaint will be investigated by the appropriate member of the Senior Leader Team and the learner will be contacted regarding the outcome. The Complaints Procedure can be found on the College Website. Where a complaint is upheld, the Staff Code of Conduct may inform further action.

15. Supporting the Bully

There is often an underlying reason for bullying behaviour.

- 15.1. Support may be required to enable a bully to change his/her behaviour. Breaking patterns of behaviour and expectations of other learners and staff may make them a victim to others. Bullies wishing to reform should be encouraged to seek help and advice; they can also be put in touch with external support organisations.
- 15.2. A bully should be encouraged to change their behaviour and should not be intimidated, humiliated, or made to feel uncomfortable when seeking support.