

## Respect and Consideration for Others Policy

Date approved:	16 September 2010
Approved by:	Executive Board
Review date:	September 2013
Responsible Manager:	Divisional Director/Head of Human Resources Divisional Director/Head of Student Services
Group Executive Lead:	Group Director (HR and Corporate Services)
Accessible to Customers/Students:	Yes

### 1. Consultation

Consultation undertaken with:-

- |  |     |
|--|-----|
| • Newcastle College:                               | Yes |
| • Skelmersdale & Ormskirk College:                 | Yes |
| • Intraining incorporating TWL (Northern Ireland): | Yes |
| • Group Services                                   | Yes |

### 2. Applicability of Policy to Organisation

This policy applies to:-

- |  |     |
|--|-----|
| • Newcastle College:                               | Yes |
| • Skelmersdale & Ormskirk College:                 | Yes |
| • Intraining incorporating TWL (Northern Ireland): | Yes |
| • Group Services                                   | Yes |

### 3. Scope and Purpose of Policy

This policy applies to employees, students and customers in all parts of Newcastle College Group (NCG). It also applies to people who are on our premises but not employed, such as visitors and external contractors.

The Respect and Consideration for Others policy sets a standard for the treatment of others which seeks to avoid bullying and harassment and which requires appropriate action should this occur. It encompasses all types of bullying and harassment including that

relating to: age; disability; gender reassignment; race; religion or belief; sex; sexual orientation; marriage and civil partnership; pregnancy and maternity.

#### **4. Policy Statement**

NCG is committed to ensuring that everyone who interacts with any Division of the Group is treated with respect and consideration. Harassment /bullying is a serious matter. It is unacceptable in any form because it can cause significant distress. It is important that, if harassment / bullying occur, it is swiftly addressed as it is unacceptable behaviour. We will offer support to those who feel that they have been subject to harassment/ bullying.

It is the responsibility of:

- all individuals within any part of the organisation, including employees, students, customers and governors, to comply with this policy, so that the organisation is free from harassment/bullying. This includes offering support to the victim of harassment / bullying and not ignoring harassment/bullying if it occurs as this indirectly supports unacceptable behaviour.
- all line managers to ensure that this policy is applied and monitored effectively and for them to lead by example.
- all employees, particularly managers, to treat complaints of harassment/bullying seriously and to be sensitive to the personal feelings and perceptions of others. Where cases of harassment / bullying are proven, managers are responsible for taking appropriate action under the relevant disciplinary procedure.
- Divisional Director/Head of Human Resources/Student Services to develop, review and maintain divisional procedures appropriate to their areas of responsibilities. Relevant procedures for each division are attached highlighted as Procedures 1a to d.

Advice on the application of this policy regarding employment matters is provided by Divisional Human Resources departments. Advice on the application of this policy regarding student/customer related matters is provided by Divisional Student Services departments. Human Resources or Student Services staff are available to offer further guidance at all stages of the procedure.

#### **5. Linked Policies**

Valuing Diversity Policy  
Complaints Policy  
Staff Disciplinary Policy

Student Disciplinary Policy  
IT Acceptable Use Policy

**6. Linked Procedures**

Student Disciplinary Procedure  
Staff Disciplinary Procedure  
Employee Grievance Procedure  
Complaints Procedure

**7. Equal Opportunities Statement**

In accordance with College procedures an equality impact assessment was been undertaken for this policy in April 2008. A review of the equality impact assessment has taken place and no changes are required.

**8. Location and Access to the Policy**

The Respect and Consideration policy is located as follows:

- Newcastle College on dtc: College Information: College Policies
- Skelmersdale & Ormskirk College on dtc: College Information: Policies and Procedures
- Intraining on company intranet.

**9. Person Responsible for the Policy**

Group Director (HR and Corporate Services)

**10. Variations to the Policy**

There are no variations to this policy.

## **Respect and Consideration Procedures**

**Procedure 1a** Procedure for Staff (all Divisions of Newcastle College Group)

**Procedure 1b** Procedure for Students (Newcastle College)

**Procedure 1c** Procedure for Students (Skelmersdale & Ormskirk College)

**Procedure 1d** Procedure for Learners/ Customers (Intraining)

**Respect and Consideration for Others Procedure (Staff) - All Divisions of Newcastle College Group**

**Procedure for dealing with cases of harassment**

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- Appendix B – Key Principles
- Appendix C – Further Guidance on the Informal Stage of the Procedure
- Appendix D – Monitoring the Procedure

**Handling complaints of harassment**

Any complaint of harassment or bullying will be handled sensitively, in a timely and confidential manner. This procedure is written specifically to deal with complaints about bullying or harassment. Any such complaint should be raised under this procedure and not under the Divisional Grievance Procedure.

