



Doncaster  
College | University  
Centre



North Lindsey  
College

**DN** COLLEGES GROUP

# Policy for Prevention of Bullying, Harassment and Victimisation: Students and Apprentices

Effective from: February 2022

Version Number: 3

## **1. Purpose**

- 1.1 The purpose of this policy is to ensure that DN Colleges Group (DNCG) is able to promote and maintain a safe learning environment for all students and apprentices, when in any building associated with DNCG, and online, to protect the emotional and physical well-being of students and apprentices from any forms of bullying or harassment.
- 1.2 This policy is written in line with DNCG Statement of Intent which identifies a commitment to core values, safeguarding, health safety and welfare, equality and diversity and Data Protection.

DNCG is committed to ensuring fair treatment of all by staff and fellow peers, and with due regard to the protected characteristics listed in The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 2010 (Specific Duties and Public Authorities) Regulations 2017

## **2 Scope**

- 2.1 This policy addresses behaviours that are unacceptable within any learning environment, which may constitute harassment or bullying. It is essential all students/apprentices are able to feel safe and know they are protected against such behaviours. However, should anyone experience bullying, this policy outlines the necessary procedure to follow.

## **3 Consultation**

- 3.1 This policy has been reviewed by the Director of Safeguarding and Inclusion, the Director of HE Academic Administration and Quality Assurance, the Head of Business Development, the Lead Practitioner and by student and apprentice focus groups.

## **4 Definitions and/or Relevant Legislation**

- 4.1 For the purposes of this policy, the following terminology will be applied:

Bullying is any type of behaviour that is directed towards a person or group, which is offensive, intimidating or malicious in nature, and perpetrated to physically and / or emotionally injure the receiver(s).

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 s.26 defines harassment as unwanted conduct (i.e. bullying) related to a relevant protected characteristic, which has the purpose or effect of 'violating' a person's dignity or 'creates an intimidating, hostile, degrading, humiliating or offensive environment' (s.26 (i,ii)). The unwanted conduct can also be 'of a sexual nature'.

Harassment (as defined by Section 26 of The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017) 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
- Marriage or civil partnership
- Pregnancy and maternity
- Race (including ethnic or national origins, colour or nationality)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

b. Under our definition, we understand harassment to include domestic violence and abuse (which can also involve control, coercion, threats), and stalking.

c. We would also consider harassment to include any incidents of physical violence towards another person(s) on the basis of a protected characteristic, and hate crimes, such as those criminal offences which are perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.

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

- i. Sexual harassment (as defined by Section 26 (2) of The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017)
- ii. Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017)
- iii. Assault (as defined by the Sexual Offences Act 2003)
- iv. Rape (as defined by the Sexual Offences Act 2003)
- v. Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- vi. 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)
- vii. 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 Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 s.27 considers victimisation to be when a person is subjected to a detriment because they make, or are considered to be making, or supporting a complaint or grievance made under the Act – meaning if they report an incident of harassment or bullying, as defined by the Act (and under this policy), or support a person who is, and are targeted because of this, it can be victimisation.

In the event of a disclosure about an incident of harassment and/or sexual misconduct, both the reporting and responding parties having equitable access to appropriate support prior to the

decision to launch a formal investigation, for the duration of any investigation, and following its outcome.

## **5 The Policy**

- 5.1 All students and apprentices are subject to this policy. DNCG have high expectations of appropriate and respectful behaviour between students/apprentices towards each other and staff, as well as that from staff to students/apprentices. All members of staff have an individual and collective responsibility to understand what bullying and harassment is and the procedure to report it

DNCG maintains a zero tolerance to any forms of harassment, bullying and victimisation. Any student who is found to have harassed, bullied or victimised an individual will be subject to the disciplinary procedure, with sanctions up to and including exclusion.

### **5.2 Behaviours and Indicators**

Bullying, harassment and victimisation can be physical, verbal, non-verbal and can also occur online. It is not exclusive to typical college opening hours, and can occur at any time of the day, whether in person or via cyber use, and during holiday periods. They can include behaviours such as someone being directly or indirectly targeted; being treated differently to others which impacts negatively on that person; rumours being spread; persons being purposefully excluded; inappropriate contact with fellow students whether in nature, frequency or timing of contact, which results in the person feeling unsafe or concerned.

