



ANTI-BULLYING AND HARASSMENT POLICY

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Reviewed By (name, role)	Uschi Schomig, Student Services Coordinator

ANTI-BULLYING AND HARASSMENT POLICY FOR STUDENTS

1. Purpose

Dv8 Sussex is committed to ensuring that everyone is equally valued and treats one another with respect. Dv8 Sussex has a legal duty to prevent all forms of bullying and from 6 April 2012 to publish information to demonstrate compliance with the Equality Act 2010.

It is recognised that a student's welfare and progress may be adversely affected if they are subjected to any form of harassment, including bullying, irrespective of the severity of the situation. Dv8 Sussex will inform all students that all types of harassment and bullying are unacceptable.

All complaints of harassment, bullying and prejudice-related incidents are taken seriously and will be dealt with quickly and with respect for all people involved. Dv8 Sussex has a duty of care to ensure that all students are protected from different forms of harassment and/or bullying and is committed to eliminate all forms of discrimination on the grounds of all protected characteristics as defined in the Equality Act 2010.

Protected characteristics are: age, disability, gender reassignment, race, religion or belief, gender, sexual orientation, marriage and civil partnership and pregnancy and maternity. The Dv8 Sussex policy on harassment and bullying is not limited to these protected characteristics.

The purpose of this policy is to set out Dv8 Sussex's commitment to the prevention and eradication of bullying among its Students, and to detail what actions Dv8 Sussex will take in pursuit of these goals.

Please also see Dv8 Sussex policies on Safeguarding & Child Protection, Equality & Diversity, Managing Student Behaviour and Disability Discrimination & Access.

2. Scope

This policy applies to all Dv8 Sussex students at their place of study, on Dv8 Sussex premises, on off-site visits and at other locations while undertaking work placement. Dv8 Sussex is not responsible for bullying taking place at other locations, however support is available to students involved in bullying incidents. Strategies will be explored through non-accredited learning, student reviews and other Dv8 Sussex activities or events to prevent bullying and promote anti-bullying.

3. Definition

Bullying/harassment is defined as any unsolicited or unwelcome act by an individual or a group of people which hurts, humiliates, intimidates or undermines the self esteem and confidence of an individual or group of people. Bullying can occur face to face, via email, text, social networking sites, telephone, in writing, in graffiti/posters, display or circulation of offensive materials/books or via a third party.

It is not the intention of the harasser that matters, but the effect on the person harassed. What one person may be able to accept may cause distress to another.

For examples of bullying behavior, see Appendix 1

4. Signs and symptoms of bullying

These could include:

- Not wanting to go to college or travel on usual mode of transport
- Changing usual routines
- Becoming anxious or withdrawn
- Attempting or threatening suicide
- Crying without any obvious cause
- Feeling ill / feigning illness
- Work deteriorating at Dv8 Sussex
- Possessions “going missing”
- Becoming aggressive or unreasonable
- Bullying other Students or siblings
- Displaying increasing lack of confidence and self-esteem
- Asking for, or stealing money
- Having unexplained cuts or bruises
- Being excluded from group activities by other Students

5. Responsibilities and procedures

All members of staff have a responsibility to ensure that suspected bullying is dealt with fairly and consistently. Managers and tutors are responsible for dealing with cases of harassment and bullying, both to address the behaviour of the alleged bully and to provide suitable support for those that have been harmed by bullying.

All staff and students are responsible for supporting those that have been harmed and reporting incidents of harassment and bullying.

Any student subjected to harassment or bullying should report this to one of the following:

- Their Course Tutor
- The Centre Office Team / Student Services
- The Head Of Teaching and Learning
- Dv8 Sussex Operations Manager

The above people will listen to the allegation and support the complainant in deciding what they would like to happen next. The discussion will be confidential and no further action will be taken without the complainant’s permission, unless the listener believes that significant health and safety, safeguarding or other risks are present. In such cases the listener will inform the complainant of their need to take action against the alleged harasser.

6. Possible courses of action

1. To take no further action at this stage but to record the incident (on a Dv8 Sussex Cause For Concern form) and keep the situation under review, enabling the complainant to seek further advice in the future if necessary
2. If the alleged perpetrator has not already been approached, then discretely challenge the offending behaviour and again keep the situation under review
3. Begin formal investigations into the allegations (see section 9).

7. Recording incidents

The member of staff who becomes aware of possible bullying should complete a Cause for Concern (or Safeguarding Incident Report Form, depending on severity of incident) and pass this to the Designated Safeguarding Lead (or their deputy). The Student reporting bullying should be encouraged to make a statement to include the following:

- Date(s)
- Time(s) and place(s) of incident(s)
- Name of any witnesses
- What actually happened
- How it made them feel
- any action taken e.g. reported to a member of staff
- original copies of any correspondence or written material connected with the issue

Where cyber-bullying has taken place, screenshots or printouts should be obtained wherever possible (e.g. from texts, Facebook group chats etc) or the member of staff taking the statement should sign it to say they have seen any text messages/call records on the student's mobile phone.