We recognise the right of employees to determine for themselves whether the words or behaviour of others is acceptable to them and to bring a complaint in respect of harassment or bullying. Following the investigation of a complaint, the decision as to whether the complaint is warranted and, if so, whether a disciplinary sanction should apply is the responsibility of management.

This procedure only applies whilst you are employed by NCG.

## **Making a complaint**

If the harassment is not persistent or it is less serious, the recipient of the harassment may try to resolve the situation informally, with support from their Line Manager/Newcastle College Group Division Staff, or any other person that the individual trusts. Further guidance is contained in Appendix C of this procedure.

However, the individual may choose to use the formal stage of the procedure regardless of the nature of the complaint.

A formal complaint of harassment should be submitted directly to the Divisional Director/Head of Human Resources. If the complaint is from a student the complaint would normally be submitted to the Director of Student Services (Newcastle College) or the Student Service and Learner Support Manager (Skelmersdale & Ormskirk College) or the Head of Operations (Intraining), who will then liaise with the Divisional Director/Head of Human Resources. The Divisional Director/Head of Human Resources will consider the complaint and identify who should be involved in the investigatory panel. If the Divisional Director/Head of Human Resources is identified as the alleged harasser, the complaint should be submitted to the Group Director for HR and Corporate Services who holds overall responsibility for Human Resources.

## **Investigatory Process**

Before taking any action in relation to the alleged harasser, an investigatory panel comprising of two people (or more, if necessary) will have conducted an investigation to establish the facts.

The investigatory panel will normally be led by the manager of the person against whom the allegation has been made (unless there are grounds for suspecting that this person may prejudge the matter or is not independent of the situation, in which case an alternative manager/director usually at the same level will be identified). He/she will be accompanied by a representative from Human Resources who will ensure that the correct process is being followed.

As part of the investigation the investigatory panel will meet with the individual who has made the complaint to fully understand the nature of the complaint.

Any interviews conducted as part of the investigation are not part of any disciplinary process nor will any disciplinary action be taken until the case has been fully investigated. If the nature of the complaint gives cause for concern for the alleged victim's safety, temporary suspension of the alleged harasser may be considered (see below).

The investigatory panel will produce a report identifying the facts found during their investigation. The investigatory panel must not be drawn into making any

recommendations or comments on what action should be taken against the alleged harasser.

## **Representation and Support**

At every stage in the investigation the alleged harasser will be advised of the nature of the complaint against him/her and can be accompanied by a representative of a recognised trade union, a colleague independent of the situation or a Staff Forum Representative (Intraining). In the event that such assistance is not available advice and help with regard to alternative support will be offered by the Human Resources Department.

At every stage in the investigation the recipient of the alleged harassment can be accompanied by an appropriate representative as detailed below:-

-If the recipient of the alleged harassment is a member of staff, they may be accompanied by a member of a recognised trade union or a work colleague independent of the situation.

- If the recipient of the alleged harassment is a student, they can be accompanied by a member of the student union or a fellow student who is independent of the situation.

- If the recipient of the alleged harassment is from an external organisation, the decision about who can accompany them will be agreed between the individual and the Divisional Director/ Head of Human Resources. In the event that such assistance is not available, advice and help with regard to alternative support will be offered by the Human Resources Department

## **Timescales**

Although the timescales in this procedure may be varied by agreement, the overall aim should be to deal with investigations into allegations of harassment promptly. Investigations into allegations of harassment can be complex due to their nature but Divisions will endeavour, wherever possible, to have completed an investigation within 4 weeks of receiving the formal complaint.

## **Suspension**

In cases which appear to involve serious misconduct or for another good and urgent cause, an employee may be suspended with pay while the complaint is being investigated as outlined in the Divisional Staff Disciplinary Procedure. This does not in itself constitute disciplinary action.

