

LCCA Bullying and Harassment Policy 2023-25

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1. Context

- 1.1 LCCA is committed to providing a welcoming and supportive environment in which everyone can flourish and thrive; at LCCA we inspire, care for and enrich all members of our organisation.
- 1.2 This document sets out LCCA’s policy in relation to the issue of harassment & bullying. It reflects a belief that harassment and bullying are not acceptable under any circumstances and that they are best prevented through the development of a college ethos based on mutual respect, and the celebration of diversity, fairness, and equality.
- 1.3 This runs alongside our commitment to develop robust systems and procedures to deal with bullying, and to provide meaningful support for all affected. The college recognizes that every individual is at risk from bullying.
- 1.4 Bullying, 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.
- 1.5 The college challenges all types of anti- discriminatory behavior which might constitute harassment or bullying in relation to the protected characteristics:

- Age
- Disability
- Gender reassignment and gender expression
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

1.6 The College will always respond in a manner that is firm, measured, proportionate, pragmatic and non-oppressive. This policy also acknowledges that perpetrator(s) of harassment and/or bullying is usually deeply unhappy and has need for development as well as sanctions and consequences

2. Definition of bullying

2.1 Bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical, online or otherwise, conducted by one or more people against another or others, at the college which could reasonably be regarded as undermining the individual's right to dignity. An isolated incident of the behaviour described in this definition may be an affront to dignity at college, but as a one-off incident it is not considered to be bullying.

2.2 The bullying can include conduct offensive to a reasonable person, e.g. oral or written slurs, physical contact, gestures, jokes, displaying pictures, flags/emblems, graffiti or other material which state/imply prejudicial attitudes which are offensive to fellow employees.

2.3 Other examples of bullying behaviour include:

- Personal insults and name calling
- Persistent unjustified criticism and sarcasm
- Public/online or private humiliation
- Shouting at staff in public and/or private
- Sneering
- Instantaneous rage, often over trivial issues
- Unfair delegation of duties and responsibilities
- Setting impossible deadlines
- Unnecessary work interference
- Making it difficult for staff/students to have access to necessary information.
- Aggression
- Not giving credit for work contribution
- Continuously refusing reasonable requests without good reasons
- Intimidation and threats in general.

3. Harassment

3.1 Harassment is unwanted behaviour which you find offensive, or which makes you feel intimidated or humiliated. It can happen on its own or alongside other forms of discrimination.

3.2 Unwanted behaviour could be:

- spoken or written words or abuse
- offensive emails, tweets or comments on social networking sites
- images and graffiti
- physical gestures
- facial expressions
- jokes

3.3 A person does not need to have previously objected to something for it to be unwanted.

3.4 Harassment on the grounds of gender, marital status, family status, race, age, religion, sexual orientation, disability or membership of the Traveller community is defined as any unwanted conduct which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

3.5 Sexual harassment is any form of verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

3.6 Examples of sexual harassment include:

- Sexual gestures
- Displaying sexually suggestive objectives, pictures, calendars
- Sending suggestive and pornographic correspondence including faxes, text messages or e-mails
- Unwelcome sexual comments and jokes
- Unwelcome physical conduct such as pinching, unnecessary touching, etc.
- Same sex sexual harassment.

4. Online bullying and harassment

4.1 Online bullying (often referred to as cyberbullying) is any form of bullying that is carried out using electronic media devices, such as computers, laptops, smartphones, tablets, or gaming consoles.

4.2 Cyberbullying usually doesn't have the component of physical threats, as face-to-face bullying does. However, the psychological effects of bullying online might be much

worse. Cyberbullying is nerve wracking in that the person being bullied never knows when and where to expect another attack.

- 4.3 They often have little protection, as bullies will change usernames and hide behind anonymous posts. The result is often serious issues with self-esteem and trust, a greater risk of depression and suicide.

Types of Cyberbullying:

- Flaming
- Exclusion
- Harassment in online space
- Cyberstalking
- Outing (pictures, screenshots, videos)
- Masquerading
- Trolling
- Catfishing
- Sexual Harassment Cyberbullying
- LGBTQ Cyberbullying

5. Policy Statement

5.1 LCCA does not tolerate any form of bullying or harassment and is committed to eliminating bullying from the organization. Our vision is to have high standards of teaching and learning which challenge our students to achieve.

