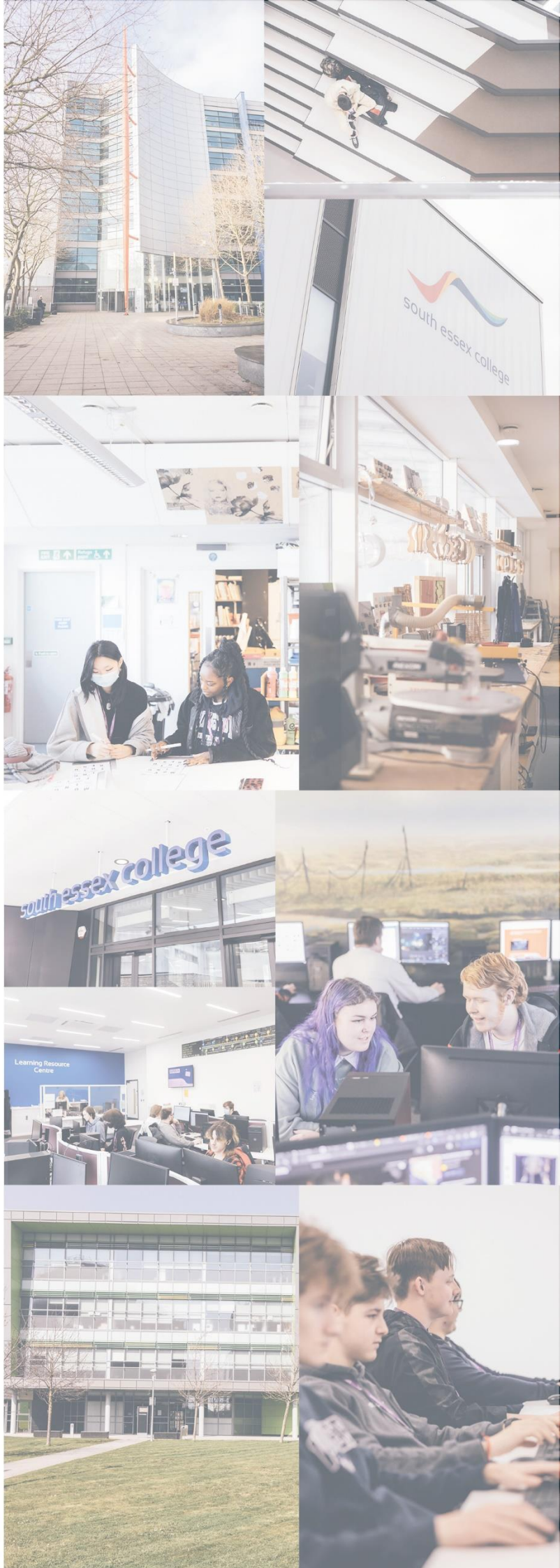




STUDENT ANTI-BULLYING & HARASSMENT POLICY & PROCESS 2024-26



SIGNIFICANT CHANGES FOLLOWING REVIEW

PAGE NUMBER OR HEADING NAME	DETAILS OF SIGNIFICANT CHANGE	CHANGES MADE BY
3 Scope	New section to outline who this policy relates to	Head of Safeguarding
4.2 Definitions	Definition of harassment updated	Head of Safeguarding
4.3 Sexual Misconduct	Definition of sexual misconduct added	Head of Safeguarding
4.4 Hate Crime	New section added to include the definition of a hate crime and the ambassadors trained with the college	Head of Safeguarding
4.6 Working Definitions	New section added to include the working definitions of antisemitism and islamophobia	Head of Safeguarding
5.2 What to do if I witness Bullying?	Advice on how students can share any bullying concerns	Head of Safeguarding
6.3 Route 3: Formal Investigation & Action	Added in trauma-informed approaches when investigating Confirmation that sexual misconduct cases managed under safeguarding Policy & Procedure Change of wording regarding reports being objective	Head of Safeguarding
6.4 Incidents occurring off-site and out of college hours	Further information added on confidentiality and information sharing	Head of Safeguarding
7 Outcomes	Added timeframes on appeal outcomes	Head of Safeguarding

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1. Introduction

South Essex College Group aims to ensure that learning environments are supportive, where all individuals are treated with courtesy and respect and their contribution to the learning process is valued. The College will not tolerate harassment and bullying in any form and will take firm and decisive action to protect the interests of its students whenever incidents are identified.