## **Possible outcomes of a complaint investigation**

The investigation report must be submitted to the Divisional Director/ Head of Human Resources who will be responsible for reviewing the content and making a decision on how best to proceed. Where the evidence gathered in the investigation demonstrates that misconduct has occurred, the matter will be dealt with through the disciplinary procedure. The Divisional Director/ Head of Human Resources will be responsible for ensuring that an appropriate

individual, who has not been involved in the investigation, is appointed to hear the disciplinary hearing. It should be noted that serious harassment is considered to be gross misconduct and therefore cases which are upheld would normally result in summary dismissal.

The individual who has submitted the complaint will be notified in writing that the investigation has been completed and where appropriate, the individual will be notified about the main findings of the investigation. If dissatisfied with the outcome, the complainant has the right of appeal; the timescales and who to send any appeal letter to will be detailed within the letter of response sent to the individual. On receipt of an appeal letter an appeal meeting will be arranged. The appeal will be heard by a designated Director of School/Service (or an equivalent senior manager within a Division) or a designated Vice Principal. You will be informed in writing of the outcome. This decision will be final.

### **Monitoring the Procedure**

In order to ensure that this procedure continues to be fit for purpose and appropriately addresses the concerns of the person making the complaint, he/she will be asked to complete and return the proforma at Appendix D. Feedback will be monitored by the Divisional Director / Head of Human Resources and any necessary adjustments or improvements made during scheduled reviews of the policy and procedure.

The Group Director (HR and Corporate Services) will ensure the formal monitoring and review of the procedure in line with relevant legislation, Codes of Practice, case law and good employer practice. Any changes to the procedure will be subject to consultation with representatives of recognised trade unions or the Staff Forum (Intraining)

Divisional Director/Head of Human Resources will monitor the implementation of the procedure to ensure fair and consistent treatment of employees.

## Procedure 1b



### Respect and Consideration for Others Procedure (Students) – Newcastle College Division

#### Procedure for dealing with cases of harassment

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- Appendix C – Further Guidance on the Informal Stage of the Procedure
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#### Handling complaints of harassment

Any complaint of harassment or bullying will be handled sensitively, in a timely and confidential manner. This procedure is written specifically to deal with complaints about bullying or harassment. Any such complaint should be raised under this procedure and not under the Divisional Complaints Procedure.

#### Making a complaint

If the harassment is not persistent or it is less serious, the recipient of the harassment may try to resolve the situation informally, with support from Newcastle College Division Staff, or any other individual that the student trusts. Further guidance is contained in Appendix C of this procedure.

However, the individual may choose to use the formal stage of the procedure regardless of the nature of the complaint.

A formal complaint of harassment should be submitted to the Director of Student Services. He/She will consider the complaint and carry out any investigation deemed necessary. If the Director of Student Services is the alleged harasser, the complaint should be submitted to the Assistant Principal (Curriculum and Commercial Development).

Where a student makes a complaint of bullying or harassment against a member of staff, the Director of Student Services will liaise with the Director of Human Resources and the complaint will be dealt with through the staff procedure (Procedure 1a).

### **The Investigatory Process**

Before taking any action with regard to any alleged acts of bullying or harassment, an investigation will be conducted by an investigatory panel to establish the facts.

The investigatory panel will normally include the Director of School/Senior Manager in the School responsible for the student (unless there are grounds for suspecting that this person may prejudge the matter or is not independent of the situation, in which case an alternative Director/Senior Manager will be identified). He/she will be accompanied by a representative from Student Services who will ensure that the correct process is being followed.

As part of the investigation the investigatory panel will meet with the individual who has made the complaint to fully understand the nature of the complaint.

Any interviews conducted as part of the investigation are not part of any disciplinary process nor will any disciplinary action be taken until the case has been fully investigated unless the nature of the complaint gives cause for concern for the alleged victim's safety. In this case, the temporary suspension of the alleged harasser may be considered (see below).

The investigatory panel will produce a report identifying the facts found during their investigation. The investigatory panel must not be drawn into making any recommendations or comments on what action should be taken against the alleged harasser.

### **Representation and Support**

At every stage in the investigation the alleged harasser will be advised of the nature of the complaint against him/her and can be accompanied by a representative from the Students' Union, a friend or a member of their family. In the event that such assistance is not available advice and help with regard to alternative support will be offered by Director of Student Services..

