**Harassment & Bullying Policy & Guidelines**

The Harassment and Bullying Policy applies to all Education & Skills Training & Development learners & staff.

The purpose of this policy is to ensure that all learners & staff are aware of their responsibilities regarding the treatment of others, including fellow learners & staff and provide a mechanism whereby anyone who feels they are a victim of harassment or bullying has a formal means of redress.

**Policy Statement**

Education & Skills Training & Development aims to provide a learning / working environment:

1. That will enable everybody to fulfil their potential
2. Where the dignity of individuals is respected

In order to achieve this, Education & Skills Training & Development wishes to provide an environment that promotes equal opportunities and is free from harassment. Education & Skills Training & Development operates a zero tolerance policy on all forms of bullying or harassment.

All members of Education & Skills Training & Development staff and all learners are responsible for helping to ensure that individuals do not suffer from any form of harassment and that they are encouraged and supported in any legitimate complaint.

**Responsibility**

The Harassment and Bullying Policy and Guidelines are the responsibility of the Operations Director.

# What the law requires

Under the Health and Safety at Work Act 1974 we have a duty to provide our staff with a safe place and system of work. This includes a workplace free from harassment and bullying which may, in certain circumstances, also amount to unlawful discrimination.

We are also responsible for ensuring that staff are protected from unlawful harassment, bullying or discrimination in the course of their work on grounds of gender, sexual orientation, martial or civil partnership status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age (the protected grounds).

Individual members of staff may also in some cases be held legally liable for harassing their colleagues or third parties (including clients, customers or learners), and maybe ordered to pay compensation by a court or employment tribunal.

**What are bullying and harassment?**

Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Harassment often (but not exclusively) targets the gender, sexual orientation, martial or civil partnership status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age of the victim.

A single incident of unwanted or offensive behaviour to one individual can amount to harassment.

Examples of harassment include:

1. Unwanted physical conduct or "horseplay". Physical conduct ranges from touching, pinching, pushing or pushing past someone or invading their personal space to grabbing, shoving, punching and more serious forms of physical or sexual assault.
2. Unwelcome sexual behaviour which the harasser may perceive as harmless flirting, and which may involve unwanted suggestions, advances, propositions or pressure for sexual activity.
3. Suggestions that sexual favours may further a career or the refusal of sexual favours may hinder it.
4. Continued suggestions for social activity within or outside the workplace after it has been made clear that such suggestions are unwelcome.
5. Inappropriate behaviour whether in the form of offensive or intimidating comments or gestures or insensitive jokes or pranks.
6. The sending or displaying of material that is pornographic or obscene or that some individuals or groups may find offensive (including emails, text message, video clips and photographs taken or sent using mobile phones or the internet).
7. Ignoring or shunning someone, for example, by deliberately excluding them from the conversation or a workplace social activity.

Bullying is offensive, intimidating, malicious or insulting behaviour which, through the abuse or misuse of power makes the recipient feel vulnerable, upset, humiliated and threatened. Power includes both personal strength and the power to coerce others through fear or intimidation. Bullying is often a form of harassment and can undermine an individual's self-confidence, confidence and self-esteem. As with harassment, bullying can take the form of physical, verbal and non-verbal conduct.

Legitimate and constructive criticism of a worker's performance or behaviour or reasonable requests made of workers in the course of their employment will not constitute bullying.

This policy covers harassment or bullying which occurs both in the workplace and in setting outside the workplace such as business trips, events or social functions organised for or on behalf and whether on or off our premises.

Anyone who believes that they are being subject to harassment or that they are being bullied should not hesitate to use the procedure set out below.

# Action

Any difficulty in defining what constitutes harassment should not deter anyone from complaining of behaviour that causes them distress. Nor should anyone be deterred from making a complaint because of embarrassment or fear of intimidation or publicity. Education & Skills Training & Development will respect the particular sensitivity of harassment or bullying complaints and their consequences as well as the need for the utmost confidentiality. If you feel that you are being subjected to harassment or bullying in any form, do not feel that you have to tolerate it. If you would like to make a complaint please follow the procedure contained in the Equality and Diversity policy.

The formal complaint should be made in writing to the Company Operations Director, Education & Skills Training & Development, 5C Oxford House, Sixth Avenue, Doncaster DN9 3GG.

# Victimisation

Those bringing complaints of harassment or bullying will be protected against retaliation or less favourable treatment.

# Harassment involving violence

Nothing in this policy prevents you from exercising your legal rights at any time. If you have been attacked, seek help immediately. In particular, you should report this attack to the police. Your Tutor or a Senior Manager will willingly give you support and help; whatever, you decide what to do. If you do seek help or support from a member of Education & Skills Training & Development staff then further action involving you will not normally be taken without your express permission. You will be advised what to do but you have a choice. For your own protection and for the protection of others, it is important that the offender is dealt with. If you decide to go to the police you will not be asked to go alone, unless you wish to.

# Further Help and Information

## If you feel that you are not being treated with respect or you feel threatened it is likely that you are being harassed or bullied.

## Please remember, Education & Skills Training & Development does not tolerate this behaviour and we are here to help you. You can contact your line manager, your tutor or your learning centre co-ordinator for confidential advice and support.

This policy is reviewed annually by the Quality Assurance Manager