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

- Stress and anxiety
- Absenteeism and low productivity
- 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

2. Aims

This policy outlines behaviour that would be considered inappropriate or unacceptable and provides procedures for the making and hearing of complaints of bullying and/or harassment.

The behaviours listed in this policy are not exhaustive, there may be other harassment practices that cause individuals to feel uncomfortable or are unwanted that will be acted upon under this policy. As such, all students, staff and visitors to South Essex College will be made aware of this policy.

This policy and procedure are to be used when a student or member of staff reports bullying or harassment by a student at the College.

When a student or member of staff reports bullying or harassment by a member of staff at the College, they are to use the Grievance Policy and Procedure which can be found on the College Intranet. Appendix A shows the procedure for reporting student bullying and harassment.

It is the policy of South Essex College that:

- a) All students are responsible for creating a learning environment free of bullying, threat, harassment and intimidation.
- b) Any person alleging or being accused of harassment or bullying by a student will be provided with help and support throughout the process and will be safeguarded against victimisation.
- c) Harassment and bullying will be addressed by the Student Supporting Positive Behaviours Policy and Procedures (FE) and the Disciplinary Policy (HE).

3. Scope

For the purpose of this policy the term 'student' will encompass any child, young person or adult studying any FE/HE course/programme (full-time, part-time, work-based, apprenticeship or school age/link/infill) at South Essex Colleges Group.

For the purpose of this policy the term 'Staff' will encompass the following groups
Governors, College employees, agency workers and volunteers, contractors, consultants and those working under self-employed arrangements.

4. Definitions

4.1 Bullying

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 a complete 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 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 or personal circumstances
- Intimidating or threatening emails or text messages
- Use of social media to intimidate, threaten or tease

4.2 Harassment

Harassment (as defined by Section 26 of the Equality Act 2010) includes unwanted behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics:

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation

Harassment may be repetitive, or an isolated occurrence against one or more individuals which leaves a person(s) scared, distressed or threatened. If the behaviour occurs two or more times it can be reported to the Police.

4.3 Sexual Misconduct

Sexual misconduct relates to all unwanted conduct of a sexual nature. This includes, but is not limited to:

- Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010)
- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
- Assault (as defined by the Sexual Offences Act 2003)
- Rape (as defined by the Sexual Offences Act 2003)
- Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015)

The College recognises that sexual misconduct in all its forms can happen anywhere and are committed to responding to all reports and concerns including those that take place outside of college and/or online. Sexual misconduct is never acceptable and will not be tolerated.

It is essential that we challenge these behaviours and stress the importance of addressing inappropriate behaviours between students that are actually abusive in nature. Downplaying certain behaviours (e.g. "just banter", "boys will be boys") can lead to a culture of unacceptable behaviours, an unsafe environment for students and staff and in worst case scenario a culture that normalises abuse leading to young people accepting it is normal and not coming forward to report it. As a College we want to ensure that our environment is safe for everyone so that students and staff feel they can go about their learning and work without fear of harassment.

The College is committed to supporting all our students and will use the policies and procedures developed in the college, specifically the Safeguarding Policy & Procedure, to manage all cases of sexual misconduct. The Supporting Positive Behaviours Policy & Procedure will support appropriate sanctions.

4.4 Hate Crime

A hate crime is defined as 'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual

orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.'

A hate incident is any incident which the victim, or anyone else, thinks is based on someone's prejudice towards them because of their race, religion, sexual orientation, disability or because they are transgender.

