

Policy Document ●●●

Prevention of Harassment & Bullying

Introduction

Reed Business School is committed to providing a positive work and study experience for all our employees and students which includes a zero-tolerance approach to harassment and bullying. We are further committed to providing a safe environment for all our students/learners and staff free from discrimination on any ground and from harassment and bullying at work.

This Policy sets out Reed Business School's expectations of behaviour by our employees, and students and provides approaches for dealing with complaints of harassment and bullying. It intends to protect students and learners and employees from inappropriate behaviour which may include, but is not limited to, violence, grooming, misconduct, and harassment.

This policy reflects the changes in national guidance as a consequence of the publication of Keeping Children Safe in Education, which was revised September 2022.

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Definitions and Scope

Harassment is defined and described as: A person (A) harasses another person (B). If person A engages in unwanted conduct related to a relevant protected characteristic, and the conduct has the purpose or effect of either violating person B's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for B then this could be harassment.

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. Sexual harassment is unlawful under the Equality Act 2010 ('the Act'). It is also unlawful to treat someone less favourably because they have either submitted a complaint of sexual harassment or have rejected such behaviour. Under the Act sexual harassment is defined as occurring when a person engages in unwanted conduct of a sexual nature that has the purpose or effect of:

- violating someone's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for them

Harassment may be physical, verbal, and non-verbal. Sexual harassment includes a wide range of behaviours including but not limited to:

- Verbal abuse
- Insulting behaviour or personal insults.
- Behaviour which incites racial hatred, e.g., wearing racist insignia or badges.
- Offensive written or computer-generated material, including the use of social media or email.
- Sending sexually explicit emails or text messages including sexual posts, pictures or contact on social media.
- Unreasonable, unfair, or offensive behaviour relating to an individual's disabilities or mischievous interference with personal aids or equipment.
- Sexual comments or jokes, racist jokes, or jokes about an individual's sexual orientation, gender identity, age, disability, religion, or belief.
- Displaying or circulation of sexually suggestive or racially abusive material including sending sexually explicit emails or text messages.
- Suggestive looks, staring or leering or offensive gestures.
- Unwanted physical contact ranging from propositions, touching and sexual advances leading to serious assault.
- Making promises in return for sexual favours.
- The use of threats or rewards to gain sexual favour.
- Intrusive questions about a person's private or sex life and discussing your own sex life.
- Wolf-whistling
- Spreading sexual rumours about a person.
- Unwelcome physical contact like touching, pinching, stroking, hugging, massaging, or kissing.
- Pestering, stalking, grooming, indecent exposure, sending offensive communications or sexual assault which could be categorised as criminal behaviour.
- Ridicule, isolation or exclusion from everyday social interaction or activities.
- Predatory behaviour
- Coercion
- Peer on Peer abuse

Harassment and sexual harassment can happen in a professional (workplace or education) or social situation and involves making unwanted sexual advances or obscene remarks. Sexual abuse is being persuaded or forced into undesired sexual activity. It is important to note that this can happen to both males and females; sexual abuse and harassment works both ways. It is important to recognise that abuse is not always perpetrated by adults; children can abuse other children and it can happen both inside and outside of educational settings and online. This is referred to as 'peer on peer abuse'.

- All staff should be able to recognise the indicators and signs of peer-on-peer abuse and know how to identify it and respond to reports in line with their Safeguarding policy. Even if there are no reports of peer-on-peer abuse, Reed Business School recognises that this does not mean it is not happening, it may be the case that it is just not being identified or reported.
- Sexual interaction that is invited, mutual and consensual is not sexual harassment because it is wanted. An individual can experience sexual harassment from someone of the same or different sex and the recipient of the behaviour decides whether it is unwanted.
- Sexual harassment can be a one-off event and does not need to be directed at a person. It can be witnessed or overhead. Sexual conduct that has previously been welcomed, can become unwanted.
- We recognise that sexual harassment can be a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and staff member or trainer and learner.
- All sexual harassment is prohibited whether it takes place within our training environment or outside, including at social events or training sessions.
- For the purposes of this Policy, 'employees' are defined as any individual either employed or engaged by Reed Business School on a paid or unpaid basis to conduct work for or on behalf of Reed Business School under any type of employment/associate contract.
- A student/learner is any individual registered to study on any programme of study at Reed Business School. Students and learners may also be studying away from Reed Business School premises as part of their course or apprenticeship.
- People working on a voluntary basis at Reed Business School and those working as contractors are also bound by the terms of this Policy as is any person engaged with, or representing, Reed Business School.
- Victimisation of any individual making a complaint under this Policy will not be tolerated and will be dealt with following procedures set in place by Reed Business School.
- Sexual harassment constitutes serious misconduct and could result in dismissal (for employees) or expulsion (for students and learners).

