

Family:	Leadership and Management	REF: ARCPO047
Policy title:	Anti – Bullying & Harassment Policy (Learner)	
Version	1	
Policy owner:	Departmental Managers	
Policy author:	Quality Manager	
Date of Review	11.11.2020	
Review date	01.11.2021	
Applies to:	All staff	
Related policies:	Staff disciplinary Policy and Procedure Complaints Procedure Public Interest Disclosure (whistleblowing) Safeguarding & Prevent Policy Equality and Diversity Policy Learner Handbook IT and acceptable use Learner Disciplinary Policy and Procedure.	

Policy Aim

ARC Group does not tolerate bullying or harassment in any form. Respect for others is expected from all members of the Group and is very much part of the company's ethos. We acknowledge that bullying is an anti-social behaviour that can affect anyone, and it can be encountered in all areas of life. The aim of this policy is to ensure that all members can learn in a supportive, caring and safe environment without fear of being bullied. ARC group aims to support all learners who are being bullied regardless of whether the bullying takes place on or off site.

ARC Group will:

- Work to create a welcoming and safe environment for everyone
- Encourage the values of mutual respect and tolerance,
- Model fair and respectful behaviour through leadership
- Challenge all forms of prejudice and promote equality and diversity
- Discourage people from colluding with bullying
- Make sure that learners know Arc's position on bullying and how to report any incidents or concerns
- Respond to bullying incidents in a timely manner

Policy Scope

This policy is intended to address issues arising between students. Other accusations of bullying are dealt with as follows:

- Staff accused of bullying learners are referred through the Complaints Procedure.
- Staff accused of bullying staff are referred through the Public Interest Disclosure (Whistleblowing)

This policy applies when learners are on ARC's premises or completing ARC Group related activities off site

What is Harassment & Bullying?

Harassment and bullying are conduct that is unwanted by the recipient where people deliberately hurt or intimidate someone else. Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious, or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Examples of bullying/harassing behaviour

- Spreading malicious rumours, or insulting someone by word or behaviour
- Exclusion or victimisation
- Unfair treatment
- Overbearing supervision or other misuse of power or position
- Unwelcome sexual advances
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment are not necessarily face to face. They may also occur in written communications, email, phone etc

Impact of Bullying and Harassment

Bullying and harassment can make someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and de-motivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation. Almost always job performance is affected and relations in the workplace suffer

Responsibilities

All staff are required to:

- Be aware of the Anti-Bullying and Harassment policy
- Act if they witness bullying or harassment, or take action if they are approached in confidence by learners/other staff members who have witnessed such incidents,
- Support their learners through any investigation into allegations of bullying and/or harassment
- Treat all learners with dignity and respect, ensuring their own conduct does not cause offence or misunderstanding; and challenging behaviour or the use of language which could cause offence.
- Role model behaviours which promote mutual respect and tolerance
- Support learners within their workplace and reporting any incidents of bullying/harassment to employers.

A failure by a member of staff to undertake their responsibilities under this procedure may be regarded as a potential disciplinary offence under the Staff Disciplinary Policy.

. All learners are required to:

- Be aware of the Anti-Bullying and Harassment policy
- Treat all learners, employers, staff and members of the public with dignity and respect.
- at no time to behave in a manner which is bullying
- Contribute to a safe environment by reporting to ARC staff and/or their employer any incidents of bullying or harassment that they are aware of, or subject to;
- Assist ARC in any investigations into allegations of bullying or harassment
- Engage with Fundamental British Values of democracy, rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs;

Informal Route (Anti-Bullying Process)

