



BCTG Anti-Bullying and Anti-Harassment Policy	
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Anti-Bullying and Harassment Policy

BCTG Anti-Bullying and Harassment Policy Overview

BCTG is committed to creating a work and learning environment free of bullying and harassment, in which all staff and clients/learners are treated fairly and with dignity and respect.

BCTG is committed to maintaining a working and learning environment that is free from Bullying or harassment and to uphold BCTG values and associated behaviour.

Bullying and harassment adversely affects working, learning and social conditions for staff and learners and is unacceptable. Bullying or harassment including sexual violence or harassment, anti-Semitism, homophobic behaviours etc., will be treated very seriously and may be grounds for disciplinary or legal action.

BCTG adopt a zero-tolerance approach to instances of bullying or harassment.

Scope

This policy applies to all staff and clients/learners and to visitors and contractors, however for the management of allegations regarding staff of BCTG appropriate advice will be sought from the director and Designated Safeguarding Lead.

Underpinning Principles

BCTG believes:

- That a culture of equality, diversity and inclusion not only benefits BCTG but support wellbeing and enable people to thrive and feel that they belong
- By promoting a working and learning environment based on dignity, trust and respect, leads to a place that is free from discrimination, harassment, bullying or victimization
- A toxic workplace culture, where bullying or harassment is tolerated, is harmful to the wellbeing of the workforce as well as the wider organisation

We aim to do this by:

- Providing training and support to recognise bullying and harassment and positive behaviours to overcome differences and conflict.
- Educating all staff and clients/learners on their personal responsibility to behave in a way that respects the dignity of others
- Monitoring the organisational culture and climate
- Providing effective and fair processes and procedures for dealing with negative behaviours - including bullying and harassment

Definitions and Examples

Bullying and/or harassment can take place in several ways, either verbally or non-verbally, including face-to-face, behind your back, by telephone, email, text, social media or any other form of communication and it can also occur through the display or sharing of visual images.

Bullying

Bullying includes actions such as making threats, spreading rumors, or attacking someone physically or verbally and excluding someone from a group on purpose.

(ACAS) defines bullying as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.”

It is a bullying when:

- There is a pattern of behavior established: for behavior to be bullying it usually has to happen several times within a short timescale.
- There is an intention to cause hurt. This might be physical or emotional. (What is perceived as mean, hurtful and threatening to one person may not be to another).
- The bullying has a negative effect on the person who is the target of the taunts/comments/abuse
- There is an imbalance of power: The person doing the bullying is stronger in some way than the person they are bullying.
- The behaviour is unprovoked.

There are 3 types of bullying.

Verbal: saying or writing mean things. This includes.

- Teasing
- Name calling
- Inappropriate sexual comments
- Taunting
- Threatening to cause harm.

Social Bullying: sometimes referred to as relational bullying. This involves hurting someone’s reputation or relationships. Social bullying includes:

- Leaving someone out on purpose
- Telling other students not to be friends with someone (for whatever reason)
- Spreading rumors about someone
- Embarrassing someone in public

Physical Bullying: involves hurting a person’s body or possession. Physical bullying includes.

- Hitting/kicking/pinching
- Spitting
- Tripping or pushing
- Taking or breaking someone’s things.
- Making mean or rude hand gestures

Cyber-bullying

With the popularity of the use of the Internet, it is increasingly easy for anyone to use this medium for sinister purposes. Cyber-bullying is on the increase, via internet and mobile phone use, and staff should be alert to the possible consequences of this, not only for any learner’s that staff come into contact with but also for protection of staff themselves. Under no circumstances should staff give out/use any contact details other than business telephone numbers or email addresses. Staff should also be aware of the possible implications of undesirable contact via internet social networking sites and safeguard themselves against this by not divulging personal details if at all possible.

Definition of Harassment

The Equality Act 2010 defines harassment as, “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.”
Harassment based on age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

Different things affect us all in different ways, and therefore what one individual might think of as harmless could be felt to be harassment by another.
Harassment depends on the view of the individual on the receiving end of another person’s behaviour. Harassment does not depend on the severity of the behaviour – a joke or a throwaway comment could be perceived as harassment by anyone who hears it. Harassment can include behaviour that you can hear or see, even if it is not directed at you and has nothing to do with you.

Different forms of harassment

Examples of harassment:

- Physical contact
- Jokes, offensive language, gossip, slander including peer on peer abuse
- Posters, graffiti, obscene gestures
- Exclusion from activities
- Stalking, spying
- Failure to safeguard confidential information
- Touching, grabbing or brushing up against others
- Innuendo, mockery, jokes or lewd remarks
- Stereotyping comments

Harassment targets the 9 protected characteristics in the Equality Act. The characteristics are:
Race, Sex, Disability, Religion and belief,
Sexual Orientation, Gender Reassignment,
Marriage and civil partnership, pregnancy and maternity.

