



New College Durham

**Policy on**

**Prevention of Bullying and Harassment  
(Learners/Students)**

**Approved on**

**June 2019**

**Approved by**

**Academic Policy Review Group**

This Policy will be subject to review in **5 years** of the approval date or earlier if required under Section 4/4 of the Academic Policy Review and Development Framework

New College Durham is committed to safeguarding and promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff and volunteers to share this commitment.

This Policy applies to all activity undertaken by the College in pursuing its purpose as an educational institution whilst serving its learners/students, community and wider stakeholder interests.

If you require this document in an alternative format and/or language, please contact the relevant Administrative Coordinator.

We review our policies regularly to update them and to ensure that they are accessible and fair to all. All policies are subject to equality impact assessments which are carried out to determine whether the policy has, or is likely to have, a different impact on those with protected characteristics.

We are always keen to hear from anyone who wants to contribute to these impact assessments and we welcome suggestions for improving the accessibility of fairness of this and all College policies.

To make suggestions or to see further information please contact:

## **Policy Author**

ASC Manager

### **Christine Padgett**

Curriculum and Quality Directorate

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## **Equality Impact Assessment**

A statement confirming that the policy has been subjected to a rigorous assessment for any potential impact on the full range of stakeholders with those impacts being assessed and considered and, where appropriate, suitable adjustments to the policy have been included prior to the adoption of the policy.

## **Footnote**

In an effort to keep costs to a minimum a conscious decision has been made not to print out this document and it would be appreciated that you refer to the copy and relevant Appendices available on the Intranet.

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## 1. Rationale

The reason for the development of this policy is derived from the College's commitment to providing a safe, positive and supportive environment in which all can achieve their full potential. The College recognises that bullying and harassment undermines the confidence, self-esteem, and health and well-being of the learner/student and can impact on his/her attendance and attainment. It can lead to serious physical and emotional concerns. All learners/students, staff and visitors are entitled to be treated with respect and understanding and to take part in any activity free from intimidation. Bullying and harassment of any kind is unacceptable and will not be tolerated.

This policy should be read and implemented alongside the College's PREVENT Duty, Learner Behaviour Policy, Disciplinary Procedure (Learners/Students), Safeguarding Young People and Safeguarding Adults at Risk Policy. It also links to the following College policies and procedures: Equality, Diversity & Inclusion, Tutorial, the Prevention of Harassment, Bullying and Victimisation in the Workplace. It is informed by the relevant legislation and guidance.

This policy applies to all learners/students whilst on designated College premises, on College transport, or on College related activities. As the College provides education and training to a wide range of learners/students, the implementation of the policy will take account of the age and circumstances of the learners/students concerned e.g. parental involvement. When a learner/student has not reached compulsory school leaving age and is still enrolled at school, the College will liaise with the appropriate educational establishment to determine appropriate action.

The Prevention of Bullying and Harassment includes:

- a. having effective arrangements in place to promote and maintain a safe learning environment (Prevention of Bullying Policy, Health, Safety and Welfare Policy Manual, Prevention of Harassment, Bullying and Victimisation in the Workplace Policy, Work Placement Policy, First Aid Policy, Prevention and Management of Substance Misuse Policy, Safeguarding Young People and Adults at Risk Policy, Disciplinary Procedure, Equality, Diversity & Inclusion, Tutorial Policy, PREVENT Duty). This list is not exhaustive and new policies will be developed to discharge the duties relating to this Policy;
- b. raising awareness of issues and equipping Young People and Adults at Risk to keep themselves safe (opportunities through the curriculum, tutorial, preparing for work experience, through the relevant themes of Fundamental British Values development and links with Advice, Support and Careers (ASC) service, Student Development Co-ordinator and New College Durham Students' Union);
- c. taking all measures to ensure that learners/students are suitably protected from the risks associated with radicalisation and extremism.

This policy and its accompanying procedure are underpinned and informed by the relevant legislation and guidance including (*this list is not exhaustive*):

- a. Working Together to Safeguard Children July 2018 (DfE);
- b. Keeping Children Safe in Education September 2018 (DfE)\*;
- c. Counter-Terrorism and Security Act February 2015.

\* This is the key statutory document for Safeguarding in Schools and Colleges. All schools and Colleges must have regard to this statutory guidance when carrying out their duties to safeguard and promote the welfare of children.

## 2. Definitions

Bullying and harassment are subjective experiences and can take many forms. Bullying often involves an imbalance of power. Some people may feel they are being bullied or harassed when there is no intention from others to cause them distress. Such perceptions of bullying and harassment should be taken seriously.

**Bullying** can be defined as:

‘behaviour by an individual or group, which can be a one-off incident, but it is usually repeated over time, that intentionally hurts another individual or group either physically or emotionally.’

