

Student Bullying & Harassment Policy

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Appendices

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1. INTRODUCTION

Joseph Chamberlain College aims to create a community which is supportive, where all individuals (staff and students) are treated with respect and their contribution to the learning process is valued. The College will not tolerate bullying or harassment in any form and will take firm and decisive action to protect the interests of its students whenever incidents are identified.

There are many forms of bullying and harassment that are illegal. The Equality Act came into operation on 01 October 2010 and was followed by additional legislation specifically related to public sector organisations in April 2011. The Equality Act brings together in excess of 166 separate pieces of legislation into one single Act. Combined these make up an Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Equality Act simplifies, strengthens and harmonises legislation to provide the UK with a united discrimination law which protects individuals from unfair treatment and actively promotes a fair and more equal society.

Bullying and harassment can have a detrimental effect on all who experience it, however, for vulnerable students with reduced coping strategies, the effects as detailed below may be very much amplified:

- Stress and anxiety
- Absenteeism and low achievement
- Lowered self-esteem and depression
- Health related problems such as digestive upset, insomnia and self-harm
- Trouble with relationships both at College and home due to stress

Bullying, harassment of any kind is unacceptable at Joseph Chamberlain College. If it does occur, students are urged to voice their grievances in the secure knowledge that incidents will be taken seriously and dealt with sensitively.

- All students and staff are responsible for creating a learning environment free of bullying, threat, harassment and intimidation.
- All staff and students should know what the college policy is on bullying and harassment and what they should do if bullying or harassment occurs. All allegations of bullying will be addressed through the Student Disciplinary Policy and Procedures and specified as misconduct and potentially gross misconduct.
- Students should be assured that they will be supported and listened to when bullying or harassment is reported.
- No one deserves to be a victim of bullying or harassment. Students who are bullying or harassing others need to learn different ways of behaving. Everyone has the right to be treated with respect. This College and its staff recognise its responsibility to challenge and change the behaviours of others to ensure a positive learning environment for all.
- Any person alleging or being accused of bullying or harassment will be provided with help and support throughout the process and will be safeguarded against victimisation.

2. Aim & Scope of the Policy

- This policy outlines behaviour that would be considered inappropriate or unacceptable behaviour which has the potential to make someone feel intimidated, degraded, humiliated or offended. The behaviours listed in this

policy are not exhaustive, there may be other behaviours that cause individuals to feel uncomfortable or are unwanted that will be acted upon under this policy.

- This policy also provides clear guidance concerning the procedures in place to deal with any allegations of bullying or harassment.
- As such, all students, staff, volunteers and visitors to Joseph Chamberlain College will be made aware of this policy.

3. Definitions

Bullying is treating someone differently because of who they are, not because of anything they have done. It is the persecution of an individual by another person or group of people. Bullying is the wilful, conscious desire to hurt, threaten or frighten someone else. Bullying involves dominance of one person by another, or group of others. The following are common examples of bullying, but not an exhaustive list:

- Intimidation/threatening behaviour
- Any form of physical abuse e.g. punching, kicking
- Verbal abuse – shouting at, insulting, “putting down”
- Psychological abuse – isolating an individual, preventing them from becoming part of a group or involved in certain activities
- Anonymous letters or spreading rumours that they are designed to upset
- Demanding money
- Demanding coursework to copy against a person’s will
- Stealing, hiding or damaging belongings e.g. books, clothing bags
- Teasing people about their physical appearance
- Intimidating or threatening emails or text messages on any form of media

Harassment may be defined as any conduct that is unwanted by the recipient, or any conduct which affects the dignity of any individual, or group of individuals including cases where the recipient is not offended or not present. Harassment may be repetitive, or an isolated occurrence against one or more individuals.

