

## **BULLYING AND HARASSMENT POLICY**

### **1. POLICY STATEMENT**

1.1. At Notting Hill College we believe that students, staff members, homestay hosts, accommodation providers, contractors, visitors and members of the outside community all have the right to study, work and live in an environment that is safe and free from bullying and harassment.

1.2. This document's ultimate aim is to achieve a safe, healthy, fair and stress-free learning environment where each and every student is able to make the most of his or her experience at Notting Hill College. This is to be pursued by:

1.2.1. Fostering an environment where it is clear that bullying and harassment are unacceptable, thereby reducing the chance that bullying and harassment will occur in the first instance.

1.2.2. Deterring bullying or harassing behaviour, detecting it when it occurs, and dealing with it on a case-by-case basis by counselling and/or disciplinary sanctions and, if necessary, by expulsion.

1.2.3. Encouraging the reporting of bullying or harassing behaviour at all levels.

1.2.4. Setting our strategies and mechanisms to respond to allegations of bullying and harassment and to resolve complaints where bullying or harassment have occurred.

1.2.5. Complying with the duties under the Equality Act 2010.

### **2. SCOPE OF THE POLICY**

2.1. The provisions of this document will apply to any person enrolled on a course at Notting Hill College, regardless of age, gender, nationality or other personal circumstances.

2.2. The provisions of this policy will apply on the College's premises at all times without exception. It is intended that such provisions will also apply, in appropriate circumstances, when the students are away from the College's premises, either on social trips with other students or on their own.

2.3. This policy relates to bullying and harassment perpetrated by or against (the following list is non-exhaustive):

2.3.1. Fellow Notting Hill College students;

2.3.2. Teachers and other members of Notting Hill College staff;

2.3.3. Homestay hosts working with Notting Hill College and their immediate family members, relatives, friends and visitors;

2.3.4. Accommodation providers working with Notting Hill College and their staff members;



2.3.5. Contractors working for Notting Hill College;

2.3.6. Visitors on Notting Hill College premises;

2.3.7. Members of the general public.

### 3. DEFINITIONS

3.1. For the purpose of this policy, the following definitions will apply:

3.1.1. Student: Any individual who is enrolled on a course of study at any Notting Hill College locations, regardless of the number of weeks and numbers of daily hours of study.

3.1.2. Victim/Complainant: Any individual who believes they have been subject to, or witnessed, instances of harassment or bullying.

3.1.3. Perpetrator/Offender: Any individual who is accused of having conducted themselves in a manner that may be deemed to constitute bullying or harassment as defined in this policy

3.1.4. Bullying (as defined in the Department for Education (DfE) guidance Preventing and Tackling Bullying, October 2014):

“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 or the internet), and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, or because a [student] is adopted or has caring responsibilities. It might be motivated by actual differences between [students], or perceived differences”.

3.1.5. Harassment (as defined in the Equality Act 2010):

“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”

3.1.6. Protected Characteristic (as listed in the Equality Act 2010):

- i. Age;
- ii. Disability;
- iii. Gender reassignment;
- iv. Marriage and civil partnership;
- v. Pregnancy and maternity;
- vi. Race;
- vii. Religion or belief;
- viii. Sex;
- ix. Sexual orientation.



## 4. GENERAL PRINCIPLES FOR THE PREVENTION OF BULLYING AND HARASSMENT

- 4.1. Notting Hill College will strive to promote an anti-bullying and anti-harassment culture among its students at all times.
- 4.2. Notting Hill College will never condone or tolerate any form of bullying or harassment under any circumstances. This includes bullying and harassment perpetrated by visitors or other members of the general public.
- 4.3. Notting Hill College will always encourage and support the disclosure and reporting of any bullying or harassment episode by those who believe they have been subject to, or witnessed, harassment or bullying.
- 4.4. Any reported incident will be treated seriously however trivial it may seem at first glance. Notting Hill College guarantees absolute confidentiality to any complainant.

## 5. RESPONSIBILITY OF STUDENTS

- 5.1. All Notting Hill College students, with no exceptions, are expected to:
  - 5.1.1. Help Notting Hill College to promote and achieve an anti-bullying and anti-harassment culture by fully adhering to the principles set out in this policy and refraining from acting or conducting themselves in a bullying or harassing manner towards fellow students or any other individual.
  - 5.1.2. Prevent bullying and harassment by being sensitive to the reactions and needs of others, and ensuring that their conduct does not cause offence.
  - 5.1.3. Discourage bullying and harassment by others through making it clear that such conduct is unacceptable, and supporting any individual who is taking steps to stop bullying or harassment.
  - 5.1.4. Speak up and report to a member of staff they trust if they believe they have been subject to, or witnessed, harassment or bullying.