**Harassment** can be defined as:

‘any unwarranted behaviour which is offensive, demeaning or threatening.’

Harassment relates to the protected characteristics (The Equality Act 2010: protected characteristics and types of discrimination, refers).

Types of bullying and harassment may include:

- a. **verbal** – name calling, making offensive comments, taunting, mocking, spreading hurtful and untruthful rumours, racial or sexual insults;
- b. **emotional** – ignoring, excluding, damaging property, demanding money;
- c. **physical** – pushing, kicking, hitting, threatening violence;
- d. **cyber-bullying** – involves use of offensive e-mails, text messages, telephone calls, picture/video clips, mobile phone cameras, websites, instant messaging and chat rooms.

**Cyber-bullying** can be defined as:

‘any form of bullying which takes place online or through smartphones and tablets, social networking sites, messaging apps, gaming sites and chat rooms such as Facebook, Xbox Live, Instagram, YouTube, and Snapchat to support deliberate, repeated, and hostile behaviour by an individual or group, which is intended to harm others.’

Cyber-bullying can be as simple as continuing to send e-mails, texts, or posting social networking comments to someone (directly or indirectly) who has said they want no further contact with the sender. It may also include threats, sexual remarks, pejorative labels (e.g. hate speech), ganging up on victims by making them the subject of ridicule in forums, and posting false statements as fact aimed at humiliation.

Motives for bullying and harassment can be related to: race, religion, culture, appearance, health, gender, unwanted sexual behaviour or comments, special educational needs (SEN), disability, home circumstances or sexual orientation (homophobic).

There may be serious incidents of bullying and/or harassment which are covered by the policies for Safeguarding Young People or Safeguarding Adults at Risk if a learner/student has suffered, or is likely to suffer significant harm and action is required to promote and safeguard his/her welfare.

### **3. Aim**

The aim of this policy is to help ensure a safe and positive environment within the College. This involves the promotion of good practice, the prevention of bullying and harassment and a consistent response to any incidents of bullying or harassment.

#### **4. Learner/Student Entitlements**

Under the terms of this policy all learners/students at the College are entitled to:

- a. a positive safe College environment free from bullying or harassment;
- b. information on required standards of behaviour, how to respond to any concerns and sources of support;
- c. concerns about bullying or suspected bullying being taken seriously, followed up appropriately and with a sensitivity to the individual's circumstances;
- d. concerns about harassment or suspected harassment being taken seriously, followed up appropriately and with a sensitivity to the individual's circumstances;
- e. appropriate support if they are being bullied or harassed, including immediate action to ensure safety, the exploration of strategies to prevent further incidents and the offer of on-going support from appropriate course/support staff or external agencies (Bully and Harassment Concerns – Request for Support).

#### **5. Learner/Student Responsibilities**

This policy requires learners/students to fully acknowledge and actively engage in fulfilling their responsibilities by:

- a. following expected standards of behaviour and refrain from any type of bullying, harassment, or victimisation;
- b. being alert to any signs of bullying and/or harassment and pass on any concerns to a member of staff;
- c. acting in a respectful and supportive manner to other learners/students who report any suspected incidents which the victim may be afraid to report.

## **6. Responsibilities of Parents, Carers, Employers and Other Stakeholders (where appropriate)**

- a. Stress to learners/students the importance of appropriate behaviour and support the College's commitment to promoting a positive environment and preventing bullying and harassment.
- b. Encourage learners/students to report any concerns they have relating to bullying or harassment, consider direct contact, if appropriate (Bullying and Harassment Concerns – Report Form).

## **7. College Staff Entitlements**

Under the terms of this policy all staff at the College are entitled to:

- a. work without being bullied or harassed, they have the right to complain if this should occur;
- b. their concerns being treated seriously if they are being bullied or harassed by any member of the College community (a learner/student or learners/students' family member/carer), or staff;
- c. have concerns followed up and support offered (Human Resources Policy "Harassment, Bullying and Victimisation in the Work Place");
- d. have concerns followed up and support offered if a disclosure is made relating to malpractice via Public Interest Disclosure Procedure ("Whistleblowing").

## **8. College Staff Responsibilities**

This policy requires all College staff to ensure that:

- a. they embrace a whole College approach which encourages a positive, safe and supportive environment free from bullying and harassment;
- b. they promote and implement Fundamental British Values and the College's anti-bullying and anti-harassment ethos, policy and procedures;
- c. they foster opportunities to promote positive behaviour, anti-bullying and anti-harassment approaches, including inductions, course based activities, tutorial and cross College events;
- d. they respond positively and sensitively (respecting the rights of the learners/students) to incidents or concerns raised by learners/students, staff, parents/carers, employers or other stakeholders;



- e. they ensure learners/students are made aware of the support available if they have any concerns about bullying or harassment;
- f. they apply sanctions fairly, consistently, proportionately and reasonably, taking account of special educational needs, disability and the needs of vulnerable learners/students, offering support as appropriate;
- g. they keep written records of bullying concerns or incidents (Bullying and Harassment Concerns – Report Form), follow up, monitor and review in accordance with College procedures.

