

STUDENT ANTI-BULLYING AND HARASSMENT POLICY

POLICY STATEMENT:

East Kent Colleges Group EKC Group is committed to the elimination of harassment, bullying and victimisation on any basis to include age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy, maternity and caring responsibilities, physical appearance and political views.

It is the right of every member of EKC Group to work or study without fear of harassment, bullying or victimisation and the Group recognises that the safety and wellbeing of its students is central to its success and reputation. The Group is therefore committed to providing a supportive, friendly, safe and positive environment which is free from unacceptable behaviours so that students can learn in an atmosphere which enables them to get the most out of their experience of college life.

Harassment, including sexual misconduct and harassment, bullying or victimisation is considered unacceptable behaviour at EKC Group: any such behaviours are considered an offence under current legislation and are counter to the Group's culture and values. As such, a zero-tolerance approach will be taken to any instances of such behaviour; all reports of harassment, bullying or victimisation will be investigated fully and if proven will be treated as possible grounds for exclusion. Incidents of bullying or harassment that are instigated against a student by a third party will be pursued and resolved by the Group as appropriate.

Specific reference to this issue will be made in student induction programmes and the respective Colleges will provide annual sessions for all staff and students on both the Policy and individual responsibilities.

Any conduct by staff or students outside of college which is considered to be harassment, bullying or victimisation and which directly affects a staff or fellow student(s) will, where evidence is available, be subject to this policy.

Definitions

What is Harassment?

The Equality Act 2010 defines harassment as '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'. Harassment is subject to a legal test in terms of whether it falls into the definition specified in the Equality Act 2010.

Harassment and/or bullying can be persistent or an isolated incident. Harassment can take many forms and may be directed at an individual or group of individuals. It is often subtle and therefore difficult to define. It can be conveyed in a range of ways including:

Physical

Contact, assault or gestures, intimidation, aggressive behaviour

Verbal

Comments, assumptions, stereotyping, unwelcome remarks, suggestions and propositions, malicious gossip, jokes and name calling which may be based on one or more of the following: age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy, maternity and caring responsibilities, physical appearance and political views. Tone of voice can often be misconstrued but may also be used with the intention of causing offence.

Non-verbal

Offensive literature or pictures, gestures, body language, invasion of personal space, graffiti and computer imagery, isolation or non-co-operation and exclusion from social activities.

Sexual Harassment & Misconduct

Sexual harassment is unwanted behaviour, conduct, or words of a sexual nature that can be suggestive, intimidating, degrading, humiliating, or embarrassing. This can include sexual jokes, innuendos, leering, wolf-whistling, upskirting, derogatory remarks, inappropriate physical contact (groping, touching), sexual propositions, stalking, and the display or circulation of sexual literature/materials, via any form of communication including but not limited to - face to face, emails, messaging, and social media. This also includes any incident which the individual feels crosses personal and professional boundaries according to the nature of their experience and the incident itself.

Sexual misconduct relates to all unwanted conduct of a sexual nature. This can include sexual harassment (defined above) as well as physical assault (defined by the Sexual Offences Act 2003), rape, unwanted conduct and unwanted sexual advances which creates an intimidating, degrading, humiliating, or offensive environment, physical unwanted sexual advances, intimidation or promising resources or benefits in return for sexual favours, grooming, or the

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distribution of private and personal explicit images or video footage of an individual without their consent.

Bullying and cyberbullying

What is bullying?

Bullying is behaviour, usually repeated over time that intentionally hurts another individual or group,

physically or emotionally. One person or a group can bully others. There is usually a power imbalance that makes it hard for the victims to defend themselves.

Cyber- bullying (Including use of social networking sites)

This is the sending or posting of harmful or cruel text or images using the internet or other digital communication devices. Examples of cyber-bullying are as follows.

- Text messages-unwelcome texts that are threatening or cause discomfort
- Picture/video-clips via mobile phone cameras – images sent to others to make the victim feel threatened or embarrassed
- Mobile phone calls – silent calls or abusive messages; or stealing the victim's phone and using it to harass others, to make them believe the victim is responsible.
- Emails – threatening or bullying emails, often sent using a pseudonym or somebody else's name.
- Chat room bullying – menacing or upsetting responses to young people when they are in a web-based chat room.
- Instant messaging – unpleasant messages sent as young people conduct real time conversations online.
- Bullying via websites – use of defamatory blogs, personal websites and online personal polling sites.
- Comments, images etc. posted on social networking sites that make an individual feel threatened, intimidated and have an adverse effect on that individual's wellbeing.
- Trolling – posting abusive, offensive message on social media which have the purpose of causing distress to an individual

The actions listed above must be viewed in terms of the distress they cause the individual. Motive is not necessarily relevant – “it's a joke,” is not a defence. It is the perceptions of the

recipient that determine whether any action or statement can be viewed as bullying.

The EKC GROUP has a statutory duty under the Education and Inspections Act 2006 to provide staff, students and their parents and carers with support if cyber-bullying takes place. The Group is able to conduct monitoring and filtering activity of internet use which includes chat rooms, messaging services and email. Using these facilities to harass others will be dealt with according to the College's Disciplinary Procedures. EKC GROUP's Acceptable Use of IT and Email Policy should be read in conjunction with this policy.

Whilst it is recognised that students and staff may communicate with other students and staff via the College social networking sites (e.g. Virtual Learning Centre, text tools, Teams, e-mail, Facebook, Twitter etc.), communication between staff and students via external social networking sites is not permitted. Any communication between staff/students and students/students that is inappropriate and/or of a nature that could constitute bullying or harassment will be subject to scrutiny if brought to the attention of a relevant member of staff, even if such communication is taking place outside of the College environment.