At every stage in the investigation the recipient of the alleged harassment can be accompanied by a representative from the Students' Union, a friend or a member of their family. In the event that such assistance is not available advice and help with regard to alternative support will be offered by the

Director of Student Services.

### **Timescales**

Although the timescales in this procedure may be varied by agreement, the overall aim should be to deal with investigations into allegations of harassment promptly. Investigations into allegations of harassment can be complex due to their nature but Divisions will endeavour, wherever possible, to have completed an investigation within 4 weeks of receiving the formal complaint.

### **Suspension**

In cases which appear to involve serious misconduct or for another good and urgent cause, a student may be suspended while the case is being investigated as outlined in the Student Disciplinary Procedure. This does not in itself constitute disciplinary action.

### **Possible outcomes of a complaint investigation**

The investigation report must be submitted to the Director of Student Services who will be responsible for reviewing the content and making a decision on how best to proceed. Where the evidence gathered in the investigation demonstrates that misconduct has occurred, the matter will be dealt with through the student disciplinary procedure. The Director of Student Services will be responsible for ensuring that an appropriate individual, who has not been involved in the investigation, is appointed to chair the disciplinary hearing. Serious harassment is considered to be gross misconduct and therefore cases which are upheld would normally result in permanent exclusion from the College.

The individual who has submitted the complaint will be notified in writing that the investigation has been completed and where appropriate, the individual will be notified about the main findings of the investigation. If dissatisfied with the outcome, the complainant has the right of appeal; the timescales and who to send any appeal letter to will be detailed within the letter of response sent to the individual. On receipt of an appeal letter an appeal meeting will be arranged. The appeal will be heard by a designated Director of School/Service (or an equivalent senior manager within a Division) or a designated Assistant Principal. You will be informed in writing of the outcome. This decision will be final.

### **Monitoring the Procedure**

In order to ensure that this procedure continues to be fit for purpose and appropriately addresses the concerns of the person making the complaint, he/she will be asked to complete and return the proforma at Appendix D. Feedback will be monitored by the Assistant Principal (Curriculum and Commercial Development) and any necessary adjustments or improvements made during scheduled reviews of the policy and procedure.

The Assistant Principal (Curriculum and Commercial Development) will ensure the formal monitoring and review of the procedure in line with relevant legislation and Codes of Practice.

The Director of Student Services will monitor the implementation of the procedure to ensure fair and consistent treatment of students.

## Procedure 1c



### **Respect and Consideration for Others Procedure (Students) – Skelmersdale and Ormskirk College**

#### **Procedure for dealing with cases of harassment**

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#### **Handling complaints of harassment**

Any complaint of harassment or bullying will be handled sensitively, in a timely and confidential manner. This procedure is written specifically to deal with complaints about bullying or harassment. Any such complaint should be raised under this procedure and not under the Divisional Complaints Procedure

#### **Making a complaint**

If the harassment is not persistent or it is less serious, the recipient of the harassment may try to resolve the situation informally, with support from Skelmersdale and Ormskirk College Staff, or any other individual that the student trusts. Further guidance is contained in Appendix C of this procedure.

However, the individual may choose to use the formal stage of the procedure regardless of the nature of the complaint.

A formal complaint of harassment should be submitted to the Student Services and Learner Support Manager. He/she will consider the complaint and carry out any investigation deemed necessary. If the Student Services and Learner Support Manager is the alleged harasser, the complaint should be submitted to the Assistant Principal.

Where a student makes a complaint of bullying or harassment against a member of staff, the Student Services and Learner Support Manager will liaise with the Head of Performance and Standards and the complaint will be dealt with through the staff procedure (Procedure 1a).

### **The Investigatory Process**

Before taking any action with regard to any alleged acts of bullying or harassment, an investigation will be conducted by an investigatory panel to establish the facts.

The investigatory panel will normally include the Student Services and Learner Support Manager / Head of Department in the Curriculum Area responsible for the student (unless there are grounds for suspecting that this person may prejudge the matter or is not independent of the situation, in which case an alternative Manager will be identified). He/she will be accompanied by a representative from Student Services who will ensure that the correct process is being followed.

As part of the investigation the investigatory panel will meet with the individual who has made the complaint to fully understand the nature of the complaint.