In the event of bullying or harassment, learners are advised of the following: -

- If you feel that you are being, or have been bullied, you should act straight away. You should try and make a note of the behaviour as soon after the event as possible. If possible, try and keep the following details:
 - Date(s), time(s) and place(s) of incident(s);
 - Name of any witnesses;
 - What happened;
 - How it made you feel;
 - Any action taken e.g. did you report it to a member of staff;
 - Keep anything you receive (e.g. bullying letters, texts or emails, facebook posts etc.)
- At all times you are able to, and encouraged to, contact the Safeguarding Team or email safe@thearcgroup.co.uk
- If you feel able, you should tell the person that their behaviour is causing you offence or upsetting you and that you want the unacceptable behaviour to stop. Sometimes the person is unaware that their actions are upsetting you.
- If you feel uncomfortable about speaking to the person directly, or you have tried and it has not worked, you must contact a member of ARC's staff
- A member of ARC Group will explore all possible options with you to see what can be done, this may include talking to the alleged bully and your employer, arranging an informal meeting if appropriate and referring you to another support service.
- If the informal route does not work, or the member of staff feels that it has been exhausted, then he or she may advise you to raise a formal complaint under the formal route
- If you do not want to make a complaint, ARC Group's staff member at his or her discretion, depending upon the circumstances of the case, may decide that it is necessary to move on to the formal route in any event.
- If a formal complaint is going to be made the member of staff will write to you to confirm this.

Formal Route

- To start the formal route, ARC Group must receive a complaint in writing.
- The formal complaint should be addressed to the Operations Director. The letter should include: -
 - the name of the alleged bully.
 - the nature of the incident
 - dates and times of when the incidents occurred
 - names of any witnesses to the incidents
 - any action which has already been taken to attempt to stop the alleged bullying or harassment.
- The Operations Director will appoint an Investigating Officer
- The Investigating Officer will be unconnected with either the complainant or the alleged bully and will be a Head of Function or Director depending on the seriousness of the complaint
- The complainant will receive a written acknowledgement of the formal complaint within 5 working days of its receipt.
- If the complaint is made against a member of staff, the Staff Disciplinary Policy will be used, and the rest of this procedure will not apply.
- The Investigating Officer will arrange a brief meeting with the alleged bully to let them know about the complaint, and will then confirm the complaint in writing
- The Investigating Officer will, as soon as is reasonably practicable, carry out an investigation into the complaint
- The Investigating Officer will interview you, and the alleged bully, separately, with respective representatives, if appropriate. Detailed written statements will be taken, which the relevant parties will sign and date confirming that they agree with the statements collected. Both parties will be given the opportunity to nominate witnesses whom they wish to be interviewed.
- The witnesses will wherever possible be notified in writing that they will be interviewed.
- The Investigating Officer will meet with the witnesses. Detailed written statements will be taken which the witnesses will sign and date.

- If the Investigating Officer's report finds that there has been a breach of this policy by the alleged bully(ies) involved, they will inform the Director of Operations. A disciplinary hearing will take place in accordance with the Learner Disciplinary Policy and Procedure.
- Both you and the alleged bully will receive a letter from the Investigating Officer telling you the outcome of his investigation.

ARC Group recognises that bullying and harassment complaints can be sensitive in some cases and there may be a need for confidentiality. As a general principle, confidentiality will be kept wherever possible. However, under our wider responsibilities of safeguarding there may be occasions where confidentiality has to be broken. If this is the case the member of staff will make this clear to you. If there are serious concerns about your welfare, health or safety, the matter will be referred to a Safeguarding Officer who will make the final decision as to whether confidentiality should be broken. In such serious and exceptional circumstances, the Safeguarding Officer will keep you informed.

The record of bullying incidents as monitored by Quality Review Board

Useful and supportive numbers:

Family Links Phone: 0808 800 2222

National Bullying Helpline: 0845 22 55 787 / <https://www.nationalbullyinghelpline.co.uk/>

Anti-Bullying Alliance <http://www.anti-bullyingalliance.org.uk>

Bullying UK <https://www.bullying.co.uk/bullying-at-work/>

APPENDIX 1 – INCIDENT REPORT FORM FORMAL

Please use this form for incidents involving bullying or harassment

Name:	Job role:
Date:	Employer

Brief details of incident:

Did the incident appear to contain any elements of:	Yes	No
Racial harassment:		
Sexual harassment		
Homophobic bullying		
Disability discrimination		

Next Steps:

How was the incident resolved?

Who was involved in mediating or resolving the issue?

Did any disciplinary measures follow (or are they pending?) Yes No

Any additional information:

Learner Print name & Signature	Date:
Investigating Officer Print name & Signature	Date:
Operations Director Print name & Signature	Date: