

**AWARD-WINNING EDUCATION**

HOPWOOD HALL COLLEGE  
**BULLYING AND  
HARASSMENT  
POLICY AND  
PROCEDURE**

**(inc. CYBER BULLYING,  
SEXUAL HARASSMENT  
& HATE CRIME**

**2024-2026**



## Policy Cover Sheet

Please fill in the following details:

Policy Name	Bullying and Harassment Policy and Procedure (inc. Cyber Bullying, Sexual Harassment and Hate Crime) 2024-2026
Version Number	V1
Policy Owner	Adam Carney
Release Date	24/09/2024
Policy valid for	2 years

Documents included:

Completed Checklist (below)	X
Policy text	X
Filled in EIA	X

All policies will be available via NetConsent. Does the policy need:

To be accepted on NetConsent by staff?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Made available on the website?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

### Policy Checklist

Have you completed the following tasks:

Used the Microsoft Accessibility Checker	X
Used formatted headings	X
Used Arial 12pt font	X
Included numbered paragraphs	X
Included page numbers	X
Included alternative text for all images which accurately describe what's in the picture	X
Checked for gender neutral language e.g. remove dinner ladies, workmen, he/she and replaced with servers, contractors, they.	X
Used the full phrase instead of the acronym at least the first time	X
Used the spelling and grammar check	X
Gained feedback from colleagues to ensure the policy is clear and accurate	X
Included any legal, social or organisational changes since the last policy review	X
Reviewed the connected policies to ensure they are still active	X
Filled in the change log	X
Listened to the policy using the accessible reader	X
Reviewed the policy flowchart	X
Informed the EDI Manager of upcoming policy deadlines	X

**Sign Off: To be filled in by the named person only**

	Name	Date
SLT	Caroline Street	24/09/2024
Corporation (if required)		
Trade Union		
EIA	Adam Carney / Caroline Street	24/09/2024

Change log:

Version number	Changes description	Major changes? Y/N	Initiator	Rationale	Date of completion	New version number
N/A	New policy for 24/26	Y	Adam Carney	New policy for 24/26	24/09/2024	V1

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## 1. INTRODUCTION

- 1.1. Hopwood Hall College recognises that bullying and harassment can seriously damage working, studying and social conditions for staff and students. Within our strategic intention for Champions of Inclusivity and our college values, we want to ensure that all who visit, work or study at Hopwood Hall College can bring their whole-self each day.
- 1.2. This policy outlines behaviour that would be considered inappropriate or unacceptable and provides guidelines and procedures for the reporting of an incident and the hearing of complaints following a report of bullying and harassment. It works on the premise that bullying and harassment is a serious matter, and any incident will therefore be acted upon promptly and appropriately. Incidents should be dealt with on an individual case by case basis.
- 1.3. Safeguarding is everyone's responsibility therefore all learners, workers and visitors to the college will be expected to fully accept and implement this policy, whether in the workplace or outside of college premises, and must take responsibility to prevent, challenge and respond to bullying or harassment wherever it occurs.
- 1.4. This policy should be read in conjunction with other key college policies and procedures, namely the Safeguarding & Child Protection Policy, E-Safety Policy, IT Acceptable Use Policy, Staff Disciplinary Policy, Student Positive Behaviour Support Policy, Equality, Diversity and Inclusion Policy, Student Code of Conduct, Prevent Strategy, Speaking Out Policy and the Professional Guidelines for Staff.
- 1.5. This policy will not discriminate either directly or indirectly against any individual of any protected characteristic within the Equality Act 2010, also members of the Gypsy or Traveler community, individuals with caring responsibilities or based on socio-economic status or asylum and refugee status.

