



Bullying & Harassment Policy & Procedures (Students)

Document No:	2.14
Version Date	10 th July 2024
Approved by	Academic Board
Policy Group	Academic Management
Version Number	V02
Next review due	9 th July 2025
Related policies/plans	<ul style="list-style-type: none"> – Complaints and Appeals Policy – Fitness to Study and Practice Policy – Safeguarding & Prevent Policy – Health and Safety Policy – Equality Diversity and Inclusion Policy
External reference :	<ul style="list-style-type: none"> – Equality Act 2010, OIA – Protection from Harassment Act 1997 – The Malicious Communications Act 1988 – Public Order Act 1986 – The Communications Act 2003

Contents

1.	Introduction.....	3
2.	Purpose and Scope	3
3.	Aims and Objectives	4
4.	Types of Bullying and Harassment.....	4
5.	Procedures.....	5
5.1.	Informal Procedure.....	5
5.2.	Informal Meeting.....	6
5.3.	Escalation.....	6
5.4.	Formal Procedure	6
5.5.	Disciplinary Panel (DP).....	7
5.6.	Investigation Officer (IO).	7
5.7.	Witness Statements.....	7
5.8.	Investigative Meeting	8
5.9.	Investigative Meeting Protocols	8
6.	The Disciplinary Hearing.....	9
7.	Responsibilities	9
8.	Recommended Investigating Officers.....	9
9.	Sanctions	10
10.	Investigative Process	11

1. Introduction

Trent Education Centre (TEC) is determined to ensure that all students at the College feel safe and are not subjected to any form of bullying or harassment when studying or working at one of the TEC Student Centres or when representing TEC in any other location. TEC acknowledges that bullying and harassment can severely impact the working and social environment of students and we will do everything possible to prevent bullying and harassment of any student by any other student, staff member or stakeholder, and to deal with instances promptly should they occur.

2. Purpose and Scope

This policy and procedures will protect the right of individual students to their personal safety and dignity, and for this reason bullying and harassment are universally treated by the College as unacceptable and will not be tolerated.

Bullying and harassment may be unlawful in many cases and individuals may be reported to the authorities if it is believed that their behaviour is illegal. Many instances of bullying and harassment are related to discrimination. The College is committed to equality, diversity and inclusion which includes eradicating all types of discrimination including those based on the following criteria:

- Age
- Ethnicity
- Religion or beliefs
- Sexual orientation
- Cultural background
- Gender and transgender
- Disability or learning difficulty
- Trade union membership or activity
- Marital status or family circumstances
- Any other relevant difference identified

It is the right of every student to study, learn, work and socialise without fear of harassment, victimisation or bullying. The College recognises the issues linked to harassment and bullying and is dedicated to creating an environment where everyone can perform effectively, confidently, and competently. Any complaints raised about bullying and harassment will be taken seriously, promptly investigated, and appropriate action will be taken if evidence of bullying and harassment have been identified.

This policy is relevant with regards to all incidents of bullying and harassment which involves any member of staff, student or other stakeholders visiting or representing the College.

3. Aims and Objectives

This policy aims to provide every student, staff member, and stakeholder with the information they need to understand if bullying and harassment of a student has occurred, and what they can do about it if they or a student they know requires protection from bullying and discrimination. It also explains what actions the College can and will take if any individual or group of people participate in bullying or harassing another student or students at a College Study Centre or at any other location. This policy has the following objectives:

- To ensure that all students, staff and stakeholders share the responsibility for fostering a safe, tolerant and compassionate learning, and social environment that is free from bullying, threats, harassment, and intimidation.
- To provide further support clarification to our existing policy on Safeguarding for people who may be victims of bullying and harassment
- To provide anyone who makes or reports an allegation of bullying or harassment with all the assistance and support they need so they do not feel unprotected or at risk of repercussions
- To help everyone identify different types of bullying and harassment and to provide a process that the College can use to deal with any cases fairly, safely and effectively
- To clarify the roles of individuals when an allegation of bullying and harassment have been made
- To provide all the information on required documentation and record-keeping if an allegation is reported.