Signs and symptoms that may help to recognise that bullying and/or harassment are taking place.

A person who is experiencing harassment and/or bullying may exhibit some or all of the following signs and symptoms:

- Low self esteem
- Not wanting to come to college either walking or on public transport
- Poor attendance
- Poor performance
- Becoming withdrawn and anxious, interrupted sleep, nightmares
- Feeling ill in the mornings

- Personal possessions being damaged/stolen
- Unexplained cuts and bruises
- Falling achievement in class work
- Attempts/threatens suicide or runs away
- Is nervous and jumpy when a cyber message is received
- Is afraid to use internet or mobile phone

If you notice any of these signs/symptoms in the people with whom you work and study on a daily basis, if you feel able to do so it may be appropriate to speak with them about your concerns or make another member of staff aware or you should speak to your mentor.

It must be stressed that this policy applies to the whole EKC GROUP community and covers issues of bullying or harassment that may occur between:

- student/student
- staff/student
- for a student whilst on placement
- for a student undertaking social action activities

The EKC Group aims to promote respect for others, intolerance of harassment, the importance of self-discipline and the right to be treated with dignity and respect. The College requires all staff and student to take responsibility for their behaviour and modify it if necessary, to ensure it does not cause offence to others.

This policy should be read in conjunction with the College's Student Disciplinary Procedures and Agreed Standards of Behaviour.

Detail of procedure

EKC GROUP Procedures to Help Prevent Harassment and Bullying

EKC GROUP must be able to demonstrate that all reasonable steps have been taken to prevent harassment and bullying and that an effective and sensitive response mechanism exists to cope with instances of harassment should they occur.

EKC GROUP will also take the following steps to prevent incidents of harassment and/or bullying:

- Raising general awareness through induction, tutorials and training
- The policy and the procedures to follow if harassment and/or bullying should arise, will form part of EKC GROUP's induction programme for new staff and students and will be

made available to all staff and students through electronic media such as the staff intranet, student intranet, College website and on request.

- EKC GROUP will provide annual update sessions for all staff and students on both the Policy and individual responsibilities.
- Emphasising that the anti-bullying and harassment policy applies during any activity connected with EKC GROUP, such as travelling to and from the College, on the College premises, and on College trips, visits or business.
- Expecting all staff and students to recognise that they are responsible for adhering to and supporting the policy.
- Providing training and specific information for managers to ensure they gain the knowledge, skills and awareness necessary to operate EKC GROUP's policy and to adhere to relevant legislation efficiently and effectively, and to communicate this to other staff and students.
- The policy will form part of EKC GROUP's safe student and staff survey process to ensure full awareness.
- Students with a specific learning difficulty, which prevents them from accessing information through the above strategies, will be risk assessed and will be provided with the information in a way that meets their needs.

The Group has also implemented a 'Report and Support' function available on the EKC Online Portal.

'Report and Support' can be found on the EKC website landing page at the bottom under 'Staff and Student Access'.

Staff Responsibilities

Every member of staff has a responsibility to treat all students with dignity and respect and to ensure their own conduct does not cause offence or misunderstanding.

- Mentors/Personal Tutors have particular responsibility to support their students through any investigation into allegations of bullying and/or harassment.
- Lecturers and Heads of Department/Programme Managers have a responsibility to ensure that the delivery of the curriculum does not contravene the requirements or spirit of this policy.
- All staff have a duty to ensure that any allegations of bullying and/or harassment are treated as serious and are investigated fully.

- All staff who witness acts of bullying or harassment, or who are approached in confidence by students who are being bullied or harassed or by students who have witnessed such actions, have a duty to take action in line with this policy to prevent the reoccurrence of these acts. All staff are prohibited from engaging in intimate personal relationships with any learner enrolled at the Group.

Since incidents of bullying and harassment can vary from teasing and horseplay which are not maliciously intended through to serious violence and intimidation, potentially threatening the life or mental health of the recipient, it is important to select the appropriate level of response from the following:

- challenge the behaviour
- mediation
- formal complaint

Challenge the behaviour

Anyone who believes they are being bullied should ask the other person to stop and explain why that person's behaviour is unacceptable.

All staff and students have a duty to challenge any bullying to which they are witness, as follows:

- make sure that bullying is or was taking place, not merely horseplay in which the recipient was a willing participant
- make it clear to the alleged bully that their behaviour is unacceptable, and explain why
- encourage and support the recipient

If a student or staff member lacks the confidence to challenge bullying, they should seek support from an appropriate member of staff (please see below).

When the alleged bully has been challenged and told their behaviour is unacceptable, that may be enough to stop it. They may have been unaware that their behaviour is offensive or unwanted. If the bullying does not stop then the recipient may wish to seek a resolution through mediation or formal complaint.

Support

Group recognises that making a complaint of harassment and/or bullying is likely to be a distressing experience and that it may be difficult for students to raise complaints directly.

Accordingly, students may approach a friend or other appropriate individual (e.g. Mentor, Personal Tutor, student union, any member of staff) to raise the issue on their behalf. Any complaint of harassment and/or bullying will be investigated in a serious and sensitive manner, with due respect for all parties involved.

Support and assistance to the complainant and the alleged harasser/bully will be offered.

The following websites may be useful to anyone who feels they are being harassed or bullied, or would just like to receive further information.

<http://www.bulliesout.com>

<http://www.childline.org.uk>

<http://www.anti-bullyingalliance.org.uk>

<http://www.beatbullying.org>