## 2. SCOPE

- 2.1. This policy applies to all staff, students, visitors, volunteers, contractors, apprentices, student / trainee teachers, people on placement and the whole College community, both in college and on any business or activities of the College, including educational, residential visits or work placements.
- 2.2. In appropriate circumstances, the provisions of the policy will also extend to cover the conduct of staff and learners when they are not on college premises and not under the control or supervision of a member of staff. Where an incident involves learners from another organisation, staff will liaise with colleagues from the relevant organisation. With all other incidents external agencies will be involved as appropriate. The college will support the tackling of bullying and harassment outside of college where this may impact on relationships and behaviour within college and / or bring the reputation of the college into disrepute.
- 2.3. In line with the Equality Act 2010, Workers Protection (Amendment to the Equality Act) Act 2023 and the Equality, Diversity and Inclusion Policy, we will take reasonable steps to prevent any forms of harassment and bullying, including cyber bullying, sexual harassment and hate crime happening to anyone covered in this policy.
- 2.4. It is the policy of Hopwood Hall College that:
- 2.4.1. Every student and staff member have the right to be safe from bullying and discrimination;
  - 2.4.2. All staff and students are responsible for creating a learning and working environment free of bullying, threats, harassment, discrimination, victimisation and intimidation.
  - 2.4.3. This policy will be supported by the Staff Disciplinary Policy and Student Positive Behaviour Policy within the College.
  - 2.4.4. Any person alleging bullying or harassment will be provided with help and support throughout the process and will be protected from victimisation.
  - 2.4.5. Support will be provided to the individual(s) that the allegation is made against.

2.4.6. Bullying and harassment is included in the College Disciplinary Procedures and specified as misconduct and potentially gross misconduct.

2.5. This policy has been written to meet the guidance and duties as detailed by legislation. This policy complies with:

2.5.1. Working Together to Safeguard Children

2.5.2. Keeping Children Safe in Education

2.5.3. Equality Act 2010 Legislation

2.5.4. The Children Act (1989): Duty of care.

2.5.5. Section 175 Education Act 2002: places a duty on college to make arrangements to ensure their functions are 'exercised with a view to safeguarding and promoting the welfare of children receiving education or training at the institution'. Tackling bullying is a key part of fulfilling this duty.

2.5.6. Worker Protection (Amendment of Equality Act 2010) Act 2023

### 3. DEFINITIONS

3.1. **Harassment:** any conduct that is unwanted by the person receiving it, or any conduct which affects their dignity and creates an intimidating, hostile, degrading or humiliating environment to a person or group of people. Harassment may be repetitive, or a one off event against one or more individuals. It may be related to prejudice around age, sex, race, disability, religion, nationality, culture, sexual orientation or any other protected or personal characteristic of the individual(s).

3.2. Harassment could be:

3.2.1. **Physical** - unwanted contact, (e.g. unnecessary touching), assault or gestures, physical intimidation, aggressive behaviour, physical threats.

3.2.2. **Verbal** - unwelcome or aggressive remarks, suggestions and propositions, malicious gossip, jokes, 'banter' or disrespectful comments which are based on a person's sex or race or personal appearance.

3.2.3. **Non-verbal** - this includes written harassment in the form of letters, emails, internet material, text messages, social networking comments. It may also include offensive literature or pictures, graffiti, computer imagery, cyber

impersonation, isolation or non-co-operation and exclusion from social activities.

3.2.4. **Emotional** – humiliating someone, name calling, using insulting names or comments.

3.2.5. **Social or psychological** – ignoring, alienating, excluding, spreading rumours, dirty looks.

### 3.3. **Third Party Harassment:**

3.3.1. HHC will work to prevent any forms of third-party harassment. This applies to the protected characteristics of age, disability, reassignment, race, religion or belief and sexual orientation.

3.3.2. Sexual harassment by a third party, please see section 4.

3.4. **Bullying:** a particular form of personal harassment. It is 'behaviour by an individual or group, usually repeated over time, that intentionally hurts another individual or group either physically or emotionally' (DCSF 'Safe to Learn' 2007).

3.5. **Bullying** may be verbal, non-verbal, social or psychological. It can be persistent, deliberate, malicious, threatening, offensive, abusive, intimidating or insulting behaviour that may be linked to an abuse of power, position or knowledge. It may involve the use of unfair sanctions. It can happen in public or private. A firm teaching style in itself would not constitute bullying but where firmness gives way to aggression it is likely to become destructive rather than constructive. What is important is that the conduct makes the recipient(s) feel upset, humiliated, vulnerable, or undermines their self-confidence. It may also cause them to suffer stress.

