



<b>Teitl:</b> <b>Title:</b>	Student Anti-Harassment, Bullying and Hate Crime Policy and Procedure
<b>Fersiwn:</b> <b>Version</b>	V1
<b>I bwy mae'r Polisi hwn yn berthnasol?</b> <b>Who does this Policy Relate to?</b>	Myfyrwyr / Staff / Myfyrwyr a Staff / Arall (rhowch fanylion) Students

#### Cydraddoldeb ac Amrywiaeth / Equality & Diversity

Dolen at Gam 1 Asesu Effaith (ar Gydraddoldeb a'r Gymraeg): / Impact Assessment Stage 1 (Equality & Welsh) link:	<a href="#">Equality Impact Assessment</a>
<i>Effaith ar yr Iaith Gymraeg</i>  <i>Mae asesiad effaith wedi'i gynnal ar y polisi hwn i ystyried ei effaith ar yr Iaith Gymraeg yn unol â Safonau'r Gymraeg (94-104) a Mesur yr Iaith Gymraeg (Cymru) 2011.</i>	<i>Welsh Language Impact</i>  An impact assessment has been carried out on this policy to consider its effect on the Welsh Language in accordance with the Welsh Language Standards (94-104) and the Welsh Language (Wales) Measure 2011.

#### Adolygu a Chymeradwyo / Review and Approval

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Anfonwch y ddogfen wedi ei chymeradwyo i'w chyfieithu gan ddefnyddio'r [Ffurflen Cais Cyfieithu](#)  
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Rhifwch bob adran a pharagraff  
Please number each section and paragraph

## Student Anti-Harassment, Bullying and Hate Crime Policy and Procedure

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# Student Anti-Harassment, Bullying and Hate Crime Policy

## 1. Introduction

- 1.1 Coleg Cambria is committed to providing a supportive, friendly, safe and positive environment that respects the dignity and rights of all learners and where individuals can realise their full potential and enjoy the best possible experience of college and work-based learning. The College does not tolerate any form of discrimination, harassment or bullying and expects all members of the College community to always treat each other with respect, courtesy and consideration. .
- 1.2 Coleg Cambria is proud to promote an inclusive environment for all learners regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation in accordance with the Equality Act 2010. As a college it is recognised that diversity of all forms should be celebrated. This is promoted to ensure all colleagues, learners and stakeholders feel proud to explore and share their own identity.
- 1.3 Whilst this Policy and associated procedure is separate from the [Student Disciplinary Policy](#), it may be used in substitution for appropriate stages of the [Student Disciplinary Policy](#) if the results of this investigation establish a case for disciplinary action.

## 2. Scope & Purpose

- 2.1 This policy and associated procedure applies to all learners and apprentices irrespective of the mode of study they are on or the length of their study period.
- 2.2 The behaviour listed in this policy can be perpetrated in person or online. Members of the College community are expected to adhere to this policy while using social media and any other form of online/electronic interaction.
- 2.3 The purpose of this policy and procedure are to:
  - Support and sustain a positive thriving working environment for all learners, free from any form of inappropriate or unacceptable behaviour.
  - Make clear that discrimination and harassment are unacceptable and that all members of the College community have a role to play in creating a thriving environment for everyone.
  - Provide a framework for respect and good conduct to prevent and eliminate all forms of bullying and harassment, including racial and sexual harassment and sexual misconduct.
  - To highlight the options available to learners who feel they are or have been subject to bullying, harassment, hate crime, racial discrimination, sexual misconduct, or any other inappropriate or unacceptable behaviour.
  - Provide a mechanism by which complaints can, wherever possible, be addressed in a timely way.

- Set out the responsibilities for managing and supporting learners when concerns are raised.

### 3. **Definitions**

#### **Harassment**

3.1 Harassment occurs when an individual is subjected to unwanted conduct which has the purpose (intentional) or effect (unintentional) of:

- Violating that person's dignity, or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

3.2 Harassment is unlawful when it is on the grounds of sex, race, gender reassignment, race, ethnic or national origin, sexual orientation, age, religion or belief, or for a reason relating to a person's disability. It is also unlawful to subject an individual to sexual harassment.