Any interviews conducted as part of the investigation are not part of any disciplinary process nor will any disciplinary action be taken until the case has been fully investigated unless the nature of the complaint gives cause for concern for the alleged victim's safety. In this case, the temporary suspension of the alleged harasser may be considered (see below).

The investigatory panel will produce a report identifying the facts found during their investigation. The investigatory panel must not be drawn into making any recommendations or comments on what action should be taken against the alleged harasser.

### **Representation and Support**

At every stage in the investigation the alleged harasser will be advised of the nature of the complaint against him/her can be accompanied by a representative from the Students' Union, a friend or a member of their family. In the event that such assistance is not available advice and help with regard to alternative support will be offered by Student Services and Learner Support Manager.

At every stage in the investigation the recipient of the alleged harassment can be accompanied by a representative from the Students' Union, a friend or a member of their family. In the event that such assistance is not available advice and help with regard to alternative support will be offered by the Student Services and Learner Support Manager.

### **Timescales**

Although the timescales in this procedure may be varied by agreement, the overall aim should be to deal with investigations into allegations of harassment promptly. Investigations into allegations of harassment can be complex due to their nature but Divisions will endeavour, wherever possible, to have completed an investigation within 4 weeks of receiving the formal complaint.

### **Suspension**

In cases which appear to involve serious misconduct or for another good and urgent cause, a student may be suspended while the case is being investigated as outlined in the Student Disciplinary Procedure. This does not in itself constitute disciplinary action.

### **Possible outcomes of a complaint investigation**

The investigation report must be submitted to the Student Services and Learner Support Manager who will be responsible for reviewing the content and making a decision on how best to proceed. Where the evidence gathered in the investigation demonstrates that misconduct has occurred, the matter will be dealt with through the student disciplinary procedure. The Student Services and Learner Support Manager will be responsible for ensuring that an appropriate individual, who has not been involved in the investigation, is appointed to chair the disciplinary hearing. Serious harassment is considered to be gross misconduct and therefore cases which are upheld would normally result in permanent exclusion from the College.

The individual who has submitted the complaint will be notified in writing that the investigation has been completed and where appropriate, the individual will be notified about the main findings of the investigation. If dissatisfied with the outcome, the complainant has the right of appeal; the timescales and who to send any appeal letter to will be detailed within the letter of response sent to the individual. On receipt of an appeal letter an appeal meeting will be arranged. The appeal will be heard by a designated Director of School/Service (or an equivalent senior manager within a Division) or a designated Vice Principal. You will be informed in writing of the outcome. This decision will be final.

## **Monitoring the Procedure**

In order to ensure that this procedure continues to be fit for purpose and appropriately addresses the concerns of the person making the complaint, he/she will be asked to complete and return the proforma at Appendix D. Feedback will be monitored by the Head of Performance and Standards and any necessary adjustments or improvements made during scheduled reviews of the policy and procedure.

The Head of Performance and Standards will ensure the formal monitoring and review of the procedure in line with relevant legislation and Codes of Practice.

The Student Services and Learner Support Manager will monitor the implementation of the procedure to ensure fair and consistent treatment of students.

## Procedure 1d



### Respect and Consideration for Others Procedure (Learner or customers) – Intraining (incorporating TWL)

#### Procedure for dealing with cases of harassment

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#### Handling complaints of harassment

##### Introduction

Any complaint of harassment or bullying will be handled sensitively, in a timely and confidential manner. This procedure is written specifically to deal with complaints about bullying or harassment. Any such complaint should be raised under this procedure and not under the Divisional Complaints Procedure.

##### Making a complaint

If the harassment is not persistent or it is less serious, the recipient of the harassment may try to resolve the situation informally, with support from Intraining Staff, or any other individual that the learner or customer trusts. Further guidance is contained in Appendix C of this procedure.

However, the individual may choose to use the formal stage of the procedure regardless of the nature of the complaint.

A formal complaint of harassment should be submitted to the Head of Operations. He/she will consider the complaint and carry out any investigation deemed necessary. If the Head of Operations is the alleged harasser, the complaint should be submitted to the Head of Quality and Standards.

Where a learner or customer makes a complaint of bullying or harassment against a member of staff, the Head of Operations will liaise with the Human Resources Manager and the complaint will be dealt with through the staff procedure (Procedure 1a).

