

Bullying and Harassment Policy

Version	3
Title of Policy	Bullying & Harassment
Policy Owner	Frances Drew
Date of Authorisation	17/01/2024
Authorised by	Kerry Bentley
Date for Review	17/01/2025

Introduction

DBC Training is committed to providing an environment free from bullying and harassment.

Everyone has the right to be treated fairly and with respect, and is entitled to work in an environment free from harassment, victimisation and bullying, due to their age, sex, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or belief and sexual orientation.

DBC's aim is to eliminate harassment, victimisation and bullying.

Context:

Bullying and harassment is behaviour that makes someone feel intimidated or offended. Harassment is unlawful under the [Equality Act 2010](#).

The Purpose of the Document:

This Bullying & Harassment Policy has been written in accordance with current best practice in accordance to Protection from the [Equality Act 2010](#) and provides DBC Training employees, trainees and learners with assurance that the Company is committed to preventing harassment and bullying in the workplace. It includes instructions on how to confront harassment, both through informal steps and a formal grievance procedure. It also clarifies the right of employees to be protected from harassment by third parties.

This policy emphasises the need to treat everyone fairly draws attention to the many forms of harassment, victimisation and bullying at work and their serious adverse effects makes explicit those behaviours which will not be tolerated provides practical guidance to all employees on how to deal with harassment, victimisation and bullying

Definition of terms:

Unlawful sexual discrimination occurs when, because of their sex, a woman or man is treated less favourably than a person of the opposite sex in similar circumstances.

Unlawful racial discrimination occurs when, on racial grounds, a person is treated less favourably than others.

In either case there is a need for the person discriminating to intend to do, merely evidence that the reason for discrimination was in fact racial or sexual.

Direct Discrimination consists of treating a person, on the grounds of one or more of the 9 protected characteristics, less favourably than others who would be treated in the same or similar circumstances.

Indirect Discrimination consists of applying a requirement or condition which, whether intentionally or not, adversely affects one group considerably more than another which cannot be justified.

Harassment consists of any unwanted conduct affecting the dignity of women and men at work. It includes unwelcome physical, verbal or non-verbal conduct and it could amount to unlawful discrimination. It could involve a single incident or may be persistent and may be directed to one or more individuals.

Unlawful Victimisation consists of treating a person less favourably than others are, or would be treated in the same or similar circumstances, because they have made a complaint or allegation of discrimination or have acted as a witness or informant in connection with proceedings under the [Equality Act 2010](#).

Bullying includes persistent criticism, personal abuse and/or ridicule, either in public or private, which humiliates and demeans the individuals involved, gradually eroding their self-confidence.

Peer on Peer Abuse occurs when a young person is exploited, bullied and / or harmed by their peers who are the same or similar age; everyone directly involved in peer on peer abuse is under the age of 18. 'Peer-on-peer' abuse can relate to various forms of abuse (not just sexual abuse and exploitation), and crucially it does not capture the fact that the behaviour in question is harmful to the child perpetrator as well as the victim.

Definition of bullying

- Bullying can be defined as “behaviour by an individual or a group, repeated over time that intentionally hurts another individual either physically or emotionally”. ([DfE “Preventing and Tackling Bullying”, July 2017](#))
- Bullying can include name calling, taunting, mocking, making offensive comments; kicking; hitting; taking belongings; producing offensive graffiti; gossiping; excluding people from groups and spreading hurtful and untruthful rumours.
- This includes the same unacceptable behaviours expressed online, sometimes called online or cyberbullying. This can include: sending offensive, upsetting and inappropriate messages by phone, text, instant messenger, through gaming, websites, social media sites and apps, and sending offensive or degrading photos or videos.
- Peer on peer abuse is recognised by DBC Training as being a form of bullying. It can be emotionally abusive and can cause severe and adverse effects on emotional development.
- In some circumstances with bullying a person can be both a victim and instigator of bullying.
- Harassment is defined 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’. ([Equality Act 2010](#))

Forms and types of bullying covered by this policy:

- Bullying can happen to anyone. This policy covers all types and forms of bullying including: Bullying related to physical appearance
- Bullying of young carers or otherwise related to home circumstances
- Bullying related to physical/mental health condition
- Physical bullying o Emotional bullying
- Sexual bullying, violence and harassment
- Bullying via technology, known as online or cyberbullying
- Harassment
- Prejudicial bullying (against people/learners with protected characteristics):
- Bullying related to race, religion, faith and belief and for those without faith
- Bullying related to ethnicity, nationality or culture
- Bullying related to Special Educational Needs or Disability (SEND)
- Bullying related to sexual orientation (homophobic/biphobic bullying)
- Gender based bullying, including transphobic bullying