## 6. REPORTING BULLYING OR HARASSMENT

- 6.1. Any student who believes they have been subject to, or witnessed, harassment or bullying, shall follow the procedure(s) outlined below:
  - 6.1.1. Informal resolution:
    - i. Individuals may not realise that their behaviour is unwelcome or misunderstood and therefore an informal discussion can lead to greater understanding and to an agreement that a particular behaviour or conduct will cease.



ii. Complainants are encouraged to ask the offender to stop or make it clear that their behaviour is unwelcome. This may be done verbally or in writing, in which case the complainant should keep a copy of the documentation and, where possible, the times and dates of incidents should be recorded.

iii. If the complainant feels unable to approach the alleged perpetrator, a fellow student or a friend could be asked to speak to the alleged perpetrator on the complainant's behalf.

iv. An individual who is made aware that their behaviour is unacceptable should:

- a) Listen to the complaints and the concerns raised;
- b) Respect the other person's point of view;
- c) Understand and acknowledge that it is the other person's reaction/perception to another's behaviour that is important;
- d) Agree the aspects of behaviour that will change;
- e) Review their general conduct/behaviour

#### 6.1.2. Formal resolution:

i. If the above informal request is ignored, or if the student is unable to take an informal approach, the student can report the bullying or harassment to any member of staff they trust or they feel comfortable talking to. This member of staff will make written notes and report the complaint to the Principal (or the Director of Studies), who will treat it as a formal complaint.

ii. In exceptional circumstances, such as when the allegations involve the Principal or the Director of Studies, a complaint may be raised directly with the Managing Director, who will appoint an appropriate senior manager to arrange for the matter to be progressed in accordance with this policy and procedure

iii. The Principal or the Director of Studies or the senior manager appointed by the Managing Director will then investigate the formal complaint as per the Complaints Procedure. Allegations will be dealt with seriously and confidentially and there will be no victimisation of any student making or being involved in a complaint.

**6.1.3. The timescales for action will be set by the person investigating the incident and will vary depending on the gravity of the allegations, the number of individuals involved, the extent of the investigation and other circumstances. Once set, the timescales will be communicated in writing to all parties concerned.**

6.1.4. In cases of serious alleged harassment, any student directly involved may be suspended pending further investigation.



6.1.5. Should the outcome of the investigation confirm that a bullying or harassment incident has actually taken place, then the perpetrator will be dealt with in accordance with the Disciplinary Procedure. Should the outcome of the investigation reveal that the allegations were malicious or vexatious, then the complainant will be dealt with in accordance with the company Disciplinary procedures.

6.2. Appeals against decisions taken under this policy shall be dealt with as follows:

6.2.1. Appeals against a disciplinary sanction will be dealt with in accordance with the appeals process in the Disciplinary Procedure.

6.2.2. Appeals by a complainant about the outcome of any inquiry will be dealt with in accordance with the appeal process in the Complaints Procedure.

## 7. RESPONDING TO BULLYING OR HARASSMENT

7.1. When formal allegations of bullying or harassment are raised, Notting Hill College will endeavour to:

7.1.1. Take all bullying or harassment issues seriously and investigate all incidents thoroughly.

7.1.2. Deal with each incident individually and assess the needs of each student separately.

7.1.3. Ensure that bullies and victims are interviewed separately.

7.1.4. Obtain witness information.

7.1.5. Keep a written record of the incident, investigation and outcomes.

7.1.6. Ensure that action is taken to prevent further incidents. Such action may include:

i. Imposition of sanctions, up to expulsion with no refund of tuition and accommodation fees (following the Disciplinary Procedure).

ii. Obtain an apology.

iii. Informing the parents of both bully and bullied if those involved are under 18 years of age.

iv. Provide advice and support for both victim and bully.

7.2. In assessing what actions to take when a bullying or harassment incident has been reported, it will be taken into account whether the bullying or harassment is deliberate or intended to hurt. Some individuals may see their hurtful conduct as "teasing" or "a game". These forms of bullying



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are equally unacceptable but may not be malicious and can often be corrected quickly with advice and without disciplinary sanctions.

7.3. Notwithstanding the provisions of this policy, any student who is found to be bullying or harassing another individual is liable at law for their conduct and may face action in the courts.