3.6. Some examples of bullying are:

3.6.1. **Emotional:** being unfriendly, excluding, tormenting (e.g. hiding books, threatening gestures)

3.6.2. **Physical:** pushing, kicking, hitting, punching or any use of violence

3.6.3. **Racist:** racial taunts, graffiti, gestures

3.6.4. **Sexual:** unwanted physical contact or sexually abusive comments

3.6.5. **Homophobic:** because of, or focusing on the issue of sexuality

- 3.6.6. **Faith or belief motivated:** because it focuses on faith or belief
- 3.6.7. **Verbal:** name-calling, sarcasm, shouting, spreading rumours, teasing, derogatory or belittling remarks in front of others.
- 3.6.8. **Cyber:** All areas of online and telecommunications. This could include through emails, text messages or other messaging platforms. Please see section 4 for more detail on cyberbullying.
- 3.6.9. **Social or psychological:** Consistently undermining someone and their ability to do their work

3.7. Bullying is not confined to open, derisory remarks or aggression, but can also be subtle and devious, resulting in an individual being singled out, demeaned, devalued or being set up to fail. It can be face to face or may take place indirectly through other methods. Rightful, constructive and fair criticism of a student's performance or behaviour at College or an occasional raised voice or argument does not constitute bullying.

3.8. **Prejudice based bullying:** Bullying can be by singling out someone or a group of people because they belong to a particular group. This is prejudice based bullying which can take many forms and will not be tolerated at the College:

- 3.8.1. **Racist bullying:** A range of hurtful behaviour, both physical and psychological, that makes a person feel unwelcome, marginalised, excluded, powerless or worthless because of their colour, ethnicity, culture, faith community, national origin or national status.
- 3.8.2. **Sexual bullying:** Any behaviour, whether physical or non-physical, where sexuality is used as a weapon by boys or by girls. It can be carried out to a person's face, behind their back or by use of technology.
- 3.8.3. **Transphobic bullying:** Bullying because someone is, or is thought to be, transgender.
- 3.8.4. **Homophobic bullying:** Targets someone because of their sexual orientation (or perceived sexual orientation).
- 3.8.5. **Disablist bullying:** Bullying involving people with disabilities employs many of the same forms as other types of bullying, with name calling and pushing and shoving being common but the disability is the reason for the bullying.

3.8.6. **Faith based or religious bullying:** Being treated differently because of your religion, lack of religion or your beliefs is a type of discrimination. This might include being bullied about ones religion, religious practices, like not eating meat or drinking alcohol, clothes or symbols, like if you wear a headscarf, cross or kara, where you were born, the way you speak or accent and class or caste.

3.8.7. **Specific ‘subcultures’:** the law now provides protection for alternative “subcultures” such as goth’s, punks, emos or metallers and is classed as a hate crime. This is where somebody feels they have been targeted because of their specific ‘subculture’ for example distinctive clothing, hairstyle or musical tastes.

3.9. **Cyberbullying:** Bullying using online platforms, such as social media or through smartphones and tablets.

3.10. Types of Cyberbullying:

3.10.1. Cyber Harassment - This is the act of sending offensive, rude, and insulting messages and being abusive. Nasty or humiliating comments on posts, photos and in chat platforms. Being explicitly offensive on gaming sites.

3.10.2. Denigration – This is when someone may send information about another person that is fake, damaging and untrue. Sharing photos of someone for the purpose to ridicule, spreading fake rumours and gossip. This can be on any site online or on apps.

3.10.3. Flaming – This is when someone is purposely using really extreme and offensive language and getting into online arguments and fights. They do this to cause reactions and enjoy the fact it causes someone to get distressed.

3.10.4. Impersonation – This is when someone will hack into someone’s email or social networking account and use the person's online identity to send or post vicious or embarrassing material to/about others. The making up of fake profiles on social network sites, apps and online are common place and it can be really difficult to get them closed down

- 3.10.5. Outing and Trickery – This is when someone may share personal information about another or trick someone into revealing secrets and forward it to others. They may also do this with private images and videos
- 3.10.6. Cyber Stalking – This is the act of repeatedly sending messages that include threats of harm, harassment, intimidating messages, or engaging in other online activities that make a person afraid for his or her safety. The actions may be illegal too depending on what they are doing
- 3.10.7. Exclusion – This is when others intentionally leave someone out of a group such as group messages, online apps, gaming sites and other online engagement.

