

# CiRCOMEDIA

## ANTI-HARASSMENT AND BULLYING POLICY - STUDENTS

**This is a core policy that forms part of the induction for all staff, volunteers, and Trustees. It is a requirement that all members have access to this policy and sign to say they have read and understood its contents.**

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Author:	Academic Team
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**This policy will be reviewed and ratified at least bi-annually and/or following any updates to national and local guidance.**

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## 1. Purpose

This procedure has been designed to inform students about the type of behaviour that is unacceptable and provides students who are the victims of harassment and bullying with a means of redress.

## 2. Policy

Our aim is to provide a working environment that respects the rights of each student and where peers treat each other with respect. Any behaviour that undermines this aim is unacceptable.

Circomedia does not tolerate any form of harassment or bullying under any circumstances. While implementing and upholding the policy is the duty of all staff, all students also have a responsibility to ensure that bullying or harassment do not occur at Circomedia.

Circomedia regards all forms of bullying and harassment as unacceptable. It is the responsibility of each member of the organisation (both staff and students) to assist in promoting an environment of mutual respect and consideration.

## 3. Harassment

### 3.1 Definition

**Bullying** is any behaviour which makes someone feel intimidated, humiliated, or offended, whether it is intended to do so or not. **Harassment** is bullying related to sex or gender, age, disability, race, religion, sexual orientation, marriage & civil partnership, or pregnancy & maternity, and is illegal. Sexual harassment includes any unwanted sexual comments or jokes as well as unwanted physical contact. **Discrimination** is unfair treatment or prejudice based on race, ethnicity, nationality, gender, sexual orientation, disability, or any other characteristic protected by law.

Harassment also occurs where a student or colleague is treated less favourably because he or she has rejected or refused to submit to sex-based harassment, sexual harassment, or gender reassignment harassment.

Where it cannot be established that there was an intention to offend, conduct will only be regarded as violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment if, taking all the circumstances into account, it would be reasonable to come to that conclusion.

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Harassment is normally characterised by more than one incident of unacceptable behaviour, in particular if it reoccurs, once it has been made clear by the victim that they consider it offensive. However, one incident may constitute harassment if it is sufficiently serious.

## 3.2 Examples of Harassment

Staff and students must recognise that what is acceptable to one person may not be acceptable to another.

Examples of harassment include:

- Verbal – crude language, open hostility, offensive jokes, suggestive remarks, innuendoes, rude or vulgar comments, malicious gossip, and offensive songs.
- Non-verbal – wolf-whistles, obscene gestures, sexually suggestive posters/calendars, pornographic material (both paper-based and generated on a computer, including offensive screensavers), graffiti, offensive letters, offensive e-mails, text messages on mobile phones and offensive objects.
- Physical – unnecessary touching, patting, pinching, or brushing against another person's body, intimidating behaviour, assault, and physical coercion.
- Coercion – pressure for sexual favours (e.g. to get a job or be promoted) and pressure to participate in political, religious or trade union groups, etc.
- Isolation or non-co-operation and exclusion from social activities.
- Intrusion – following, pestering, spying, etc.

## 4. Bullying

### 4.1 Definition

Bullying is a gradual wearing down process comprising a sustained form of psychological abuse that makes victims feel demeaned and inadequate. Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, which has the purpose/effect of intimidating, belittling, and humiliating the recipient, leading to loss of self-esteem for the victim. The victim may ultimately end up questioning their worth in the school and in society.

### 4.2 Examples of bullying

Bullying can range from extreme forms such as violence and intimidation to less obvious actions, like deliberately ignoring someone at work. Here are some examples:

- Shouting or swearing at people in public and in private
- Persistent criticism
- Ignoring or deliberately excluding people
- Persecution through threats and instilling fear
- Spreading malicious rumours
- Constantly undervaluing effort
- Dispensing disciplinary action that is totally unjustified

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- Spontaneous rages, often over trivial matters
- Withholding information or supplying incorrect information
- Deliberately sabotaging or impeding work performance

The actions listed must be viewed in terms of the distress they cause the individual. It is the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

## 5. Enforcement

Any harassment or bullying will be classed as gross misconduct, for which students may be investigated, potentially resulting in their withdrawal.

Circomedia expects all managers and supervisors to ensure that this policy and procedure is always adhered to and expects all students to respect the dignity of other students. This policy will be regularly monitored by the CEO to ensure that it is achieving its aims, and that staff and students are confident about its application.

## 6. Procedures

### 6.1 Advice

Circomedia recognises the sensitive nature of harassment and bullying. Individuals who believe they are being harassed or bullied may wish to discuss their situation before deciding what action to take. Circomedia operates an open-door policy to discuss the matter with the Courses Manager on an informal basis.

Circomedia recognises that this may not always be appropriate in the circumstances, however. If this is the case, individuals can discuss the situation with the next higher level of management, HR, or the CEO.

Confidentiality will be maintained as far as possible. If an individual decides not to take any action to deal with the problem and the circumstances described are very serious, however, Circomedia reserves the right to investigate the situation. Circomedia has an overall duty of care to ensure the safety of all students who may be adversely affected by the alleged harasser's/ bully's behaviour.

### 6.2 Solutions

It is for the individual to decide which route to take in solving any problem that has occurred. There are two types of solution available – informal and formal.

#### Informal

Students can choose to solve the matter themselves by approaching the harasser or bully, telling him or her that their behaviour is unwelcome and that it must stop. Otherwise, a formal complaint will be made using the procedure outlined below.

#### Formal

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Where informal solutions fail, or serious harassment/bullying occurs, students can bring a formal complaint using the Complaints Process. Each step and action under the formal complaints' procedure will be taken without unreasonable delay. If this does not resolve the matter, then students may escalate their issue using either the Bath Spa University or City of Bristol Complaints Procedure (as appropriate).

## 7. Monitoring

Where harassment or bullying has been found to have occurred and the perpetrator remains in employment, regular checks will be made to ensure that harassment has stopped and that there has been no victimisation or retaliation against the victim. Circomedia will also ensure that the student(s) who committed the act of harassment or bullying is/are not victimised in any way.

Circomedia logs all complaints and the nature of the complaints and reports them to the Office of the Independent Adjudicator for Higher Education annually.

## 8. Malicious Complaints

Where a complaint is blatantly untrue and has been brought out of spite, or for some other unacceptable motive, the complainant will be subject to Circomedia's disciplinary procedure, as will any witnesses who have deliberately misled Circomedia during its investigations.