

# Harassment and Bullying Policy

## Policies and Procedures

Quality Assurance Benchmarking		
This policy and procedure maps to the following external quality assurance frameworks: QAA Quality Code, Good Practice Framework - handling complaints and academic appeals		
Document History		
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## Harassment and Bullying Policy

At West Dean College we believe that everyone is entitled to work and study in a supportive environment that values and promotes personal dignity. The College is committed to creating and maintaining a positive work and study environment for all members of its community and as such all reports of harassment and bullying are taken extremely seriously.

College staff and students are all responsible for ensuring that they treat others with respect and consider how their behaviour is perceived, to promote an inclusive and constructive environment in accordance with our Equality and Diversity Policy.

Harassment and bullying can take many forms which can be physical, emotional, verbal or cyber bullying but can have a negative impact on educational outcomes for all involved. The effect on an individual student or member of staff can be anger, depression, stress or even suicide while the bully can develop social disorders or even have an increased chance of engaging in criminal activity. Criteria for harassment and bullying include hostile intent, an imbalance of power, distress and provocation.

At West Dean great emphasis is placed on informal resolution wherever possible, but all complaints of harassment or bullying will be regarded seriously and may lead to disciplinary action. Formal complaints will be investigated by an independent member of staff, to ensure the procedure is thorough and fair to all parties involved.

The College recognises its equal duty of care to both the complainant and the alleged harasser and allegations will not be presumed proved until properly investigated using the appropriate procedures. Any allegations proved to be malicious or vexatious are likely to be subject to disciplinary action.

### Types of Bullying and Harassment:

#### Bullying and Harassment related to Age

This is unwanted behaviour and may include:

- Name calling, jokes, taunts and use of offensive language
- Verbal or physical abuse or intimidation
- Making assumptions about an individual's ability or competence because of their age
- Inappropriate reference to age
- Refusal to carry out instructions because of a manager's or tutor's age
- Refusal to work/study with and exclusion of an individual from social events or meetings because of their age



## **Bullying and Harassment related to Disability**

This is unwanted behaviour based on known or presumed disability, impairment or additional need. Such behaviour may include:

- Name calling, jokes, taunts and use of offensive language
- Verbal or physical abuse or intimidation; inappropriate reference to disability
- Asking inappropriate intimate questions about an individual's impairment
- Assuming that a physical or mental disability means that the individual is inferior
- Assuming that a mental disability means that the individual lacks intelligence
- Speaking to colleagues or peers rather than the person with the disability
- Refusal to work or study with and exclusion of disabled people from social events or meetings

## **Bullying and Harassment related to Sex/Gender, Sexual Orientation, Gender Identity/Re-assignment**

This is unwanted behaviour relating to anything to do with sex or gender

- Name calling, jokes taunts, unwanted comments or sexual slurs, and rude, belittling or offensive language
- Verbal or physical abuse or intimidation; unwanted touching, groping or invasion of personal space inappropriate reference to gender
- Sending any form of explicit, pornographic, unwanted material by email on College equipment or premises
- Making assumptions about an individual's ability or competence because of their sex/gender/orientation
- Refusing to carry out instructions because of an individual's gender
- Failing to support a pregnant woman (for example not allowing her to attend antenatal appointments)
- Exclusion from social events because of an individual's gender or orientation
- Intrusive questioning
- Breaching the confidentiality of someone who is intending to undergo, are undergoing, or have undergone gender re-assignment
- Refusing to treat a person as of their new gender when they transition
- Failing to address a person by their preferred name and correct gender pronouns
- Inappropriate exclusion of a trans person from toilet or changing facilities for their preferred gender



## **Bullying and Harassment related to Race**

This is unwanted behaviour based on race, ethnic or national origin, nationality, caste or skin colour. Such behaviour may include:

- Name calling, jokes, taunts and use of offensive language
- Physical or verbal abuse or intimidation
- Displaying racially offensive material including graffiti
- Refusal to work or study with and exclusion of an individual from social events or meetings because of their race, colour, nationality or ethnic origin

## **Bullying and Harassment related to Religion or Belief**

This unwanted behaviour based on religious beliefs or practices, including non-belief and non-religious beliefs. Such behaviour may include

- Mocking or deriding people's religious or non-religious beliefs or lack of belief
- Ridiculing people for wearing items for religious reasons
- Denigrating cultural customs
- Dismissive treatment of requests for holidays for religious or cultural festivals

## **Staff and Student Procedures**

### **Addressing Harassment and Sources of Support**

Any person who believes they have been subjected to Harassment or bullying has the right to be listened to and have their concerns taken seriously. The College would not wish that any person suffer distress or leave the College because they consider others are subjecting them to harassment or bullying.