### **The Investigatory Process**

Before taking any action with regard to any alleged acts of bullying or harassment, an investigation will be conducted by an investigatory panel to establish the facts.

The investigatory panel will normally include the Head of the Subdivision responsible for the customer or learner (unless there are grounds for suspecting that this person may prejudge the matter or is not independent of the situation, in which case an alternative Senior Manager will be identified). He/she will be accompanied by a representative from the Sub divisional quality team who will ensure that the correct process is being followed.

As part of the investigation the investigatory panel will meet with the individual who has made the complaint to fully understand the nature of the complaint.

Any interviews conducted as part of the investigation are not part of any disciplinary process nor will any disciplinary action be taken until the case has been fully investigated unless the nature of the complaint gives cause for concern for the alleged victim's safety. In this case, the temporary suspension of the alleged harasser may be considered (see below).

The investigatory panel will produce a report identifying the facts found during their investigation. The investigatory panel must not be drawn into making any recommendations or comments on what action should be taken against the alleged harasser.

### **Representation and Support**

At every stage in the investigation the alleged harasser will be advised of the nature of the complaint against him/her can be accompanied by a friend or a member of their family. In the event that such assistance is not available advice and help with regard to alternative support will be offered by the Head of Operations.

At every stage in the investigation the recipient of the alleged harassment can be accompanied by a representative from a friend or a member of their

family. In the event that such assistance is not available advice and help with regard to alternative support will be offered by the Head of Operations.

### **Timescales**

Although the timescales in this procedure may be varied by agreement, the overall aim should be to deal with investigations into allegations of harassment promptly. Investigations into allegations of harassment can be complex due to their nature but Divisions will endeavour, wherever possible, to have completed an investigation within 4 weeks of receiving the formal complaint.

### **Suspension**

In cases which appear to involve serious misconduct or for another good and urgent cause, a learner or customer may be suspended while the case is being investigated as outlined in the Learner or Customer Disciplinary Procedure. This does not in itself constitute disciplinary action.

### **Possible outcomes of a complaint investigation**

The investigation report must be submitted to the Head of Operations who will be responsible for reviewing the content and making a decision on how best to proceed. Where the evidence gathered in the investigation demonstrates that misconduct has occurred, the matter will be dealt with through the Learner or Customer Disciplinary Procedure. The Head of Operations will be responsible for ensuring that an appropriate individual, who has not been involved in the investigation, is appointed to chair the disciplinary hearing. Serious harassment is considered to be gross misconduct and therefore cases which are upheld would normally result in exclusion from Intraining.

The individual who has submitted the complaint will be notified in writing that the investigation has been completed and where appropriate, the individual will be notified about the main findings of the investigation. If dissatisfied with the outcome, the complainant has the right of appeal; the timescales and who to send any appeal letter to will be detailed within the letter of response sent to the individual. On receipt of an appeal letter an appeal meeting will be arranged. The appeal will be heard by a designated Director of School/Service (or an equivalent senior manager within a Division) or a designated Vice Principal. You will be informed in writing of the outcome. This decision will be final.

### **Monitoring the Procedure**

In order to ensure that this procedure continues to be fit for purpose and appropriately addresses the concerns of the person making the complaint, he/she will be asked to complete and return the proforma at Appendix D. Feedback will be monitored by the Head of Quality and Standards and any necessary adjustments or improvements made during scheduled reviews of the policy and procedure.

The Head of Quality and Standards will ensure the formal monitoring and review of the procedure in line with relevant legislation and Codes of Practice.

The Head of Operations will monitor the implementation of the procedure to ensure fair and consistent treatment of learner or customers.

## Appendix A - Definitions

Harassment is defined as any unwanted conduct affecting the well-being of an individual or group of individuals. It may be persistent or may consist of a single serious act of physical, verbal or non-verbal conduct which the recipient finds unwelcome, offensive, upsetting or threatening. It may also amount to unlawful discrimination for which the harasser and the employer could be held liable.

Harassment may occur between students/customers, between students/customers and employees and between employees and students/customers. Harassment of or by other visitors (including governors, contractors, clients and representatives of external agencies) may also occur.

Although it is recognised that it is necessary for line managers / lecturers to issue instructions to employees/students, set standards of performance and behaviour and address unacceptable standards when these occur, bullying of an individual or group of individuals will be viewed as harassment.

