



1.0 Introduction

- 1.1 Huddersfield New College is committed to equality of opportunity and to the elimination 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, sex, sexual orientation, marriage (including same sex marriage) and civil partnership, and pregnancy and maternity. It is the right of every member of Huddersfield New College to work or study without fear of harassment, bullying or victimisation.
- 1.2 As a College we value diversity and will emphasise the importance of treating other people with respect at every available opportunity.
- 1.3 Harassment occurs when behaviour directed towards an individual or group creates, or is perceived to create, an intimidating, hostile or offensive environment for working and/or studying. The impact of harassment on the individual(s) concerned can be varied and extensive. Stress, anxiety and illness may result for staff and/or students, leading to absence, poor performance or even loss from the College. The College, therefore, wishes to make it clear that harassment of College members or users, be they staff, students, parents or visitors, is unacceptable and will be regarded very seriously and may be grounds for disciplinary action, and potentially at a high level where this is deemed both appropriate and proportionate. Staff and students also need to be aware that anyone found responsible for harassment may also be held personally liable should the person who has been harassed undertake independent legal proceedings.
- 1.4 This policy relates to the College's vision, mission and values.

2.0 Scope of the Policy

- 2.1 This policy applies to the whole College community and covers staff/staff, student/student and staff/student related incidents. It recognises that different mechanisms may be used by staff and by students to seek remedies for instances of harassment. The College aims to promote respect for others, intolerance of harassment, the importance of self-discipline and the right to be treated with dignity and respect. The College requires all staff and students therefore to take responsibility for their own behaviour and to modify it as necessary, to ensure it does not cause offence to others. In the event of a failure to do so, disciplinary action in accordance with the College's Disciplinary Procedure may be a consequence.
- 2.2 In the case of students, this policy should be read in conjunction with the College's Student Disciplinary Procedures and code of conduct.
- 2.3 In the case of staff, this policy should be read in conjunction with the College's Staff Disciplinary Procedures and code of conduct.

3.0 The College's Vision, Mission and Values

- 3.1 The College's vision is:

"To remain an outstanding Sixth Form College, providing high quality sixth form education for all our students, enabling them to fully realise their potential, develop as responsible young adults, and progress successfully, and with confidence, to further learning and their future career."

3.2 The College's mission is to:

"Provide a high quality sixth form education, in a friendly, supportive and diverse learning environment."

3.3 Our values:

Ambitious	We want our students to realise their full potential.
Supportive	We will support our students' personal growth and development.
Passionate	We want to make a positive difference for our students through education.
Inspiring	We want to inspire our students with a love of learning, to help them succeed.
Respectful	We are respectful of our students' individual strengths, gifts and differences.
Encouraging	We encourage our students to be the best that they can be.

3.4 As a College we expect all staff and students to subscribe to the vision, mission and values as these are at the heart of everything to which we aspire. We also expect all parents/carers and visitors to the College to subscribe to our ethos. Codes of conduct for staff and students, external partners and visitors to the College, related to the College's vision, mission and values have been developed and should be read in conjunction with this policy and procedure. Harassment and bullying are inconsistent and incompatible with the College's values and codes of conduct for different groups.

4.0 What is Harassment?

4.1 In the Equality Act 2010 harassment is defined as "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual."

4.2 Harassment and/or bullying can be persistent or an isolated incident.

4.3 Harassment can take many forms and may be directed at an individual or group of individuals. Harassment can also be difficult to define and can be conveyed in a range of ways including:

Physical	Contact, assault or gestures, intimidation, aggressive behaviour.
Verbal and Emotional	Unwelcome remarks, suggestions and propositions, malicious gossip, jokes, name-calling and banter based on any of the above characteristics. This includes the following prejudice-driven behaviours in relation to: Age; disability/SEN; gender reassignment; health conditions or appearance; home circumstances; race, religion or belief; culture; sex; sexual orientation; marriage (including same sex marriage) and civil partnership, and pregnancy and maternity.
Non-Verbal	Offensive literature or pictures, gestures, graffiti and computer imagery, isolation or non-co-operation and exclusion from social activities.

5.0 Bullying and Cyber-bullying

5.1 Definition of Bullying

There is no statutory definition of bullying, but ACAS (the Advisory, Conciliation and Arbitration Service) defines bullying as:

“Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient”.

This is the definition that the College has adopted for the purpose of this policy.