- **Physical Harassment** includes unwanted contact (e.g. unnecessary touching), assault or gestures, intimidation or aggressive behaviour.
- **Verbal Harassment** includes unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter which are based on a person’s sex or race or which refer to a person’s age, disability, sexuality, religion or personal experience.
- **Non-verbal Harassment** includes offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion from social activities. Harassment may be related to age, sex, race, disability, religion, nationality or any personal characteristic of the individual(s).
- **Disability Harassment** includes threats, physical or verbal abuse against a person or group because of their disability or jokes, mockery, unwarranted remarks, graffiti or innuendo which offends people on the grounds of their disability.
- **Racial Harassment** includes threats, physical or verbal abuse against a person or group because of colour or ethnicity. Discrimination on the grounds of race, colour or ethnicity, jokes, mockery, unwarranted remarks, graffiti or

innuendo which offends people on the grounds of their colour, race or ethnicity.

- **Religious Harassment** includes threats, physical or verbal abuse against a person or group because of their religion or belief, jokes, mockery, unwarranted remarks, graffiti or innuendo which offends people on the grounds of religion or belief.
- **Gender Harassment** includes threats, physical or verbal abuse against a person or group because of their gender. Discrimination on the grounds of gender, jokes, mockery, unwarranted remarks, graffiti or innuendo which offends people on the grounds of their sexual orientation, verbal or physical sexual advances which are coercive or unwelcome, whether they are intended to offend or not.
- **Sexual Harassment** includes the use of stereotypes to demean either sex or derogatory or discriminatory statements and discrimination on the grounds of sexual orientation, jokes, mockery, unwarranted remarks, graffiti or innuendo which offends people on the grounds of their sexual orientation.
- **Age Harassment** includes threats, physical or verbal abuse against a person or group because of age, jokes, mockery, unwarranted remarks, graffiti or innuendo which offends people on the grounds of their age.
- **Provocative behaviour** includes the wearing of badges, clothing or insignia which may cause offence or display or circulation of offensive material (emails and text) and stereotyping [labelling].

Victimisation is the act of targeting mistreatment towards an individual or individuals who may have submitted a complaint on the grounds of discrimination or harassment. This includes those individuals who are vulnerable and open to abuse because of their diminished ability to challenge such behaviour. Therefore, this includes victimisation of anyone that has supported someone else in making a complaint.

4. MONITORING AND EVALUATION

Joseph Chamberlain College will;

- Address any situation where concerns arise regarding allegations of bullying or harassment using the College's disciplinary policy and procedure.
- Review this policy every 3 years and in response to major changes in legislation or significant events.
- Bullying, harassment and victimisation will be included within the college tutorial programme.
- Ensure that this policy is accessible to all staff and students.

5. Linked Policies

- Safeguarding Policy
- Esafety policy
- The Student Charter – JCC10
- Student Behaviour Policy
- College Complaints Procedure

Appendix 1 – Potential indicators of bullying or harassment

These signs and behaviours could indicate other concerns, but bullying, harassment or victimisation will be considered a possibility and will be investigated when the student:

- is frightened of travelling to or from college
- changes their usual routine
- is unwilling to go to college
- begins to truant or begins to avoid certain lessons
- becomes withdrawn, anxious, or lacking in confidence
- attempts or threatens suicide or runs away from home
- begins to do poorly in college work
- has possessions which are damaged or " go missing"
- asks for extra money or starts stealing money (to pay bully)
- has dinner or other monies continually "lost"
- has unexplained cuts or bruises
- becomes aggressive, disruptive or unreasonable
- is bullying other children or siblings
- stops eating
- is frightened to say what's wrong
- gives improbable excuses for any of the above
- is afraid to use the internet or mobile phone
- is nervous and jumpy when a cyber message is received
- no longer wants to talk about 'the college day'
- avoids certain areas of the college
- feels they are prevented from participating in some college activities

Appendix 2: How to Report Allegations of Bullying or Harassment

Students

1. If you feel you are a victim of bullying or harassment, **TELL SOMEONE**. This may be, in the first instance, your teacher, your tutor, someone in Student Services or any other member of staff.
2. Once a member of staff has been alerted, they will then inform the Safeguarding Officer. You will be listened to sympathetically and your concerns taken seriously.
3. All incidents that are reported will be formally logged on the Safeguarding database My Concern.
4. As a result of the interviews the Student Disciplinary Procedure may be followed or support offered.
5. If you are under 18, the College may feel it necessary to involve your parents or carers.