4. Types of Bullying and Harassment

The following list includes examples of bullying and harassment that may occur but it is not exhaustive:

- Physical violence
- Making arguments with others without due cause
- Being rude or offensive to others intentionally
- Ignoring someone's contributions and excluding them from activities, events or access to important information they should have access to
- Giving people too much work to do so they are not able to cope
- Starting or spreading rumours about other people with malicious intentions
- Treating someone unfairly compared to the way in which you treat others
- Continuously taunting or mocking someone to the extent that they are made to feel uncomfortable
- Excluding someone from possible training and development opportunities
- Humiliating, threatening and offending or slandering people on social media
- Making discriminatory remarks about someone
- Sexual harassment such as inappropriate touching or upskirting
- Direct physical, verbal, non-verbal
- Cyber-bullying using social media, texting and use of images and video

5. Procedures

In the first instance when there is an allegation of bullying or harassment, it is recommended that the parties concerned should seek to resolve the matter informally if possible. This is only recommended where there is no risk to someone's safety from physical, verbal or mental abuse.

In instances where someone's safety is at risk, students should tell tutor or other senior person at the College they feel comfortable talking to. **If you are concerned about your own or someone else's safety, call the police and inform a senior member of staff immediately (999 is for emergencies and 101 is for non-emergencies)**

All complaints of bullying or harassment will be promptly addressed, beginning with an Informal Procedure whenever possible. This approach typically yields effective results while reducing embarrassment and protecting confidentiality.

5.1. Informal Procedure

Students have various options for addressing bullying or harassment, ranging from asking the offender to stop, to emailing an official complaint at complaints@trenteducation.co.uk or using the [Complaints Form](#) on the TEC website. When submitting a complaint using the complaints email or complaint form, students **should make it clear that they are complaining about bullying or harassment**, which is dealt with according to this policy rather than the Complaints Policy. Typically College staff will treat allegations of bullying or harassment with greater urgency than other types of complaint.

Students who believe they are experiencing bullying or harassment should document all relevant incidents in writing, including times, dates, the names of any witnesses, and other pertinent details.

- If possible and safe to do so, the student should inform the person that their behaviour is unacceptable and request that it stops. Often, the individual may be unaware that their actions are inappropriate, and a misunderstanding or misinterpretation may be at play.
- If the behaviour was unintentional, a prompt and clear indication that it is unacceptable may suffice.
- Before acting, the victim may want to discuss the situation with someone who can provide advice and counselling, such as the staff members listed under Responsibilities below. Anyone who reports bullying or harassment will be referred to the Safeguarding Officer and receive appropriate support, counselling, or mentoring.
- If a student feels uncomfortable confronting the individual directly, or if speaking to them has not resolved the issue, they might discuss the situation with someone else, such as a friend, tutor, or member of Student Support. This can sometimes give the student the confidence to address the situation.
- If a student prefers to discuss the matter with someone of the same background (e.g., gender, race, religious belief), the College will endeavour to accommodate such requests when possible.

5.2. Informal Meeting

- A student who makes the allegation may request an informal meeting with College staff to discuss their concern.
- They may invite someone to accompany them when attending the meeting to support them or to speak on their behalf. Every effort will be made to achieve an informal resolution.
- The student may agree to talk to the accused and try to resolve the matter informally and amicably.

5.3. Escalation

- If the Informal Procedure does not lead to a resolution, or if the bullying or harassment is deemed too serious to be handled informally, the student will be informed that an appropriate Investigating Officer (IO) will be appointed. This officer will assess the severity of the case and guide the student on how to proceed.
- It is hoped that most situations can be resolved informally. The IO will discuss all possible options with the complainant and their representative. However, in some cases, the IO may recommend that the complainant file a formal complaint without pursuing further informal resolutions.

