



# Personal Harassment And Bullying Policy

Most recent update: 15 May 2024

## Scope

Cheshire West and Chester Council (CW&C) has a Single Equality Scheme which is available on the Council's web site. Due to the nature of the work carried out by the Council's Skills and Employment team, we have developed our own policy clarifying duties and responsibilities within our area and for our partner providers managing commissioned Adult Education provision.

The Skills and Employment team is committed to promoting safeguarding, equality & diversity and an inclusive and supportive environment for its customers, staff and others closely associated with its work and affirm the rights of individuals to be treated fairly and with respect.

Sexual, racial and other forms of personal harassment and bullying can seriously harm learning, working and social conditions for both customers and staff as well as the negative impact on the person(s) affected. Any incidents of harassment will be regarded extremely seriously and can be grounds for disciplinary action which may include exclusion in the case of learners/customers or dismissal in the case of staff.

Within the Skills and Employment team, it is the responsibility of all staff to ensure that acceptable standards of behaviour/practice are adopted in all working environments. This also includes working with our partners to ensure that action is taken to encourage reporting of unacceptable behaviour and following a thorough investigation, an effective and appropriate response is swiftly expedited.

The fundamental principle underpinning this policy is that everyone has the right to respect and personal dignity and the responsibility to recognise the rights of others and their beliefs and cultural differences. The terms bullying and harassment are used in this policy to describe any form of behaviour that offends against an individual's dignity.

## Standards

All Skills and Employment staff are required to:

- Demonstrate respect for customers as individuals in all matters,
- Reflect on their own approach and style, recognising the inherent power their position bestows,
- Undertake relevant training in equality and diversity matters,
- Ensure that all customers are aware of relevant policies on Equality & Diversity and Safeguarding and that they know to complain if they become victims of harassment and bullying,
- Ensure a diverse curriculum that is sensitive to other cultures, gender identity and beliefs and actively promotes inclusive content,
- Invite and encourage constructive feedback from customers about standards and styles of behaviour and promote an open and honest culture of respect for diverse opinions,
- Deal with disclosures of harassment and bullying promptly, sensitively, confidentially and in accordance with procedures (see Skills & Employment Safeguarding Policy and Comments,





Compliments and Complaints procedure for formal complaints as well as full council safeguarding procedures and feedback procedures available to the general public).

Customers are required to:

- Behave towards each other and staff members with respect at all times,
- Help prevent harassment and bullying by challenging and reporting behaviour that appears to be causing distress to others,
- Support an open, constructive learning environment within which a range of opinions and beliefs are acknowledged and respected,
- Talk to us about anything they feel uncomfortable about both informally and formally. (See Skills and Employment's Safeguarding Policy and our Comments, Compliments and Complaints Policy)

### **What Is Harassment?**

Any behaviour which shows lack of respect and which creates an atmosphere in which people feel uncomfortable and unwelcome can constitute harassment.

Differences of attitude and culture or misinterpretation of social signals can mean that what is perceived as harassment by one person may not be the same for another.

**Sexual harassment** could include:

- Any behaviour which patronises, intimidates or offends, eg remarks, looks, jokes or offensive language.
- Any behaviour which makes people feel viewed as sexual objects and which causes offence, even if unintended.
- Provocative suggestions, propositioning people.
- The display of pornographic, semi-pornographic or suggestive material, electronic or paper.
- Deliberate, potentially objectionable physical contact to which the person has not consented or had the opportunity to object to.
- Threats of academic failure, or promises of success or other rewards in exchange for sexual favours.

This applies equally well to harassment occurring between people of opposite gender, either of women by men or men by women or between people of the same gender and includes attitudes to non-binary and trans-gender.

**Racial harassment** could include:

- Any behaviour which causes discomfort, intimidates or offends or which incites others to do so – derogatory names, insults, racist jokes or ridiculing cultural difference.
- The display or circulation of offensive material, including racist graffiti, electronic mail or information published through the internet.
- Verbal abuse and threats of physical attack.



**Personal harassment** could include

- Behaviour which makes direct or indirect reference to disability or impairment – and thus causes discomfort, patronises, insults or offends people with a physical, sensory or mental disability.
- Behaviour which makes direct or indirect reference to religion or culture thereby causing discomfort or offence.
- Behaviour which makes direct or indirect reference to gender including non-binary and trans-gender aimed to causing discomfort, offence and/or psychological distress.
- Repeated gibes in reference to personal traits, appearance, gender or sexual orientation.
- Invasion of privacy or practical jokes causing physical or psychological distress.
- Pressure to become involved in anti-social or criminal behaviour.
- Messages to, or about a person, including electronic mail and social media, that are offensive, insulting or cause discomfort.

**Bullying**

Bullying is the misuse of power or position to persistently criticise and condemn; to openly humiliate and undermine an individual's ability until this person becomes so fearful that their confidence crumbles and they lose belief in themselves. These attacks on the individual are normally sudden, irrational, unpredictable and usually unfair. 'Academic bullying' has been defined as: 'asserting a position of intellectual superiority in an aggressive, abusive or offensive manner, threats of academic failure or public sarcasm'. Bullying could include:

- Verbal and/or physical intimidation – threats, shouting, derisory remarks, often in front of others.
- Excessive supervision.
- Undermining an individual's position by changing learning or work objectives/guidelines without consultation, taking credit for the target's work, deriding the target's work to tutors or managers, etc.
- Removing areas of responsibility and giving people menial or trivial tasks to do instead.
- Withholding information.
- Spreading malicious rumours.
- Persistent criticism.
- Messages, including electronic mail and social media, that are threatening, derisory or defamatory.





### **Action To Be Taken**

We have a duty to protect our customers and staff. It is important any information disclosed to any member of staff by customers is given the highest priority and the correct procedures are followed (see our Skills and Employment Safeguarding policy). All incidents of bullying and harassment should be recorded and reported on our Disclosure form and returned to the CW&C Designated Safeguarding Lead detailed in our Safeguarding Policy.

- For Internal Staff – Disclosure form completed and sent to Skills and Employment Designated Safeguarding Lead.
- For commissioned partner staff – Disclosure form completed and sent to organisational Designated Safeguarding Lead and then on to CW&C Designated Safeguarding Lead as detailed in our Safeguarding Policy.

The CW&C Safeguarding Leads for Skills and Employment will deal with each report as appropriate which may include escalation to the Council's Safeguarding Boards.

### **External Contact Points**

The Skills and Employment team will always take reports of bullying and harassment very seriously and act swiftly to deal with any situation arising with our learners, customers or staff. However, if our response is not satisfactory or requires an external response, reporting can be made outside of the Skills and Employment team through the council's central [Complaints Portal](#).

For learners and staff involved in the Adult Education programme, complaints can be made to Ofsted. Email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) or telephone 0300 123 1231.