Examples of behaviour which is viewed as harassment include:

- unwanted physical contact ranging from touching to serious assault;
- unwanted verbal and written contact such as public humiliation, personal insults, jokes, offensive language, inappropriate banter, suggestive remarks, innuendoes or smutty comments;
- unwanted visual display of posters, pictures, objects, graffiti etc. including inappropriate use of IT such as offensive E-mail messages, faxes, screen savers and cyber-bullying
- unwanted coercion including, for example, pressure to participate in political groups;
- unwelcome sexual advances or attention, propositions, suggestions or pressures for sexual activity at or outside of college premises where it has been made clear that this is unwelcome;
- isolation, non-co-operation or exclusion from activities;
- victimisation by, for example, singling out an individual for particular treatment or criticism;
- intimidation by, for example, aggressive or threatening behaviour;
- insulting behaviour including non-verbal harassment such as staring or gestures;
- spreading malicious rumours;
- any other action or incident which the individual or group of individuals believes amounts to harassment or bullying.

This list gives a number of examples but there could be many others.

Bullying does not include appropriately conducted criticism of an employee's, student's or customer's behaviour/performance by line management or teaching/training staff.

## **Appendix B - Key Principles**

This policy acknowledges the importance of recognising that an individual may feel that they have been subject to harassment or bullying, even though harassment or bullying may not have been the intention of the person who has caused offence.

A student, client or employee will not be victimised or discriminated against as a result of bringing a complaint under this procedure. Action may be taken against the person making the complaint, however, if the complaint is viewed as groundless and not made in good faith.

All parties with a relationship with any Division of Newcastle College Group will be made aware of this policy (including governors, employees, students, clients, contractors and other external agencies) and where possible appropriate training provided.

Complaints may be acted upon even if they are not made in writing. A written record will, however, be made of the complaint by the person receiving it.

## **Appendix C – Further Guidance on the Informal Stage of the Procedure**

Most people suffering from harassment simply want it to stop. If possible, attempts should firstly be made to deal with the problem informally.

Complaints of harassment should therefore be dealt with informally wherever possible, unless the matter is sufficiently serious that a formal complaint is appropriate. An informal approach is likely to produce solutions which are speedy, effective and minimise breaches of confidentiality.

Individuals may approach and talk to whoever they feel most comfortable with. Bearing in mind the potential sensitivity of the issue, however, this should be done in strictest confidence.

If it is felt to be appropriate, a student/employee/client who believes that he or she has been the subject of harassment should be encouraged to speak privately to the alleged harasser explaining politely and unambiguously that the behaviour is unwelcome and asking for it to stop. He/she should make it clear what aspect of their behaviour is offensive and unacceptable and the effect it is having on them. This can be done verbally or, if necessary, in writing.

The person raising the complaint should be advised to keep a note of the details of any relevant incidents which cause distress, particularly if, having spoken to the person, the harassment does not stop. This should include dates, witnesses, the nature of the harassment and how the incidents cause changes to patterns of studying or behaviour.

Where this action does not result in the harassing behaviour stopping (or where a serious incident has arisen), the complainant should make a formal complaint using the procedure outlined in paragraph 3 of this policy.

## Appendix D – Monitoring the Procedure

Dear

### Private and confidential

You recently made a complaint of bullying and harassment which has now been investigated. We recognise that being bullied or harassed and making a complaint about it can be very challenging. We would welcome any comments or suggestions you may have which would help us make the process easier for others who seek help in the future.

To help us to do this would you please take a few moments to complete the following questionnaire and return it to me in the stamped addressed envelope provided. Your response will be treated in strictest confidence and will not be shared with others without your consent.

Name \_\_\_\_\_ Date of complaint \_\_\_\_\_

Manager Handling the Complaint \_\_\_\_\_

### ***Please delete as appropriate***

When you made your complaint was the procedure for investigating complaints explained to you? Yes/No\*

Did you receive any help or support after you made your complaint? Yes/No\*

Was your complaint investigated promptly? Yes/No\*

Do you think your complaint was  
handled sensitively? Yes/No\*

investigated thoroughly? Yes/No\*

investigated fairly? Yes/No\*

Are you satisfied with the outcome of the investigation? Yes/No\*

***\* If you answered 'No' to any of the above questions could you please let us know in what way you were dissatisfied and what improvements we could make***

Yours sincerely