Staff

All complaints about bullying or harassment will be taken seriously and treated sensitively. It is important to discuss possible strategies with the victim in the first instance and proceed as appropriate.

1. Staff should report the incident via My Concern. This will be picked up by a Safeguarding Officer.
2. It may be helpful to use the restorative questions initially when speaking to the students involved (Appendix 5).
3. Any follow up action or reports will be uploaded to My Concern by the safeguarding team. Where it is found that a student has failed to observe the College's Bullying and Harassment Policy, then the student Disciplinary Procedure should be followed.
4. Where appropriate staff will contact parents detailing the incident and stating that the College is taking action.
5. Mentoring and other support can be offered to all students involved where appropriate.
6. If appropriate, a specific tutorial on bullying/harassment can be carried out if there are concerns within a curriculum area.

Appendix 3: Allegations of Peer-On-Peer Abuse

Staff should recognise that young people and vulnerable adults may also be vulnerable to physical, sexual and emotional bullying and abuse by their peers. There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation, etc. However, it may be appropriate to regard an individual's behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the individuals concerned; or
- The perpetrator has repeatedly tried to harm one or more other young/vulnerable people; or
- There are concerns about the intention of the alleged perpetrator.

If the evidence suggests that there was an intention to cause harm to the victim, this should be regarded as abusive whether or not harm was actually caused. College staff should not automatically dismiss some abusive behaviour as 'normal' between learners. Concerns must be raised with the DSL or one of the safeguarding deputies using the usual safeguarding referral process.

Extract from Keeping Children Safe in Education September 2020

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to):

- *abuse within intimate partner relationships;*
- *bullying (including cyberbullying)*
- *sexual violence and sexual harassment*
- *physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm*
- *sexting and initiation/hazing type violence and rituals.*

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Staff should be aware of the importance of:

- *making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;*
- *not tolerating or dismissing sexual violence or sexual harassment as "banter", "part of growing up", "just having a laugh" or "boys being boys";*

- *challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.*

Appendix 4: Guidelines for the Use of Restorative Practice

Rationale for Restorative Practice

- This can be used by staff initially when a student comes to them with an issue and when the students agree to it.
- Can help to provide staff with the prompts needed to ask questions and resolve/identify an issue early to prevent it escalating.
- Could be used as an option to give students a chance to resolve their issues before having to go through the disciplinary procedure.
- The use of these questions ensures that all students get the same experience when reporting an issue, no matter which staff member they report it to.
- By all staff using these questions, we will be able to create an environment where they feel comfortable in reporting issues to staff; this could highlight any possible issues.
- Students will realise the impact that their actions (extended to impact on the class, staff and family) can have and will be able to consider this before making choices, rather than after.

Restorative Practice

These are examples of the questions that can be used by staff to try to resolve an incident that has taken place.

Restorative Questions 1 (To respond to challenging behaviour)

- What happened?
- What were you thinking about at the time?
- What have your thoughts been since?
- Who has been affected by what you did?
- In what way have they been affected?
- What do you think needs to happen next?

Restorative Questions 2 (To help those harmed by others' actions)

- What did you think when you realised what had happened?
- What have your thoughts been since?
- How has this affected you and others?
- What has been the hardest thing for you?
- What do you think needs to happen next?

Where appropriate, agreements/action plans can be decided by students and monitored by the appropriate staff member.

Appendix 5: Dealing with Bullying & Harassment Flowchart

Should you have any doubt as to the actions you should take please follow the flow chart below or contact Student Services for further advice.

