



POLICY TO ADDRESS HARASSMENT AND BULLYING

SCOPE

This policy is applicable to all governors, staff, learners, customers and visitors to Bromley Adult Education College (BAEC), including all College buildings and community venues.

POLICY

BAEC is committed to ensuring that everyone is equally valued and treats one another with respect. BAEC aims to provide a supportive environment in which no individual, or group of individuals, feels threatened or intimidated.

We will inform all governors, staff, learners, customers and visitors that all types of harassment and bullying are unacceptable. People who feel they have experienced harassment and bullying will be encouraged to take appropriate action to prevent further occurrences, and we will support them in this action. All complaints about harassment and bullying are taken seriously and will be dealt with quickly and with respect for all the people involved. We recognise that some individuals may need training in order to address behaviour that arises from ignorance and we will provide relevant training when necessary.

DEFINITIONS OF HARASSMENT AND BULLYING

Harassment and Bullying are unacceptable forms of behaviour associated with discrimination. It can take many forms. It may be directed at an individual, or a group, and can be persistent or a single serious incident.

Harassment and bullying can be unpredictable, irrational and may not be obvious to others. Such behaviour can cause an individual to feel isolated and can have possible implications for their physical or mental health. People being bullied or harassed may sometimes appear to overreact to something that seems relatively trivial to others, but may be the latest in a series of incidents.

What is harassment?

Harassment is a discriminatory act and is also a criminal offence. It may be related to age, sex, race, disability, religion, nationality or any personal characteristic of the individual(s). The point is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Harassment could be:

- Physical
Unwanted contact (e.g. unnecessary touching), standing too close, assault or gestures, intimidation, aggressive behaviour
- Verbal
Unwelcome remarks, suggestions and propositions, malicious gossip, innuendo, which is based on a person's sex or race or which refers to a person's age, disability, sexuality, religion or personal appearance
- Non-verbal
Offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation, letters, e-mails, internet materials or other offensive language

This Policy recognises that certain individuals may exhibit some of the above behaviour patterns as part of their disability. In such circumstances, the College will endeavour to support and raise awareness with all concerned that such behaviour may be inappropriate in the College environment.

What is bullying?

Bullying is any conduct which places an individual in fear of their position or safety, or a feeling of intimidation, and causes distress or alarm. It should be appreciated that different people have different levels of sensitivity and it is up to the recipient to judge whether they have experienced behaviour that is unacceptable to them. It can happen in public or private.

An assertive teaching style in itself would not constitute bullying. But where assertiveness gives way to aggression, it is likely to become destructive rather than constructive. What is important is that the conduct makes the recipients(s) feel upset, humiliated, vulnerable, or undermines their self-confidence. It may also cause them to suffer stress.

Some examples of bullying are:

- Consistently undermining someone and their ability to do their work
- Shouting and the use of sarcasm at an individual to get things done
- Derogatory or belittling remarks in front of others regarding appearance, work or personal attributes
- Unwarranted exclusions or victimisation
- persistent threatening, offensive, abusive, intimidating or insulting attack on an individual on the basis of their ethnicity, culture, religious beliefs, colour and use of language
- failing to take into account cultural differences

Bullying is not confined to open derisory remarks or aggression but can also be subtle and devious, resulting in an individual being singled out, demeaned or devalued.

An individual or a group of individuals can carry out bullying.

Legitimate, constructive or fair criticism of a learner's or member of staff's performance or behaviour at College would not be seen as bullying. An occasional raised voice or argument is also not considered as bullying.

PROCEDURES FOR DEALING WITH COMPLAINTS RELATED TO HARASSMENT and BULLYING

There are various ways in which an individual can deal with harassment or bullying, from simply asking for it to stop through to making an official complaint. If a person feels they are a victim of harassment or bullying, they should keep a record of all the relevant incidents, including times, dates and, if appropriate, the names of any witnesses to the incidents and any other information.

All complaints of harassment and bullying will be addressed speedily and, if possible, within the Informal Procedure (see below). This is likely to produce solutions that are effective and minimise embarrassment and risk to confidentiality. However, there may be occasions when the Informal Procedure is not adequate due to the nature of the complaint and the Formal Procedure (see below) is more appropriate.

INFORMAL PROCEDURE

If at all possible, the recipient of the harassment/bullying should tell the person that their behaviour is causing them offence and that they want the unacceptable behaviour to stop. Frequently, the individual can be unaware that their actions are inappropriate and that there could have been some misunderstanding or misinterpretation by either party. Here the behaviour is unintentional, and a swift and clear indication that the behaviour is unacceptable may well be enough.

If a learner feels uncomfortable at confronting the person directly, or talking to them has had no effect, they may want to talk the situation through with someone else, such as a friend, tutor or another member of staff.

Every effort will be made to achieve an informal resolution. There may be occasions when the Informal Procedure may fail to bring about a satisfactory conclusion. In other instances, the harassment/bullying may be considered too serious, either by the complainant or the individual giving advice, to be resolved informally. On such occasions, the complainant will be advised that a Senior Manager will be appointed in order to attempt to resolve the matter.

There may, however, be situations when the Senior Manager will advise the complainant to raise a formal complaint without further exploring informal resolutions.

FORMAL PROCEDURE

In order to initiate the Formal Procedure, the complainant must make a formal complaint. The complainant's friend or advocate may make the complaint on behalf of the complainant, provided it is endorsed and/or signed by the complainant. This should be addressed to the Customer Care Manager. The complaint should include the name of the alleged harasser/bully, the nature of the alleged harassment/bullying, dates and times of when the incidents occurred, names of any witnesses to the incidents and any action which has already been taken to attempt to stop the harassment/bullying.

The complainant will receive a written acknowledgement of their formal complaint within 5 working days of its receipt.

An investigation will be arranged, as soon as it is reasonably practicable, which will be appropriate to the nature of the complaint. The investigation will be conducted by the Customer Care Manager. The complainant may be accompanied by a friend, advocate or Trade Union representative, at any meeting throughout the Formal Procedure. A third, neutral, party will also be present at all meetings as an independent witness. Although the investigation may require the complainant to recount details of specific incidents, they will not be asked to do so unnecessarily or repeatedly.

The alleged harasser/bully will be made aware of the allegation as soon as the formal complaint has been received.

The Customer Care Manager will provide the alleged harasser/bully with written details of the complaint and the right to, and time to, respond to the allegation(s). It is desirable for the Customer Care Manager to meet with alleged harasser/bully within 10 working days of receipt of the allegation(s). Due to the sensitivity of such allegations, witnesses may wish to have their identity concealed and this will be respected. However, details of the allegations must be disclosed.

APPEALS PROCEDURE

If the complaint is not settled through the Formal Procedure, then the Appeals Procedure is activated. The complaint is passed to the Principal, who then assesses the evidence and aims to resolve the situation.

If the complaint still cannot be resolved to the satisfaction of all parties involved, then it is passed to the College Governors.

See Appendix A for Appeals Procedure Flowchart

MONITORING AND REVIEW

This Policy will be monitored termly via the complaints section of the Monitoring Report. The Policy will be reviewed annually.

APPENDIX A

FORMAL AND APPEALS PROCEDURE FLOWCHART