5.2 Cyber-bullying including the use of social media

This is the sending or posting of harmful or cruel text or images using the internet or other digital communication devices. Examples of cyber-bullying are as follows:

- Text messages - unwelcome texts that are threatening or cause discomfort.
- Picture/video-clips via mobile phone cameras – images sent to others to make the victim feel threatened or embarrassed.
- Mobile phone calls – silent calls or abusive messages; or stealing the victim’s phone and using it to harass others, to make them believe the victim is responsible.
- Emails – threatening or bullying emails, often sent using a pseudonym or somebody else’s name.
- Chat room bullying – menacing or upsetting responses to young people when they are in a web based chat room.
- Instant messaging – unpleasant messages sent as young people conduct real-time conversations online.
- Bullying via websites – use of defamatory blogs, personal websites and online personal polling sites.
- Comments, images etc. posted on social networking sites that make an individual feel threatened, intimidated and have an adverse effect on that individual’s wellbeing.

The actions listed above must be viewed in terms of the distress they cause the individual. Motive is not necessarily relevant – “it’s a joke,” is not a defence. It is the perceptions of the **recipient** that determine whether any action or statement can be viewed as bullying. Harassment is subject to a legal test in terms of whether it falls into the definition specified in the Equality Act 2010.

5.3 Please note: The College has a statutory duty under the Education and Inspections Act 2006 to provide both students and their parents/carers, and staff, with support if cyber-bullying takes place outside College. The College is able to conduct searches of internet use which includes chat rooms, messaging services and email. Using these facilities to harass others will be addressed in accordance with the College’s Disciplinary Procedures. The College’s Acceptable Use of IT Policy should be read in conjunction with this policy.

5.4 While it is recognised that students and staff may communicate with other students and staff via social networking sites (e.g. Facebook, Twitter, Instagram), communication between staff and current students via social media sites/platforms is prohibited. Any communication between staff/students and students/students that is inappropriate and/or could constitute bullying or harassment will be subject to scrutiny if brought to the attention of the College, even if such communication is taking place outside of the College environment.

6.0 Signs and symptoms that may help to recognise that bullying and/or harassment are taking place

6.1 A person who is experiencing harassment and/or bullying may exhibit some or all of the following signs and symptoms:

- Becoming withdrawn and lacking in confidence
- Not wanting to go to College
- Becoming anxious or withdrawn
- Crying
- Nightmares
- Feeling ill
- Becoming aggressive or unreasonable
- Unexplained cuts or bruises
- Poor performance
- Declining attendance

6.2 If you notice any of these signs/symptoms in the people with whom you work and study on a daily basis, if you feel able to do so it may be appropriate to have a chat with them about your concerns, or make a member of staff aware.

7.0 College Procedures to Help Prevent Harassment and Bullying

7.1 The College must be able to demonstrate that all reasonable steps have been taken to prevent harassment and bullying and that an effective and sensitive response mechanism exists to address instances of harassment should they occur.

7.2 The College will also take all reasonable steps to prevent harassment of staff and students by any third parties.

7.3 The College will also take the following steps to prevent the incidence of harassment and/or bullying:

- Raising general awareness and an understanding of how to prevent bullying through: the tutorial programme (including group tutorials and one-to-ones); curriculum and training, and activities during National Anti-Bullying Week.
- Informing all staff and students of the policy during their induction period, from where the policy can be accessed, and the procedures to follow if harassment and/or bullying arise.
- Challenging prejudice-driven bullying through the tutorial curriculum.
- Informing parents of the policy and the procedures to follow via the College's website.
- Emphasising that the anti-bullying and harassment policy applies during any activity connected with the College, such as travelling to and from the College, on the College premises, and on College trips, visits or business.
- Displaying our in-house 'Respect' posters in prominent positions around the College.
- Displaying our Equality and Diversity materials around the College and making these available to students and prospective students e.g. at open events.
- Expecting all staff and students to recognise that they are responsible for adhering to and supporting the policy.
- Providing training and specific information for all staff to ensure they gain the knowledge, skills and awareness necessary to operate the College's policy and to adhere to relevant legislation efficiently and effectively, and to communicate this to other staff and students.
- As part of the College's student surveys (post-induction, student perception of college etc.) students will be asked how safe they feel in college and if they know to whom they could/should go in the event that they feel they are being bullied or harassed.

- The policy will form part of the College's induction programme for new staff and will be made available to all staff through electronic media such as the Virtual Learning Environment (VLE), College website and on request.
- Prominent displays of promotional literature setting out the College's stance on bullying and harassment.

