



**Anti-Harassment and Anti-Bullying Policy
For students**

Sept 2021

Review: September 2023

1 INTRODUCTION

This policy is applicable to all students. It should be read in conjunction with:

- Equality & Diversity Policy
- Reigate College Student Code of Conduct
- Reigate College Student Social Media Policy/Acceptable Use of IT Policy/Mobile Phone Policy
- Reigate College Safeguarding Policy

Reigate College is committed to ensuring that everyone is equally valued and treats one another with respect. The College will inform all students, staff, members of the Corporation and visitors that all types of harassment and bullying are unacceptable.

Throughout this document, the term 'senior Pastoral staff' refers to one of the following roles: Senior Tutor, Pastoral Director, Director of Interventions or a member of the Safeguarding Team.

2 AIMS

- To address issues of bullying and harassment within the student community
- To provide a simple and transparent procedure for investigating bullying and harassment

All staff and students are responsible for supporting victims and for referring them to support services within the College. We encourage people who experience harassment and bullying to take appropriate action to prevent further occurrences and will support them in this action. All complaints about harassment and bullying are taken seriously and will be acted on quickly, and with respect for all people involved. We recognise that staff and students may need training in order to address behaviour that arises from ignorance and will provide anti-harassment training when necessary.

3 DEFINITIONS OF HARASSMENT AND BULLYING

Bullying does not have a strict legal definition. It usually involves the misuse of power or position and includes behaviour such as:

- offensive or insulting behaviour which makes an individual feel threatened, or taken advantage of
- verbal abuse – e.g. persistent taunting
- physical violence or violent gestures
- abuse by text, email, social media or online (see the Social Media Policy & Student Code of Conduct for more details on this form of bullying or harassment)
- encouraging others to socially isolate individuals
- circulating malicious texts, emails or social media posts about other members of the College community
- physical intimidation

Harassment is defined as any unwanted pattern of conduct that has the purpose or effect of:

- violating the dignity of an individual
- creating an intimidating, hostile, degrading, humiliating or offensive atmosphere for an individual

It can also occur when an individual rejects the unwanted conduct mentioned above and, as a result, is treated unfairly.

Examples of harassment include:

- embarrassing or otherwise offensive jokes
- unwelcome physical contact or sexual advances
- the expression of any views which are prejudiced in connection with any of the characteristics under the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership,

pregnancy and maternity, race, religion or belief, sex and sexual orientation) although this list of examples is not exhaustive

- the expression of lewd comments and innuendo
- the sending of offensive emails, texts and social media messages, etc (see Social Media Policy)
- posting abusive comments/images on web-pages, etc
- displays of pornographic material

Whether alleged or proven, both bullying and harassment can cause great distress to the victim(s) and it is vital that their feelings are considered. Bullying or harassment does not have to occur within the College itself to be a disciplinary matter. Physical or emotional bullying or harassment of another member of the College community in person or by email, text, social media, online etc. is equally unacceptable outside the College or outside College hours. In such instances the College will support the recipient of the bullying or harassment in addressing the issue, providing advice and guidance including expediting the involvement of the Police and/or social services as appropriate.

The College will need to make a judgement on whether or not the procedure outlined below should be activated depending on the circumstances of the case.

4 SEXUAL HARASSMENT (child on child)

Sexual harassment is likely to:

violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual "jokes" or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

It may include:

- consensual and non-consensual sharing of nude and semi-nude images and/or videos¹⁹
- sharing of unwanted explicit content
- upskirting (is a criminal offence);
- sexualised online bullying;
- unwanted sexual comments and messages, including, on social media;
- sexual exploitation; coercion and threats.

Issues for this nature will be addressed in conjunction with the Safeguarding Policy.

5 PROCEDURES FOR DEALING WITH INCIDENTS OF HARASSMENT AND BULLYING

5.1 Who should the incident be reported to?

Incidents of harassment or bullying against a student should be reported to any member of staff, although ideally it would be Director for Interventions, or a senior member of the Pastoral staff. This can be done in confidence in the first instance. However in most instances, in order to take action, the alleged perpetrator

will need to know. The recipient can be assured that the matter will be kept confidential from other students and staff. Staff will only know about the situation on a “need to know basis”.

If the perpetrator is alleged to be a member of the senior Pastoral staff, this should be reported to a member of the Senior Leadership Team.