Bullying

Bullying is unwanted behaviour which is intimidating, offensive or insulting. Anyone can be bullied, but it usually involves individuals or groups with more power, bullying someone with less. The person who is being bullied can feel humiliated, threatened, or upset and it can become a pattern of behaviour.

- Bullying, including cyberbullying, prejudice-based and discriminatory bullying.
- Abuse in intimate personal relationships between peers.
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; this may include an online element which facilitates, threatens and/or encourages physical abuse.
- Sexual violence, such as rape, assault by penetration and sexual assault; this may include an online element which facilitates, threatens and/or encourages sexual violence.
- Sexual harassment, such as sexual comments, remarks, jokes, and online sexual harassment, which may be standalone or part of a broader pattern of abuse.
- Consensual and non-consensual sharing of nude and semi-nude images and or videos (also known as sexting or youth produced sexual imagery).
- 'Up skirting' which involves taking a picture under someone's clothing without them knowing; this is usually with the intention of viewing their genitals or buttocks for sexual gratification, or cause the victim humiliation, distress, or alarm. Up skirting is a criminal offence and anyone of any gender, can be a victim.
- Initiation or hazing type violence and rituals.

Cyberflashing refers to the act of sending non-consensual intimate images (NCII) to another person. This type of harassment can occur via services such as Airdrop as well as within the realm of social media or dating apps. Cyberflashing is a form of sexual exploitation that causes victims to feel distressed, violated, and vulnerable in digital spaces.

Cyberflashing' is now a new criminal offence under the new Online Safety Act with perpetrators facing up to two years in prison under new laws to be introduced by the Government.

The practice typically involves offenders sending an unsolicited sexual image to people via social media or dating apps but can also be over data sharing services such as Bluetooth and Airdrop. The change to the law means that anyone who sends a photo or film of a person's genitals, for the purpose of their own sexual gratification or to cause the victim humiliation, alarm or distress may face up to two years in prison.

Expected Behaviour of Employees

Reed Business School believes that the professional relationship of trust and confidence that exists between students and learners and Reed Business School representatives is a central and essential part of a student/learner educational development and pastoral care. Those who work for, or represent, Reed Business School must not abuse their position in any way.

Given the inherent imbalance of power between employees and Reed representatives, students, and learners, Reed Business School strongly discourages intimate relationships between its employees and Reed representatives and its students and learners where there is a potential conflict of interest or abuse of power. Such relationships could compromise the trust and confidence that underpins the learning experience and may negatively impact on the student and learner educational development and pastoral care and may in some circumstances constitute an abuse of power.

The Reed Business School recognises that, on occasion, a consensual relationship may develop between a student and learner and an employee and Reed representative. In such cases the employee and Reed representative must report the relationship to their line manager and Operations Manager as soon as possible and must follow the guidance in My HR on Reed Intranet.

Reed Business School recognises that, on occasion, a consensual relationship may also develop between two employees and Reed representatives. In such cases both employees must inform their line manager as soon as possible and follow the guidance in My HR on Reed Intranet.

The Sexual Offences Act 2003 (Sections 16 to 21) prohibits sexual contact between a person and another person aged under 18 where such a relationship would be an abuse of a position of trust between the parties. This includes situations where the young person is attending an educational institution.

Sanctions

Action must be taken where necessary to ensure all students and learners and staff can enjoy life at Reed Business School without experiencing any such behaviour from others.

Any harassment or bullying from one student to another will not be tolerated by Reed Business School, and those who commit or threaten acts of harassment should be stopped (i.e., their behaviour challenged) and disciplined as appropriate for their actions.

Discipline

Disciplinary procedures may be invoked if it is alleged that a student or learner has committed misconduct.

Where students and learners conduct are being investigated, they may be suspended as a precautionary measure if it is considered that it is necessary to protect them, the integrity of the investigation and or other students and learners from harm.

Actions are a precautionary measure only. It is not a penalty or sanction and does not indicate that Reed Business School has concluded that the accused student has committed a breach of discipline or a criminal offence. Any precautionary actions taken will be reviewed on a regular basis.

Where precautionary actions are taken, the student has the right of appeal against these or to request that they be reviewed when new evidence is available.

Multiple or repeated incidents of misconduct may be more serious than a single act of misconduct and previous findings will be considered when determining what sanction should be imposed.

Reed Business School reserve the right to notify the employer of any misbehaviour.