8.0 Support

- 8.1 Huddersfield New College recognises that making a complaint of harassment and/or bullying is likely to be a distressing experience and that it may be difficult for staff and students to raise complaints directly. Accordingly, staff and students may approach a colleague/friend or other appropriate individual (e.g. trade union/professional association representative) to raise the issue on their behalf. Any complaint of harassment and/or bullying will be investigated in a serious and sensitive manner, with due respect for all parties involved.
- 8.2 Support and assistance to the complainant and the alleged harasser/bully will be provided by offering in both situations, for example, a mentor (see point 8.4 below).
- 8.3 For staff, if you are a member of a trade union the designated representatives may be able to provide support.
- 8.4 Student Support Assistants and Student Mentors may be able to provide support.
- 8.5 Support from the NC/DC group (New College Diversity Club) may, in some cases, be beneficial in addition to accessing the College's Open Door service.
- 8.6 The following websites may be useful to anyone who feels they are being harassed or bullied, or would just like to receive further information.

<http://www.antibullying.net>

<http://www.bulliesout.com>

<http://www.childline.org.uk> <http://www.anti-bullyingalliance.org.uk> <http://www.beatbullying.org>

9.0 General Principles

- 9.1 All staff and students should make every attempt to familiarise themselves with the anti-bullying and harassment policy and procedure. The College will take steps to facilitate the process of familiarisation through the measures outlined in section 7.3.
- 9.2 Informal action will be considered, where appropriate, to resolve problems before moving to formal disciplinary procedures.
- 9.3 For formal action, the employee or student will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case at a hearing, following an investigation, before any decision is made.
- 9.4 An employee or student will have the right to appeal against any formal disciplinary action.
- 9.5 Every attempt will be made to ensure that any unacceptable behaviour is addressed immediately and the reasons why the behaviour is unacceptable will be discussed.
- 9.6 This policy will be reviewed every academic year, which will include consultation with staff and students. The policy will be approved through the Safeguarding Group and Senior Leadership Team.

9.7 Staff and students responsible for the prevention of bullying and harassment include:

- Safeguarding Group
- College Governor for Safeguarding
- College Governor for Equality and Diversity
- Student Support team
- Student Union
- Student Diversity Champions
- Staff Diversity Champions
- Student Welfare Officer
- Health Promotion Champions
- Trade union/professional association representatives

9.8 Following each period of review we will publicise the policy via the College's website and the VLE and we will request feedback by a specified date.

9.9 This policy is available in alternative formats on request to the Assistant Principal – People and Place¹.

9.10 This policy and procedure should be read in conjunction with the following documents:

- Staff Code of Conduct
- Student Code of Conduct
- Equal Opportunities Policy
- Safeguarding Policy (including Child Protection and PREVENT)
- Disciplinary Procedure (staff)
- Disciplinary Procedure (students)
- IT Acceptable Use Policy (including e-safety)
- Social Media Policy

¹ Please note that job titles and post holders will be subject to change periodically.



1.0 Purpose of the Procedure

- 1.1 This procedure has been designed to deal with complaints of harassment and/or bullying, which need to be handled in a sensitive manner. The procedure, therefore, seeks to ensure minimal upset for the complainant, timely resolution of complaints and a degree of flexibility appropriate to individual circumstances, which may include the provision of training, mentoring or other forms of support, as well as or instead of the application of the College's disciplinary procedures.
- 1.2 Responses to complaints will be confidential (as far as is possible). Information circulation will be minimised to that which is necessary to ensure a fair investigation and hearing as applicable. The procedure is separate from the College's Disciplinary Procedures, which may be used following the results of the investigation under this procedure. Alternatively, an incident may be so serious, or there may be sufficient evidence to proceed immediately with the disciplinary procedures.
- 1.3 It is recognised that in bringing a complaint, the complainant must be protected from further harassment or detriment arising from the alleged incident(s) and associated complaint. In the event that the complainant is treated unfavorably because they have made a complaint, this will be treated as victimisation and a potentially serious matter.

The Equality Act 2010 states that:

“Victimisation occurs when an employee is treated badly because they have made or supported a complaint, or raised a grievance under the Equality Act, or because they are suspected of doing so.”

- 1.4 There are two channels for the resolution of complaints, one informal and the other formal. The differences are explained below. Where possible it is recommended that the recipient of the alleged behaviour keeps a record of incidents and other details surrounding the harassment/bullying.