## **9. College Management Responsibilities**

College Management should ensure that:

- a. they embrace a whole College approach to support a safe and supportive environment, implement measures to protect all members of the College community;
- b. staff are aware of the policy and procedures and that they receive appropriate training and support to undertake their roles effectively;
- c. they undertake and oversee investigation, monitoring and review of incidents/allegations, as required;
- d. the anti-bullying and harassment policy and its implementation does not discriminate against any individual on the grounds of race, gender, disability or sexual orientation and that it supports good relations between different communities (The Equality Act 2010: protected characteristics and types of discrimination, refers).

## **10. Standards by which the Success of this Policy can be Evaluated**

The following standards/measures will be considered when evaluating the success of this policy:

- a. learner/student voice feedback involvement in activities and developments (surveys, forums, tutorials, cross-College activities);
- b. monitoring of incidents or allegations of bullying and/or harassment, satisfactory outcomes;
- c. staff responses to training and the employment of appropriate strategies;
- d. positive self-assessment processes and external reviews.

## **11. Responsibility for Implementing this Policy**

Responsibility for the implementation of this policy resides at all levels of the College specifically:

- a. the Principal and Chief Executive has overall responsibility for the implementation of the policy across the College;
- b. the Heads of School/Department and Vice Principals are responsible for overseeing the operation of this policy in the Schools/Departments;
- c. Curriculum Managers and Course Leaders are responsible for ensuring that course teams collaboratively address the requirements of this policy;
- d. the curriculum delivery staff, including tutors and subject lecturers, are responsible for meeting Learner/Student Entitlements;
- e. the ASC Manager is responsible for liaison on issues relating to the protection of young people and adults at risk and for the provision of counselling/personal support for learners/students and staff;
- f. all College Managers and staff are responsible for overseeing or implementing the policy within their own areas.

## **12. Associated Documentation**

This policy should be read in conjunction with the following supporting/related documentation:

**Appendix A** – Equality Impact Assessment;

**Appendix C** – Policy Development Request.

# **Appendices**



New College Durham

## Equality Impact Assessment Record

New College Durham actively promotes the basic British values of democracy, the rules of law, individual liberty and mutual respect and tolerance for those of different faiths and beliefs.

<b>1. Department/School:</b>	Student Progression
<b>2. People carrying out the assessment:</b>	Christine Padgett, ASC Manager
<b>3. Policy/procedure being assessed:</b>	Prevention of Bullying and Harassment Policy (Learners/Students)
<b>4. Main aims of the policy/procedure:</b>	To enable New College Durham to demonstrate its commitment to providing a safe, positive and supportive environment in which all can achieve their full potential. The College acknowledges its duty to act appropriately and immediately to any allegations, reports or suspicions of bullying and/or harassment.
<b>5. What examples of current good practice are there relating to the protected characteristics?</b>	<ol style="list-style-type: none"><li>Implementation of, and strict adherence to, the Prevention of Bullying and Harassment Policy (Learners/Students) Policy will improve the prevention of undermining the confidence, self-esteem, and health and well-being of the learner/student and can impact on his/her attendance and attainment. The College takes positive action to meet the needs of people with protected characteristics.</li><li>Where bullying and/or harassment is suspected or occurs, staff uphold the rights of people about their safety and involve them throughout the remedial process.</li><li>Staff take account of the person's lifestyles, beliefs and rights to private life when developing action plans with them.</li></ol>

Cont'd...

**6. For which of the protected characteristics could there be a negative impact?**

	Please Tick
Age	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>
Gender Re-assignment	<input type="checkbox"/>
Marriage and Civil Partnership	<input type="checkbox"/>
Pregnancy and Maternity	<input type="checkbox"/>
Race	<input type="checkbox"/>
Religion or Belief	<input type="checkbox"/>
Sex	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>

The Equality Impact Assessment has found that there are no negative impacts resulting from the implementation of the Prevention of Bullying and Harassment Policy (Learners/Students). Indeed it has a positive impact on all learners/students because it outlines the responsibility of all staff if they have any concerns relating to the welfare and safety of all. It also outlines guidelines for safe working practices for all staff.