Where a student requests or needs it (e.g. because they have learning difficulties, or their first language is not English), a member of staff or a representative of their choice can record this for them, taking care to ensure the student's words are accurately recorded and agreed.

This information will inform any potential mediation or restorative process and can also be used as evidence in any subsequent disciplinary proceedings.

8. Confidentiality

Members of staff will respect confidentiality of the individual as long as it is consistent with Dv8 Sussex Safeguarding Policies.

Where confidentiality has to be broken, then the complainant should be involved in that process. In some cases the individual may just want to talk about the bullying and not wish to take matters further. In this case a strategy should be developed with the Student to address the situation.

9. Initial meeting and investigation

The Course Lead dealing with the allegation of bullying should set up an initial interview with both parties separately and explain the Dv8 Sussex policy on bullying. The harmed should be enabled to discuss the incident and explore all possible courses of action (e.g. empowerment to address the issue with the perpetrator, mediation or invoking the Disciplinary Procedure).

Once the facts have been considered a decision will be made either to:

- Take no action, because the allegation has not been substantiated (but appropriate support will still be offered)
- Initiate Dv8 Sussex's student disciplinary procedure
- Take action other than to initiate the disciplinary procedure

These actions could include:

- Monitoring the situation to ensure that harassment does not reoccur and making a recommendation as to the person(s) who will be responsible for monitoring the situation and the relevant timescale
- Subject to both parties agreeing, a staff member may meet with them and their representatives together as part of a mediation process

- Making arrangements for both parties to study as separately as possible

If the student has experienced hate crime (see Appendix 1), he/she should be offered the opportunity to report this to the police.

10. Mediation

The mediator (or mediators in cases where more than one is deemed necessary) could be the student's Course Tutor, but may also be the Course Lead, Student Services Coordinator, Head Of Learning or Operations Manager. The mediator can help participants to resolve their dispute and to co-exist at Dv8 Sussex, through using the following procedure:

- Both parties define the problem as they see it, individually with the mediator
- The impartial mediator identifies the key issue for both parties – these are listed on paper
- At the end of the individual session with the mediator, the mediator ascertains whether or not the parties are willing to meet together, along with the mediator.
- This is the point when face-to-face mediation can take place, if both parties are willing, to try to move towards reconciliation

At the joint meeting, led by the mediator, both parties should be encouraged to speak one at a time. The mediator needs to guide the meeting to ensure it does not turn into a confrontation. The mediator sets up a plan of action which will satisfy each party and obtains agreement on these. A follow up meeting is agreed and the situation monitored at agreed intervals.

11. Student disciplinary procedure

The Student Disciplinary Procedure may be invoked in the case of particularly serious incidents of bullying or, following mediation where no satisfactory plan of action can be formulated or if the perpetrator continues their bullying behaviour.

12. Alleged bullying of a student by a member of staff

A student who feels that they are being bullied by a member of staff should discuss the issue with the Head Of Teaching and Learning or Operations Manager as appropriate.

If it is not possible to resolve the issue, the student can make a formal complaint in writing (further details can be found in the Dv8 Sussex Complaints Procedure). This should be handed in to the Operations Manager. The complaint will be investigated by the Operations Manager and/or the LADO (Local Area Designated Officer), the student will be contacted regarding the outcome.

13. Supporting students who display bullying behaviour

There is often an underlying reason for bullying behaviour. A bully may:

- Have been bullied themselves
- Be afraid of becoming a victim to someone else
- Want to be accepted into a certain group
- Want to be well known for their physical or intellectual status
- Have low levels of self-esteem and self confidence

Support may be required to enable a bully to change their behaviour. Breaking patterns of behaviour and expectations of other students and staff may make them a victim to others. Bullies wishing to challenge their own behaviours should be encouraged to seek help and advice from their Tutor, Student Services, their Course Lead or be put in touch with appropriate external support organisations.

Any student displaying bullying behaviour should be encouraged to be responsible for their own

actions, but should not be intimidated, humiliated or made to feel uncomfortable when seeking support.

14. Monitoring and evaluation

All incidences of reported harassment/bullying must be recorded on a Dv8 Sussex Cause For Concern or Safeguarding Incident form, along with actions and outcomes. This should be passed to the Designated Safeguarding Lead or Deputy. Additionally a bullying log will be kept by the Safeguarding Lead for the purposes of gathering data for the local authority. Formal complaints and disciplinary action will be monitored and reported through the Student and or Staff Disciplinary Procedures and Complaints Monitoring processes. Informal complaints and issues will be recorded and monitored by the Centre Team and reported to the Senior Management Team.