Types of hate crime can include physical assault, verbal abuse and incitement to hatred. The College will train staff to become Hate Crime Ambassadors to effectively support victims reporting to the Police as well as ongoing support and guidance.

4.5 Types of Bullying and Harassment

Physical includes unwanted contact (e.g. unnecessary touching), assault or gestures, intimidation or aggressive behaviour.

Verbal 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 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 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 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 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 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 includes a range of behaviours such as sexualised name-calling and verbal abuse, criticising sexual performance, ridiculing physical appearance, criticising sexual

behaviour, spreading rumours about someone's sexuality or sexual experiences they have had or not had, unwanted touching and physical assault. Sexual bullying and harassment is behaviour which is repeated over time and intends to hurt someone by using that person's gender, sexuality or sexual (in)experience to hurt them

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].

4.6 Working Definitions

The College adopts the International Holocaust Remembrance Alliance (IHRA) working definition of Antisemitism.

"Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

The college adopts the United Nation's definition of Islamophobia

"Islamophobia is a fear, prejudice and hatred of Muslims that leads to provocation, hostility and intolerance by means of threatening, harassment, abuse, incitement and intimidation of Muslims and non-Muslims, both in the online and offline world. Motivated by institutional, ideological, political and religious hostility that transcends into structural and cultural racism, it targets the symbols and markers of being a Muslim."

5. Developing Positive Cultures

Everyone at the College has a responsibility to stop bullying and to look out for fellow students around the campuses. The College will adopt the ethos of "Notice, Check, Share" where there are concerns that an individual may be being bullied or harassed.

Notice – Recognise the behaviour and impact on the victim. Challenge the behaviour seen, if safe to do so

Check – Speak with the person seen being bullied or harassed to see if they would like support to talk to a member of staff OR share with a friend or member of staff about what was seen

Share – Don't stay silent, tell a member of staff who can support all involved

5.1 Prevention of abuse for vulnerable students

Developing positive cultures and good practice with vulnerable students:

- a) Wherever possible, abuse must be prevented. Creating 'safe care' or support for vulnerable people involves a holistic approach, which is centred upon the needs of the cared-for/supported person. It may be that the abused person is not immediately aware that they are being abused or bullied and others may need to speak for them.
- b) Students and Staff should be alert and feel confident about reporting suspected abuse – preferably to their tutor or with a member of the Safeguarding Team.
- c) Encourage the use of Whisper, our anonymous reporting tool (text/online) as a route for reporting
- d) A good balance should be maintained between confidentiality and positive information sharing.
- e) If in doubt, initial concerns should be shared with a tutor, Course Leader, Academic Management Team, Safeguarding Team or Additional Learning Support staff.

5.2 What to do if I witness bullying and/or harassment?

If you witness bullying or harassing behaviour, there are certain actions that you can take to be a positive bystander including:

- **Detect** – acknowledge the inappropriate behaviour, language or body language indicating someone maybe uncomfortable
- **Direct** – directly challenge the behaviour at the time of the incident and indicate it needs to stop
- **Distract** – create a distraction so that the target of the harassment has an opportunity to exit the situation
- **Delegate** – if you are not comfortable intervening, enlist the help of others or support the target after the incident
- **Delay** – if you can't intervene, delay leaving the scene until you've had a chance to check in with the person being bullied or harassed
- **Dialogue** – keep the dialogue open. Continue the conversation about bullying and harassment in class and with your friends and family.

Students can also report and seek advice via our Whisper reporting tool. This available as a text number or online form.

- 07860 021 323 start the first message with SEC1
- <https://swgfl.org.uk/whisper/sec1/>

Student who witness bullying/harassment can access support from the Safeguarding Team without making a formal report and advice will be discussed alongside any ongoing support.