The Law:

Bullying itself isn't against the law, but harassment is. This is when the unwanted behaviour is related to one of the following:

- age
- sex
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sexual orientation

Harassment is harmful to employees, employers, learners and customers alike. It can subject individuals to fear, stress and anxiety. Great strains can be put on work, personal and family life. Harassment can lead to illness, accidents, absenteeism, poor performance, an apparent lack of commitment and people leaving. It impacts badly on safety, organisational effectiveness and business success.

Individuals who are harassed, victimised or bullied are often made to feel vulnerable and can be reluctant to complain. They may fear reprisals and may suffer in silence. They may not want attention focused on them or on the situation; they just want the behaviour to stop.

DBC Training's Bullying & Harassment Policy is one step towards ensuring the fair treatment and dignity of all employees, trainees, learners and stakeholders. It prohibits all forms of harassment as defined in the [Harassment Act 1997](#) whether amounting to unlawful racial or sexual discrimination or not. It intends to prevent all forms of offensive and unfair behaviour, whether or not such behaviour is lawful.

Everyone has a Responsibility:

Every employee, employer, stakeholder and learner has a responsibility not to behave in a way that could be offensive to others or allow others to do so. DBC have a responsibility to communicate this policy to all DBC staff members. All staff are responsible for ensuring that the Policy is implemented and communicating the policy to customers.

All instances of harassment, victimisation and bullying will be thoroughly investigated and resolved as soon as possible in line with the Harassment & Complaint Procedure

The Intention:

The intention is to develop working environment free from harassment, victimisation and bullying. Collusion with these is not acceptable. Individuals must feel confident enough to bring forward complaints without fear of ridicule and reprisal. Fair treatment and respect for the dignity of all employees is essential.

Unacceptable Behaviour:

Any conduct which denigrates, ridicules, intimidates or is physically abusive of an individual or group constitutes unacceptable behaviour.

This includes:

- **Unwanted Physical Conduct** such as unnecessary touching, patting, pinching and brushing against another person's body, insulting or abusive behaviour, gestures, physical threats or assaults.
- **Unwanted Verbal Conduct** such as unwelcome advances, patronising titles or nicknames, propositions or remarks, innuendo, lewd comments, jokes, banter or abusive language, which refer to a person or group's gender, colour, race, nationality, ethnic or national origins, disability, sexual preference, etc., repeated suggestions for unwanted social activities inside or outside the workplace.
- **Unwanted Non-Verbal Conduct** such as abusive or offensive gestures, leering, whistling, display of pornographic or suggestive literature, pictures or films/videos or inappropriate use of visual display units (VDUs) or network systems for this purpose.
- **Bullying** including persistent criticism and personal abuse, either in public or private, which humiliates or is physically abusive of an individual or group.

The above types of behaviour will not be tolerated and may result in disciplinary action.

Harassment Complaints Procedure

The aim is to stop the undesirable behaviour and prevent recurrence. When or where appropriate, every effort will be made to resolve the situation informally. Complaints should be made as soon as possible after the incident/s involved.

What You Can Do:

Any employee or learner who feels that they have been harassed, victimised, bullied or treated in a way that breaches this policy should, if they feel able to do so, immediately tell the person(s) doing it that the behaviour in question is offensive, unwanted, and that they want it to stop.

Those who feel they are not able to do this may prefer to put it in writing to the person(s) doing it, keeping a dated copy of the letter, or to ask a friend or staff representative to speak to the person on their behalf.

A note should be kept of the date(s) and what was said by all involved. This may be needed as evidence of harassment, victimisation or bullying or subsequent recur. This is often enough to sort things out, particularly if the person(s) involved was/were unaware that the behaviour was causing offence.

What We Can Do:

At any time, whether or not informal steps have been taken, any employee or learner who feels that they have been harassed, victimised, bullied or treated in a way that breaches this Policy can raise the matter directly with **Frances Drew** (frances@dbc-training.co.uk / **01332 295588**) or **Kerry Bentley** (kerry@dbc-training.co.uk / **01332 295588**) either verbally or in writing.

