

# Sexual Misconduct, Anti-Bullying and Harassment Policy

## **Document Summary**

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## **1: Introduction**

1.1 The City College is committed to providing a caring, friendly, and safe environment that is free from bullying and harassment, ensuring all students, staff and governors are treated and treat others with respect, consideration, courtesy, and dignity at all times.

1.2 The College recognises its legal duty to provide a safe environment for all College members. Bullying, harassment, and sexual misconduct are unlawful and will not be tolerated by the College.

1.3 Staff and students are responsible for ensuring the health and welfare of themselves and others by following the College's policies and procedures, including the Anti-bullying, Harassment and Sexual Misconduct Policy.

1.4 All reports about bullying, harassment and/ or sexual misconduct will be taken seriously, treated sensitively and in complete confidence.

## **2: Scope**

2.1 This policy covers any bullying, harassment or sexual misconduct that takes place at The City College or any place that a member of the College (student, staff, or governors) is in attendance in connection with their studies, teaching, employment, or governance activities. It covers bullying, harassment or sexual misconduct by students, staff, governors, and third parties within the College's reasonable control, such as suppliers or visitors to the College's premises.

## **3: What is bullying?**

3.1 Bullying is offensive, intimidating, malicious and/ or insulting behaviour involving abuse or misuse of power, which can make a person feel vulnerable, upset, undermined, intimidated, humiliated, denigrated and/ or threatened. Power does not always mean being in a position of authority. It can include both personal strength and the power to coerce through fear or intimidation.

3.2 Bullying can take the form of physical, verbal, and non-verbal conduct.

3.3 Examples of bullying include, but are not limited to:

- Physical or psychological threats or intimidation.
- Persistent or unwelcome contact.
- Overbearing and intimidating levels of supervision.
- Derogatory remarks about someone's academic or professional performance.

- Making threats about job stability or academic failure without foundation.
- Obstructing someone's progression by intentionally blocking promotion or training opportunities or threatening low grades.
- Spreading malicious rumours or insulting someone verbally or by behaviour.
- Unwelcome sexual advancements – touching, standing too close, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected.
- Exclusion or victimisation (e.g., treating someone less favourably because they submit or reject sexual harassment or harassment related to gender reassignment).
- Outing or threatening to out a person based on sexuality and/or gender.
- Ridiculing or demeaning someone, or deliberately setting someone up to fail, such as setting arbitrary or unreasonable workloads or deadlines.

#### **4: What is harassment?**

4.1 Harassment is any unwanted conduct related to a “protected characteristic” (see section 4.2) that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. This conduct can be verbal or nonverbal, physical, or sexual. It may be a persistent or an isolated incident.

4.2 The Equality Act 2010 makes it specifically unlawful when unwanted conduct is related to any of the “protected characteristics” as outlined in the law, which has the same purpose or effect as detailed in section 4.1. The “protected characteristics” are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership status
- Pregnancy and maternity
- Race (including colour, nationality, ethnic and / or national origin)
- Religion or belief
- Sex
- Sexual orientation.

4.3 Harassment also includes victimisation, which is when someone is treated unfairly because they have made a complaint against discrimination that they suffered, or a complaint made on behalf of someone else. Individuals found to provide false evidence or make false allegations in bad faith will not be protected from victimisation under the Act.

#### 4.4 Examples of harassment include, but are not limited to

- Unwanted physical conduct or so-called “horseplay”, including touching, pinching, pushing, and grabbing.
- Threatening behaviour.
- Mocking, mimicking, or belittling a person.
- Ignoring or unreasonably keeping a person out of meetings or events.

### 5. What is Sexual Misconduct?

5.1 Sexual Misconduct is misconduct, or unwanted conduct, of a sexual nature. This can be in person, but also through social media, telephone, text, email, or letter. Such unwelcome sexual misconduct can create an environment that is intimidating or humiliating and can be verbal, non-verbal, or physical. This includes the use of a position of power to use coercion for inappropriate sexual behaviour, inappropriate language, or predatory behaviour. Anyone can be a victim of sexual misconduct, regardless of either their gender, or the gender of the person harassing them.

#### 5.2 Examples of sexual misconduct include, but are not limited to:

- Attempting to engage in a sexual act with an individual without their consent or permission.
- Unwelcome physical contact or inappropriate touching, stroking, patting, pinching, hugging, kissing.
- Using threats, or rewards, in order to solicit sexual favours.
- Making inappropriate comments, or asking intimate questions concerning a colleague/student’s appearance, private life.
- Making inappropriate sexual jokes, comments, making sexually suggestive gestures, or telling sexually explicit stories. Also, whistling, leering, or making unwanted sexual remarks.
- Sending sexually explicit messages or sexually explicit material by email, texts, or letters/memos.

- Recording, or sharing, intimate images of another person, without their consent.
- Continued attempts to engage in sexual/social activity with an individual, when it has been made clear this attention is unwelcome. Following, or attempting to be alone with, an individual, with no reason to do so.
- Inappropriate behaviour, such as showing sexual organs to another person.
- Coercive or controlling behaviour, including threatening behaviour or emotional abuse.

Even if sexual misconduct is not aimed at an individual, it can affect them if the behaviour of an individual creates an environment that is uncomfortable, threatening, embarrassing, or intimidating.

## **6: Repercussions from persistent bullying, sexual misconduct and/or harassment on an individual**

6.1 Persistent bullying, sexual misconduct, and/or harassment may have very serious consequences and can lead to:

- Low self-esteem
- Excessive shyness
- Eating disorders
- Poor academic achievement
- Isolation
- Threatened or attempted suicide
- Constant high levels of stress and anxiety
- Frequent illness such as viral infections
- Aches and pains in the joints and muscles
- Headaches and migraines
- Tiredness, exhaustion, constant fatigue
- Sleeplessness, nightmares, waking early
- Flashbacks and replays, obsessiveness
- Irritable bowel syndrome
- Skin problems such as eczema, psoriasis, athlete's foot, ulcers, shingles, urticarial
- Poor concentration, can't concentrate on anything for long
- Bad or intermittently functioning memory, forgetfulness, especially with trivial day to day things
- Sweating, trembling, shaking, palpitations, panic attacks
- Tearfulness, bursting into tears regularly and over trivial things
- Uncharacteristic irritability and angry outbursts
- Being constantly on edge
- Hypersensitivity, fragility, isolation, withdrawal, Reactive depression.