

PETER SYMONDS COLLEGE

Prevention of Bullying and Harassment - Students

Date Reviewed by SMT:	1 May 2024
Date Approved by Governors:	8 July 2024
Member of Staff Responsible:	Deputy Principal (Welfare & Progression)
Next Review Date:	June 2027

The College has a zero-tolerance approach to bullying and harassment. The purpose of this policy is to enable students to fulfill their potential in College, both academically and personally, in a safe and supportive environment where each individual is respected and valued and 'counted in ones'.

This policy is not intended to supersede the College's student disciplinary procedures. Serious instances of proven bullying and/or harassment within College will usually be dealt with as a disciplinary matter.

1. Definition and examples

Bullying

There is no legal definition of bullying, however, it is usually identified as behaviour by an individual or group, usually repeated over time, that intentionally hurts another individual or group either physically, mentally or emotionally.

Examples:

Bullying behaviour can take many forms. It could be verbal (e.g. name-calling), emotional (e.g. taunting), indirect or social (e.g. exclusion from a group) or physical (e.g. hitting). Furthermore, it could be: racial or religious bullying; bullying related to gender or towards transgender people; homophobic bullying or bullying related to sexual orientation; bullying related to a learning difference or disability; and cyber-bullying.

In bullying behaviour, there is an actual or perceived (by the bully or by others) imbalance of physical or social power, which distinguishes it from conflict. The perception of bullying will vary from person to person but the perception of the student feeling bullied is central to the consideration of any complaint of bullying.

Harassment

Bullying can sometimes take the form of harassment. This is defined as unwanted conduct that violates a person's dignity, is found offensive or creates an intimidating, hostile, degrading or humiliating environment. It can happen on its own or alongside other forms of discrimination.

Harassment is unlawful under the Equality Act 2010 if it is because of or connected to the following protected characteristics: age, marriage or civil partnership,

pregnancy or maternity leave, disability, gender reassignment, race, religion or belief, sex or sexual orientation.

Harassment would also include any conduct related to colour, creed, ethnic or national origin, or any other personal characteristic, which is unwanted, unreasonable or offensive to the recipient, or any conduct that affects the dignity of any individual or group.

Examples:

Physical contact, assault or gestures, intimidation, aggressive behaviour, facial expressions.

Verbal unwelcome remarks, suggestions and propositions, malicious gossip or jokes based on any personal or protected characteristic

Non-verbal offensive written words, literature or pictures, graffiti and computer imagery, text messages, emails, comments on social media sites, isolation or non-co-operation and exclusion from social activities.

The perception of harassment will vary from person to person, but the perception of the student feeling harassed is central to the consideration of any complaint of harassment.

2. Policy Statement

The College considers bullying/harassment in any form to be a serious matter, which will not be tolerated. While there is no single solution to bullying/harassment, the College will always seek to try to resolve an issue. However, where there is a lack of evidence and/or conflicting evidence and/or counter-claims, it may not be possible to 'prove' or 'disprove' a case. Only where there is clear and unambiguous evidence in support of an allegation will formal procedures be used, such as the student disciplinary procedure, if appropriate.

In relation to bullying/harassment, the College will:

- take any allegation seriously.
- talk to all parties and take appropriate steps to stop the bullying / harassment and to prevent any further victimisation as a result of the allegation e.g. via mediation.
- offer support to victims of bullying and harassment.
- educate and offer support to the perpetrators to help them to address their behaviour and any root causes of it.
- raise student awareness of bullying and harassment; for example, via the tutorial programme.
- train staff so that they know what bullying/harassment is and what to do if they see it or a student discloses to them.
- liaise, where appropriate, with parents/carers.
- take appropriate and reasonable disciplinary action where bullying / harassment is proved.

It is recognised that any successful attempt to resolve a situation will rely on the willingness, openness and honesty of all those involved.

3. Procedures

Allegations of bullying or harassment can be reported to any member of staff. All allegations will be taken seriously.

- 3.1 The member of staff should deal with the matter as quickly as possible by:
 - 3.1.1 Carefully listening to the person who is bringing the allegation to establish what has happened. This may be a student, parent or carer and they may or may not be related to the person who is the victim of the bullying / harassment.
 - 3.1.2 Reassuring them that the matter will be dealt with as quickly and sensitively as possible.
 - 3.1.3 Making a confidential record of what is said including details of the alleged offence, date(s) and time(s), location(s) and names of witnesses or others who may be able to give further information on the alleged offence.
 - 3.1.4 Where there is evidence that bullying / harassment has taken place, referring the matter to a Director of Curriculum and Support, the Associate Director of Support, the Deputy Principal (welfare and progression), an Adult & Higher Education Division curriculum head or the director of Adult & Higher Education as appropriate.
 - 3.1.5 Where there is no evidence of bullying / harassment but an unpleasant situation has arisen between students, the member of staff may seek to resolve this by encouraging the student bringing the allegation to inform the perpetrator that their behaviour is offensive and causing distress and ask for it to stop. This may be the case if it is felt that the student concerned does not realise that their behaviour is offensive and causing distress.
 - 3.1.6 If the student does not feel sufficiently confident to undertake this first step, the member of staff may seek to resolve the situation through mediation, bringing the two parties together. If the student does not feel confident enough to be in the meeting the member of staff should seek to speak to both parties separately to bring about a resolution.
 - 3.1.7 The student should be advised to make notes of any further incidents and report these immediately.
 - 3.1.8 The incident should be noted on the student/s record/s in case of any future allegations or incidents.
- 3.2 If the person who is bringing the allegation is reluctant to give specific details, including the names of the alleged bully, they should be encouraged to do so but also made aware that it is unlikely that any concrete sanctions against the perpetrator will be possible.
- 3.3 If a student who is being bullied or harassed wishes to remain anonymous, their wishes should be respected. However, this may mean that there are certain questions or allegations that cannot be put to an alleged perpetrator without revealing the identity of the complainant. This should be explained to the complainant. The investigation should nevertheless continue as thoroughly as possible bearing these restrictions in mind.

