



P602 Student Harassment Policy

1 INTRODUCTION

Easton&Otley College (the College) believes and supports every student who studies at the College and that each should be treated fairly, consistently and with respect.

This principle is embedded in the College Policies, Codes of Conduct and Codes of Practice for students, and in the College Equal Opportunities policy and actions..

In order to reinforce these principles the College has a set of guidelines for students when dealing with issues of harassment (and bullying and disrespect)

The College does and will continue to treat any allegations of harassment very seriously.

2 POLICY STATEMENT

The College is committed to maintaining a working and learning environment that is free from any form of harassment. Any incident of harassment is regarded very seriously and may be grounds for disciplinary action, which could include suspension and exclusion from the course/the College and dismissal from the college in extreme cases

All members of the College have a responsibility for helping to ensure that individuals do not suffer any form of harassment, and they are supported in any legitimate complaint.

3 AIMS OF THE POLICY and GUIDELINES

This policy and guidelines have been designed to offer a student practical ways of dealing with harassment involving other students and how you should deal with any case of assault.

4 DEFINITIONS OF HARASSMENT

Harassment can take many forms and in general refers to behaviour which appears or feels offensive, intimidating or hostile to the person receiving it. The College recognises the definitions included in the Equality Act 2010:

1. Unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant, or violating the complainant's dignity
2. Unwanted conduct of a sexual nature (sexual harassment)
3. Treating a person less favourably than another person because they have either submitted to, or did not submit to, sexual harassment or harassment related to sex or gender reassignment

This behaviour might interfere with a student's academic, working or social life, or create anxiety, fear or poor attendance at College on the part of the harassed person.

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| Student Harassment Policy | | | P602 |
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It is of course, possible that differences of attitude, background or culture may mean that what is felt to be harassment by one person may not seem so to another. This, however, does not make the behaviour acceptable.

The College defines the main features of harassment as ***behaviour which appears or feels offensive or intimidating to the recipient and would be regarded as such by any reasonable person.***

Harassment often, though not always, arises between people of unequal status. Some examples of harassment might be persistent teasing, comments relating to personal characteristics or an individual's appearance or dress. Important specific examples are bullying, sexual harassment, disability and racial harassment.

BULLYING

Bullying is offensive behaviour which humiliates or undermines an individual or group. Bullying may be carried out by an individual or group of individuals. Bullying can happen in public or in private and can be something very little – a small action or comment against an individual (possibly unseen/undetected)

Examples of being bullied include:

- Being shouted at or subjected to sarcasm or inappropriate/improper "humour"
- Being disciplined in front of fellow students, staff or other people
- Being persistently ignored or patronised or being "told" something
- Being criticised in an inappropriate manner or belittled about work, personality or personal appearance
- Being set impossible workloads and deadlines by your course/by others when involved in group work
- Receiving facebook comments, other social media comment, or texts or e-mails which are offensive and intimidating

SEXUAL HARASSMENT

Sexual harassment can occur in a variety of circumstances but always has a distinctive feature – the inappropriate and unwanted introduction of sexual comments, behaviour, and sexual distractions or references to personal behaviour and can occur in teaching, learning, or other working or social situations.

The following are some examples of activities that might constitute sexual harassment:

- Unnecessary and unwelcome physical contact – touching, sitting near to someone, a type of "friendly" hitting (in play)
- Suggestive and unwelcome comments or gestures emphasising the gender or sexuality of an individual or a group
- Persistent unwelcome requests for social or sexual encounters and favours
- Display of, or electronic transmission of, or references to, pornographic, degrading or indecent pictures.

RACIAL HARASSMENT

The College takes racial harassment to include a hostile or offensive act or expression by a person or group against another person or group on grounds of racial or ethnic origin, or incitement to commit such an act on racial or ethnic differences or grounds.