**7. Describe that impact**

Whilst training is undertaken by all staff, inability to read the detailed and prescriptive contents of the Prevention of Bullying and Harassment Policy (Learners/Students) and Procedure could possibly result in inappropriate action or inaction being undertaken.

**8. What action needs to be taken to remove the impact?**

Both the Prevention of Bullying and Harassment Policy (Learners/Students) Policy and accompanying Procedure contain a statement welcoming suggestions for improving the accessibility or fairness of the Policy and Procedure.

Both the Prevention of Bullying and Harassment Policy (Learners/Students) Policy and accompanying Procedure will be available via NCD Online (College intranet) and are therefore subject to the College's Accessibility requirements.

**9. Who will implement the action plan?**

ASC Manager

**10. By when?**

Subsequent to upload to NCD online following formal approval.

**11. Monitoring Process**

Designated Safeguarding Leads' meetings, Equality, Diversity and Inclusion Group and Safeguarding and PREVENT Group.

Cont'd...

<b>Completed by:</b> Christine Padgett	<b>Endorsed by:</b> Christine Padgett
<b>Signature:</b> <i>Christine Padgett</i>	<b>Signature:</b> <i>Christine Padgett</i>
<b>Printed Name:</b> Christine Padgett	<b>Printed Name:</b> Christine Padgett
<b>Role:</b> ASC Manager	<b>Role:</b> ASC Manager
<b>Date:</b> 12.02.19	<b>Date:</b> 12.02.19
<b>Date for Review:</b> May 2024	

Cont'd...

## Equality Impact Assessment Action Plan

Please complete the following Action Plan, based on the actions you have identified above, particularly in Section 8.

<b>Department/School:</b>	
<b>Policy Assessed:</b>	

<b>Issues identified</b>	<b>Changes Required</b> Mark with an asterisk (*) any changes that may be generic to other functions	<b>Resource Implications</b>	<b>Responsibility for Implementation</b>	<b>Timescale</b>	<b>Progress Update</b>



Once completed, this should be e-mailed to Christine Padgett ([christine.padgett@newdur.ac.uk](mailto:christine.padgett@newdur.ac.uk)) and a copy retained by the author.

Please note the policy author is responsible for completion of this action plan.



## Appendix C

<b>Policy Review/Development Request</b>		<b>Date of Request:</b>	04.04.2019
<b>Proposed or current title of Policy: Prevention of Bullying and Harassment (Learners/Students)</b>			
<b>Is this a proposed new policy or a review of an existing policy:</b> <i>(please tick whichever is appropriate)</i>	<b>Proposed new Policy:</b>	<b>Review of an existing Policy:</b>	
		X	
	<b>Due date for Submission:</b>	<b>Due date for Review:</b>	
	March 2019	March 2022	
<b>Rationale:</b> <i>Please identify the drivers of the review/development of the stated policy</i> <ul style="list-style-type: none"> <li>• Review date was March 2019;</li> <li>• Previous policy author has left NCD employment;</li> <li>• Related Policies were referenced which have now had policy name changes;</li> <li>• Cyberbullying definition updated;</li> <li>• Reference to Fundamental British Values included;</li> <li>• Removed the wide range of associated policies listed and focussed on those that have been currently updated and have major changes to consider in relation to the updated Prevention of Bullying and Harassment (Learners/Students)</li> </ul>			
<b>Consultation (Where appropriate) N/A</b>			
<b>Forum/Meeting/Group:</b> <ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> </ul>	<b>Date of Meeting(s):</b> <ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>	<b>Key points emerging from the consultation exercise:</b> <ul style="list-style-type: none"> <li>•</li> </ul>	

<b>Review/Development undertaken by:</b>	<b>Name: Christine Padgett, ASC Manager</b>	<b>Signed:</b> 	<b>Date submitted to APRG:</b> 08.04.2019
<b>Approval Body Use only, (once completed in full please return to the APRG Chair)</b>			
<b>Approval Body Title:</b> Academic Policy Review Group			<b>Date Received:</b> 12.06.19
<b>Policy Approved –</b> <i>(Please delete appropriately)</i>	<b>If no please specify the nature of the issue(s):</b>	<b>Chair:</b> Dawn Fairlamb	<b>Date:</b> 12.06.19
Yes		<b>Signature:</b> 	
<b>APRG Chair's Actions:</b>			
<b>Date notifying Policy/Procedure Author of approval:</b>	<b>Date sent to IT Services for upload to Intranet:</b>	<b>Date Intranet checked to ensure correct and timely upload:</b>	<b>Final sign off by Chair of APRG (is fully satisfied that the policy, any accompanying procedure and EIA are fully completed)</b>
02.07.19	02.07.19	03.07.19	<b>Date:</b> 02.07.19 <b>Signature:</b> 