5.2 Our anti-bullying and harassment policy supports this by promoting respect and tolerance for each other and for the College. We believe in tackling incidents of bullying by encouraging an environment where individuality is celebrated, and individuals can develop without fear. This involves ensuring that all our students and staff share the same perception of what constitutes bullying, and that students are encouraged to report all incidents of bullying to a member of the college staff. We educate our students about the behaviour, attitudes and skills needed to prepare them well for a life in modern Britain.

5.3 Any incidents of bullying and harassment will be regarded extremely seriously and may be grounds for disciplinary action including dismissal or expulsion.

6. Effects of bullying and harassment on the victim

6.1 Bullying can have a psychological and behavioural impact on an individual's character. Victims can lose their self-confidence and self-esteem and are at increased risk of suffering stress-related conditions that can trigger further trauma.

6.2 Apart from the direct impact on a victim's health, long-term exposure to bullying may also have consequences for the victim's livelihood or study programme, through

absenteeism and even resignation from work or withdrawal from their place of study to avoid contact with the bully.

7. Responsibilities

7.1 All employees and students have a responsibility for ensuring dignity and respect of their colleagues, fellow students and contacts in the College, and for creating and contributing to the maintenance of the environment free from bullying/harassment or from conduct likely to contribute to bullying or harassment.

7.2 Management and others in positions of authority have a particular responsibility to ensure that bullying, sexual harassment and harassment does not occur and that complaints are addressed speedily through the appropriate procedures.

7.3 Management should:

- provide a good example by treating all in the workplace with courtesy and respect.
- promote awareness of the organisation's policy and complaints procedures.
- be vigilant for signs of harassment and act before a problem escalates.
- respond sensitively to an employee who makes a complaint of bullying or harassment.
- explain the procedures to be followed if a complaint of bullying, sexual harassment or harassment is made.
- endeavor to ensure that an employee/student making a complaint is not victimised for doing so.
- monitor and follow up the situation after a complaint is made so that the sexual harassment or harassment does not recur.
- There is both an informal and formal procedure to deal with the issue of bullying/harassment at work. Any investigation will be completed as quickly as possible.

8. Informal Procedures

8.1 It is often preferable for all concerned that complaints of bullying or harassment are dealt with informally whenever possible. This is likely to produce solutions that are speedy, effective and minimise embarrassment and the risk of breaching confidentiality. Thus, in the first instance a person who believes that they are the subject of bullying/harassment should ask the person responsible to stop offensive behaviour.

8.2 If a person finds it difficult to approach the alleged perpetrator directly then a person should seek help and advice on a confidential basis from staff who will be able to provide advice about the policy and further steps.

- Staff - their line manager or the HR Department

- Student - to a Student Support Rep, Student Support Office or the Safeguard Officer.

8.3 Having consulted with the supporting department; the complainant may request the assistance of a Manager / Safeguarding Officer in raising the issue with the alleged perpetrator(s). In this situation the approach should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal manner.

8.4 If the complainant is dissatisfied with the outcome of the informal procedures, then they have the right to proceed with the formal steps.

9. Formal Procedures

9.1 A complainant may decide to bypass the informal procedure. Choosing not to use the informal procedure will not reflect negatively on a complainant in the formal procedure. It is recognised that it may not always be practical to use the informal procedure, particularly where bullying or harassment is serious or where the people involved are at different levels in the organisation. In such instances the employee/student should use the formal mechanism set out below.

9.2 When a formal complaint is being made, the employee/student should contact their appropriate support manager as soon as possible. All formal complaints should be made in writing, outlining the allegations in as much detail as possible, including supporting evidence when feasible. If the employee contacts the HR Department in the first instance, the HR Department will be able to assign a member of management, usually the employee's own line manager, to investigate the complaint. This is also the standard practice for the student contacting the Safeguarding Officer in the first instance, who will assign an appropriate staff member to conduct the investigation.