2.0 Keeping a record

- 2.1 A record of the incidents that the recipient perceives to be harassment and/or bullying in nature should be kept, on each occasion, where possible. Notes of the details for each incident should include:
 - Date
 - Time
 - Place
 - Name of person harassing them
 - What actually happened
 - How the recipient actually felt at the time
 - Name of any witnesses
 - Any action already taken and whether reported
 - Any correspondence related to the incident

- 2.2 In some cases it is not appropriate or feasible for the recipient of the alleged harassment/bullying to keep a log of incidents, particularly where there is a one-off serious incident that the recipient feels is harassment or bullying in nature. Therefore, while incident logs are recommended it is also acknowledged that there are some circumstances in which it would not be possible for a log to be produced.
- 2.3 A central log of known/reported cases of bullying and harassment (student-related) will be managed by the Student Support team, led by the Vice Principal, and recorded in the College's secure student records system, Cedar.
- 2.4 A central log of known/reported cases of bullying and harassment (staff-related) will be managed by the Assistant Principal – People and Place.
- 2.5 An annual report of bullying and harassment cases and how these have been managed and resolved will be sent to the Safeguarding Group, with recommendations for any improvements to the College's practices and procedures as necessary, in addition to proposed College-wide activities and recommendations.

3.0 Informal Resolution for Staff and Students

- 3.1 Every effort will be made to resolve the issue informally in the first instance and if this is appropriate. The decision, however, as to whether a complaint is dealt with formally or informally will usually rest with the complainant. Informal procedures can be a speedy and amicable way of resolving conflict. The complainant should have the option of working alone on this, or with the support of a member of staff/colleague/friend or through the College's support systems.
- 3.2 In exceptional circumstances, and where informal measures are deemed inappropriate, there may be sufficient evidence and significant reason for the Investigating Officer to make a decision to address matters through a formal procedure.
- 3.3 Where possible and appropriate the recipient should make it clear to the person causing the offence that the behaviour is unwelcome and ask the person concerned to stop. If too embarrassed to speak directly, this could be done through the mediation of a colleague, or in the case of students, a member of staff or a student mentor. A request for the behaviour to stop could also be made in writing. These actions may be effective. The person may be unaware of the impact of their words and/or actions or that their behaviour is inappropriate. On learning that they have caused offence, some people will apologise readily and change their behaviour. However, others may become defensive. The encounter should be approached as calmly as possible with the intention of resolving the situation. A note should be taken, where possible, of any action taken.
- 3.4 At all stages of the procedure appropriate action will be taken with the alleged harasser/bully to ensure they take responsibility for their own actions and acknowledge and understand why their behaviour has resulted in a complaint. Appropriate parties will be involved in the application of the procedure, as necessary (e.g. parents, Trade Union representatives).
- 3.5 If the action continues, or the complainant cannot take personal action, they are advised to contact:
 - The Assistant Principal - People and Place or the Vice Principal
 - Discuss the matter with one of the following people:

For Staff:

- Line manager. If the line manager is the person against whom the complaint is being made, the matter should be reported to the next manager above, the Assistant Principal - People and Place or the Vice Principal.
- Trade Union/Professional Association Representative.

For Students:

- Progress Tutor
- Student Welfare Officer
- Student Support Managers
- Director of Safeguarding
- Vice Principal
- A student mentor or other member of the Study Centre team

For both staff and students, 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 or other risks are present (see point 3.2 above). In such cases the listener will inform the complainant of their need to take action against the alleged harasser/bully.

The complainant may have a friend/colleague/trade union representative present at all stages of the procedure and they will be treated in a sensitive manner, consistent with their individual circumstances.

- 3.6 In the event that the complainant is uncomfortable discussing the matter with any of the people named above, the complainant may inform another member of staff or student with whom they do feel comfortable discussing their concerns. That person may then support the complainant in referring the matter to the appropriate person.
- 3.7 Parents/carers may report the alleged bullying/harassment of their son/daughter in writing or verbally to the Director of Safeguarding or the Vice Principal.
- 3.8 In all cases, allegations of bullying received from students will be logged in the College's secure student records system, Cedar. This information will then be received by the Safeguarding team, a member of which will respond and take action as appropriate to the circumstances; this may include reporting to parents/carers.

4.0 Possible Courses of Action

- 4.1 To take no further action at this stage but to record any future incidents, where possible, as recommended above and to keep the situation under review, enabling the complainant to seek further advice in the future if necessary.
- 4.2 If the alleged perpetrator has not already been approached, then ask the person to stop the offending behaviour and again keep the situation under review.
- 4.3 Make a formal complaint.