5.2 Making a complaint

In all cases where a student has a concern, he/she or his/her parent/guardian should report this to a senior member of Pastoral staff.

Where possible, the student should keep any evidence, e.g. social media screen shots.

5.3 Procedure for investigation:

Firstly, the student alleging the bullying or harassment must be carefully, but sensitively, questioned as to the nature of the allegations. It may be useful to ask for a history of the interactions between them and those alleged to be bullying or harassing.

If appropriate, the member of staff should take notes and then pass them to the Director of Interventions or designated alternative to continue the investigation.

Where the alleged bullying or harassment involves more than one alleged perpetrator it is important to question those accused without allowing any further discussion between them. Students will be seen separately so they are unable to collude. The initial investigation should be undertaken in a sensitive manner and without prejudice.

The Director of Interventions or designated alternative will investigate taking all evidence into account by interviewing all parties concerned and obtaining relevant evidence where possible (e.g. written statements from both/all parties/witness statements, screen shots etc).

Policies and procedures that will be consulted could include: Student Code of Conduct, Social Media and IT Policy, Equality & Diversity Policy, Safeguarding Policy, as well as relevant legislation.

Although it is important to take all allegations seriously, it is also important not to question suspected students unfairly, or give them the impression that the allegations are accepted as fact. Students should be informed that the allegations are at present neither believed nor disbelieved and that their opinion of the matter is being sought.

The Director of Interventions should make a note on the students ILP regarding any meetings. Alternatively meeting notes should be placed in the students file.

5.4 Outcome:

Once the investigation is completed, a decision will be taken after consultation with the Assistant Principal (Pastoral Support) and the Director for Interventions or Designated Alternative will notify each party of the outcomes within 10 working days of the incident first being reported.

The decision could result in one of the following:

- No further action required
- Action outlined in the Student Code of Conduct page 8 when **misconduct is deemed to have taken place**
- Action outlined in the Student Code of Conduct page 9 when **gross misconduct is deemed to have taken place**

5.5 Additional source of redress

- The student/parents or guardians may wish to report the incident to the Police
- If an allegation is deemed to be sufficiently serious to warrant investigation by the Police, Director for Interventions may contact the Police

If the case is alleged to break the terms of the Equality and Diversity Policy, the Equality & Diversity Officer should be notified.

6 IF A COMPLAINT IS MADE AGAINST YOU

- **No matter how trivial the complaint may seem you should take it seriously and make every effort to resolve the complaint. You should not automatically feel that the complaint is your fault or that there is nothing you can do about it. You can receive help and support from the same people as those listed earlier in this document**
- You should respond positively to a request from the complainant to meet or speak about the complaint and seek an amicable and mutually acceptable solution
- You should seek support of your Line Manager if you feel that this would help

6.1 Third party or 'witness' complaints

If you are a student and witness behaviour that you perceive to be inappropriate, you should consult the Director for Interventions or a member of SLT

6.2 Counter-complaints

If an alleged perpetrator, following a complaint, makes a counter-complaint, the two complaints may be investigated separately or simultaneously. The Director of Interventions or designated alternative undertaking the investigation will decide about the appropriate course of action according to the extent to which evidence and witnesses are the same in both cases.

7 SUPPORT FOR STUDENTS

Depending on the outcome of the investigation, the victim will be supported with regular meetings with a member of the Pastoral Team. They may be assigned a Mentor and if appropriate offered Relate counselling. They may also be signposted to other external agencies.

Depending on the outcome of the investigation, the perpetrator may be supported with regular meetings with their Senior Tutor and other College support mechanisms.

8 MONITORING AND EVALUATION

This Policy will be reviewed every 2 years. Incidents reported under this policy will be monitored by the Associate Principal (Pastoral & Support) and reported to the Equality & Diversity Officer and the College's Senior Leadership Team which will be responsible for developing action plans to address issues.

9 PUBLICISING OUR COMMITMENT

To students through:

- The induction process
- The Student Code of Conduct
- The student portal
- Pastoral Team and Personal tutors
- Tutorials
- The Equality and Diversity Officer

To members of the Trust through:

- Reports to the Trust and College Committees

10 CONSULTATION

When reviewing the policy and procedure the following groups will be consulted:

- Equality and Diversity Committee
- Senior Leadership Team/College Board
- Safeguarding Team.