Bullying may also be of a racist, religious or sexual nature, which could be characterised by abusive name calling, inappropriate and uninvited touching, or linked to sexual orientation, such as homophobic language and mocking a person's demeanour or way of speaking. Those students/apprentices with a special educational need and/or disability (SEND), are often at greater risk of bullying, often characterised by name calling and comments on appearance or perceived ability.

Cyber bullying has seen a significant increase over recent years as individuals may receive threatening or disturbing messages from possibly anonymous perpetrators. This could be via chatrooms, emails or social media sites.

All staff should also be aware that student/apprentices are capable of abusing their peers, termed peer on peer abuse. This could include sexual violence and harassment, physical abuse, sexting (youth produced sexual imagery) and cyberbullying. Peer on peer abuse should be taken seriously and reported as there may be wider safeguarding concerns for the Safeguarding Team to explore.

A person who is being subjected to bullying, harassment or is being victimised may display some of the following behaviours:

They may often appear visibly upset; there may be a significant change in their typical attitude or overall demeanour; they may appear to be overly nervous around others when before they were not; a student may state verbally or in writing about their experience. If there are any known examples, or concerns that bullying, harassment or victimisation may be occurring, they must be reported as soon as possible.

### **5.3 Reporting**

In the first instance, if a person feels able to, they can speak directly with the person who has perpetrated the bullying, harassment or victimisation to agree an 'informal resolution'. If the

person does not feel able to do this, or the behaviour(s) continue, they can share their concerns with a tutor, a representative from their Student Union, a Pastoral Coach, or the Safeguarding Team. All reports will be considered, taken seriously and investigated where needed.

Where appropriate, all those involved will be informed about the complaint being made, and they will be formally asked for a response.

All staff have the absolute right to challenge and / or report any incidents of inappropriate behaviour (including bullying, harassment and victimisation) they observe, are party to, or suspect between students/apprentices.

Where possible, certain elements may be kept confidential. Should there be a serious concern regarding a person's safety, or the possibility of an illegal act being committed, then information may be shared externally.

#### 5.4 Investigating

An investigation will involve students being interviewed by a member of staff and their account will be recorded. Anyone found to have perpetrated bullying or inappropriate behaviour will be subject to the DNCG Student/Apprentice Disciplinary Policy.

#### 5.5 Possible Investigation Outcomes

The complaint may be:

- not substantiated (insufficient evidence)
- substantiated (sufficient evidence to prove) [refer to disciplinary policy for actions]
- malicious (sufficient evidence to disprove the complaint and shows a deliberate intention from the complainant to deceive and unduly imply wrongdoing against the other person) [refer to disciplinary policy re: accuser / complainant]
- false (sufficient evidence to disprove the complaint and does not show a deliberate intention from the complainant to deceive and wrongly imply wrongdoing against the other person) [no record kept]

Support for Involved Students/Apprentices

All involved students/ apprentices have the right to support. Where appropriate, referrals may be made to the Safeguarding and / or Counselling Teams (who will remain impartial).

## 6 Relevant Policies and Procedures

6.1 This policy should be read in conjunction with all other DN Colleges Group policies and procedures including, but not limited to:

Equality and Diversity Policy  
Safeguarding Policy  
e-Safety Policy  
Acceptable Use and Misuse IT Policy  
Social Media Policy

## 7 Who to contact with queries

7.1 Chief People Officer, Rachel Maguire [rachel.maguire@northlindsey.ac.uk](mailto:rachel.maguire@northlindsey.ac.uk)  
Director of Safeguarding and Inclusion, Sally Senior [sally.senior@don.ac.uk](mailto:sally.senior@don.ac.uk)

## **8 Communication**

8.1 All students and apprentices will be made aware of the policy from induction and updated accordingly.

The policy will be available digitally and on paper.

The policy and procedure will be monitored and revised as needed through the Equality, Diversity and Inclusion Committee. All changes will be updated and communicated to all staff.

## **9 Authorisation**

Policy Holder: Chief People Officer, Rachel Maguire

Approval Committee: Corporation Board

Approval Date: 7 February 2022

Next Review Date: September 2023