5.3 What do I do if I am bullying someone?

Recognising that you may be bullying or harassing a person is a difficult thing to admit. But if a student feels they may be doing this, they should discuss it with their Tutor or the Academic Management Team, a member of the Safeguarding Team or another member

of staff. They will be able to assist in finding the help needed and will welcome the opportunity to help any student to improve the way they behave towards others.

The Safeguarding Team can refer you to an appropriate adviser or counsellor, if required.

5.4 Education of Students

The College will proactively run awareness campaigns throughout the year to ensure all students have the information they need to stop bullying in all its forms. Information on getting support with bullying and harassment will be available on student VLE platforms. Students will also have access to information through the College's tutorial scheme.

6. Procedure to Report Bullying or Harassment

The procedure given below will not necessarily be followed sequentially, as it is recognised that some incidents are so serious that they will lead to an immediate, formal report of the incident. However, the following points provide guidance on the procedure staff and students should follow in the reporting of bullying & harassment.

The procedure to report bullying and harassment covers three routes:

- Route 1** Facilitating personal action
- Route 2** Action through Department Management Teams
- Route 3** Formal Investigation and Action

NB: *At all stages students are encouraged to use the Bullying & Harassment Report Form but is only a formal requirement of Route 3. Department Management and the Safeguarding Team also have the authority to treat any report of bullying and/or harassment as a Serious Breach as outlined in the Supporting Positive Behaviours Policy or Disciplinary proceedings under the HE Disciplinary Policy.*

6.1 Route One: Facilitating Personal Action

In the first instance students should ask the person to stop (do not retaliate). Students who don't feel able to do this can seek support from a member of staff. They will make it clear to the bully that their behaviour is unacceptable.

Keep a log

Students should be encouraged to make a note of the times, places and nature of unwelcome behaviours they are experiencing. Students are encouraged to keep evidence of messages and social media content that are relevant to the report.

Seek advice from a member of staff

The incident(s) should be discussed with a member of staff. The College understands that some students may feel uncomfortable doing this in the first instance so reports from friends or family will be looked into. Students can email Stop@Southessex.ac.uk for support with ending bullying or to report any incidents.

Students can also report and seek advice via our Whisper reporting tool. This available as a text number or online form.

- 07860 021 323 start the first message with SEC1
- <https://swgfl.org.uk/whisper/sec1/>

Student can access support from the Safeguarding Team without making a formal report and options will be discussed for ongoing support.

6.2 Route Two: Action through the Department Management Team

If the harassment or bullying continues or the student feels unable to approach the person themselves, a member of the Department Management Team will be able to discuss the situation informally with the person identified.

A student can request direct or indirect action on an informal basis to resolve the situation.

Direct Action - A member of the Department Management Team speaks with the person alleged of harassing or bullying another student.

Indirect Action - A member of the Department Management Team talks in general to the course group about harassment and bullying and how it will not be tolerated within the College.

This informal action will not prevent any student or the College from raising issues formally, if necessary.

The College may feel that the issues that have been raised are sufficiently serious for them to be treated as a disciplinary matter. If this is necessary the student will receive information prior to the action taking place.

6.3 Route Three: Formal Investigation and Action

It is the responsibility of the Course Team to investigate the incident, manage the situation during the investigation and moving forward. The Academic Managers will approach all investigations in a trauma informed manner to avoid retraumatising reporting students; training is provided to all staff on trauma-informed approaches. In serious cases, support will be provided by the Student Services Officer (Behaviour Improvement & Customer Service) particularly where it is necessary to suspend a student under the Supporting Positive Behaviours Policy's Serious Breach criteria or Disciplinary Proceedings under the HE Disciplinary Policy. As outlined in 4.3, any cases of sexual misconduct will be managed and investigated under the Safeguarding Policy & Procedure.

A student must complete a Bullying & Harassment Report Form (available from Reception, Student Services, Team Rooms and Moodle). They will need to indicate clearly the nature of the incident and detail times/dates and locations where applicable. If a student feels unable to complete a form in the first instance, a brief email to their tutor or Safeguarding will be accepted. Whisper reports will also be accepted (see 5.1 for more

details) but further information will be requested. Support will be arranged to ensure that the information is recorded to support the investigation.

