

CITY OF LONDON COLLEGE



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A UNIVERSITY SECTOR PREMIER COLLEGE

BULLYING AND HARASSMENT POLICY

2022/2023

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1. Policy Statement

- 1.1. The City of London College is committed to equality of opportunity, providing a fair, equitable and supportive learning and teaching environment, in which all members of the community are treated with dignity and respect. The College will not tolerate bullying, harassment or victimisation of any individual on any account. All allegations of bullying and harassment will be treated with the utmost seriousness and given careful and appropriate investigation.

2 Legislative Context

- 2.1. In this policy CLC intends to meet the requirements of current legislation, namely the Equality Act 2010, to eliminate discrimination, harassment and victimisation.
- 2.2. The act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the act protects everyone against unfair treatment. The protected characteristics are:
- age
 - disability
 - gender reassignment
 - marriage and civil partnership
 - pregnancy and maternity
 - race
 - religion or belief
 - sex
 - sexual orientation
- 2.3. The Equality Act sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.
- 2.4. The act prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises (which would include access to facilities), in education and by associations (such as private clubs).
- 2.5. Additionally, the Protection from Harassment Act 1997 makes harassment potentially a criminal offence and gives the harassed party the right to legal redress.

3 Responsibilities

- 3.1. All students have a personal responsibility to comply with this policy, to behave appropriately, to treat fellow students and staff with respect and dignity and to comply with College regulations on student conduct and equality and diversity.

3.2. Students should discourage bullying and harassment by making it clear that they find such behaviour unacceptable. Students are responsible for their own behaviour and although exceptional or extenuating circumstances may be relevant, it is important to note that certain conditions, e.g. being drunk, do not absolve a student of this responsibility.

4 Scope

4.1. This Policy applies to students throughout their period of registration with the College, both on or off campus, including activities organised by the Students' Union, and at all times.

4.2. This policy may be used by students or staff who believe they have been subject to bullying or harassment by registered students of CLC. Complaints of bullying or harassment by staff should be reported through the College Complaints Procedure.

5 Definitions

5.1. **Bullying:** Bullying can be defined as offensive, intimidating, malicious or insulting behaviour. It can be an abuse or misuse of power which is intended to undermine, humiliate, denigrate or injure the recipient. It can take place between peers or between individuals of different levels of seniority. It is unsolicited and unwanted and may involve conduct, words or physical actions which humiliate, patronise, threaten, intimidate or undermine. A single instance of behaviour may in itself not be significant, but the cumulative effect and repetition of such behaviour may constitute bullying.

5.2. Examples of Bullying may include:

- Written or verbal threats.
- Physical gestures or actions.
- Insulting, aggressive, intimidating behaviour including offensive language.
- Cyber bullying including inappropriate text/voice messaging and/or emailing; sending inappropriate images by phone or via the internet.
- Cyber bullying including abuse of chat rooms, instant messenger and social networking sites such as Facebook, Twitter, You Tube and Flickr.
- Unjustifiable exclusion, e.g. withholding information, isolation or non-cooperation of colleagues in classroom and social activities.
- Spreading malicious untruths about another person.

5.3. Bullies:

- May be an individual.
- May be a group of people, often targeting an individual.
- Individuals or groups who condone bullying by laughing at or encouraging bullying behaviour.

5.4. What is not Bullying in general:

- Acting assertively.
- Requesting someone to amend their behaviour.
- Disagreeing with someone's point of view.
- Making a single critical remark about another person's performance of a task.
- A single instance of behaviour which is not repeated.

5.5. The above would not generally be considered bullying unless investigation shows that they are part of a pattern of behaviour by one or more people which results in the victimisation of another. It is also possible that a single instance of discriminatory language may contravene the College's conduct policy and/or equality and diversity policy.

5.6. **Harassment:** Harassment can be defined as unwanted conduct affecting a person's dignity and well-being or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. It may be related to age, gender, race, disability, religion, nationality, sexual orientation or any personal characteristic of an individual. This conduct is perceived by the victim as demeaning, offensive and unacceptable. It is unwanted and could be considered as violating the individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. The emphasis is on how the behaviour is perceived by the recipient not on the perpetrator's stated intention and the impact on the recipient is more relevant than the motive behind it. The defining factor in determining if behaviour amounts to Harassment is that the behaviour is unacceptable and could reasonably be considered to amount to Harassment. It can be a single significant incident or repeated unacceptable behaviour. Harassment is a form of discrimination and is generally covered by the Equality Act 2010.

5.7. Examples of Harassment may include:

- Sexual Harassment e.g. unwanted physical contact or unwelcome advances, attention, invitations or proposals; suggestive or sexual comments, looks, actions or jokes; ridicule; stalking.
- Racial Harassment e.g. name calling or ridicule based on culture and ethnicity; verbal abuse and racist jokes; intrusive questioning concerning racial issues and origins; exclusion based on nationality.
- Harassment because of health and disability e.g. name calling or ridicule; prejudging capabilities without reference to them; exclusion based on disability; uninvited/patronising or unnecessary assistance.
- Homophobic comments, or jokes; derogatory or embarrassing comments on an individual's personal appearance, age, sexual orientation; comments on an individual's religious or political convictions and affiliations.