15. Dealing with prejudice-related incidents

Reporting of prejudice-related incidents is one way in which Dv8 Sussex will demonstrate compliance with the Equality Act 2010.

15.1 Underlying principles

Each prejudice-related incident holds unique and distinctive features, which need to be considered. Responses should be informed by the principles below. These principles need to be adopted if Dv8 Sussex is to challenge and counter prejudice-related incidents and ensure the wellbeing and achievement of all students within Dv8 Sussex.

- All students are entitled to an education, which respects and values their identity, individuality and background and is free from prejudice, harassment and adverse discrimination.
- Prejudice-related bullying could prevent students from learning and be a significant barrier to their achievement.
- Prejudice-related bullying impacts on social and emotional wellbeing.
- Strategies for dealing with discrimination need to be linked to the behaviour and anti-bullying policy.
- All staff, students, parents, carers and other relevant professionals should be aware of the policy and procedures for dealing with prejudice-related incidents.
- All allegations of prejudice-related bullying should be taken seriously and investigated thoroughly.

Dv8 Sussex will keep the harmed party and their parents/carers informed during an investigation and advise them of any action that is taken. This should be discussed sensitively with the young person beforehand.

15.2 Examples of prejudice-related bullying

Prejudice-related harassment could include one or more of the categories listed in Appendix 1 where there is perceived to be, either wholly or partly, a motive, which is racist, disability related or homophobic.

It also covers name-calling, insults, threats and prejudice-related 'jokes'; and incitement of others to behave in a prejudiced way. It also includes ridicule of a person's appearance, speech, background, religion, culture; the regular use, consciously or unconsciously of offensive and discriminatory language.

An example of this would be the 'casual' use of homophobic language such as the use of the word gay to mean stupid. Staff should challenge the derogatory use of the word gay in this way.

15.3 Responding to a prejudice-related incident

All prejudiced behaviour should be treated as a serious matter. It is crucially important that the member of staff who first encounters the incident challenges negative behaviours and takes positive action to deal with the situation. A failure to respond could be seen as condoning prejudiced behaviour and could discourage students and parents/carers from reporting incidents and sharing their concerns with staff.

Prompt, appropriate and consistent responses from all members of staff can encourage students who might otherwise withdraw, to report incidents and share their concerns and worries.

Appendix 1 - Examples of Bullying & Harassment

Physical Abuse

Any use of violence e.g. hitting, pushing, pulling, kicking, spitting, biting, shoving, tripping up, 'accidentally' banging into someone, damaging, stealing, taking, hiding belongings and/or throwing them around e.g. money (taxing), belongings or coursework, forcing someone to take drugs

Verbal Abuse

Name calling, teasing, threats and intimidation, taunting, mimicking, sarcasm, being generally 'unfriendly' making someone look silly and making things up to get someone in trouble, ridiculing particular customs, music, accents or the dress of anyone from a different culture, offensive racist graffiti, making silent or abusive phone calls and unkind practical jokes

Emotional Abuse

Ignoring, excluding, tormenting, insensitive jokes or pranks, damaging property belonging to another person, demanding money or property

Silent Bullying

Ignoring someone/leaving them out, stopping someone joining in, the spreading of rumours, threatening gestures and following someone around, stalking

Cyber Bullying

All areas of the internet such as e-mail; internet forum; social media misuse e.g. posting insulting notices about someone, sending abusive group messages, text messages or emails; misuse of associated technology e.g. camera and video facilities; abuse via social media (directly or indirectly, 'happy slapping', humiliating on Facebook/Twitter)

Racist Bullying

Racial taunts, graffiti, gestures, refusal to work with others because they are from a different culture

Sexual Bullying

Unwanted physical contact or sexually abusive comments

Homophobic Bullying

Bullying usually aimed at lesbian, gay, bisexual, transgender or questioning; or those with gay, lesbian or bisexual relatives/friends; the use of generic insults relating to homophobic terms

Hate Incidents

The police and Crown Prosecution Service have agreed a common definition of hate incidents. They say something is a hate incident if the victim or anyone else think it was motivated by hostility or prejudice based on one of the following things:

- disability
- race
- religion
- transgender identity
- sexual orientation

If a hate incident has taken place the student will be encouraged to report this to the Brighton & Hove Community Safety Team and/or police.

If a criminal offence has taken place that has been motivated by hate this would be classed as a hate crime. If a hate crime occurred on a Dv8 Sussex campus staff would have a duty to report it to the police. In cases where a student discloses a hate crime that occurred elsewhere they would be encouraged to report this to the police. The staff member hearing the disclosure should complete a Safeguarding Incident form. The safeguarding lead may choose to report the matter to the police or other agency (depending on age of student and nature of crime).

Appendix 1 – Related Policies

- e-Safety Policy
- Managing Student Behaviour Policy
- Violent Incident & Behaviour Policy
- Safeguarding & Child Protection Policy