Student will receive an acknowledgement on receipt of the Report Form within five working days. The College aims to deal with all reports within three weeks but some, especially if the investigation is complex may take longer. If it is going to take longer than three weeks to deal with the report the student will be informed of progress.

The investigating manager will provide an objective report containing relevant information, omitting anything that is irrelevant or may be prejudicial, and provide a recommended outcome to support all parties. Formal outcomes will be applied in line with the Supporting Positive Behaviours Policy (FE) and the HE Disciplinary Policy. Staff should ensure that they have read the Harassment & Bullying – Staff Guidance on Investigations Document (available on the intranet) before undertaking any investigation.

Outcomes of Route Three Investigations that involve a Serious Breach or Disciplinary Proceedings must be reported to the Student Services Officer (Behaviour Improvement & Customer Service). All records of meetings will be held on ProMonitor for all students.

All paperwork and reports must be stored securely and kept for one academic year.

6.4 Incidents occurring off-site and out of College hours

The College understands that bullying and harassment does not end when a student leaves the College for the day and can continue via social media or in public. Where instances of bullying and/or harassment, including sexual misconduct, do occur off-site and/or out of college hours, the College will assist with action where it includes solely students currently enrolled at the College. Where evidence is provided that external persons have become involved in the bullying and harassment of a student the College can only and where appropriate take action against those that are enrolled students.

Where external persons are involved in the bullying and harassment of a student, support will be given for the individual to take action including reporting to the Police. The College will support any police investigation through sharing of internal investigation findings and working collaboratively with link officers. Confidentiality & Information Sharing Agreements will be discussed and signed with students so they are aware of why and when information will and can be shared especially with regards to high risk cases, along with how they can withdraw consent.

7. Outcomes

The College's Supporting Positive Behaviours Policy (FE) and the HE Disciplinary Policy will support the outcomes of all cases of bullying and harassment at the College. Staff will apply the Policy and Support Interventions/Stage meetings will be used to address any student who is found to be displaying bullying behaviour. Any meetings will be recorded on ProMonitor and students will be given clear targets on how to improve their behaviour.

Where behaviour continues or new evidence come to light, staff will be able to investigate and apply formal behaviour management. Following a formal investigation into the bullying or harassment of a student, the person initiating the bullying or harassment may have formal action taken against them in line with the Supporting Positive Behaviours Policy (FE) and the HE Disciplinary Policy. Student and staff behaviour policies and procedures are available on the Intranet. Advice and guidance can be provided by the Student Services Officer (Behaviour Improvement & Customer Service) or the Safeguarding Team.

If a student who has been subject to a meeting and is unhappy with the response to the Report and any outcome given can appeal. The request for appeal must be submitted within two weeks of the written response, setting out clearly the basis of dissatisfaction with the findings of the formal investigation. This request should be addressed to: Head of Safeguarding or Executive Director Foundation Learning and Additional Learning Support and sent to Behaviour@Southessex.ac.uk Responses to appeals will be given within 10 working days.

Some forms of harassment 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 as outlined in section 4.4. 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.

The College reserves the right to report any incidents of bullying and harassment, including sexual misconduct, to the Police and will support any individual to make reports.