6 Overview of procedures for dealing with Bullying and Harassment:

6.1. All members of the College community should feel confident about reporting bullying and harassment.

- 6.2. No individual should tolerate bullying or harassment, or feel personally at fault.
- 6.3. Anyone who witnesses bullying and harassment can report this on their own account; all students have the right to learn in an environment free from bullying and harassment. Instances of bullying and harassment will be dealt with through College policies and procedures such as the Student Conduct Policy.

7 Procedures for those subject to Bullying and Harassment:

- 7.1. Individuals are strongly encouraged to keep a diary of the instances of bullying or harassment to which they believe that they have been subjected. It is important to note the date, time and place of the incident, exactly what was said or done, the context it was said or done, how it made the individual feel and what action was taken (if any). The names of any witnesses should be noted and any related documents retained as these will be relevant if there is a formal complaint.
- 7.2. Students are advised to act promptly and should not accept unwanted behaviour, or feel that unwanted/unacceptable behaviour is their fault. Students should not feel that they have to wait until the situation becomes intolerable.
- 7.3. A range of actions are available including:
- *Informal action:* Informal action can be an appropriate and successful method of addressing instances of bullying and/or harassment. It can help to:
 - clarify the behaviour the recipient experiences as unwanted, unsolicited, offensive or distressing,
 - clarify the distinction between unintentional and regretted incidents of bullying and/or harassment and more offensive acts which are persistent and deliberate.An individual who believes that s/he is being bullied and/or harassed could consider:
 - Discussing the problem with the alleged bully/harasser; this should include giving one or more specific examples of unacceptable behaviour and agreeing how behaviour will change in the future.
 - Writing to the alleged bully/harasser, outlining the unacceptable behaviour, giving one or more specific examples of unacceptable behaviour and asking for a change in behaviour. Guidance on the writing of such a letter can be sought from the Student Services.
 - *Formal action:* If a serious issue/incident is involved, or if there has been an accumulation of issues, or the recurrence of earlier bullying and/or harassment, it may be more appropriate to make a formal complaint under the CLC Student Conduct Policy. Complaints should be addressed to the Director of Student Services. Student allegations of bullying and/or harassment by a member of the College staff should be reported under the College Complaints Procedure.
 - **Legal action:** In cases where there is an allegation of a criminal offence, this must be immediately reported to the police and the CLC Security team as appropriate.

In such cases the College would usually be unable to take any action pending the outcome of criminal or legal proceedings, unless there is judged to be a risk to someone, in which case a temporary suspension or exclusion may be imposed by the CEO.

8 Witnesses

8.1. Witnesses can and should take action to report any instances, or suspected instances, of bullying and/or harassment under the CLC Student Conduct Policy or the College Complaints Procedure.

9 Guidance and Support:

9.1. The College offers guidance and support to:

- individuals who believe they have been subject to bullying or harassment by registered students of CLC;
- students accused of bullying and/or harassment, either informally or formally;
- students who feel they may be behaving as a bully or harasser, or supporting bullying or harassing behaviour by others or a group. Support is available to help individuals reflect on and change behaviour;
- witnesses.

9.2. Without escalating the issue to a formal level, individuals may wish to arrange a meeting with any of the following to discuss options available to resolve the situation and seek support in carrying out any actions:

- CLC Students' Union for advice, guidance, and when appropriate, accompaniment to meetings or formal hearings;
- Personal Tutors for information about the Policy and related procedures;
- Student Services to access emotional support.

10 Confidentiality:

10.1. As a general principle confidentiality will be agreed and maintained wherever possible.

10.2. There may be situations where confidentiality has to be broken, due to legal requirement or risk assessment, or in order to respond to a complaint, and this will be made clear to the student by the relevant service when the data is collected.

10.3. Other than for these specified reasons, advisors will not release any names or identifiable information about students or staff that use CLC services, without the individual's consent. Information will only be given to those who strictly need to know.

10.4. All records and information will be maintained in accordance with the Data Protection Act 1998.

11 Victimisation

11.1. The College will not tolerate victimisation of those bringing complaints under its Bullying and Harassment policy (whether founded or not), nor of those who witness bullying and harassment, nor of those accused of bullying and harassment.

11.2. Victimisation will be dealt with as a disciplinary matter.

12 Placements

Students should be treated fairly and consistently, with dignity and respect wherever they study. There may be instances where students undertake placements as part of their course at CLC. Placements should also be free from undue stress, anxiety, fear and intimidation. The College will take all reasonable steps to ensure that external organisations providing placement opportunities for members of the College community have policies and procedures in place to prevent and deal with issues of bullying and harassment. Any student who is subject to bullying or harassment while on placement will be supported appropriately by the College.

13 Policy Review

This policy will be reviewed on an annual basis, or if there is a change in legal or other business or academic related requirement.

<i>Review date</i>	<i>Description</i>	<i>Reviewer</i>
August 2023	Bullying and Harassment Policy	Academic Director

Document history:

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