5.0 Formal resolution for Staff and Students:

- 5.1 The College is committed to dealing effectively with allegations of harassment. If the complainant is: _____

² Please note that where College employees are named directly, names are correct at the date of publication of the policy/procedure. Names and role titles may be subject to change from time to time.

- Unable to approach one of the people identified above
- Dissatisfied with the outcome after trying an informal approach, or
- The nature of the harassment is sufficiently serious as to make it inappropriate

The complainant is entitled to seek help by using the formal procedures set out below:

- **For Staff**, a formal complaint should be put in writing to the Assistant Principal - People and Place.
- **For Students**, a formal letter should be put in writing to a member of the Student Support team (or other appropriate member of staff as listed above in section 3.5). In both instances the letter needs to specify that it is a formal complaint giving details of the alleged incident(s).
- Upon receipt of a formal complaint the following procedure will apply:
 1. An investigation into the circumstances of the alleged harassment will usually be carried out by the manager who received the complaint. There may be occasions where two Investigating Officers are appointed to conduct the investigation. A second Investigating Officer will usually be a member of the Senior Leadership Team.
 2. The person against whom the complaint has been made will be informed as soon as possible of the nature of the complaint and given a copy of the complainant's letter and details of the procedure involved. The person against whom the complaint has been made will be advised to seek representation.
 3. The complainant and the alleged harasser/bully will be interviewed separately and with their respective representatives. Written statements will be taken, which the relevant parties will be asked to sign and date, confirming that they agree with the statements collected. In the event that a party does not sign a statement or make a response on the statement, having been given the opportunity to read it and make amendments, the statement will be taken as an accurate record of what was discussed.
 4. Both parties will be given the opportunity to nominate witnesses whom they wish to be interviewed.
 5. Parents/carers of students involved in any investigation will be involved as necessary at any stage of the procedure.
 6. The Investigating Officer(s) investigating the complaint will meet anyone else who was present or who has information that is relevant to the issue. Notes of such meetings will also be taken and the individuals called will usually be asked if they would like to be accompanied by a workplace colleague, fellow student or trade union representative. (Depending on the nature of the case, it may also be agreed that other persons may accompany the complainant, such as a parent in the case of a student).
 7. On completion of the investigation the material collected will be reviewed and a decision made whether the complaint is substantiated. In some cases, there will not be any witnesses and it will be one person's word against another's. In these cases, consideration will be given to whether, on the balance of probabilities, the incidents/actions occurred. Both parties will be advised of the outcome and any further action that may be required.

6.0 Possible outcomes

6.1 Staff

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

1. Take no action, because the allegation has not been substantiated;
2. Initiate the College's Staff Disciplinary Procedure;
3. Take management action other than to initiate the disciplinary procedure.

Management action could include:

1. Monitoring the situation to ensure that harassment/bullying does not recur and making a recommendation as to the person(s) who will be responsible for monitoring the situation and the relevant timescale.
 2. Required attendance on training courses.
 3. Making arrangements for both parties to work as separately as possible within the same workplace.
 4. A period of compassionate leave for relevant parties.
 5. A recommendation of redeployment of one or both parties, either on a temporary or permanent basis.
 6. Professional mediation.
- 6.2 If the complainant or alleged harasser is dissatisfied with the outcome, or with the way in which the complaint was handled, **then they have the right to raise this matter under the College's grievance procedure.**

6.3 Students

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

1. Take no action, because the allegation has not been substantiated;
2. Initiate the College's Student Disciplinary Procedure; or
3. Take action other than to initiate the disciplinary procedure.

These actions could include:

1. Monitoring the situation to ensure that harassment does not recur and making a recommendation as to the person(s) who will be responsible for monitoring the situation and the relevant timescale.
2. Subject to both parties agreeing, the Investigating Officer(s) may meet with them and their representatives together as part of a mediation process.
3. Making arrangements for both parties to study as separately as possible.

- 6.4 If the complainant or alleged harasser is dissatisfied with the outcome, or with the way in which the complaint was handled, then a written request for reconsideration should be made to the Deputy Principal or other member of the Senior Leadership Team. This should be done within 5 working days of receiving the Investigating Officer's decision.
- 6.5 An independent hearing will be scheduled and will be chaired by a member of the Senior Leadership Team who has not been involved in the proceedings up to that point. If the outcome of the hearing is still deemed unsatisfactory to any of the parties, an appeal can be made, within a further 5 working days, to the Principal.