8. Monitoring, Reporting & Evaluation

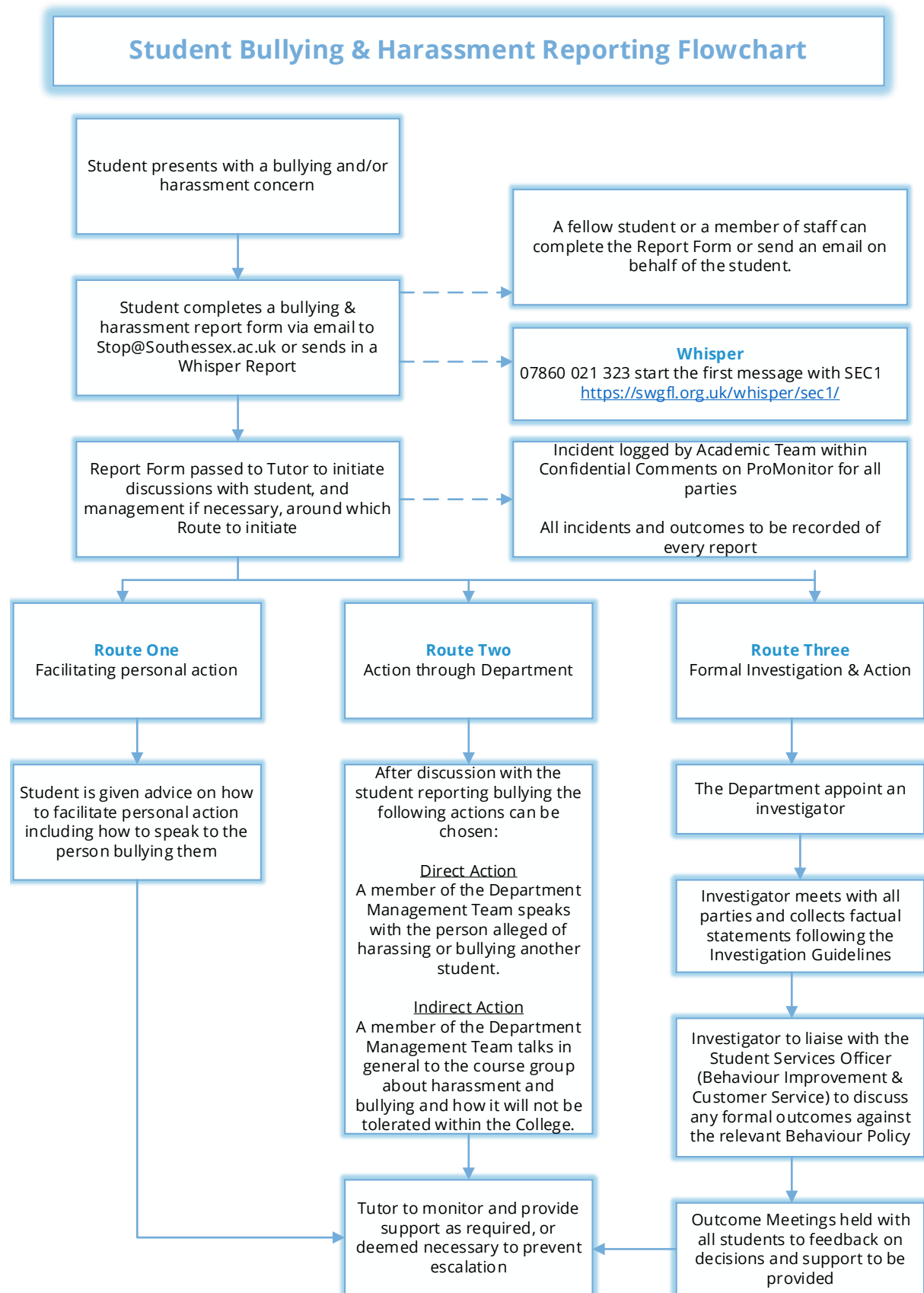
The central log for the College on reported bullying and harassment incidents will be held on ProMonitor. The Student Services Officer (Behaviour Improvement & Customer Service) will hold all reports of bullying and harassment that resulted in a Serious Breach..

Where Support Interventions/Stage Meetings have been used to discuss any incidents, tutors will record individual meetings and outcomes on ProMonitor so they are linked to the student's record.

All these records will be compiled and reported to the Executive Board by the Head of Safeguarding as and when required, but no less than annually.