5.4. Formal Procedure

- Cases where the severity of the allegation warrants it, a Formal Procedure may be more appropriate. While direct confrontation may resolve some cases of bullying or harassment, there will inevitably be instances where resolution through the Informal Procedure is not possible. This procedure aims to ensure a fair, confidential, and thorough handling of formal complaints regarding bullying or harassment.
- **Initiating the Formal Procedure:** To start the Formal Procedure, a student (complainant) must submit a formal complaint, preferably in writing by email complaints@trenteducation.co.uk, or using the website [Complaints Form](#). Alternatively, a relative, friend, or supporter (such as a member of the Student Council or an external agency) may file the complaint on behalf of the staff member or student, provided it is authorised and signed by the staff member or student.
- **Giving the Details of the Complaint:** When submitting an email or completing the Complaints Form, **the complainant must state if they are complaining about bullying or harassment.** The communication should include the name of the alleged harasser(s) or bully(ies), specifics of the harassment or bullying, dates and times of incidents, names of witnesses, and any previous actions taken to address the issue.
- **Acknowledgement:** The complainant will receive written acknowledgement of their formal complaint within 5 working days of receipt and an Investigating Officer (IO) will be in touch to discuss the complaint with them within 10 days.
- **In danger:** If the bullying or harassment is deemed dangerous, a staff member may contact the complainant immediately on the same day and refer the complainant to the Safeguarding Officer who will take the appropriate steps to ensure their safety.
- **Safeguarding Officer:** the Complainant will also be referred to a Safeguarding Officer or the Designated Safeguarding Lead, to ensure the complainant has everything they need and is not at risk.

5.5. Disciplinary Panel (DP)

Cases that cannot be successfully resolved or are too serious for the Informal Procedure, will be referred to a Disciplinary Panel which includes the following members:

- Head of Compliance
- Head of Quality (Secretary)
- Head of Operations (Secretary)
- Designated Safeguarding Lead

The Disciplinary Panel reports to the Academic Board on the outcome of an allegation of bullying or harassment.

5.6. Investigation Officer (IO).

The DP will appoint a suitable member of the Academic Board as the Investigating Officer who is unconnected with the complainant or the alleged bully/harasser and of an appropriate level to ensure an independent and objective investigation (IO). The IO will have the following responsibilities:

- **Preliminary Investigation:** Arrange a preliminary investigation as soon as is reasonably practicable and appropriate to the nature of the complaint.
- **Notification to Alleged Harasser:** Inform the alleged bully/harasser of the allegation as soon as possible with written information outlining the complaint and a timeframe to respond. Depending on the severity, it may be necessary to separate the parties involved, possibly involving temporary suspension of the alleged bully/harasser.

5.7. Witness Statements

The IO will write reports and gather written statements according to the following principles:

- **Written Statements** must be made in writing and made available to the student and their representative, possibly redacted to preserve anonymity.
- **Accuracy** Reports should be accurate regarding date, time, and place of each incident, observations, and other relevant details.
- **Evidence:** Supporting evidence should be considered.
- **Credibility of witnesses:** Any reasons for fabricating evidence should be assessed.
- **Confidentiality:** Inform both parties that they must maintain confidentiality regarding the complaint and refrain from contacting the other party's witnesses. Any violation may be seen as an attempt to intimidate witnesses and could result in disciplinary action.

5.8. Investigative Meeting

- **Separate Meetings:** The Investigating Officer (IO) will meet with the complainant and the alleged harasser separately and their respective representatives. Detailed written statements will be taken, which the relevant parties should sign and date, confirming that they agree with the statements collected.
- **Meeting Timeline:** The Investigating Officer will meet with the alleged bully/harasser within 10 working days of notifying them with a written allegation.
- **Support During Procedure:** The complainant may be accompanied by a relative, friend, or supporter at any meetings throughout the Formal Procedure.
- **Anonymity for Witnesses:** Some witnesses may request anonymity. The Investigating Officer will consider such requests and make a final decision. Despite anonymity, the accused must understand the allegations against them.
- **Balancing Interests:** Fairness requires that the accused must understand the accusations to defend themselves. The Investigating Officer will balance the necessity of safeguarding witness identities and ensuring a fair hearing.

