**Equality Impact Assessment**

1. **Document Responsibility** | Richard Atkinson
2. **Date of Impact Assessment** | 12 January 2015
3. **Date of CLT Approval** | 19 January 2015 (CLT)
   To be approved 23 January 2015 (JCNC)
4. **Date of Governors Approval** | Not Applicable
5. **Date of Future Review** | 24 Months
6. **Purpose of Policy or Document (What does this cover?)**
   This policy outlines the vision that the College has, to create a community that is tolerant, inclusive and free from bullying and harassment, in all its forms.

How could this Policy / Document impact on the Protected Characteristics listed?

<table>
<thead>
<tr>
<th></th>
<th>No Disproportionate Impact</th>
<th>Positive Impact</th>
<th>Negative Impact</th>
<th>Evidence (From consultation, sources of advice, guidance and feedback)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>✓</td>
<td></td>
<td></td>
<td>In line with current legislation in the Equality Act 2010 and other policies (See policy content)</td>
</tr>
<tr>
<td>Disability</td>
<td>✓</td>
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</tr>
<tr>
<td>Gender</td>
<td>✓</td>
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<td>Pregnancy/Maternity</td>
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<td>✓</td>
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<td>✓</td>
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Accessible to all

If you have ticked the Negative Impact box of any of the above please complete details of the Actions necessary below.

<table>
<thead>
<tr>
<th>Actions required</th>
<th>Date</th>
<th>Comments Received</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equality Impact Assessment carried out by</td>
<td></td>
<td>Pat Congerton</td>
<td></td>
</tr>
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<td></td>
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<td>Alison Stephenson</td>
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<td>BIG Forum</td>
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</tr>
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</table>
### EQUALITY MONITORING/REVIEW

<table>
<thead>
<tr>
<th>1. Name of Policy or Document</th>
<th>Staff Bullying and Harassment Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Document Responsibility</td>
<td></td>
</tr>
<tr>
<td>3. Date Created / Modified</td>
<td></td>
</tr>
<tr>
<td>4. Purpose of Policy or Document</td>
<td></td>
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<tr>
<td>5. Complaint/Issues arising</td>
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<tr>
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Equality Monitoring/Review carried out by:
( Please list staff members involved in process)

Date of Equality Monitoring/Review:
Staff Bullying & Harassment Policy

Scope

**Bullying and harassment in any form will not be tolerated**

This policy is applicable to all staff at Middlesbrough College.

This policy is to outline the vision that the College has, to create a College community that is tolerant, inclusive and free from bullying and harassment, in all its forms.

The College will treat all incidents and reported incidents of bullying extremely seriously and has a procedure that is transparent and reviewed and monitored regularly.

This policy is in conjunction with other policy documents including:

- Data Protection Policy.
- Staff IT Acceptable User Policy.
- Staff Computer Acceptable Use Policy.
- Safeguarding Students Policy and Procedures.
- Health, Safety and Welfare Policy.
- Mental Health Policy.
- Equality Statement & Policy.
- Disabilities Statement.
- College Mission Statement & Strategic Priorities.
- Code of Conduct.

Policy Content

Middlesbrough College is committed to ensuring that everyone is equally valued and treats one another with respect as part of the College community.

The College will inform staff members that all types of bullying and harassment are unacceptable and zero tolerance is in place.

All staff have a responsibility to ensure staff feel safe and that all incidents of bullying and harassment are dealt with appropriately - both to address the behaviour of the alleged perpetrator and to provide support for the victim.
All complaints about harassment and bullying will be taken seriously and will be dealt with quickly and with respect for the people involved.

The College recognises that staff may need training in order to address behaviour that arises.

All staff attend mandatory training on Equality & Diversity and bespoke training is also delivered for staff appropriate to their roles e.g. Bullying Intervention Workshops.

**Definitions of Bullying & Harassment in the workplace**

**Bullying**

The following definition of bullying has been developed in consultation with students and staff who are members of the cross College Bullying Prevention Group. This refers to any incident of bullying.

