



# **Bullying & Harassment Policy: Students**

# Varndean College

## Bullying & Harassment Policy

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### 1. Policy Statement

Varndean College is committed to creating and maintaining a working and learning environment which is free from harassment including discrimination, victimisation and bullying, and where no student feels under threat or intimidated.

In striving toward the achievement of such an environment, allegations of harassment and/or bullying by students will be taken seriously by the College. If substantiated, allegations of harassment and/or bullying may provide grounds for disciplinary action under the College's Student Management Procedures, and may give rise to a student being required to withdraw from their course. The College recognises that incidents of harassment and/or bullying can affect an individual's work, morale and health. Therefore, all complaints (informal or formal) will be dealt with promptly and treated confidentially. Information will only be divulged on a need to know basis and with the knowledge of the complainant.

This procedure applies to all students and relates to all incidences of bullying and/or harassment by another student, a member of staff or whilst on work placement. The procedure aims to highlight the actions a student should take if they believe they are being subjected to behaviour which may be considered as harassment and/or bullying.

### 2. Definition of Harassment/Bullying

Bullying can be defined as 'behaviour which is offensive, intimidating, malicious or insulting, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.'

Harassment is bullying behaviour on the grounds of sex, race, disability, age, sexual orientation, religious belief or political opinion. Harassment may also be a criminal offence and may contravene Health and Safety legislation.

For convenience, all further references to harassment in this policy should be taken to include bullying.

### 3. Examples of Harassment

This list is neither exclusive nor exhaustive and other forms of behaviour may be regarded as harassment:

- (i) Oral or written harassment through derogatory remarks, jokes, insults, offensive language, gossip and slander. Written harassment includes, but is not limited to, letters, graffiti, emails, texts and postings on websites and other digital media.
- (ii) Physical conducts ranging from the invasion of personal space and/or inappropriate touching to serious assaults.
- (iii) Open aggression, threats, shouting.
- (iv) Unjustifiable exclusion e.g. withholding information, isolation or non-co-operation of peers, exclusion from classroom and social activities.
- (v) Intrusion by pestering, spying, following and/or stalking.

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- (vi) Displaying or disseminating offensive material.
- (vi) Incitement to commit any of the above.

The College will respect the particular sensitivity of allegations of harassment and their consequences and the need for confidentiality. As a general principle, confidentiality will be agreed and maintained wherever possible. However, there may be situations where confidentiality has to be broken and this will be made clear to the student. For example, if a student tells a member of staff in confidence something that constitutes an unacceptable risk to the student, another person or the College, the member of staff will have to take action. The decision on whether a complaint should be progressed normally rests with the student, but action may have to be taken against the student's wishes to address an unacceptable risk.

#### 4. Source of Advice and Help

If a student believes they are being harassed; there are a number of options to consider. Every situation is different and the action the student takes depends on his/her particular circumstances. The student can decide to seek advice or discuss the matter with Personal or Subject Tutor, a Head of School, Counselling Service, or Varndean College Students' Union. Students are advised to act promptly and should not feel the unwanted behaviour is their fault, or that they have to wait until the situation is intolerable.

#### 5. Making a Complaint: Informal Procedure

It is appropriate to use the Informal Procedure where the student simply wants the behaviour to stop, where the alleged harassment is not serious, or where it has not been repeated. A student is not obliged to attempt to resolve the matter informally.

A student should seek to resolve the matter in the first instance by discussing it with a member of staff. The role of these individuals is to listen to the concerns and provide them with support and guidance on how they can proceed with a complaint by:

- (i) Assisting the student in deciding on an appropriate course of action.
- (ii) Giving information about the procedure and the options for taking a complaint forward.
- (iii) Providing information about sources of student support, including counselling.

All instances of harassment should be reported to the Head of School to assist with the informal resolution of the problem. If the perpetrator is another student then that student's Head of School should be informed. If the individual accused of harassment is a member of staff then the Line Manager should be informed.

Brief details of the complaint and any subsequent meetings will be recorded but will only be used if formal proceedings ensue.

Whatever action is taken, it is recommended that the member of staff arranges to meet with the student after a suitable period of time to monitor the situation and review possible courses of action if the matter remains unresolved.

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If the above steps fail to produce a resolution, or if these options are unacceptable to the student, the issue may be raised under the Formal Stage of the Procedure.

### **6. Formal Procedure**

The Formal Procedure will normally be adopted where the alleged harassment is serious, or if it continues after the Informal Procedure has been invoked. In either case, the Head of School should be informed.

Those cases which cannot be successfully resolved within the informal process, or are too serious to consider within the informal process, will be investigated in accordance with the College's Student Management Policy and Procedures. A complaint against a member of staff, or by a student whilst on a placement, will be investigated in accordance with the Student Complaints Procedure.

In order to carry out a formal investigation, the student must provide written details of the incident(s) which have led to the complaint.

### **7. Investigation**

While the formal complaint is under investigation, no meeting should take place between the student and the individual accused of harassment without a third party being present. Both parties should be instructed to maintain strict confidentiality. This arrangement should be facilitated by the Head of School and may involve temporary withdrawal from timetable with the agreement of a member of the College Executive Team.

Once an investigation of a formal complaint as described above has been carried out, the Student Progress Leaders should review the situation after an appropriate period of time, to ensure that no victimisation or further harassment has occurred. Where specific time bound commitments were identified as part of the final report, it should be ensured that these have been suitably met.

Following a finding of harassment, any repeat behaviour of this nature will result in further disciplinary action at the next stage of the Student Management Procedures or Staff Disciplinary Procedures.

### **8. Complaints of harassment are treated seriously by the College**

Therefore any student who makes a false, frivolous, malicious, mischievous or vexatious complaint will be dealt with under the College's student management procedure.

### **9. Monitoring and Review**

This policy will be monitored and reviewed and a report will be made to the College Executive Team annually. Heads of Schools will be expected to maintain records of all complaints of harassment and should forward details to the Vice Principal (Students & Learning).