



EDA College

Anti-Bullying and Anti-Harassment Policy and Procedure

Version Control

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Purpose

1. The purpose of this policy and its underlying procedures for practice is to build and nurture all the EDA College students an environment that is free from any elements of bullying, harassment and mistreatment (including sexual harassment and misconduct).
2. EDA College will spread an awareness among all students and staff that any symptoms and cases of bullying and harassment are unacceptable and the students will be given confidence to complain about bullying and harassment knowing they will be supported by EDA College in confidential and legal manners.

Scope

3. This policy and its underlying procedures for practice apply to all students and covers all communications, contacts or interactions among them, whether those interactions/contacts be public, private, face-to-face or digital, and regardless of when and where they take place.
4. It also applies to complaints by the students about bullying or harassment by the staff or third parties.

Definitions

Bullying

5. **Bullying** in itself if not against the law but harassment is. However, there is a thin line between bullying and harassment and therefore the EDA College has procedures to deal with bullying not to become a harassment.
6. **Bullying** is the abuse of power or position to undermine a person so that their confidence and self-esteem or self-worth is weakened. It may arise from the personal style of the bully, and attacks may be irrational, unpredictable and unfair.

Harassment

7. **Harassment** is unlawful under the Equality Act 2010. Harassment is where unwanted conduct related to a personal attribute of a person occurs with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.
8. The relevant protected characteristics are;

<i>Age</i>	<i>Race or Colour</i>	<i>Sexual orientation</i>
<i>Disability</i>	<i>Religion or belief</i>	<i>Cultural background</i>
<i>Gender reassignment</i>	<i>Sex</i>	

Note: There are some examples of Bullying and Harassment given in the Anex 1.

Victimisation

9. **Victimisation** under the Equality Act 2010, is treating someone unfairly because they have taken action under the action or supported someone else who has made a complaint of bullying or harassment, alleged someone of breach of Equality Act, helped someone to complain, given evidence or information in support of a complaint, acted as a witness in a complaint, etc.

Policy Principles

10. The EDA College does not tolerate any type of bullying, harassment and victimisation at levels and kinds of interactions between students and staff. The policy is based on following principles;

Seriousness

Any incident or allegation of bullying, harassment or victimisation are treated seriously according to this policy and its underlying procedures for practice.

Confidentiality

Any allegations received will be handled with an appropriate level of confidentiality ensuring that no personal information will be shared or released except for the purposes of compliance and implementation of these procedures.

Unintended Acts/Gestures

Bullying, harassment and victimisation often occur due to the unfair use of power relationship where people can be harassed, bullied or victimised. The violator does not have to have the intention to do so.

Perception & Reasonableness

The perception of the recipient is significant however reasonable understanding of the matter is paramount. Reasonableness requires that the act or perception of bullying, harassment or victimisation must continue after an objection is made but this also does not mean that a single incident cannot constitute to bullying, harassment or victimisation.

Process of Support and Care for Complainant

11. EDA College is committed to supporting students who make complaints about harassment, bullying or victimisation throughout the investigation of their complaint.
12. Students who are victims of bullying, harassment or victimisation should speak to their Student Support Officer. Student Support Officer may refer the student to specialist support services within and/or outside EDA College.

Procedure of Complaint about Staff

13. A student wishing to make a complaint about harassment, bullying or victimisation by a member of staff (regardless of who the alleged victim is) should speak to their Student Support Officer, who will then be responsible for raising the matter with the relevant line manager or with Human Resources according to the procedure described in 'Complaints from staff about staff' below.
14. Where the complaint cannot be resolved informally to the complainant's satisfaction using this procedure, the complainant may make a formal complaint under the [Student Complaints](#)

Procedure. However, where the complaint involves an allegation of gross misconduct (such as sexual harassment), EDA College may invoke its staff bullying and harassment and/or staff disciplinary procedures immediately, in accordance with the **Employee Handbook**.

Procedure of Complaint about another Student/s

15. A student wishing to make a complaint about harassment, bullying or victimisation by another student (regardless of who the alleged victim is) should speak to their tutor or Student Support Officer, who should raise the matter with the relevant Programme Leader. The Programme Leader will then be responsible for referring the complaint to the **Student Disciplinary Procedure**.

Procedure of Complaint of staff about other staff

16. The procedure for staff to make to a complaint about harassment, bullying or victimisation by other staff is described in EDA College's Employee Handbook.