All people have the legal right to work and study in an environment that is free from any form of harassment. It should be noted that discrimination, victimization, harassment or bullying can be intentional or unintentional.

It is possible for a person to harass or bully someone even though they are not intending to as individual perceptions of what constitutes harassment vary. It is the impact of the behaviour and the feelings of the injured employee that is taken into account. Suggesting that no offence was intended or claiming ignorance of the effect will not be considered as a defense against unacceptable behaviour.

Harassment is unlawful and individual staff/clients/learners may be liable in law. If individuals harass their colleagues, their actions could break criminal as well as civil law and they would be personally liable and have to pay compensation themselves. In some circumstances an employer may be held liable for the acts of its employees.

Victimisation

Victimisation is treating someone less favorably than others because they have, in good faith, complained (whether formal or otherwise) that someone has been bullying or harassing them or

someone else, or supported someone to make a complaint or give evidence in relation to a complaint. Making a complaint which you know to be untrue may lead to disciplinary action taken against you.

Responsibilities

BCTG is responsible for:

- Ensuring all staff are made aware of their personal responsibilities under this policy. (Please refer also to the Safeguarding Children & Vulnerable Young Adults Protection Policy)
- Providing formal training to support the policy.
- Making it clear to staff and clients/learners that certain behaviour or language is unacceptable regardless of whether a complaint is made.
- Setting examples and standards of behaviour in the workplace and being aware of how their behaviour affects other people.
- Creating an environment and culture where everyone is treated with respect and dignity.
- Supporting staff who may feel they are being bullied
- Promoting equality of opportunity

Everyone is responsible for ensuring that bullying and harassment is not permitted within the workplace.

All staff and clients/learners are responsible for

- Adhering to the policy
- Being aware of the problems bullying and harassment causes and ensuring that their behaviour does not cause others to feel harassed
- Treating all colleagues and students with dignity and respect and being aware of how their behaviour can affect other people
- Supporting colleagues/students who are being bullied or harassed.

Making a complaint

BCTG SLT have a duty to manage and the right to do so. The legitimate management of staff should not be confused with bullying. Equally those with supervisory management responsibility must not abuse their authority and use it as a basis for bullying or other forms of genuine harassment.

BCTG SLT have a responsibility to prevent bullying or harassment. If there is a concern by staff that cannot be resolved using your own best efforts, with or without the support of someone else, to explain to the person causing offence that their behaviour is unacceptable to you, you have the right to raise a concern/complaint. Staff should raise the issue with a member of the SLT, if you feel unable to do this then raise a concern with the Designated Safeguarding Lead (DSL).

Learners should contact the head of quality raising a complaint by email, phone or letter.

Head of Quality: Amy Williams email: amy.williams@bctg.org.uk or call 07398 830423, it is advised that by using email or phone will have a more immediate response.

Letter to: BCTG,
European Business Park,
Taylors Lane, Oldbury West Midlands, B69 2BN

The Process

Following communication to you raising a concern or complaint, there are 2 possible processes informally or formally, the route taken will be the choice of the complainant.

Informally

The SLT member will offer options to discuss the concern. Informal routes will include:

- Supporting the complaint to talk direct to the person, explaining how it made you feel. It can be helpful to be able to describe the day, place, meeting or event that took place so that the person is clear about your concerns. You should then have the opportunity to ask the person to stop or change their behaviour towards you. It is important to remember that the other person maybe unaware of their behaviour and/or the impact it has on you.
- Speak to your manager, who will provide advice and support
- Attend a mediation, this is a voluntary process which will involve you being supported by an SLT member. You and the other person have a choice about whether to participate. Both parties will need to participate fully and want to resolve the concern for mediation to be successful.

Formally

- Make a formal complaint, by email, telephone or letter to the Senior Leadership team.
- Learners should contact the head of quality raising a complaint by email, phone or letter. Head of Quality: Amy Williams email: amy.williams@bctg.org.uk or call 07398 830423, it is advised that by using email or phone will have a more immediate response.
Letter to: BCTG,
European Business Park,
Taylors Lane, Oldbury West Midlands, B69 2BN
- Please ensure that you set out full details, in the Anti-bullying or harassment submission.
- Include all your contact details; on receipt of the complaint, we aim to make contact with you within 72 working hours to confirm final detail and process and acknowledgement of receipt.
- There will be a formal review, fact finding investigation and supporting evidence may be gathered.
- There will be a formal meeting at the earliest convenience and within 10 days of the full information being received.
- Outcome based feedback
- The right to appeal, within 21 working days, setting out why you are appealing, escalated to Director

Confidentiality

Confidentiality is an important part of the application of this policy, and we will respect and maintain your confidentiality where possible. Anyone involved in your complaint will be reminded to about their responsibility for confidentiality.

Criminal Investigations

Where the allegations in your complaint or appeal involve a potential criminal matter, the police may be contacted.

Policy review

This policy will be reviewed annually by BCTG Advisory Board.