3.3 Harassment can take many forms. Examples of unacceptable behaviour include:

- Offensive songs, remarks, jokes, emails or gestures, extremism and radicalisation.
- Display of offensive posters, publications and graffiti.
- Unwanted physical contact or advances.
- Offensive remarks about a person's dress or appearance.
- Offensive remarks about a person's race, gender, marital status, disability, religion or belief, sexual orientation, gender identity or age.
- Shouting, abusive or intimidating language.
- Spreading malicious rumours, allegations or gossip.
- Excluding or ignoring someone.
- Intrusion by pestering, spying or stalking.
- Punching, kicking or any use of violence.
- Sexual gestures.
- Suggestive looks or leering.
- Suggestion of providing something in return for sexual favours.
- Grooming.

- Stalking.
- Indecent exposure.

## **Bullying**

- 3.4 Bullying, although not defined legally, is described as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Bullying is often aimed at certain groups because of race, religion, gender or sexual orientation.
- 3.5 Bullying generally occurs when a person or a group of people exert their power over another person or group of people. It can cause the victim serious physical and mental health problems and can ruin the individuals' chances of success both in college and in their future career.
- 3.6 Cyber-bullying is the sending or posting of harmful, cruel or offensive text or images by email, internet, social networking websites or other digital communication devices including any text or images including those taken using a camera, mobile phone and other such devices that could be classed as extreme, and in contravention of the College's commitment to supporting British Values.
- 3.7 Bullying and harassment can be very difficult to distinguish between. It is often not the actions the perpetrator takes that define whether they are bullying or harassing. Harassment is when someone is targeted because of one of their characteristics. If someone is being targeted with inappropriate emails because they are disabled, this would be classed as harassment. However, bullying relates more to a person in general rather than one of their characteristics. So, if someone has fallen out with their friend and they are sending nasty texts, this would be bullying. They are not being targeted due to a personal characteristic but rather because of friendship issues.
- 3.8 The actions taken in relation to bullying and harassment can be the same, so in both situations shouting and being abusive is an example of this type of behaviour. However, the reason why someone is being targeted provides the difference between the two. If someone is being shouted at and abused randomly because they aren't friends with someone, this is bullying. If they are being shouted at and abused because they are pregnant, this is harassment.
- 3.9 It is important however to recognise that no matter the definition both bullying, and harassment are unacceptable and should be reported to the College.

## **Hate Crime & Hate Incidences**

- 3.10 The term 'Hate Crime' is used to describe a range of criminal behaviour where a person is motivated by hostility or demonstrates hostility towards a person because of their disability, race, religion, sexual orientation or transgender identity. These aspects of a person's identity are known as 'protected characteristics'. A hate crime can include verbal abuse, intimidation, threats, harassment, assault and bullying, as well as damage to property. The perpetrator can also be a friend, carer or someone who knows the person

well but who exploits their relationship with the individual for financial gain or for some other criminal purpose.

### 3.11 Hate Crime in all its forms is unlawful.

This includes:

- Personal attacks of any kind, including violence.
- Written or verbal threats or insults, harassment and name calling.
- Damage to property, including graffiti.
- Threatening or abusive phone calls, text messages, emails, instant messages and messages sent in chat rooms.

3.12 The outcome for those who are prosecuted and found guilty of a hate crime is likely to result in them having a criminal record that could seriously damage their future career opportunities. The above list is intended to give a clear impression of the types of behaviour that the College considers to be unacceptable; however, it only contains examples and is not exhaustive.

3.13 The term 'Hate Incidents' refers to an incident that doesn't constitute a crime, however makes the victim feel as though they have been targeted due to their disability, race, religion, sexual orientation, or transgender identity. Repeated hate incidents could be considered harassment, which would then constitute a hate crime.