## 4. SEXUAL HARASSMENT

4.1. Sexual harassment and sexual harmful behaviour is unwanted attention that violates a person's dignity or creates an offensive or degrading environment.

4.2. Sexual harassment is often considered a disciplinary offence and, in some cases, may also be a criminal offence. The college will fully co-operate with the police or other third parties if a sexual harassment incident is deemed as a criminal offence.

4.3. Recognised forms of sexual harassment by students or staff:

- 4.3.1. Sexual images displayed or shared.
- 4.3.2. Offensive words or comments.
- 4.3.3. Demeaning or humiliating behaviour or language.
- 4.3.4. References to someone's body.
- 4.3.5. Intrusive questions about someone's private life.
- 4.3.6. Stalking, including online stalking.
- 4.3.7. Sexual gestures, such as simulating sexual acts.
- 4.3.8. Unwanted touching, such as putting a hand on someone's knee or hugging them.
- 4.3.9. Unwanted sexual attention whether verbal or physical.
- 4.3.10. Coercing someone into sexual relations through pressure, manipulation or threats, or offering rewards in exchange for sex.

4.3.11. Sexual violence, including rape, or threatening to carry out sexual violence or unwanted sexual acts.

4.4. Formal reporting sexual harassment:

4.4.1. Students should report incidents of sexual harassment to tutors and safeguarding and pastoral support staff.

4.4.2. Staff should report incidents of sexual harassment to managers or to Human Resources representatives.

4.4.3. In all sexual harassment cases, it is important to ensure that the principle of confidentiality is applied to each case due to further investigations may need to take place and for the dignity of all parties involved.

4.5. Formal procedure to deal with a sexual harassment complaint regarding students and staff is detailed within this policy. Further guidance can seek through the Positive Behaviour Support Policy for students and through our Disciplinary and Grievance Policies for staff.

4.6. If sexual harassment takes place by a third party, HHC will fully investigate and work with all parties for resolution.

4.7. Support can be provided to staff through the HR team, Employee Assistance Programme, Occupational Health Advisor and through trusted third parties approved by the college. Students can seek support through the Safeguarding and Wellbeing team.

## 5. HATE INCIDENT/CRIME

5.1. **Hate Incident** is any incident, which may or may not be a crime, that an individual or any other person perceives to be motivated by hostility or prejudice towards that person's race, religion, disability, sexual orientation or transgender identity or perceived transgender identity.

5.2. **Examples of hate incident:**

5.2.1. Verbal abuse like name-calling and offensive jokes.

5.2.2. Harassment

- 5.2.3. Bullying or intimidation by children, adults, neighbours or strangers
- 5.2.4. Physical attacks such as hitting, punching, pushing, spitting
- 5.2.5. Threats of violence
- 5.2.6. Hoax calls, abusive phone or text messages, hate mail
- 5.2.7. Online abuse, e.g. social media
- 5.2.8. Displaying or circulating discriminatory literature or posters
- 5.2.9. Harm or damage to things such as your home, pet, vehicle
- 5.2.10. Graffiti
- 5.2.11. Arson

**5.3. Effects of bullying/harassment:** Bullying and harassment are not only unacceptable on moral grounds but may, if unchecked, create problems for staff, students and the College as a whole. This can include poor morale; loss of respect for member of staff and learners; poor performance; increased sickness and unauthorised absence levels and increased drop out. Therefore, it is in the interest of all students and staff to take appropriate action if they believe a friend, colleague or any other individual is being bullied or harassed.

**5.4. Criminal and police involvement:** It important to recognise some forms of bullying and harassment will constitute a criminal offence.

5.5. The college will refer to the police or other trusted third parties any incidents in the form of bullying and harassment where a criminal offence has taken place. The college will support criminal proceedings where appropriate or required.