> “Bullying can be defined as any behaviour which intentionally causes another person or group to feel uncomfortable, threatened or unsafe. This can be verbal, emotional, physical or remote behaviour and is often repeated over time”

> “Bullying is characterised as aggressive, intimidating, malicious or insulting behaviour or abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient”
Examples of bullying and harassment could include:

| Physical abuse                          | Unwelcome sexual advances or comments.                   |
|                                        | Invading someone's personal space.                      |
| Verbal abuse                            | Personal insults and name-calling.                      |
|                                        | Deliberately insulting someone.                        |
|                                        | Ridiculing or demeaning someone.                       |
| Emotional abuse                         | Persistent unjust criticism and public humiliation.     |
|                                        | Making threats or comments about job security without foundation. |
|                                        | Victimisation.                                          |
|                                        | Overbearing supervision.                                |
|                                        | Deliberately undermining someone's capability.         |
|                                        | Setting objectives with impossible deadlines.           |
|                                        | Preventing individuals progressing by intentionally blocking promotion or training opportunities. |
| Indirect / remote bullying- to include all forms of cyber bullying via phone, text, email, social media or any other electronic medium | Copy information about others and pass it on to people who do not have authorisation to see it. |
| Spreading of harmful rumours / defamatory comments | Spreading malicious rumours.                           |
| Public humiliation                      | Displays of rage at a colleague in public            |
|                                        | Displaying offensive materials and/or in private.     |
| Isolation or exclusion                  | Ignoring or excluding an individual, or talking only to a third party to isolate another. |
|                                        | Inciting others to ignore or ridicule another individual. |
Bullying can take other forms.

For example, what may emerge as a concern initially categorised as "harassment", "intimidation" or "aggressive management" may, upon investigation, be considered as a case of bullying.

**Harassment** may include any of the above examples of behaviour and in particular a situation in which a person engages in unwanted conduct which has the purpose or effect of violating the other person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Harassment can be 'one off' incidents or continuous behaviour.

Bullying and harassment may include behaviour on the grounds of any protected characteristic as identified in the Equality Act 2010 including:

- Age.
- Disability.
- Gender Reassignment.
- Marriage & Civil Partnership.
- Pregnancy & Maternity.
- Race.
- Religion & Belief.
- Sex.
- Sexual Orientation.

Any form of bullying and harassment is not acceptable.

**Statutory Duties**

The Equality Act 2010 requires the public sector to take into account the needs of all protected groups (except marital and civil partnership status).

The Act strengthens and simplifies existing equality legislation and brings together existing duties the College has, not to discriminate on grounds of race, disability and gender.

It extends these to include duties not to discriminate on the grounds of age, sexual orientation, religion or belief, and gender re-assignment.

The Equality Act 2010 outlines Middlesbrough College’s Public Sector Duty to have due regard to:

- Eliminate discrimination, harassment and victimisation.
- Advance equality of opportunity.
- Foster good relations.

These notions have been incorporated into this policy.

Please note any complaint or allegation will be considered seriously and confidentially.
The Roles of Staff

**All staff** have a responsibility to ensure everyone feels safe and that all incidents of bullying and harassment are dealt with appropriately. The following members of staff should be informed of any report of any person being harassed or bullied:

- BIG Anti-Bullying Champion.
- Immediate Line Manager.
- Human Resources Business Partner.
- Director of Human Resources.
- Assistant Principal - Human Resources.

These staff will take the appropriate course of action and can also be used as a source of advice or guidance or to provide support to a complainant or alleged perpetrator.

It should be noted that a person who is being subjected to bullying may suffer from physical and/or emotional symptoms e.g. disturbed sleep, feeling sick, sweating, shaking, depression and loss of confidence and motivation. Additionally, they can suffer in other ways e.g. loss of training and development opportunities and missed promotion opportunities.
Procedure

The attached Complaint Recording (Appendix 1) is the reporting procedure for all formal incidents of bullying or harassment as stated in the Grievance Policy.