## **Sexual abuse and Sexual harassment**

3.14 Sexual abuse is any unwanted sexual act or activity. There are many different kinds of sexual abuse that exist on a continuum and can be psychological and/or physical. Sexual abuse can include but not restricted to rape, sexual assault, child sexual abuse, coercion and sexual harassment.

3.15 Sexual harassment is a specific form of harassment involving the use of explicit or implicit sexual overtones, including the unwelcome and inappropriate promises of rewards in exchange for sexual favours. Harassers may be of any sex or gender and behaviour may include:

- Inappropriate sexual comments or jokes.
- E-mails which have sexual references.
- Sexual drawing or pictures.
- Unwelcome sexual advances which can include touching or sexual assault.
- Sexual gestures.
- Suggestive looks or leering.
- Suggestion of providing something in return for sexual favours.

- Grooming.
- Stalking.
- Indecent exposure.

3.16 Sexual harassment can be a one-off event, it doesn't need to be part of a series of ongoing events. Sexual interaction that is welcomed or invited is not sexual harassment because it is wanted. However, the recipient is in control of determining if the interaction is wanted or not.

#### **4. Training**

4.1 To support the implementation of this policy, equal opportunities awareness training is provided to all staff. The College also provides specific training to managers required to conduct investigations as part of these procedures. Colleagues that are dealing with issues related to protected characteristics can get advice, guidance and support from the College's Equality and Diversity Coordinator.

4.2 Issues relating to bullying and equal opportunities are addressed specifically as part of the induction programme and on an ongoing basis through the curriculum offer and personal development sessions. These sessions provide the opportunity to make students aware of this policy and to reinforce that the College does not tolerate any form of abuse, bullying, discrimination or harassment and expects all members of the College community to always treat each other with respect, courtesy and consideration. The sessions also provide students with insights into the effects of bullying, in relation to issues such as homophobia; sexism; LGBTQ+, racism, Hate Crime, British Values etc.

#### **5. Welsh Language**

5.1 In line with the Welsh Language Standards these guidelines are available in both Welsh and English. All meetings, correspondence and support services that fall within this policy and associated procedures will be offered in Welsh.

#### **6. Monitoring**

6.1 Any reports of bullying and or harassment will be reported to the Safeguarding Group to determine whether any cross-College action needs to be taken. Data from monitoring and feedback will be reviewed annually and used to update the policy if necessary.

# Student Anti-Harassment, Bullying and Hate Crime Procedure

## 1. General Principles

- 1.1 Coleg Cambria is an inclusive environment for all and any incident of abuse, bullying, harassment or hate crime will not be tolerated. As part of enrolling at the College all learners agree to the College's commitment to a policy of zero tolerance of any incidents of abuse, bullying, harassment or hate crime and hate incidents. Learners who feel that they may be victims of abuse, bullying, harassment or a hate crime or hate incident should raise their concerns using this procedure.
- 1.2 It is important to recognise that behaviour considered harassment or bullying by one person may not be considered as such by another. Most people will agree on extreme cases of bullying and harassment, but it is the 'grey' areas that can cause most problems.
- 1.3 During and following the conclusion of any investigation, support will be provided to both parties, to re-establish relationships which are in line with those expected under the Student Disciplinary Policy.

## 2. Reporting bullying, harassment or sexual abuse

- 2.1 As a learner at the College you are able to report bullying, harassment or sexual abuse to the College. It can be about another learner or staff member of the College or someone external. The College will offer support services and/or external referral to you irrespective of who the report is about.
- 2.2 Reports can be made via a number of methods:
  - Online via the [Safeguarding Page](#) on the Student Hub. This is a secure and confidential method for informing the College about any bullying, harassment or sexual abuse that may have happened to you or that you have witnessed.
  - In person by speaking to your Progress Coach, tutor or any member of staff to whom you feel comfortable speaking with, including our Welfare Officers in Student Services.
  - By phone by contacting the safeguarding number found on the reverse of all college ID badges. (0300 30 30 009)
  - By emailing [safeguarding@cambria.ac.uk](mailto:safeguarding@cambria.ac.uk)
- 2.3 The College works closely with Stop Hate Crime UK and other supporting agencies. If you feel you have been a victim of Hate Crime or a Hate incident you can obtain support from our Welfare Officers in Student services, including assistance with reporting a Hate Crime. You can also get support following experiencing a Hate Crime or Hate incident from the College's Equality and Diversity Coordinator.