Such behaviour includes:

- Name-calling
- Insults, threats, racist/ethnic jokes
- Ridicule of an individual for racial or ethnic difference
- Racist graffiti, images or insignia

DISABILITY HARASSMENT

- Disability harassment is when there is reference by an individual or group in what may be seen as an amusing or derogatory way to an individual's physical or mental ability – inappropriate names, name-calling, over-stressing the disadvantage which a person may be seen to have

BELIEF AND RELIGIOUS HARASSMENT

- Belief/religion – making comments about a person's belief, or the way their religion is part of their life and culture

5 ASSAULT AND CRIMINAL OFFENCES

It is particularly important that in cases of sexual or physical assault or racially aggravated assault that as a student – or a member of staff supporting a student – you do the following:

- a) Seek help immediately. Any one of the suggested contacts listed under section 8 will willingly give you support and practical help.
- b) If you have suffered any assault (that is physical contact or injury), it is essential that you or someone on your behalf contact the Police immediately both for your own protection and for the protection of others.
- c) If you have been sexually assaulted or raped the Police will offer you medical help as soon as possible as part of their investigation,
- d) Allegations of rape, sexual assaults and other serious offences against a person **must be** investigated by the Police – it is essential that an individual reports this immediately.
- e) Police involvement may be restricted (at their discretion) in relation to non-serious offences.

6 PROCEDURES FOR DEALING WITH HARASSMENT

INFORMAL STEPS

If you feel that you are being subjected to harassment in/of any form by a student or member of staff, do not feel that it is your fault or that you have to put up with it. **Take Action**

The College's main concern is that harassment should stop and that there is always support and assistance when needed.

You can seek advice from:

- The Student Services team on either Campus
- Known and trusted staff, tutors, Curriculum Quality Managers
- College counsellor
- Use the 1 2 3 of safeguarding on the back of your ID Card
- Email confidentially – studentvoice@eastonotley.ac.uk

If you are concerned by something said, or an incident or feel that behaviour towards you is not correct or not appropriate, any of the above people can advise you what actions are available and suggest ways of resolving the situation or help you to obtain specialist advice.

If at all possible, a student should make it clear to the person causing the offence that such behaviour on that person's part *is unacceptable*. You may find it helpful to ask a trusted friend, student, or member of staff about the problem with another person.

As an alternative, you might find it easier to make clear how you feel about the situation by writing to the person who is causing the offence (you must keep a copy). Student Services could help you with this.

In some instances either of the actions mentioned above might be sufficient to stop the unacceptable behaviour.

It is vital that you make a note of all the details of things said and done and incidents which distress you – included in these notes should be details which explain how you have changed the pattern of your studies, travel, work or social life.

At the College every student will always be able to discuss their concerns in private and with confidence.

FORMAL STEPS

If your concerns cannot be resolved by your own efforts – with or without the support of your Tutor, Learner Mentor you should seek a confidential interview with your Programme Area Leader. The purpose of the interview will be to discuss the nature of the problem and to agree a way forward. If your concern involves a student the Tutor is in a position to be able to take steps to resolve the matter. If your concern involves a member of staff, then the Programme Area Leader, with your agreement, will contact the Curriculum Manager.

Your concern will be dealt with promptly. The intention being to arrive at a solution which is acceptable to all parties but in some cases if there is no way to resolve the issue this may lead to the initiation of disciplinary procedures. However, once disciplinary proceedings have commenced these will take precedence over any other form of investigation or action.

Pursuing a Complaint

If you do not consider that your concern has been addressed, sorted, resolved or to your full satisfaction you have the right to take the matter further and to register a complaint in accordance with the College's Complaints Procedure.

7 Confidentiality and Natural Justice

As a principle, when you seek help to deal with harassment, confidentiality will be agreed and maintained wherever possible. However, there may be occasions where confidentiality has to be broken. This will be made clear to any student at the time.

An example might be, if you tell someone in confidence, something which demonstrates an unreasonable risk to you – a safeguarding issue – or a risk to someone else, the person will need to take this formally, for the attention of the Director of Student Services who will still maintain confidentiality.

The decision about action taken by the College to deal with harassment normally rests with you, but the College will act if it judges there to be an unacceptable risk to you/someone else

It is important that both you and the College are aware that the alleged harasser must not be prejudiced and the other person(s) has rights – including being informed of any allegations which are due to be investigated and having the opportunity to state their case.

If an allegation of harassment is pursued by a student through these procedures but is found to have been brought with mischievous or malicious intent, it may provide grounds for disciplinary action to be taken against the student.

8 Advice and Support

In the above sections the College has named people who are experienced in dealing with sensitive problems confidentially and who can provide advice and support within the College: