

Bullying and Harassment Policy

Version control

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1. Scope

This policy:

- seeks to prevent and/or eliminate discrimination, harassment, bullying, and victimisation towards students and staff, and anyone else engaged to work at Apprenticeships^{PLUS}
- covers discrimination, harassment, bullying, and victimisation at Apprenticeships^{PLUS}, in each case insofar as it relates to a protected characteristic referred to in the Equalities Act 2010
- seeks to create an environment free of discrimination, harassment, victimisation, and bullying, where everyone is treated with dignity and respect

2. Our commitment

Discrimination, harassment, bullying, and victimisation can have very serious consequences for both individuals and organisations, including:

- > they can make people unhappy
- > they may cause stress, affecting health, family, and social relationships
- > they may affect learning and could cause individuals to leave an apprenticeship
- > they have the potential to lead to mental illness and suicide
- > harassment can be a criminal offence

Apprenticeships^{PLUS} will not tolerate bullying and harassment of any kind. All allegations of discrimination, harassment, victimisation and bullying will be investigated and, where necessary, appropriate action will be taken.

Royal Greenwich recognises it has a duty to take reasonable care to protect all students' health and welfare and to provide a learning environment free from harassment.

3. Discrimination, harassment, and victimisation

There are different types of discrimination, harassment, bullying, and victimisation and some of these are defined below.

3.1 Direct discrimination

Where a person is treated less favourably than another due to what are known collectively as 'Protected Characteristics' as set in the Equalities Act 2010. Protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race (including, but not limited to colour, nationality, and ethnic and national origins)
- religions or belief
- sex
- sexual orientation

3.2 Indirect discrimination

Where a provision, criterion, or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic, would be to the detriment of people who share that protected characteristic compared to those who do not, and where it can not be shown to be a proportionate means of achieving a legitimate aim.

3.3 Associative discrimination

Where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

3.4 Perceptive discrimination

Where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic, when they do not.

3.5 Harassment

Unwanted conduct related to relevant protected characteristics that:

- has the purpose of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person
- is reasonably considered by that person to have the effect of violating their dignity, or of creating an intimidating, hostile, degrading, humiliating, or offensive environment for them, even if this effect was not intended by the person responsible for the conduct

3.6 Victimisation

Subjecting a person to a detriment, as perceived by that person, because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint, or given evidence in relation to a complaint. This would include, for example, isolating someone because they made a complaint.

4. How discrimination, harassment and victimisation can occur

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a 'joke' may offend another person. Different people find different things acceptable, and everyone has the right to decide what behaviour is acceptable to them, and to have their feelings respected by others.

Behaviour, depending on the circumstance of the event, which any person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to them, for example sexual touching.

It may not be so clear in advance that some other forms of behaviour would be unwelcome to, or could offend, a particular person, e.g. certain 'banter', flirting, or asking someone for a private drink after work. In these cases, depending on the circumstance of the event, first-time conduct which unintentionally causes offence will not be harassment, but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to them.

Harassment may also occur where a person engages in unwanted conduct towards another because they perceive that the recipient has a Protected Characteristic.

Similarly, harassment could take place where an individual is bullied or harassed because of another person with whom the individual is connected or associated.

A single incident can be harassment.

Individuals have a right not to be victimised for making a complaint and Apprenticeships^{PLUS} will take appropriate action to deal with any alleged victimisation. This may include action against anyone found to have victimised the complainant.

Making a complaint that is known to be untrue, or giving evidence that is known to be untrue, may lead to appropriate action being taken against individuals concerned.

Discrimination, harassment, or victimisation will constitute unlawful discrimination where it relates to one of the protected characteristics.

Serious discrimination, harassment, or victimisation may amount to other civil or criminal offences, e.g., a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.

5. Examples of discrimination, harassment, bullying, or victimisation

Discrimination, harassment, bullying, and victimisation are misconduct that can be physical, verbal or non-verbal. Examples of unacceptable behaviour that are covered by this policy include (but are not limited to):

- > physical conduct ranging from unwelcome touching to serious assault
- > unwelcome sexual advances
- > threats for rejecting sexual advances
- > demeaning comments about a person's appearance
- > unwelcome jokes or comments of a sexual or racial nature, or about an individual's age, disability, sexual orientation, or religion
- > questions about a person's sex life
- > unwanted nicknames related to a person's age, race, or disability
- > the use of obscene gestures
- > excluding an individual because they are associated or connected with someone with a protected characteristic
- > ignoring an individual because they have a protected characteristic, or because they are perceived to have a protected characteristic when they do not
- > the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, for example magazines, calendars, or pin-ups, spreading malicious rumours or insulting someone
- > ridiculing someone
- > cyberbullying, harassment, or victimisation that takes place on blogs, email or social networking sites for example Facebook and Twitter
- > making vexatious, malicious, and/or unsubstantiated claims regarding learner colleagues
- > excluding someone from social activities

6. Responsibilities

We all have a responsibility to create and maintain a work environment free of discrimination, harassment, bullying, and victimisation.

You can do this by:

- > being aware of how your behaviour may affect others and changing it, if necessary - you can still cause offence even if you are 'only joking' / partaking in 'workplace banter'
- > treating your learner colleagues with dignity and respect
- > taking a stand if you are of the opinion inappropriate jokes or comments are being made
- > making it clear to others when, in your opinion, you find their behaviour unacceptable
- > interceding, if possible, to endeavour to stop discrimination, harassment or victimisation and giving support to recipients
- > reporting discrimination, harassment, and victimisation to your tutor or another member of staff, and supporting the investigation of complaints

Students also have a responsibility to:

- > ensure that they are fully aware of and adhere to policies and procedures relating to acceptable conduct
- > attempt to, where possible, resolve any disagreements with tutors, members of staff, or learner colleagues informally in the first instance