## 6. GENERAL ROLES AND RESPONSIBILITIES

**6.1. The College Community:** Everyone has a responsibility to safeguard the welfare of others by challenging, addressing and reporting incidents of bullying and harassment. Everyone has the responsibility to acknowledge that views and opinions held by others may not always coincide with their own, and while such differences are unlikely to constitute harassment, personal views and opinions should be shared appropriately and responsibly.

**6.2. Staff Responsibilities:** Every member of staff has a responsibility to ensure all college users and colleagues are treated with dignity and respect and to ensure their conduct does not cause offence or misunderstanding. Members of staff are expected to act as role models for learners, ensuring they do not exhibit bullying behaviour in their own working practice and proactively challenge, address and report bullying or harassment. All staff have a duty under the Equality Act 2010 and Public Sector Equality Duty to promote equality of opportunity and good relations, and to challenge any behaviour that contravenes the underlying principles of that act. For further details on staff responsibilities and conduct, please refer to the Professional Guidelines for Staff.

**6.3. Senior Leadership Team:** Ensuring that the policy is implemented with the allocation of resources and support where necessary.

**6.4. Assistant Principals, Centre Directors and Programme Managers:** have a particular responsibility to support their students or staff through any disclosure and investigations into allegations of bullying and or harassment. The Centre Director has a duty to ensure that any allegations of bullying and or harassment are treated seriously, are reported and are investigated thoroughly.

**6.5. Curriculum / Teaching Staff:** have a responsibility to ensure that the delivery of the curriculum does not contravene the requirements or spirit of this and related policies.

**6.6. Manager Responsibilities:** All Managers and Supervisors have a responsibility to promote a culture free from unacceptable behaviour relating to bullying and harassment. Managers have a duty to ensure that any allegations of bullying and/or harassment made by learners or staff are treated seriously and are investigated thoroughly. Line managers must respond to all complaints in accordance with the procedure in this document. They should ensure that after the complaint has been dealt with there are no further instances of bullying or harassment or subsequent victimisation for any of the parties involved. Failure by a manager to act promptly in response to a formal or informal complaint will itself be treated as potential grounds for disciplinary action.

**6.7. Student Responsibilities:** Every student has a responsibility to treat other students, staff and members of the public with dignity and respect. Students should report to college staff any incidents of harassment or bullying they are subject to or aware of, and co-operate fully with any investigations into allegations of bullying or harassment. Students who feel they are being bullied or harassed should consider the option of telling the person responsible to stop whatever it is they are doing that is causing distress, as they may be unaware of the effect of their actions. Where a student finds it difficult to tell the person themselves, they may wish to ask someone else, a friend or member of staff, to act on their behalf.

**6.8. Student rights:** All students have the right to learn in an environment free from bullying and/or harassment. Students have the right to a fair hearing and to have any accusations made against them investigated without pre - judgment. Students have the right to be able to make allegations without being punished unless they have made an accusation deliberately to get someone else into trouble.

**6.9. College visitors and external contacts responsibilities:** It is the duty of every member visiting the College premises, and people who may work with students within the community to take responsibility for their behaviour and modify it, if necessary, as harassment is not acceptable under any circumstances.

## 7. IMPLEMENTATION AND MONITORING

### 7.1. Implementation:

7.1.1. The implementation of the policy will be led by the Equality, Diversity and Inclusion Manager and rolled out through NetConsent.

7.1.2. Equality, Diversity and Inclusion Manager will be integral to the implementation process.

### 7.2. Monitoring and Reporting:

7.2.1. Equality, Diversity and Inclusion Manager with Head of Safeguarding for students and Human Resources Manager for staff are responsible for ensuring the systematic collection, collation and analysis of data.

- 7.2.2. The number and types of bullying incidents will be monitored including the identification of those involving equality, diversity and vulnerable groups and any emerging trends.
- 7.2.3. Equality, Diversity and Inclusion Manager with Head of Safeguarding and Human Resources Manager where relevant are responsible for ensuring that recording and reporting procedures are applied consistently.
- 7.2.4. The effectiveness of the policy will be monitored through the use of data, including on-going use of 'Learner Voice' strategies and reported to the Equality and Diversity Steering Group, SLT and Corporation on an annual basis.