9.3 The investigator will meet for an initial meeting with the complainant to discuss the details of the complaint and ensure that the details of the complaint are fully understood. A meeting will then be held with the alleged bully or harasser. In the interests of natural justice, the alleged bully or harasser will be notified in advance, in writing of the nature of the complaint, given a copy of the allegation, informed of his or her right to representation at any meetings and will be given every opportunity to rebut the detailed allegations made.

9.4 Following from the initial meeting with both parties, the investigator will determine the appropriate course of action. These actions may include.

- exploring a mediated solution with a view to resolving the issue without further proceedings
- carrying out a formal investigation with a view to determining the facts and the credibility or otherwise of the allegation(s)

9.5 Whilst it is desirable to maintain utmost confidentiality, once an investigation of an issue begins, it may be necessary to interview other staff or students. If this is the

case, the importance of confidentiality will be stressed to all involved in the proceedings.

- 9.6 Any statements taken from witnesses will be circulated to the complainant and the alleged bully/harasser for their comments before any conclusion is reached in the investigation.
- 9.7 When the investigation has been completed both parties will be informed as to whether the complaint has been upheld. Both parties will be given the opportunity to comment on the findings before any action is decided upon by management.
- 9.8 All complaints received will be treated seriously and dealt with as soon as it is viable. Strict confidentiality and proper discretion will be maintained, as far as is possible, in any necessary consultation to safeguard both parties from innuendo and harmful gossip.
- 9.9 A record of all relevant discussions which take place during the investigation will be maintained by management. Both parties will be given an opportunity to comment on the conclusions of the investigator. Both parties will be given a copy, in writing, of the conclusions reached by the investigator.

10. Appeals

- 10.1 Either party can appeal the decision of the formal investigation in writing within 5 working days.
- 10.2 Appeals must be made in writing to the HR Manager or Safeguarding Officer, outlining the grounds for the appeal. Where possible, the appeal will be heard by the next highest level of management to the manager who conducted the initial investigation.
- 10.3 The appeal will focus only on the aspect of the case cited by the appellant as being the subject of the appeal. Both parties will be informed in writing as to the outcome of the appeal.

11. Actions Post Investigation

- 11.1 Where a complaint is upheld, a disciplinary hearing will take place. The disciplinary action to be taken will be in line with the Colleges' disciplinary policy. Should a case of bullying or harassment be proven then the College will take appropriate disciplinary action. This can include a warning, demotion or other appropriate action (up to and including dismissal or withdrawal.)
- 11.2 Records of any warnings for bullying/harassment will remain in the employee's or students file and will be used in determining disciplinary action to be taken if any further offences of the same or similar nature occur in the future.

- 11.3 Regular checks will be made by one of the investigators to ensure that the bullying/harassment has stopped and that there has been no victimisation for referring a complaint in good faith. Retaliation of any kind against an employee for complaining or taking part in an investigation concerning bullying/harassment at work is a serious disciplinary offence.
- 11.4 If a complaint is found to be malicious, the appropriate disciplinary action up to and including dismissal will be imposed.

Appendix 1 – Bullying and Harassment Reporting Form

Harassment/Bullying Incident Report Form			
Date(s) and approximate time(s):		Room/Location(s):	
Person(s) Completing Form:			
Job title or Course title:			
Person(s) alleged be initiating the bullying/harassment:			
Job Title or Course title (if known):			
Person(s) Affected where not the person(s) completing the form:			
Job Title or Course title (if known)			
Type of Harassment Alleged (please indicate):			
Racial:	Sexual:	Religious:	Other:
Please indicate all behaviours below that also apply to the incident(s) being reported:			
Name Calling	Stalking	Inappropriate Gesturing	Staring/Leering
Writing/Graffiti	Threatening	Refusing to acknowledge or persistently ignoring	Taunting/Ridiculing
Inappropriate Touching	Demeaning Comments	Stealing	Damaging Property
Pushing or physically shoving	Threatening with a weapon	Intimidating	Demanding money
Other (please give details:			
Describe the Incident:			
Witnesses present:			
Physical Evidence:			
Signature:			
PLEASE RETURN THIS FORM TO HUMAN RESOURCES OR STUDENT ADMINISTRATION			
NOTICE: False accusations of bullying or harassment will be subject to appropriate disciplinary action			

Key Information

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