- 3.4 Where a student who is being bullied or harassed does not wish any action to be taken, their wishes will be respected unless the behaviour may be deemed to be criminal, poses a serious threat to others or raises safeguarding concerns in which case the investigation will continue.

4. Investigations

Where an allegation of bullying / harassment is referred to a Director of Curriculum and Support, the Associate Director of Support, the Deputy Principal (welfare and progression), an Adult & Higher Education Division curriculum head or the director of Adult & Higher Education, they will firstly initiate a thorough investigation.

An investigation will only be initiated where there is concrete evidence to support the allegation. This might include CCTV or video footage, evidence of messages on social media or other physical evidence e.g. notes, photographs, that can be unequivocally linked to the alleged perpetrator. In cases of one student's word against another, this should be dealt with under section 3 procedures above (points 3.1.5 – 3.1.7).

Any use of CCTV images will be in line with the College's Code of Conduct for CCTV. Only members of SMT can permit access to CCTV images for the purposes of post-incident investigation. When considering whether to permit access to these images, members of SMT will consider whether there is an alternative to using the images. CCTV will only ever be accessed where by doing so there is a strong likelihood of finding evidence which is pertinent to a disciplinary incident

Senior Tutors may be involved in an investigation to meet with and interview students, gather statements and concrete evidence, and pass the information they have gathered to the member of staff leading the investigation.

The aim of the investigation and any interventions will be to:

- ascertain as far as possible the facts of the case.
- ensure the safety of the alleged victim.
- bring the bullying / harassing behaviour to an end.
- give clear messages that bullying / harassment is unacceptable.
- support all parties as necessary offering further support if appropriate.
- impose sanctions as appropriate.

An investigation may include some or all of the following actions:

- interview/s with the alleged victim
- instructions to the victim to keep a record of any further incidents
- interview/s with any witnesses or others who may be able to give further information on the alleged offence
- gathering physical evidence e.g. screenshots of social media chats, copies of relevant images etc.
- interview(s) with the alleged perpetrator
- gathering written statements from people interviewed
- Where bullying behaviour or harassment is particularly serious or involves a criminal offence (e.g. assault, criminal damage, hate crime etc.) the police may be informed.

Clear and accessible records must be kept of all parts of an investigation.

The member of staff conducting the investigation will keep the alleged victim informed of progress at regular intervals.

5. Possible Outcomes

Following the investigation, where a case of bullying or harassment is deemed to be in breach of the College's Code of Conduct – Students, the case will be dealt with through the College's Disciplinary Policy & Procedures including in deciding on appropriate sanctions.

A sanction of permanent exclusion is likely to be the outcome in cases in which there is proven harassment, victimisation or discrimination because of (or connected to) a protected characteristic as defined by the Equality Act 2010.

Parents / carers will usually be informed if a student is found to have been the perpetrator of bullying or harassment. Where there are safeguarding concerns, the decision may be taken not to do so.

In addition, the following outcomes may be considered:

- a meeting between the victim and perpetrator which is mediated by a member of staff. The contents of the meeting will be recorded in writing.
- an apology from the perpetrator to the victim. This may be in person or via a written communication (in which case the apology should be sent initially to the member of staff for approval before it is sent to the victim)
- training or education for the perpetrator which may be delivered by a member of College staff or someone external to the College
- referral to the College's wellbeing hub or counselling services for either party
- referral to external agencies as appropriate
- any actions suggested by the victim or perpetrator, which may help to bring about reparation

This list is not intended to be exhaustive and other measures may be taken, as appropriate, depending on the circumstances of the case.

All outcomes should be noted on the student/s record/s in case of future allegations or incidents.

The member of staff who dealt with the investigation should arrange to see the student three or four weeks after an incident is resolved to ensure that all is well and no further advice or support is required. This may be delegated to another member of staff as appropriate.

All staff involved in such issues must be aware of any individual needs a student may have (e.g. disability or learning difference) which may need to be addressed prior to any meeting or attempt at resolving the matter. Staff should contact the head of Study Support for advice.

At all times consideration will be given to confidentiality, impartiality and equality of opportunity.

See the College's Safeguarding of Children, Young People and Vulnerable Adults Policy, Appendix 5 for guidance on responding to reports of sexual violence and sexual harassment.

6. Monitoring and Review

All incidents dealt with under the College's Disciplinary Policy & Procedures - Students are logged and will form the basis of an annual monitoring report to the Senior Management Team, and reported to governors for information. Incidents relating to Equality, Diversity and Inclusion are identified separately in this report.

7. Linked Policies:

- Disciplinary Policy & Procedures – Students
- Safeguarding of Children, Young People and Vulnerable Adults Policy
- Equality, Diversity and Inclusion Policy - Students
- Freedom of Speech Policy
- Criminal Convictions & Police Investigations Policy – Students
- Complaints Policy

When this policy was reviewed, consideration was given to equality and diversity in the context of the 2010 Equality Act and any necessary updates agreed.