7.0 Further Action

- 7.1 If, following any informal or formal procedure, the alleged bullying/harassment persists, this will be treated as a serious matter and disciplinary procedures are likely to be invoked or progressed.

8.0 False and malicious complaints

- 8.1 Complaints of harassment are treated seriously by Huddersfield New College. It should therefore be noted that anyone making malicious complaints may have disciplinary action taken against them, up to and including dismissal or exclusion.

9.0 Monitoring and keeping records

- 9.1 No formal record on file will be kept by the College of issues which are resolved informally.
- 9.2 Where the complaint is not substantiated, then no record will be kept on the alleged offender's file.
- 9.3 Where the matter proceeds to the College's Disciplinary Procedures, then the storage of records will be in accordance with those procedures.
- 9.4 Confidential statistical records will be kept for monitoring purposes. These will be collated annually and reported to the Corporation.
- 9.5 This policy and procedure, and its application will be reviewed to respond to changes in legislation and College practice.
- 9.6 This policy will be reviewed on an annual basis in order to inform improvements to the College's ethos and the associated impact on student achievement. Reviews of the policy and procedure will involve student representatives and other stakeholders.

10.0 Legislation

- 10.1 Claims from individuals may be brought within the tribunal systems as well as the court system under the following legislation:

- Health and Safety at Work Act 1974
- The Criminal Justice Public Order Act 1994
- Employment Rights Act 1996
- Employment Act 2002

- Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Part Time Workers Regulations 2000
- Equality Act 2010

10.2 Harassment and bullying are unacceptable at Huddersfield New College, whether or not they are unlawful.

All staff and students were given the opportunity to contribute to the consultation process, which formed part of the review of this policy and procedure.

Document History

Version	Date	Author	Comments	Authorised
1	December 2007	Angela Williams	Amendments to policy to incorporate Employment Equality (Age) Regulations 2006	-
2	June 2008	Helen Smithson	Amendments to incorporate Cyber- bullying, Education and Inspections Act 2006	-
3	March 2011	Helen Smithson and Zoe Shackleton	Amendments to incorporate the Equality Act 2010.	Safeguarding Group
4	December 2012	Helen Smithson and Zoe Shackleton	Review in line with the Bullying Intervention Group policy checklist	Safeguarding Group
5	December 2013	Helen Smithson and Zoe Shackleton	Annual review	Safeguarding Group
6	December 2014	Sonia Ross and Zoe Shackleton	Annual review	Safeguarding Group
7	November 2015	Sonia Ross and Colin Knightley	Annual review	Safeguarding Group
8	December 2016	Sonia Ross and Zoe Shackleton	Annual review in line with the Bullying Intervention Group policy checklist	Safeguarding Group
9	November 2017	Sonia Ross and Zoe Shackleton	Review following new strategic plan	Safeguarding Group



EQUALITY IMPACT ASSESSMENT



INTRODUCTION

The purpose of carrying out an Equality Impact Assessment (EIA) is to provide the basis for creating equality objectives and performance indicators that will drive improvement and change in ensuring the College meets the needs of different groups of people with different protected characteristics, as defined in the Equality Act 2010.

What is an impact assessment?

An EIA is a systematic and thorough consideration of how every aspect of the College's functions (i.e. policies, procedures, practices and plans) is affecting, or is likely to affect different people. EIAs should be reviewed a part of a rolling programme and the Action Plan updated accordingly.

All colleges have a duty to carry out EIAs. We must explicitly consider impact on students, staff and other key groups in terms of race, disability, gender (including gender identity), sexuality, age, and religion and belief, and publish the results. Consultation with your customers and potential customers, external clients, staff and students will be part of the EIA procedure and will also link to the Self-Assessment Report (SAR) and strategic plan for the College. The involvement of different stakeholders will evidence our commitment to embedding equality and diversity within all our services and the curriculum. The EIAs will be led and monitored by the Assistant Principal – People and Place.

What needs to be impact assessed?

The EIA process will encompass all policies, procedures, practices and plans. When and where these are identified, each will need an EIA or review as part of a rolling programme, to determine whether they have a differential impact in relation to equality.

Findings of EIAs

The findings of an EIA may provide a number of possible outcomes:

1. The EIA shows that employment practices or services have a different impact measured by one or more protected characteristic.
2. The EIA shows a different impact which is demonstrated to be adverse impact.
3. The EIA shows no differential impact in employment practices or service delivery.
4. There is insufficient evidence to judge whether there is differential impact.
5. The EIA indicates that there are needs that are not being met.