Any complaint or allegation will be considered seriously and confidentially.

Complaints of harassment or bullying could come from the following sources:

- Informal complaints.
- Third party or ‘witness’ complaints.
- Formal complaints.
- Online bullying of college staff.

1. Informal complaints

Quick and appropriate action can often lead to a problem being solved informally between those involved in a situation where someone perceives that they have been harassed or bullied. All those involved should make every effort to resolve a situation quickly and informally wherever possible.

Sometimes it is not appropriate to take an informal approach. However, it should always be considered before formal action is taken. If a person feels harassed or bullied they do not need to take action alone, in this instance mediation maybe a chosen route.

Mediation - this is a voluntary informal process whereby two parties work with a neutral third party. The Mediator encourages the two parties to work together to reach a resolution of a workplace dispute, through mutual agreement. The Mediator encourages the parties to work together in a safe environment where both parties respect confidentiality. Mediation gives the parties a chance to discuss, express their concerns and generate some practical ideas about how to improve the situation.

Under the informal stage of this procedure they can report to and may seek support from (not an exhaustive list) one of the following:

- BIG Anti-Bullying Champion.
- Immediate Line Manager.
- Human Resources Business Partner.
- Director of Human Resources.

Staff should respond positively to a request from a complainant to meet or speak about the complaint and seek an amicable and mutually acceptable solution via mediation where appropriate.
Further action may be taken depending on the incident/s reported. Support may be required or staff may be signposted to other services if appropriate. The Disciplinary Procedure may be initiated on the basis of evidence gathered.

Any complaint should be taken seriously and every effort made to resolve it. Staff should not automatically feel that the complaint is their fault or that there is nothing they can do about it. They can receive help and support from the same people listed earlier in this section.

This informal stage may solve the problem. If it does not, the complainant may progress to the formal stage of the procedure.

2. **Third party or ‘Witness’ complaints:**

If a person witnesses behaviour that they perceive to be inappropriate, they should consult with one of the following:

- BIG Anti-Bullying Champion.
- Immediate Line Manager.
- Human Resources Business Partner.
- Director of Human Resources.
- Assistant Principal - Human Resources.

If following this consultation the “witness” concludes the behaviour should be investigated further, the informal or formal stages of this procedure should be followed. In this case, the staff mentioned, can act on behalf of the victim or on behalf of the College.

3. **Formal Complaints**

If an informal approach has not been possible, or is seen as inappropriate, the person should make a formal complaint to the Assistant Principal - Human Resources, using the Formal Complaints’ Recording Form, attached (Appendix 1).

They may wish to have support in writing this complaint from, for example:

- BIG Anti-Bullying Champion.
- Trade Union Representative.
- Immediate Line Manager.
- Human Resources Business Partner.
- Director of Human Resources.
On receipt of this complaint the Assistant Principal - Human Resources, will ask an appropriate Line Manager / Senior Manager to investigate and respond within the timescales detailed in the Grievance Procedure. If a formal complaint is received this could result in the Employee Disciplinary Procedure.

4. **Online Bullying of College Staff**

Complaints of defamatory or derogatory behaviour, comments or material displayed by other staff or non-employees using social media and email will be treated with the same formality and will be immediately investigated by the College’s IT Department.

It is essential where possible to save and preserve any evidence (picture clips, texts, emails or offensive material) which may be of support following a complaint of bullying or harassment online. Take screen shots as once it has been deleted it is very difficult to prove what has been witnessed.

All cases should be reported to the Director of Human Resources in the first instance.

5. **Allegations of a Serious Nature**

If the allegation is sufficiently serious to warrant investigation by the Police, the Assistant Principal - Human Resources will contact the Police and advise the Principal / Chief Executive.

**Monitoring and Evaluation**

This policy will be reviewed every twenty-four months by cross College staff members of the College’s Bullying Prevention Group.

Incidents reported under this policy will be monitored by the Assistant Principal - Human Resources and reported annually to the College Leadership Team and Governing Body as part of the review process.

