

## Bullying and Harassment policy

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### 1. Context

#### 1.1 Harassment

Harassment occurs when an individual is subjected to unwanted conduct which has the purpose (intentional) or effect (unintentional) of:

- Violating a person's dignity, or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Moreover, harassment is unlawful when it is on the grounds of sex, gender reassignment, race, ethnic or national origin, sexual orientation, age, religion/belief, or for a reason relating to a person's disability.

**The Academy will not tolerate harassment or bullying in any form.**

It is the individual's perception of whether the conduct in question was unacceptable that is important in determining whether harassment occurred. Where the conduct in question is found to have been unintentional, it will be viewed as having the effect of harassment if this could be regarded as a reasonable conclusion when taking into account all the circumstances, including the complainant's perception.

#### 1.1 Bullying

Bullying, although not defined legally, is described as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

### 2. Examples of Bullying and Harassment

Harassment and bullying can take many forms. Examples of unacceptable behaviour include:

- Offensive songs, remarks, jokes, emails or gestures
- Display of offensive posters, publications and graffiti
- Unwanted physical contact or advances
- Offensive remarks about a person's dress or appearance
- Offensive remarks about a person's race, gender, marital status, disability, religion or belief, sexual orientation, gender identity or age
- Shouting, abusive or intimidating language
- Spreading malicious rumours, allegations or gossip
- Excluding, marginalising or ignoring someone
- Intrusions by pestering, spying or stalking
- Copying communications that are critical about someone to others who do not need to know
- Deliberately undermining a person by taking credit for his/her work or constant criticism
- Removing areas of responsibility and imposing menial tasks
- Cyber-bullying: that is, the sending or posting of harmful, cruel or offensive text or images by e-mail, internet, social networking websites or other digital communication devices
- Communication meant to cause emotional distress and that has no legitimate purpose to the choice of communication used and may simply be continuously sending an e-mail or other contact to, or with, someone who does not want any further contact with the sender.

The above list is intended to give a clear impression of the types of behaviour that the Academy considers to be unacceptable; however it only contains examples and is not exhaustive.

**It is accepted that vigorous academic debate between students and occasional raised voice or argument, of itself may not necessarily constitute harassment or bullying.**

### **3. Victimisation**

Any individual has the right not to be victimised as a result of bringing his/her grievance to the attention of the alleged harasser. Retaliation may be regarded as a serious breach of this policy and may lead to formal disciplinary action to be taken in the form of exclusion from the Academy.

### **4. Support**

#### **4.1 Students**

Advice and support is available from the Academic Team.

#### **4.2 Tutors and Staff**

Advice and support is available from the Operations Manager.

### **5. Procedure for dealing with allegations of harassment or bullying**

All grievances will be treated as confidential and information restricted to the parties involved in the allegations and the Academy procedures. Action taken by the Academy will be based on the deed itself.

We aim to prevent or deter bullying or harassment from starting, to deal with it if it does, and to minimise the opportunity for recurrence. Wherever possible and appropriate, every effort should be made to resolve a situation on an informal basis.

In some cases, until it has been brought to their attention, the bully/harasser(s) may be unaware, or claim to be unaware, that their behaviour is perceived as inappropriate or offensive. It may occasionally happen that words or actions have been genuinely misconstrued.

Any approaches to the bully/harasser(s) to prevent further unwelcome behaviour should be recorded, indicating the date, what was said by those involved, and details of any witnesses to the behaviour. This is a precaution in case the informal stage is unsuccessful and the matter becomes more serious and/or is subject to the formal procedure.

#### **5.1 Students**

A student who believes that they have been subject to harassment should, in the first instance, state that the behaviour is unwelcome, unwanted, unacceptable and/or offensive and ask the individual(s) concerned to stop. However, if the victim of bullying or harassment is too upset, frightened, embarrassed or believes that the bully or harasser(s) may be unapproachable or unreceptive; he/she should immediately seek advice from the Academic Team or their Programme/ Pathway Leader.

#### **5.2 Tutors and Staff**

A tutor/ staff member who believes that they have been subject to harassment should, in the first instance, state that the behaviour is unwelcome, unwanted, unacceptable and/or offensive and ask the individual(s) concerned to stop. If the tutor/ staff member feels that believes that the bully or harasser(s) may be unapproachable or unreceptive; he/she should immediately seek advice from the Operations Manager.

#### **5.3 Formal procedure for dealing with allegations of bullying or harassment**

All grievances will be treated as confidential and information restricted to the parties involved in the allegations and the Academy procedures. If the bullying or harassment continues following the request to stop it, or if the

bullying or harassment is considered to be particularly serious or offensive, or the recipient makes a formal grievance, a formal procedure using the Academy's Student Disciplinary Policy or Grievance Policy for staff will be followed. This may lead to disciplinary action against the perpetrator if the grievance is upheld.

Any formal grievance should be in writing and set out the specific nature of the bullying or harassment, the identity of the alleged perpetrator and the dates of when it occurred. The grievance will be dealt with in accordance with the Academy's Disciplinary Procedures for students or staff as appropriate

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### **Policies and documents that supplement and reference this document:**

Student Handbook  
Tutor Handbook  
Student Handbook  
Staff Handbook  
Equality and Diversity Policy  
Student Disciplinary Policy and Procedure

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