Can I assess my own policies, procedures, practices and plans?

EIAs will usually be completed by the owner of the policy, procedure, practice and plan in conjunction with another colleague who is familiar with the process of conducting EIAs. The nominated person should not be involved with the design, maintenance or enforcement of the policy, plan, practice or procedure. This is to ensure that the EIA process is objective and robust, as a neutral party is more likely to highlight elements that will lead to positive change.

Part One – The Impact Assessment

Date of last assessment (if applicable)	14 th April 2011
Date this assessment commenced	1 st November 2017
Name of policy/procedure/practice/plan being assessed	Anti-Bullying and Harassment Policy and Procedure
Name and job title of policy/procedure/practice/plan owner	Sonia Ross, Vice Principal
Name(s) of independent colleague(s) appointed to contribute to the assessment	Zoe Shackleton, Assistant Principal
Is this a new or existing policy/procedure/practice/plan?	Existing policy, updated November 2017

INITIAL SCREENING

<p>1. Please summarise the main aims of the policy/procedure/practice/plan. Include the intended benefits.</p>	<p>The main aim of the policy is to set out the College's approach to preventing and managing the occurrence of bullying and harassment. It explains what is considered to be unacceptable conduct and includes definitions harassment and bullying, which are either legal definitions or best practice definitions from sources such as the Equality Act 2010 or ACAS (e.g. the ACAS definition of bullying is used).</p> <p>The College's vision, mission and values are explicitly referenced, as these underpin everything to which we aspire as a community and at the heart of the College's ethos is the concept of respect, which is fundamental to the Anti-Bullying and Harassment policy.</p> <p>The Equality Act 2010 is referenced, particularly because as a College we want to use every opportunity to emphasise and promote the legal terminology, e.g. 'protected characteristics', because it is imperative that employees and students are aware of and understand their legal and moral responsibilities to treat other people in a respectful and non-discriminatory manner.</p> <p>The policy has been updated to reflect legislative changes (i.e. the Equality Act 2010 and subsequent revisions to this, such as the repeal of the third party harassment provisions) and to strengthen certain sections, for example, in relation to bullying and cyber-bullying. We are conscious that the increasing popularity of social media platforms could facilitate bullying and harassment, which we are keen to prevent. Examples of what constitutes cyber-bullying are detailed in the policy. In the policy it is explicitly stated that staff are prohibited</p>
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	<p>from communicating with students via social networking sites, as it is felt that there are more appropriate vehicles of communication available to staff and staff should protect themselves from potential allegations.</p> <p>The policy contains detailed information regarding preventative measures the College will take in terms of raising awareness that bullying and harassment are not acceptable. There is also a section on support to any parties involved in an allegation of bullying, including useful websites.</p> <p>There is a detailed procedure for dealing with allegations of bullying and harassment and this includes outlining possible courses of action and possible outcomes (e.g. disciplinary sanctions).</p> <p>The benefits of the policy and procedure include that because of the level of detail, expectations and individuals' responsibilities for their own conduct are very clear. The College is keen to ensure that all employees and students are aware of and understand the content of the policy and procedure and that they adhere to it, but equally that if bullying and harassment are occurring, the victim is aware of the procedure for reporting.</p> <p>Another benefit of the policy and procedure is that they represent further evidence of the College's commitment to actively promoting equality and diversity and tackling discrimination, including harassment.</p> <p>The policy and procedure are communicated to students as part of their induction to the College, new staff as part of their induction, and all staff are sent reminders/updates about the policy and procedure as required.</p> <p>The policy and procedure were reviewed externally in the 2016/17 academic year as part of our reassessment for the Bullying Intervention Group (BIG) Award, and we were successful in this reassessment.</p>
<p>2. What consultation has been undertaken in the development of the policy/procedure/practice/plan?</p>	<p>Members of the safeguarding group have had the opportunity to contribute to the review of the policy and procedure and their views have been taken on board in making changes. There have been many attempts to engage with students through less formal means to gauge their understanding of the College's approach to bullying and harassment and to establish means through which the policy and procedure can be promoted, but also to ensure preventative measures are successful. The Student Diversity Champions will be ambassadors for the College in terms of all aspects of equality, diversity and inclusion and our approach to preventing and addressing the occurrence of bullying and harassment.</p>