This policy will be reviewed annually to reflect changes in practice and legislation and also changes to staff designations.

Appendix A



Appendix B



Bullying & Harassment Report Form

We are sorry that you feel that you have been suffering harassment or bullying at the College. The College will not tolerate harassment and bullying in any form and is committed to taking firm and decisive action to protect the interests of students whenever incidents are identified. We are pleased that you are reporting the incident(s) to us for investigation and staff will fully support you throughout this process. Please complete the form, providing as much detail as possible to enable us to fully investigate the incident(s).

Please note that any report of harassment/bullying will not have any effect on the way you are treated or assessed by staff.

Student Name	
ID Number	
Department	
Course	
Personal Tutor	

Please tell us in your own words what has been happening including dates, times, locations and any witnesses to the incidents.

--

I agree to the above statement being used to investigate the reported bullying & harassment and understand a member of staff from the College may speak to me further. I understand that any false information given by me may lead to formal action under the Behaviour Improvement Policy (FE) or Disciplinary Policy (HE).

Signature	
Date	

Have you included?

- Name of the student who is bullying/harassing you
- Names of all witnesses: student and staff
- Any screenshots of Facebook or other social media that shows the bullying/harassment
- Any copies of texts or phone call logs
- Any other evidence you feel supports your statement

Please pass this form to you tutor or the Safeguarding Team. Alternatively you can email your report to Stop@Southessex.ac.uk

If you need help with completing this form, please speak to your tutor or a member of the Safeguarding Team.

Appendix C: Equality Impact Assessment

The aim of an equality impact assessment (EIA) is to consider the equality implications of any new or amended policy, procedure, practice, project, function on different groups of staff, students and visitors to the college. This EIA tool provides a simple framework that helps evaluate whether the change may inadvertently disadvantage protected characteristics and identify ways to proactively advance and promote equality.

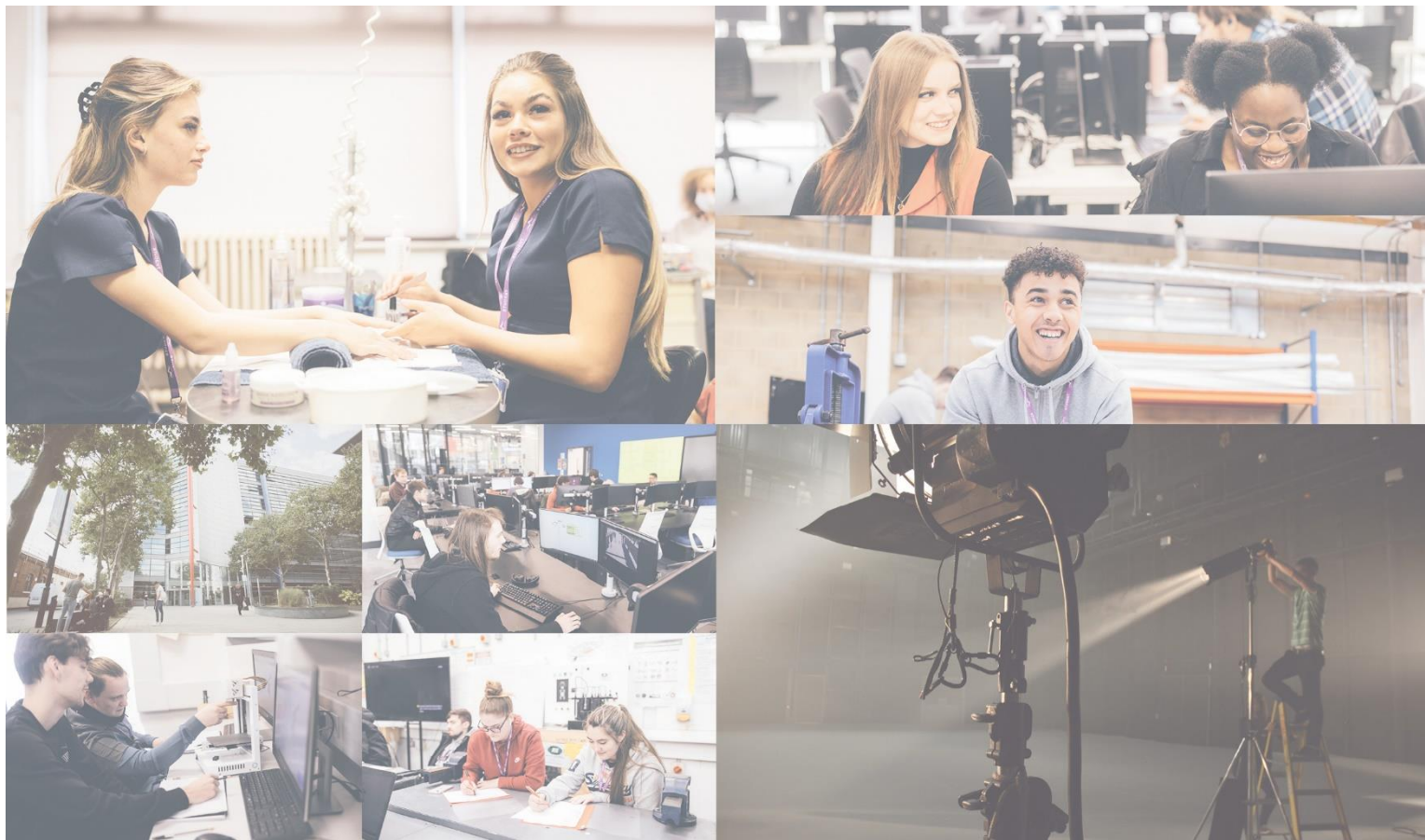
Date EIA completed.	July 2024
Name of person responsible for completing the EIA	Jane Belcher
Role of person responsible for completing the EIA	Head of Safeguarding
Who is affected by the policy / decision / change	All staff and students
What's the reason for the new policy / change in policy, practice, process etc.	Updates are in line with legislation and statutory guidance on safeguarding