Procedure of complaint of staff about student/s

17. A member of staff wishing to make a complaint about harassment, bullying or victimisation by a student (regardless of who the alleged victim is) should speak to their line manager, who should then raise the matter with the relevant Programme Leader (or contact Programme Leader directly). The Programme Leader will then be responsible for referring the complaint to the Student Disciplinary Procedure.

Procedures of allegations about third parties

18. For the purposes of this document, a third party is someone whom a student interacts with during their studies or work who is not a student or staff member employed by EDA College. Examples of a third party include a contractor working on EDA College campus or a member of staff at a work placement provider.
19. Students wishing to make a complaint about harassment, bullying or victimisation by a third party should speak to their Student Support Officer, who should raise the matter with the relevant Programme Leader (or contact the Programme Leader directly). The Programme Leader will then be responsible for dealing with the complaint.

Annex A: Examples of harassment and bullying

Harassment based on personal attributes may include:

Sexual Harassment, for example unwelcome sexual advances, sexually provocative looks, remarks or jokes, comments on appearance, displaying offensive images in posters or screensavers, inappropriate texting or emailing, touching and other forms of assault. (There are professional and ethical reasons for staff and students to maintain an appropriate professional relationship).

Racial Harassment, for example derogatory name-calling, insults, reference to skin colour, racist jokes, ridicule for cultural difference, verbal abuse and assault. EDA College welcomes and values the cultural diversity of its community. Differences in understanding about acceptable behaviours in various cultures may not be harassment, but the people involved in any such difference will be supported in reaching an understanding.

Disability Harassment, for example not recognising competencies, drawing attention to disability or personal appearance, jokes, ignoring or focusing on a person because of their disability.

Ageist Harassment, for example denigrating competencies, patronising, ridiculing, marginalising, leaving people out of social activities.

Sexual Orientation Harassment, for example homophobic jokes or remarks, abuse relating to HIV/AIDS status, threats to disclose sexual orientation, ridiculing civil partnerships.

Religion or Belief Harassment, for example not supporting religious requirements such as prayer, offering inappropriate catering to minority groups, offensive remarks and jokes, ridiculing religious requirements in dress.

Gender Reassignment Harassment, for example ridiculing dress and personal appearance, offensive jokes and remarks.

Status Harassment, for example patronising, ostracising or marginalising colleagues with different job roles or students with different backgrounds. Showing favouritism may also be regarded as status harassment.

The above list of examples is not exclusive or exhaustive. Harassment can occur based on any personal attribute that makes the individual different from others, or from the person who harasses them.

Bullying is the exercise of power over another person through negative acts or behaviour that undermines them either personally, academically and/or professionally. Bullying can involve threatening, insulting, abusive, disparaging or intimidating behaviour which places inappropriate pressure on the recipient or has the effect of isolating or excluding them. Bullying can take the form of shouting, sarcasm, derogatory remarks concerning academic performance or constant criticism and undermining. Bullying is to be distinguished from vigorous academic debate or the actions of a teacher or supervisor making reasonable (but perhaps unpopular) requests of their students.

Annex 1: Precise understanding of Equality Act 2010

According to Equality Act 2010, harassment is defined as follows;

1. **A person (A) harasses another person (B) if—**
 - a. A engages in unwanted conduct related to a relevant protected characteristic, and
 - b. the conduct has the purpose or effect of—
 - i. violating B's dignity, or
 - ii. creating an intimidating, hostile, degrading, humiliating or offensive environment for B.
2. **A also harasses B if—**
 - a. A engages in unwanted conduct of a sexual nature, and
 - b. the conduct has the purpose or effect referred to in subsection (A)(b).
3. **A also harasses B if—**
 - a. A or another person engages in unwanted conduct of a sexual nature or that is related to gender reassignment or sex,
 - b. the conduct has the purpose or effect referred to in subsection (A)(b), and
 - c. because of B's rejection of or submission to the conduct, A treats B less favourably than A would treat B if B had not rejected or submitted to the conduct.
4. In deciding whether conduct has the effect referred to in subsection (A)(b), each of the following **must be taken into account—**
 - a. the perception of B;
 - b. the other circumstances of the case;
 - c. whether it is reasonable for the conduct to have that effect.
5. The relevant **protected characteristics** are—
 - age;
 - disability;
 - gender reassignment;
 - race;
 - religion or belief;
 - sex;
 - sexual orientation.