Conviction for a criminal offence.

Students and learners should always declare when they receive a conviction. Where a student has been convicted of a criminal offence during their studies at Reed Business School, consideration will be given as to whether this affects their status as a student. In coming to this decision, Reed Business School will consider particularly the nature of the offence and whether other students/learners or staff are at risk. It will also consider whether the actions of the student have brought the institution into disrepute. This will apply to convictions for offences that happened on the premises of Reed Business School but also those committed off the property or online.

How to raise an issue or make a complaint.

Students and learners who wish to make a complaint about the behaviour of students, learners or staff should follow the complaints procedure that you can find on the website: [Complaints Procedure - Reed Business School](#)

Students and learners who have been the victims of any form of violence, abuse, bullying, or harassment, including sexual violence, sexual assault, threats of violence or harassment based on race, religion, or other protected characteristics such as gender identity or sexuality, can seek the help from our Safeguarding Team. They will offer appropriate support and help report any issues as appropriate. Students/learners should also make a complaint if appropriate and guidance on how to deal with these issues is set out in our Safeguarding Policy. You can contact the Safeguarding team on: safeguarding.reed@reedbusinessschool.co.uk

Any complaint or safeguarding concern will be dealt with within five working days from the date of submission.

Support for Employees and Students

For Reed employees they should:

- Contact your line manager.
- The Reed Co-Member Assistance Programme, operated by Spectrum Life offers all Reed employees access to an independent and completely confidential advice line and confidential counselling service. The Co-Member Assistance Programme is also available to be used by immediate family members. Immediate family members are defined as spouse/partners, registered civil partners and children aged 16- 24, in full time education, living in the same household. Spectrum Life provides help and support for employees via a free, confidential, 24-hour advice line where you can:
 - Seek help on any problem, at work or at home
 - Call the advice line as often as you need
 - Speak immediately to a trained advisor who may refer you to a range of appropriate resources, which can include face-to-face counselling if this is something you wish to accept.

The free Spectrum Life advice line number is: 0800 316 9337.

For students they should:

- Contact and inform your line or training manager.
- Access any internal support available through your workplace.
- Talk to a member of Reed Business School staff who are happy to provide guidance and support.

Implementation of this policy

Reed Business School will ensure that this policy is widely disseminated.

It will be included in student/learners Induction handbooks and on our website.

We also inform employers and HR department and Managers about this policy.

All learners and apprentices and employees and Reed representatives will be trained on the implementation of this policy as part of their induction process.

We will ensure frequent updating of students and learners and employees and Reed representatives on the implementation of this policy.

Reed Business School recognises the importance of monitoring this harassment and bullying policy and will ensure that it anonymously collects statistics and data as to how it is used and whether it is effective. Data will include reports of low level concerns.

The Reed Business School Governance Advisory Board will receive regular reports on the effectiveness of this policy, including the number of incidents, how they were dealt with, and any recommendations made.

As a result of this report, Reed Business School will evaluate the effectiveness of this policy and make any changes needed.

Related Policies

This Policy should be read in conjunction with the following policies:

- Safeguarding Policy
- Bullying & Harassment Policy (Reed Co Members)
- Code of Conduct
- IT Security and Acceptable Use

Annex 1 Sexual consent

Sexual consent can sometimes be misunderstood and several myths surrounding sexual consent are commonplace in society.

This is an important issue, and we want to encourage our students to think about and discuss sexual consent.

What sexual consent is

Sexual consent means a person willingly agrees to have sex or engage in a sexual activity – and they are free and able to make their own decision. Making sure you get and give consent before having any kind of sex with another person (or people) really matters. Sex without consent is rape or sexual assault.

What the law says

The law says:

- A person consents if they agree by choice and have the freedom and capacity to make that choice.
- A person commits rape if they intentionally penetrate the vagina, anus, or mouth of another person with their penis without consent.
- A person commits sexual assault if they intentionally touch another person, the touching is sexual, and the person does not consent.
- The law recognises that a person might not have sufficient capacity because of their age or because of a mental disorder. The amount someone has had to drink or the drugs they have can also affect their ability to consent.

The age of consent

The age of consent to any form of sexual activity is 16 for both men and women. There are specific laws in place to protect children under the age of 13 who cannot legally give their consent to any sexual activity. A person under the age of 18 cannot consent to sex if it is with a person who has a duty of care or is in a position of authority or trust, such as a teacher, doctor, or lecturer. If you repeatedly ask for consent and are refused, this can count as sexual harassment.

Terms & Conditions
www.reedbusinessschool.co.uk/terms-and-conditions

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