## 8. GUIDELINES FOR MEMBERS OF STAFF

- 8.1. All incidents and reports of bullying, harassment and discrimination should be reported as described within this policy.
- 8.2. Differences of attitude or culture and the misinterpretation of social signs can mean what is perceived as bullying, harassment or discrimination by one person may not seem to another. However, the defining feature is that whatever the intent of the perpetrator, the behaviour is unwanted by the recipient.
- 8.3. Embarrassment, fear of intimidation or publicity, or difficulty in defining what constitutes bullying or harassment should not deter anyone from complaining about behaviour which causes them distress. Retaliation against or victimisation of a learner for making a complaint is to be considered a disciplinary issue.
- 8.4. **Confidentiality:** The College will respect the particular sensitivity of bullying and harassment complaints and the need for confidentiality. As a general principle, confidentiality will be agreed and maintained wherever possible. Similarly, all the parties involved should be reminded of their obligation to keep all matters relating to the complaint confidential.
- 8.5. A person who brings a complaint in good faith, or assists in an investigation should be protected from any form of victimisation regardless of the outcome.

Malicious allegations will be subject to the College disciplinary policy and procedures.

8.6. Managers, staff and learners may approach Safeguarding and Wellbeing Team (for complaints involving students) or HR (for complaints involving staff) for advice and support at any stage.

8.7. **Supportive Framework:** The College recognises that making a complaint of harassment is likely to be a distressing experience and that it may be difficult for students to raise complaints directly with their tutor, manager or to approach the alleged harasser. Accordingly, students or staff may approach a friend, colleague or member of staff to raise the issue. Reporting has to be followed in line with this policy and procedure.

8.8. **Students with Learning Difficulties and/or Disabilities:** Some students with learning difficulties and/or disabilities (LLDD) may be especially vulnerable to bullying or harassment. Any indication of bullying/harassment of these students should be reported in the same way as for other students. Where appropriate, the Learning Support Team should be involved. Where bullying or harassment is suspected, students and vulnerable adults who have difficulties in communicating should be given the chance to express themselves to a member of staff with appropriate communication skills and/or be provided with an advocate.

8.9. **Anonymous Complaints:** Where an anonymous complaint of bullying or harassment is made, the college will take all reasonable steps to investigate. Where a victim and / or alleged perpetrator(s) are identified the investigating officer or line manager will work to ensure that the complaint is resolved under this policy. Where the details of the victim and / or alleged perpetrator(s) is kept anonymous, the college will try to take all reasonable steps to resolve the concern.

8.10. Where the complaint is a malicious claim of bullying and harassment, this will not be tolerated and disciplinary action will be taken.

## 9. PROCEDURE FOR STAFF RELATED COMPLAINTS

9.1. All staff complaints of bullying, harassment, cyber bullying, sexual harassment and hate crime should be reported to the human resources department.

9.2. Line managers or other staff are required to report to the human resources department incidents or complaints reported to them related to staff or agency staff to ensure that the process is followed.

9.3. An investigation could be conducted, the process of handling a complaint should come under the Grievance/Disciplinary Policy or any related policies.

## 10. PROCEDURE FOR STUDENT RELATED COMPLAINTS

10.1. All incidents of bullying and harassment related to students should be reported to Behaviour Management or Safeguarding and Wellbeing team and centrally recorded and reported on within the College on an incident report form and recorded on ProMonitor sensitively.

10.2. The Positive Behaviour Support policy sets out the process following a complaint or incident reported related to a student.

## 11. PROCEDURE FOR VISITORS RELATED COMPLAINTS

11.1. Any visitors subject to bullying and harassment on campus by staff or students, the formal complaints process would need to be followed.

11.2. If any staff or students are subject to any forms of bullying and harassment by visitors should report this incident to the wider management of the college.

11.3. Visitors investigated and determined to have committed any forms of bullying and harassment could be barred from re-entering campus.

11.4. In some cases of bullying and harassment, the visitor could be reported to the police or other third-party partners.