You will need to consider whether its possible that the proposed new policy / change in policy /procedure/practice etc could discriminate or unfairly discriminate or disadvantage people. You should consider:

Who gets to participate	Who does not, or who now does not due to the changes proposed / made.
Who is at an advantage	Who is at a disadvantage, and again has this changed?
Who will benefit	Who will not benefit (or who did and now doesn't due to the changes proposed in policy
Who can access the policy	Who cannot, or now cannot.

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Protected Characteristic	What degree of impact does the change have (score 1-5 with 1 the lowest and 5 the highest)	What is a potential positive, neutral or negative impact? Include what you have considered. Are there any barriers?	What action will be taken to address any negative impact or remove any potential barriers identified? Note if we are not able to resolve anything identified.	Date by when and whom will this action be taken.
Age	1	None identified		
Disability	1	Some potential barriers to accessing/reading and understanding documentation	Appropriate action will be taken to ensure any person who discloses a health concern and/or disability are provided with adjustments to enable them to understand and be aware of processes	As and when required
Gender (Sex)	1	None identified		
Gender Reassignment	1	None identified		
Marriage or Civil Partnership	1	None identified		
Pregnancy / Maternity	1	None identified		
Race	1	None identified		
Religion or Religious Belief	1	None identified		
Sexual Orientation	1	None identified		
Any other element that needs to be considered.	1	Persons where English is not a first language	Appropriate action will be taken to ensure any person who discloses English as a second language are provided with adjustments to enable them to understand and be aware of processes	As and when required



Senior Leadership Responsibility	Executive Director Foundation Learning & Additional Learning Support
Policy Author	Head of Safeguarding
Roles Responsible for Reviewing	Executive Director Foundation Learning & Additional Learning Support Head of Safeguarding
Issue date of current version	September 2024
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Type of Policy	Public