

## BULLYING AND HARASSMENT POLICY AND PROCEDURE

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|----------------|---------------------------------------------------------------------------------------------------------|
| Policy Number  | HCT-BH-004                                                                                              |
| Version        | 4                                                                                                       |
| Applicable To  | All Members of Horizon Community Training (learners, staff including volunteers' partners and visitors) |
| Document Owner | Kath Shanahan                                                                                           |
| Next Review    | September 2027                                                                                          |
| Availability   | Policies and Procedures Folder, SharePoint, Learner Handbook, Company Website                           |

### Introduction

Horizon Community Training CIC (Horizon) operates a zero-tolerance policy regarding bullying and harassment and is committed to creating a supportive learning environment where all members feel safe, valued and respected. This Policy and Procedure sets out what Horizon considers to be bullying and harassment responsibilities of members and the procedures for dealing with bullying and harassment.

All members of Horizon, must comply with this Policy and Procedure at all times. Failure to comply will be considered a serious breach of The Staff Code of Conduct or Learner Behaviour Code and Disciplinary Policy and Procedure.

### Definitions

#### What is bullying?

There is no legal definition, however bullying usually involves the repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. It can happen face-to-face or through online environments such as social media. It can manifest itself in many different forms as detailed below.

- **Verbal** – Name calling, persistent teasing, mocking, taunting and threats.
- **Physical** – Any form of physical violence, intimidating behaviour, theft or the intentional damage of possessions. This includes, but is not limited to, hitting, spitting, pinching, biting, kicking and pushing.

- **Emotional** Excluding, ignoring, tormenting, ridiculing, humiliating, practical 'jokes', setting people up, spreading rumours and character assassination.
- **Cyber bullying** The misuse of digital technologies or communications to bully a person or a group, typically through messages or actions which are threatening and/or intended to cause offence, anxiety or humiliation, such as posting or sharing derogatory or abusive comments, videos or images on social media, creating fake accounts, 'trolling'.

The above is not an exhaustive list.

## What is Harassment?

Harassment is the unwanted attention or behaviour towards a person that they find offensive or which makes them feel intimidated or humiliated. It can be the only bullying activity or it can occur alongside other forms of discrimination. Unwanted attention or behaviour can be spoken or written; it can be physical abuse or actions.

### Examples of harassment:

- Racial, homophobic, transphobic or sexist comments, taunts or gestures
- Sexual comments, suggestions or behaviour
- Unwanted physical contact such as touching, slapping or rubbing
- Mental harassment such as unwanted messages or intimidating phone calls
- Stalking

This list is not exhaustive

## The Equality Act 2010

There are 3 types of harassment which The Equality Act 2010 states are unlawful:

- Harassment related to a relevant protected characteristic
- Sexual harassment
- Less favourable treatment of a person because they submit to or reject sexual harassment or harassment related to sex

### The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation

- Marriage and Civil Partnership
- Pregnancy & Maternity

## **Responsibilities of members:**

Individuals should display the below behaviours in order to comply with this policy and procedure and to prevent bullying and/or harassment taking place wherever possible:

- Not behave towards anyone from Horizon in any manner that is considered to be bullying or harassment
- Not participate in any group behaviour that is considered to be bullying and harassment. This includes being present and acquiescing to the behaviour of others who are bullying or harassing another and includes the videoing on mobile phone devices of bullying, assault and intimidation
- Report immediately to a member of staff of Horizon any incidence of bullying or harassment of which they become aware
- Support colleagues who may be complainants of bullying or harassment, but not in circumstances that endangers their own safety
- Support the efforts of Horizon to ensure that Horizon is a bully harassment free environment, that provides a safe and supportive place of learning
- Always be mindful and observant of the threat of bullying or harassment watch for signs that an individual may be a complainant
- If necessary, take pre-emptive action in the absence of any complaint if they suspect bullying or harassment is taking place
- Act with the utmost discretion to protect the complainant who is fearful of reporting
- Respond immediately on receipt of a complaint in line with the specifications of this policy and procedure

## **Procedure**

Anyone who believes that they have been subjected to bullying and/or harassment is encouraged, where they feel able to and it is appropriate, to discuss their concerns with the other party as soon as possible and ask that person to stop the offensive behaviour. Where the individual does not feel comfortable holding these discussions or such a discussion is inappropriate given the seriousness of the offence, or where it is unsuccessful, any person that feels they have been subjected to bullying and/or harassment should contact, where appropriate, a staff member of Horizon to allow the incident to be investigated and addressed promptly.

