

# LEARNER BULLYING AND HARASSMENT STATEMENT OF INTENT



## INTRODUCTION

1. Fifty Shades Greener does not accept any form of bullying or harassment. Learners, staff members and visitors have a right to be treated with dignity and respect.
2. Bullying and harassment includes but is not limited to: the use of abusive or derogatory language, physical violence, verbal threats; and taking and circulating unwanted images or videos.
3. Bullying and harassment can be learner on learner, staff on learners or learner on staff members. All incidences will be taken seriously.
4. Bullying and harassment, especially if left unaddressed, can have a devastating effect on individuals. It can be a barrier to their learning and have serious consequences for their mental health. Bullying and harassment does not only affect an individual during adolescence but can have a lasting effect on their lives well into adulthood.
5. By effectively preventing and tackling bullying and harassment, Fifty Shades Greener can help to create a safe, disciplined and inclusive culture where learners develop the skills and knowledge to prepare well for life in modern Britain.
6. In all cases the principles of 'natural justice' are applied when a complaint is investigated, namely:
  - the complaint shall be dealt with in good faith, and in an impartial and fair manner
  - that all concerned - complainant and the person or persons to whom the claim is addressed - shall have the right to a fair hearing, and to know the reasons for any decision made.
  - that the complainant and the person or persons to whom the complaint is addressed shall be aware of statements and arguments brought by the other in relation to the complaint.

## PURPOSE

1. Fifty Shades Greener aims to ensure that we operate in an inclusive environment where effective learning can take place. This statement of intent promotes and encourages all learners to achieve and maintain acceptable standards of conduct for academic performance; it will also strengthen the message that there are clear consequences for inappropriate behaviour conducted in Fifty Shades Greener environment.
2. Fifty Shades Greener is committed to ensuring that all learners who may be subject to disciplinary processes are dealt with in a fair and equitable manner, whilst taking into account the individual circumstances of each learner involved.

## **SCOPE OF STATEMENT OF INTENT**

The Statement of Intent applies to all learners. It also applies to all staff who have an active role to play to promote an inclusive culture, can identify the signs of bullying and harassment and follow the actions that need to be undertaken if bullying and harassment is suspected.

## **DEFINITIONS**

The below are the definitions of bullying and harassment.

### **BULLYING**

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between people, or perceived differences.

### **CYBERBULLYING**

Cyberbullying is bullying that takes place over digital devices or platforms. With the rapid development and widespread access to technology, technology has provided a new medium for 'virtual' bullying. Cyber-bullying is a different form of bullying and can happen at any time of the day and can be potentially shared with a bigger audience.

### **HARASSMENT**

Harassment may be directed at an individual or a group. Under 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."

### **SEXUAL HARASSMENT**

Sexual harassment is unwelcome conduct of a sexual nature towards another person which could reasonably be expected to make that other person feel offended, humiliated or intimidated. A single incident is enough to be considered sexual harassment - it does not have to be repeated behaviour.

The person engaging in unwelcome behaviour does not have to intend to be sexually harassing the other person for the behaviour to be considered sexual harassment. Regardless of what was intended, sexual harassment is defined by the nature and the impact of the behaviour, not the intention behind it.

## PROCEDURES FOR DEALING WITH ALLEGATIONS

- Reassure the learner that they have done the right thing in reporting the incident of bullying or harassment and it is important to portray a calm, non-judgmental and positive response to the learner.
- If you feel you are the victim of bullying or harassment - act promptly and tell someone.
- All disclosures about bullying and harassment will be taken seriously and treated sensitively. It is important to discuss all possible and desirable strategies with the victim in the first instance and proceed as appropriate.
- Restorative questions will be used by staff when speaking to alleged victims to ensure a fair process and that individuals have had the opportunity to have their say.
- Notes will be taken regarding the discussion and the staff member will ask the learner to complete a statement, which must be signed to declare a true reflection of events. It should be made clear that statement may be shared with the person who the complaint is about.
- An investigation will be undertaken and the Learner or Staff Disciplinary Procedure may be followed against the alleged bully.
- Bullying and harassment that takes place outside Fifty Shades Greener environment, but involves a UTS learner or staff member will be investigated and acted upon by UTS staff.
- If the bullying and harassment could be deemed as criminal or poses a serious threat to the lives of learners or the public, the Police will be informed immediately.
- Confidentiality will be maintained, but it cannot be guaranteed. If a learner decides not to take any further action after reporting the incident, Fifty Shades Greener reserves the right to investigate the incident and apply disciplinary sanctions where appropriate. Fifty Shades Greener will not investigate anonymous complaints.
- In some circumstances, if the learner is under the age of 18, Fifty Shades Greener may make an informed decision whether to involve the learners' parents or guardian.
- Restorative meetings will be held on some occurrences to explore a resolution where appropriate; on other occasions, a Behaviour Contract may be introduced as the best course of action.
- If the learner or staff member decides the matter is best resolved informally, an accurate record should be kept. In some cases, speaking directly with the person concerned can be enough to end the situation. For example, sometimes learners do not realise that their conduct is causing offence and explaining this to them is enough to make them rethink their behaviour.
- If the matter needs to be addressed through a more formal process or there is a serious safeguarding concern this needs to be reported to Fifty Shades Greener' Safeguarding Team.
- If there are allegations of staff bullying or harassment this needs to be forwarded to the Senior DSL for appropriate action in line with Fifty Shades Greener' safeguarding procedures.