- 2.4 Our Welfare Officers will refer cases of suspected abuse, allegations of abuse or incidents of harm to the relevant external agencies. Please refer to our [Safeguarding Policy](#) for more detailed information.
- 2.5 In cases of an alleged assault or alleged behaviour that may be considered to be a criminal offence, you can report this directly to the Police as well as to the College.
- 2.6 If you are under 18 years old or an adult at risk, the College will normally notify your parents/carer of what has happened and what action is to be taken.
- 2.7 If you are a school link pupil a College member of staff will also inform your school of the report made to make sure that appropriate support is being provided by your school.
- 2.8 Confidential counselling sessions are available through Student Services if you would like additional support to help you through the incident.

### **3. Informal Resolution**

- 3.1 Where possible we will seek to resolve the situation quickly and with minimal disruption. This may include meeting with the alleged perpetrator (if a member of the College community) to discuss the allegation to explain the specific behaviours which are causing concern and agree a plan of action to resolve matters. Alternatively, a member of staff might, with agreement from both parties, facilitate a meeting between you and the alleged perpetrator (if a member of the College community) to discuss the situation and reach a joint agreement on the way forward.
- 3.2 The action outlined above will be appropriate in many cases and will often be sufficient to resolve the matter. Where it is possible to resolve the matter by informal means, every effort should be made to do so and as swiftly as possible.

### **4. Formal Investigation**

- 4.1 If the matter reported is deemed sufficiently serious to justify formal investigation, this will be carried out promptly using the appropriate College Policy.
- 4.2 For matters relating to the alleged conduct of a collage learner the investigation will be carried out in accordance with the [Student Disciplinary Policy](#).
- 4.3 For matters relating to the alleged conduct of a member of staff the investigation will be carried out in accordance with the [Staff Disciplinary Procedure](#).
- 4.4 An independent college manager will be appointed to carry out the investigation. They will meet with you, the alleged perpetrator and any witnesses as part of their investigation.

## **Suspension during an Investigation**

- 4.5 In exceptional circumstances, in order to relieve the stress and pressure on one or both parties, to prevent the risk of further incidents, it may be necessary to suspend the alleged perpetrator pending the outcome of an investigation. Should it be necessary to hold a Disciplinary Hearing, suspension may continue until the Disciplinary Hearing is concluded. The terms of any suspension will be in accordance with the relevant Disciplinary Policy applied.
- 4.6 Temporary changes to timetables/groups for one or both parties may also be put in place for one or both parties to minimise or eliminate contact whilst the investigation is taking place.

## **Police Investigations and Judicial Proceedings**

- 4.7 Where criminal proceedings are pending against an alleged perpetrator, the College will determine whether a disciplinary investigation is appropriate, in line with the College's policies and procedures. Where it is deemed appropriate, the appropriate disciplinary procedure will be carried out objectively and will not normally be delayed or deferred because of any such proceedings, unless advised to do so by the Police or other regulatory body.

## **Outcome of the Investigation**

- 4.8 Having investigated the facts, the Investigating Manager will let you know the outcome of the findings and conclusions reached including next steps. Any other parties involved in the complaint, will also be appropriately informed. If it is concluded that the matters raised should be considered at a formal Disciplinary Hearing this will be conducted in accordance with the relevant Disciplinary Policy. Due to the confidentiality of such hearings you will not be notified of the outcome.

END

## **Appendix One - Graduated Approach to Peer on Peer Abuse**

[Link to Internal Training Slides \(March 2024\)](#)