

1 Introduction and Scope of Policy

Navitas UPE strives to provide a safe and comfortable environment for students from all backgrounds that values diversity and is free from discrimination. We fully subscribe to all equality legislation to protect our students and staff from bullying and harassment, notably the Equality Act 2010.

Section 43 of the Education Act 1986 protects Freedom of Speech and Academic Freedom within law. We therefore recognise and emphasise that vigorous academic, debate when it is conducted respectfully, does not accordingly constitute harassment or bullying.

It is our expectation that all students, staff and visitors to our Colleges adhere to this policy at all times. Failure to comply with the policy will result in disciplinary action up to and including dismissal or exclusion from the College* (see NPR QS11 Student Disciplinary Policy).

2 Definition of Harassment and Bullying

2a Bullying

Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Bullying can take a variety of forms but is typically one individual or group of individuals against an individual.

The following behaviour constitutes bullying and **is covered** by this policy:

- Ignoring, belittling or ridiculing a person's views or opinions
- Deliberately withholding information, singling out or excluding somebody without good reason
- Setting unreasonable demands upon somebody
- Excessive supervision or misuse of power or position
- Unwarranted, invalid or excessive criticism of a person

The examples listed above are not intended to be exhaustive.

The following behaviour is not considered bullying and **is not covered** by this policy:

- Reasonable requests that are made by tutors or fellow students to attend class, participate in class activities or groupwork, or complete homework and assignments
- Techniques to manage and improve a student's performance including use of the COMPASS programme
- Healthy and robust discussion and debate of academic matters in which differences of opinion are respected
- Feedback on performance of work

The examples listed above are not intended to be exhaustive

2b Cyber Bullying

Cyber bullying is a term used to refer to harassment and bullying through electronic media. When sending emails, communicating through Moodle/Blackboard or text messaging students should:

Avoid using language, images or videos that could be deemed offensive to others or misconstrued

Never access illegal sites or share illegal content

Consider carefully the relevance and appropriateness of joining social media with tutors and students on your course other than for professional academic purposes

2c Harassment

2c1 Harassment is defined in the Equality Act 2010 as 'unwanted conduct related to a protected characteristic which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.'

2c2 Protected characteristics that are covered by this definition are:

Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief/lack of belief, sex and sexual orientation.

It is unlawful under the Equality Act 2010 to discriminate against people with any of the abovementioned protected characteristics.

2d Examples of Harassment

Examples of behaviour that may amount to harassment are:

- Insults, negative comments about a person's appearance, teasing and name-calling
- Inappropriate jokes that may be construed as racist, sexist, ableist, ageist, transphobic or homophobic
- Intimidating, coercive, aggressive or threatening acts of behaviour
- Sexual harassment including unwelcome sexual advances, unnecessary physical contact, inappropriate body language and inappropriate comments about a person's appearance
- Stalking

- Publishing or circulating inappropriate or offensive images or video material
- Isolating, excluding or ignoring a person
- Repeatedly criticising a person without providing constructive support

The examples listed above are not intended to be exhaustive

3 Overview of Bullying and Harassment Process

All academic and support staff at Navitas Colleges are required to make every effort to ensure that bullying and harassment do not occur in the classroom or wider learning environment. This responsibility may require regular training of students and staff.

Students should be made aware of the existence of this policy and the College's commitment to remove all forms of bullying and harassment.

4 The Process and Procedure: An overview for Students

Any student is entitled to take action against harassment and bullying at the College at any time. No person will be treated less favourably or suffer any detriment as a result of having raised a legitimate allegation. However, raising a vexatious or malicious complaint may be considered a disciplinary offence (See NPR 11: Student Disciplinary Policy).

Students who feel that they are being bullied/harassed should notify the College Senior Management Team to seek advice in the first instance on how to approach the matter. They will advise on the appropriate procedure to follow. Where possible they will try to resolve the matter at an informal level as this is the preferred resolution mechanism.

5 Informal Process

The Senior Management Team may meet formally with the student (s) and representative/friend if appropriate to discuss the details of the allegations. They may choose to pursue the matter further, seek to resolve the matter or decide that the matter does not need any further action.

They will keep a record of the discussions and notify any third party of the contents of the discussion if appropriate.

Where the Senior Management Team considers the case to be too serious to be dealt with through an informal discussion, he/she may at his/her discretion decide to invoke formal proceedings immediately.

6 Formal Process

Students should use the Formal Student Complaint procedure (NPR Student Complaints Policy 10a) if they believe that the matter has not been resolved adequately at the Informal stage or if they believe that the incident is too serious to be resolved informally.

The complaint should be made on the Student Complaint form that is available on the College website.

On the complaint form they should make sure to include:

- An outline of the full detail or details of the allegation: dates, times, people
- Details of the person conducting the alleged behaviour
- Details of any witnesses
- Details of any informal attempts that have been take to resolve the incident
- How they would like the matter to be resolved

7 Availability of Bullying and Harassment Policy

This policy will be made available to students on the College website, on the Moodle/Blackboard sites and during student induction meetings.

8 Policy Review

This policy will be reviewed annually by Navitas UPE Academic Board, unless there are internal or legislative changes that necessitate earlier review.

The Policy was last reviewed on 12 February 2020 by the UPE Academic Board.