Thereafter the matter will be:

- Investigated to establish whether there is a need to take disciplinary action
- The complainant and alleged harasser will be informed of the outcome as soon as possible following the conclusion of the investigation
- If, following the investigation, the manager decides that there is a case to answer; the appropriate Disciplinary Procedure will be started immediately.
- The manager will inform any complainant of the outcome as soon as possible after any disciplinary action

All complaints will be taken seriously and dealt with confidentially and promptly. Depending on the nature of the conduct the matter will be dealt with by a written or verbal warning. Where incidents are serious or repeated the person concerned may be asked to leave or summarily dismissed from his/her post.

If any complainant feels that the matter has been handled inappropriately they should raise this through the Harassment Complaints Procedure.

Confidentiality:

All complaints, associated correspondence and interviews must be treated in strict confidence. In the circumstance where the complaint is related to a vulnerable young person and depending on the nature/seriousness it may need to be shared with a 3rd party. The HM Government document for Information sharing Advice for practitioners providing safeguarding services to children, young people, parents and carers guidance 2018 will be followed in all instances.

It is important that all employees must abide by the Bullying and Harassment policy or they may face disciplinary action.

Links with other DBC policies

This policy links with several DBC policies including:

- Complaints policy
- Safeguarding Policy
- E-safety Policy
- Preventing Extremism Radicalisation Policy
- Equality & Diversity Policy

Useful links and supporting organisations:

- Anti-Bullying Alliance: www.anti-bullyingalliance.org.uk
- Childline: www.childline.org.uk
- Family Lives: www.familylives.org.uk
- MindEd: www.minded.org.uk
- The BIG Award: www.bullyinginterventiongroup.co.uk/index.php
- Restorative Justice Council: www.restorativejustice.org.uk
- The Diana Award: www.diana-award.org.uk
- Victim Support: www.victimsupport.org.uk
- Young Minds: www.youngminds.org.uk
- Young Carers: www.youngcarers.net
- The Restorative Justice Council: www.restorativejustice.org.uk/restorative-practiceschools
- Changing Faces: www.changingfaces.org.uk
- Mencap: www.mencap.org.uk
- Anti-Bullying Alliance Cyberbullying and children and young people with SEN and disabilities: www.cafamily.org.uk/media/750755/cyberbullying_and_send_-_module_final.pdf
- DfE: SEND code of practice: www.gov.uk/government/publications/send-code-ofpractice-0-to-25

Cyberbullying

- Childnet: www.childnet.com
- Internet Watch Foundation: www.iwf.org.uk
- Think U Know: www.thinkuknow.co.uk
- UK Safer Internet Centre: www.saferinternet.org.uk
- The UK Council for Child Internet Safety (UKCCIS) www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis
- DfE 'Advice for parents and carers on cyberbullying': www.gov.uk/government/publications/preventing-and-tackling-bullying

Race, religion and nationality

- Anne Frank Trust: www.annefrank.org.uk
- Kick it Out: www.kickitout.org
- Report it: www.report-it.org.uk
- Stop Hate: www.stophateuk.org

- Tell Mama: www.tellmamauk.org
- Educate against Hate: www.educateagainsthate.com
- Show Racism the Red Card: www.srtrc.org/educational

LGBT

- Barnardo's LGBT Hub: www.barnardos.org.uk/what_we_do/our_work/lgbtq.htm
- Metro Charity: www.metrocentreonline.org
- EACH: www.eachaction.org.uk
- Proud Trust: www.theproudtrust.org
- Stonewall: www.stonewall.org.uk

Sexual harassment and sexual bullying

- Ending Violence Against Women and Girls (EVAW)
www.endviolenceagainstwomen.org.uk
- Disrespect No Body: www.gov.uk/government/publications/disrespect-nobodycampaign-posters
- Anti-bullying Alliance: Preventing and responding to Sexual Bullying:
www.antibullyingalliance.org.uk/tools-information/all-about-bullying/sexual-and-genderrelated/preventing-and-responding-sexual
- Anti-bullying Alliance: advice for school staff and professionals about developing effective anti-bullying practice in relation to sexual bullying:
www.antibullyingalliance.org.uk/tools-information/all-about-bullying/sexual-and-gender-related

Additional links can be found in 'Preventing and Tackling Bullying' (July 2017)
www.gov.uk/government/publications/preventing-and-tackling-bullying