If a person believes they are being subject to harassment or bullying there are formal or informal options available to them. It is recommended that where possible and appropriate, attempts to resolve the situation informally should be taken in the first instance. It is however up to the individual how they want to proceed.

It is recommended that a written record of any incident of harassment or bullying is made as soon as possible after an incident occurs. This should be signed and dated and kept for future reference. Students may wish to ask advice from the Student Welfare Manager on the options available under this policy while the Head of People can provide signposting for staff on the options available under this policy.



## Informal Procedure for Addressing Harassment and Bullying

If a person believes they are being subject to harassment or bullying they can opt to take an informal approach without recourse to formal procedures.

- This can be done by Individual Action by speaking directly with the person concerned to try and bring the situation to a close. This should be done when they can speak privately to the individual, the behaviour that is giving concern clearly identified and it made clear that this behaviour is unwelcome and must stop immediately. Alternatively, if the individual is uncomfortable about making an approach in person, they could opt to put their concerns in writing. It is advisable to keep a record of either the discussion or correspondence that takes place.
- If approaching the person directly does not resolve the situation then Third-Party Intervention may be helpful. This third party could meet with the person concerned or facilitate a meeting between the persons involved to discuss the situation and to try and jointly reach agreement. Both parties must be informed about this meeting and given 24 hours advance notice.
- Another possibility is Mediation where a member of College staff provides a structured and confidential process to help both parties re-build their relationship. Students who may wish to consider mediation as a way forward should contact Student Welfare so that a case for mediation suitability can be established. Staff should contact the Head of People.

## Formal Procedure for Addressing Harassment

In most cases informal procedures will be effective in resolving the situation but if this does not achieve satisfactory results, a formal allegation of harassment and bullying should be submitted. These should be made in writing and include:

- The Complainant's personal details (allegations should be made by named individuals. The College cannot guarantee that anonymous allegations will be taken forward)
- Outline of allegation (including dates, times and places)
- Details of the alleged harasser
- Details of any witnesses, and, if relevant
- Details of any informal attempts to resolve the situation

Students who wish to make a formal complaint should address their letter to the Academic Registrar, and Staff to the Head of People.



## **Allegations from Students**

The investigator will produce a written report for the Principal with conclusions and recommendations for action. The Principal will consider the report and, on the basis of the evidence collected, determine what course of action should be taken. This may include:

- That a disciplinary process under the relevant disciplinary procedure begin
- That remedial actions such as mediation, training or counselling be taken

If a student considers an issue is not resolved, they can refer their concerns to the Office of the Independent Adjudicator for Higher Education (OIA).

**Allegations from Staff** will be handled by the Head of People as outlined in the students' process above.

## **Allegations from Students and / or Staff**

All persons involved in an allegation of harassment or bullying can seek advice and support from their Course Leader and/or Student Welfare and/or Head of People in the first instance as appropriate.

Persons subject to a formal allegation of harassment or bullying should not contact the Complainant or any named witnesses as this is unlikely to solve the situation and could make things worse. They are advised to consider what is being said carefully and not to dismiss the claims out of hand. Even if it was not the intention to cause offence, actions can still constitute harassment or bullying if they could reasonably be considered to have this effect. If this is the case then behaviour will need to change. If a person believes the accusation against them to be unfounded they should still participate willingly in any proceedings so that the situation can be resolved.

All allegations from students would be dealt with through West Dean's Student Complaint Resolution Process outlined in Student Complaints and Academic Appeals Policy. This can be found on the West Dean website. Allegations from staff would be dealt with through processes outlined in West Dean's Staff Handbook.

Processes outlined above will ensure that all reports of incidents of harassment, bullying and sexual misconduct are managed within a clearly communicated and reasonable timeframe.