



Landau
changing lives creating futures

Landau Ltd
Registered Charity No. 1048645

Bullying & Harassment Policy

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Introduction

Landau is committed to working towards creating an environment in which all learners and staff are treated fairly and with dignity and respect. Bullying or harassment in any form will not be tolerated and will be dealt with as a disciplinary matter and may result in exclusion or dismissal.

Scope

This policy applies to all learners and staff also to visitors and contractors, who will be referred to throughout this policy as learners and staff.

Related Policies

This policy should be read in conjunction with the following Landau policies;

- ❖ Learner Code of Conduct
- ❖ Learner Disciplinary Policy
- ❖ Staff Code of Conduct
- ❖ Dignity at Work Policy
- ❖ Staff Disciplinary Policy

Aims

The aims of this policy are to:

- ❖ Ensure that all learners and staff are treated with respect and dignity.
- ❖ Encourage a learning and working environment where everyone respects and values each other and our differences.
- ❖ Prevent acts of discrimination, exclusion, bullying, harassment, unfair treatment and other negative or demeaning behaviours.
- ❖ Demonstrate our commitment to equal opportunities for all.
- ❖ Be open and constructive in our communications.
- ❖ Handle conflict sensitively.
- ❖ Be fair and just in our dealings.
- ❖ Educate our learners and staff in the development of positive behaviours.

- ❖ Deal with complaints in a serious, and confidential manner so that the matter can be resolved as quickly as possible for all concerned.

We aim to do this by:

- ❖ Providing training and support to recognise bullying and harassment and promote positive behaviours to overcome differences and conflict.
- ❖ Educating all learners and staff 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

What is bullying?

Bullying is intentional behaviour that hurts someone else. It can happen anywhere, online or in the classroom or at work. It's usually repeated over a long period of time. And includes an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying can include the use of personal strength or the power to coerce through fear or intimidation, not necessarily from someone in a position of authority. Bullying may be physical, verbal or non-verbal. It can include conduct that is not face-to-face, including via text message, email and social media. Examples of bullying include:

- ❖ Name calling
- ❖ Physical violence
- ❖ Spreading rumours
- ❖ Shouting at peers, colleagues and staff
- ❖ Persistently criticising someone in front of others or in private
- ❖ Threatening or undermining someone
- ❖ Blocking promotion and training opportunities
- ❖ Regularly making the same person the butt of jokes.

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 learners not to be friends with someone (for whatever reason)
- ❖ Spreading rumours about someone
- ❖ Embarrassing someone in public

PHYSICAL BULLYING: involves hurting a person's body or possessions. 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 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 learners 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.

What is Harassment?

Harassment is any unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. A person may be harassed even if they were not the intended "target". Harassment also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Sexual harassment is characterised by the making of unwelcome and inappropriate sexual remarks or physical advances in a workplace or other professional or social situation.

It is unlawful under the Equality Act 2010 to harass a person because of their age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. It also includes conduct of a sexual nature (sexual harassment). Harassment is unacceptable even if it does not fall within any of these categories. Examples of harassment include, but are not limited to:

- ❖ unwanted physical conduct including touching, pinching, pushing and grabbing;
- ❖ unwelcome sexual advances or suggestive behaviour;
- ❖ sexual gestures, innuendos or suggestive comments
- ❖ offensive e-mails, text messages or social media content or the display of offensive materials;
- ❖ unwanted sexual jokes, banter, mocking, mimicking or belittling a person.

Bullying, Harassment and the Law

All people have the legal right to study and work in an environment that is free from any form of bullying or harassment. It should be noted that discrimination, victimisation, 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 defence against unacceptable behaviour.

Harassment is unlawful and individual learners or staff 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.

Responsibilities

Landau is responsible for:

- ❖ Ensuring all learners and staff are made aware of their personal responsibilities under this policy
- ❖ Providing formal training to support the policy
- ❖ Making it clear to learners and staff that bullying or harassment is unacceptable regardless of whether a complaint is made
- ❖ Setting examples and standards of behaviour in the classroom and 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 learners and 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 Organisation.

All learners and staff are responsible for

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

Procedure for Reporting Bullying or Harassment

If any learner or member of staff feels bullied or harassed then they should report it to their tutor or the Designated Safeguarding Lead (learners) and their line manager or the Chief Operating Officer (staff)

An investigation will then be carried out to establish the facts. The victim will be offered support throughout the process and directed to external support if required. The perpetrator may face disciplinary proceedings which could result in exclusion or dismissal.

If it is considered appropriate to set up mediation or restorative measures, Landau will facilitate this.

The wishes of the victim will remain paramount in such cases.