<p>3. What evidence, data or information is available to indicate how the policy/procedure/practice/plan might affect equality?</p>	<p>The safeguarding team monitor the occurrence of bullying through the online secure reporting portal within Cedar, the College's student records system. On an annual basis the Corporation receive a safeguarding report, which includes information on the different types/categories of safeguarding concerns and the frequency with which they have arisen in the course of the academic year.</p> <p>In terms of the policy and procedure, they are encompassing of all individuals, irrespective of any protected characteristic and are by their nature designed to prevent the occurrence of adverse differential treatment or impact in relation to any aspect of equality and diversity.</p>	
<p>4. In what areas could the policy/procedure/practice/plan have a significant adverse differential impact?</p> <p>If you have selected one or more boxes for question 4, please go straight to question 5.</p> <p>If you have not selected any of the boxes for question 4 there is no need to complete the rest of this documentation. However, you must write the reasons why you believe there will be no differential impact, in respect of any of the protected characteristics listed, in the space opposite.</p>	<p>Disability <input type="checkbox"/></p> <p>Race <input type="checkbox"/></p> <p>Gender (including Gender Identity) <input type="checkbox"/></p> <p>Sexual Orientation <input type="checkbox"/></p> <p>Age <input type="checkbox"/></p> <p>Religion or belief <input type="checkbox"/></p>	<p>It is felt that the policy and procedure have fairness and consideration for equality at their centre and they are designed to prevent bullying and harassment taking place, while ensuring that when allegations are made there is a fair, transparent and supportive procedure for managing the allegations.</p> <p>The College has made changes to the tutorial curriculum for students to incorporate an introduction to the College's mission, values and respect. Subsequent tutorials further develop these themes and annually we have a college-wide focus on anti-bullying to mark national anti-bullying week in November.</p> <p>Similarly, new members of staff are made aware of the policy in their induction to the College and through an equality and diversity workshop, which is also part of the induction programme. All members of staff complete mandatory training on safeguarding and equality and diversity on a rolling programme, through the College's INSET days.</p> <p>There is no evidence to suggest that the anti-bullying and harassment policy and procedure could have a significant adverse differential impact in relation to any protected characteristic and every effort is being made to ensure all individuals (staff, students, Governors) are aware of their responsibilities under the policy and procedure.</p>

ASSESSING IMPACT AND STRENGTHENING THE POLICY/PROCEDURE/PRACTICE/PLAN

<p>5. What general concerns are there that the policy/procedure/practice/plan could have a differential impact on the protected characteristics you have indicated in question 4? Please give details.</p> <p>What relevant evidence is available to support these concerns? Please use data/statistics where possible.</p>	
<p>6. What are the risks associated with the effectiveness of the policy/procedure/practice/plan in relation to the differential impact?</p>	
<p>7. What are the expected benefits of the policy/procedure/practice/plan?</p>	
<p>8. Who are the 'interested parties' (i.e. adversely affected groups) in relation to this policy/procedure/practice/plan?</p>	

<p>9. How will these interested parties be consulted and communicated with?</p>	
<p>10. Which relevant experts and/or equality groups have been approached to explore the issues with which the policy/procedure/practice/plan is concerned?</p> <p>How have the views of these experts/groups been sought? (Please be as specific as possible, e.g. by letter, meetings, interviews, workshops, questionnaires, or any other method.)</p>	
<p>11. Please give details of the views of the experts/groups on the issues involved.</p>	
<p>12. Taking into account these views, and the available evidence, please outline the risks associated with the policy/procedure/practice/plan weighed against the benefits.</p>	

<p>13. What changes/modifications will now be made to the policy/procedure/practice/plan in the light of this Impact Assessment?</p>	
<p>14. How will these changes/modifications be communicated to interested parties (i.e. the groups which were adversely affected) and those consulted? (This should form part of the Action Plan.)</p>	
<p>Signed (completing officer 1) </p>	<p>Print Name and Job Title Zoe Shackleton Assistant Principal</p>
<p>Signed (completing officer 2)</p>	<p>Print Name and Job Title Sonia Ross Vice Principal</p>
<p>Date of completion of Impact Assessment</p>	<p>22nd November 2017</p>

Actions arising from screening

(R = Race/Ethnicity, R&B – Religion and Belief, D – Disabled People, G – Gender (including gender identity), SO – Sexual Orientation, A – Age)

R	R&B	D	G	SO	A	Action Required	By Whom	By When	Intended Outcome	Change resulting from EIA and date (include evidence if possible)