An appropriate member of the Horizon team will be identified to investigate the allegations. A record of the details of the complaint will usually be placed in writing. Please be advised that, as part of this informal process, it will usually be necessary to inform the individual against whom the allegations are being made against the details of the allegation/allegations.

A mediation meeting may be explored as an option to resolve the matter. Where the complainant is not agreeable to this approach or such a discussion is inappropriate, or where it is unsuccessful, a formal complaint can be made/the formal process initiated.

## Informal Resolution

An informal resolution can be sought when:

- The course of action is suitable and acceptable to the complainant
- The complainant is capable and sufficiently confident to decide that the matter be dealt with by means of informal resolution
- Depending on the age of the complainant, their parent/carer also gives their consent to an informal resolution
- The person complained against usually accepts responsibility for their behaviour

Where the informal resolution involves a mediated meeting, a member of Horizon who is deemed appropriate will be present.

An informal resolution is a remedies-based approach specific to the circumstances of the incident and may include:

- Support measures made available to the complainant that do not punish or penalise the person(s) accused of the misconduct
- The provision of suitable educational programmes
- Review of conduct as defined in Horizon policies and procedures
- Discussion of appropriate behaviour moving forward and how to avoid retaliation against the complainant
- Follow up with the complainant and the respondent regarding their ongoing relationship

At any stage of the informal discussion/investigation the matter can move to a formal process.

## Formal Resolution

When an informal resolution is inappropriate or has failed and a formal complaint has been made, a member of Horizon will be assigned to act in the capacity of an Investigating Officer and complete an investigation into the allegations raised.

In such cases the investigating officer must:

- Obtain a full and detailed account from the complainant and any witnesses
- Ensure the person or persons against whom the complaint has been made are informed and provided with an opportunity to respond
- Ensure an accurate record is kept

The investigation's findings will be presented in an appropriate manner and will have consideration for the below:

- The investigating officer will describe the circumstances of the case and the actions taken to date
- The respondent will be given a reasonable opportunity to state their case and raise any factors they wish to have considered
- The complainant or their representative will have a reasonable opportunity to present a response and any detail they wish to be considered as part of the investigation process

If, as a result of the evidence presented/gathered during an investigation into concerns raised a breach of any of Horizon's policies and procedures such as the Behaviour Code is identified, this/these breach/breaches will be dealt with in line with Horizon's Staff/Learner Disciplinary Policy and Procedures.

The respondent/complainant will be informed of the outcome as soon as practicably possible.

A formal complaint can be made by a learner, their parent, carer or guardian or a third party who becomes aware of an occurrence in writing to Horizon.

Where it is likely that a criminal offence has been committed and the incident is outside the scope that can be dealt with by Horizon, the Chief Executive or The Business Support Manager will be informed as soon as possible and they will agree on an appropriate course of action and notify the appropriate authorities if deemed necessary.

In such cases considerations will be given to the below;

- Take steps to protect the complainant and any witnesses
- Secure evidence
- Preserve any location where the alleged incident took place

During the duration of the investigation and the follow-up period after the conclusion of procedures communication between the complainant and their family and/or carers will be maintained as deemed necessary.

At any stage of the investigation the matter can revert to the informal process.

## Follow-Up

Bullying and/or harassment can result in tragic outcomes for individuals. Horizon takes these types of incidents seriously. Following the completion of any investigation and the identification of actions to remedy or remove the threat, Horizon will continue to monitor the situation.

Support and information can also be offered from other agencies or support lines as detailed below:

**For young people**

Childline 0800 1111 / [www.childline.org.uk](http://www.childline.org.uk)

Kidscape [www.kidscape.org.uk](http://www.kidscape.org.uk)

MAP [www.map.uk.net](http://www.map.uk.net)

**For professionals working with young people**

Anti-bullying Alliance [www.antibullyingalliance.org](http://www.antibullyingalliance.org)

NSPCC Helpline 0808 800 5000

**For all**

National Bullying Helpline 0300 323 0169 / [www.nationalbullyinghelpline.co.uk](http://www.nationalbullyinghelpline.co.uk)

Samaritans 116 123

Mind [www.mind.org.uk](http://www.mind.org.uk)

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