5.9. Investigative Meeting Protocols

- The alleged bully/harasser also has the right to be accompanied at any meetings by a relative, friend or supporter.
- Both parties should be given the opportunity to nominate witnesses whom they wish to be interviewed.
- The IO will, on completion of the investigation, review the material collected and decide whether the complaint is substantiated
- In cases of sexual harassment, in no circumstances will evidence of the complainant's appearance and sexual attitudes be taken as relevant information.
- Once the investigations have been concluded, the IO will compile a report on their findings and both parties will be informed of the outcome in writing.
- In situations where there are no witnesses and it becomes a matter of one person's word against another's, the IO will assess whether, based on the balance of probabilities, the incidents or actions took place. If so, the IO will prepare a report on their findings and refer the case to the **Disciplinary Panel** to allow both parties to present their perspectives.
- If the IO determines that there has been a violation of the College's Bullying and Harassment Policy, the IO will arrange for a disciplinary hearing to be conducted.
- If the IO decides that there is not enough evidence for a Disciplinary Hearing, they must inform the complainant once the investigation ends. **The Complainant may still request a Disciplinary Hearing takes place and the IO will be obligated to make the arrangements.**
- It is important for students, staff, and stakeholders to recognise that there may be instances where someone makes an unsubstantiated allegation of bullying or harassment for malicious reasons. Such cases will also be investigated by the IO and referred to the Disciplinary Panel.
- **Protection for the Complainant:** The alleged victim should never face suspension for filing a complaint. If relocation is necessary to prevent bullying, the victim should not be moved unless they choose to move.

6. The Disciplinary Hearing

- It is understood that some witnesses may be reluctant to attend a disciplinary hearing, out of embarrassment or of fear for reprisal. All staff and students should be aware that the College strictly prohibits any form of intimidation, victimisation, or discrimination against those who assist in the investigation of allegations of bullying or harassment.
- Retaliating against complainant or a witness who has assisted in this procedure is considered a disciplinary offence.
- If the complainant is required to attend the hearing, they can be accompanied by a relative, friend or supporter and have any questions directed through this person. However, the complainant cannot normally expect this person to respond on their behalf solely.
- After the hearing has been concluded, both parties will be informed of the outcome of the investigation and within 5 working days.
- The rights of the alleged harasser, as to the confidentiality of the details of any disciplinary sanction, will be respected. The counselling/mentoring service will be made available to both parties, irrespective of the outcome, once the informal and/or formal procedure(s) have been concluded.
- Counselling or mentoring plays a crucial role for individuals whose behaviour is deemed unacceptable. They may lack awareness or sensitivity regarding the impact of their actions, and counselling can potentially modify their behaviour or prevent further incidents. For the complainant, counselling or mentoring can provide support in cases where investigations do not warrant disciplinary action.

7. Responsibilities

Records should be kept of any incident and the ensuing investigation and outcomes by the Student Support Manager. A log should be kept of all incidents which are reviewed by the Head of Quality and Head of Compliance with a view to:

- Assessing the effectiveness of the approaches adopted to dealing with instances of bullying and harassment;
- Identifying any patterns in instances of bullying and harassment, and identifying suitable strategies to address these in order to reduce the incidences of bullying

8. Recommended Investigating Officers

Accused of bullying/harassment	Recommended Investigating Officer/s
Other Students	Designated Safeguarding Lead
Professional Staff	Head of Operations
Academic Staff	Head of Higher Education
Senior Staff	The Executive Principal
The Executive Principal	The Managing Director
Managing Director	An independent member of the BoG
External Stakeholder	The Head of Compliance

9. Sanctions

The sanctions which may be imposed by TEC for bullying and harassment may include one or more of the following:

- A verbal or written warning
- A formal apology in terms to be agreed by TEC to any person adversely affected by the incidence of bullying or harassment or any damage done to the College's relations with its stakeholders or the public
- Requirement to attend a designated bullying and harassment workshop
- Temporary suspension
- Withdrawal or exclusion
- In very serious cases the police may be informed
- In cases considered gross misconduct, staff or students may be suspended temporarily or dismissed/withdrawn

10. Investigative Process