Reflecting on effectiveness and strategy of bullying intervention in order to promote and improve best practice.

**Staff Consultation and Feedback**

Staff are consulted at regular intervals to survey the effectiveness of bullying prevention and intervention and to assess the impact and effectiveness of the strategies in place.

Methods of consultation are:

- Annual Staff Survey for all staff.
- Staff Council.
- Staff Bullying Prevention Focus Group held on a half-termly basis.
Prevention of Bullying

Middlesbrough College is dedicated to promoting and reinforcing a zero tolerance policy towards all forms of bullying and harassment and this is reflected in the College’s ‘Respect’ Campaign which promotes tolerance, respect, equality and diversity for all.

Middlesbrough College fosters an inclusive community and a culture of respect which is reinforced by the:

- Equality Statement and Policy.
- Staff Bullying Prevention Focus Group.
- Celebration of Equality & Diversity Events

Communicating our Commitment to a zero tolerance policy on Bullying and Harassment

To staff through:

- Induction Process.
- Staff Handbook.
- Staff Training.
- Equality and Diversity Committee.
- Staff Portal.
- Staff Council.
- Bullying Prevention Focus Group.
- Externally verified awards and quality marks such as the BIG Award and the North East Equality Gold Award.
Resources

**Bullying UK**  
www.bullying.co.uk

**Anti-Bullying Alliance**  
www.anti-bullyingalliance.org.uk

**Bullying Intervention Group (BIG)**  
www.bullyinginterventiongroup.co.uk

**The Samaritans:** (confidential, non-judgemental support 24 hours a day)  
08457909090

**Crimestoppers**  
Call 0800555111 If you think a crime has been committed

**Cyber bullying and Online Safety**

**Cybermentors**  
www.cybermentors.org.uk

www.thinkuknow.co.uk

**Homophobic and Transphobic bullying:**

**Stonewall**  
Information on tackling homophobic bullying  
www.stonewall.org.uk

**EACH**  
Provides a national helpline for young people experiencing homophobic or transphobic bullying:  
www.eachaction.org.uk  
Tel: 0808 1000 143

**Local and Middlesbrough College contacts**

**Cleveland Police Switchboard**  
Tel: 01642 326326

**UNITE Mediation Service**  
Tel: 01642 311633  
www.unite-mediation.org
Human Resources Team

Richard Atkinson  
Assistant Principal - Human Resources  
Email: r.atkinson@mbro.ac.uk  
Tel: 01642 333269

Alison Stephenson  
Director of Human Resources  
Email a.stepenson@mbro.ac.uk  
Tel: 01642 333565

Human Resources Business Partners

Carol King
Helen Rowden
Marlene Slaven
Rachael Walker
Hollie Watson

Pat Congerton  
Workforce Development & Equalities Manager  
Email: pw.congerton@mbro.ac.uk  
Tel: 01642 333524
Appendix 1

Formal Complaint Recording (Staff Grievance)

Please complete all sections of this form in order for the complaint to be dealt with effectively. Any complaint or allegation will be considered seriously and confidentially.

1. Complainant’s Details

<table>
<thead>
<tr>
<th>Title (Please circle)</th>
<th>Gender (Please circle)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr/Mrs/Miss/Ms/other</td>
<td>Male       Female</td>
</tr>
<tr>
<td>Name</td>
<td></td>
</tr>
<tr>
<td>Directorate / Support Area</td>
<td></td>
</tr>
<tr>
<td>Contact Number(s)</td>
<td></td>
</tr>
<tr>
<td>Staff ID Number</td>
<td>Date of Birth</td>
</tr>
<tr>
<td></td>
<td>(dd/mm/yyyy)</td>
</tr>
</tbody>
</table>

1. If your complaint refers to any of the following please tick the relevant box(es)

<table>
<thead>
<tr>
<th>Race</th>
<th>Disability</th>
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</table>
Outline of the Complaint including dates of actions

2  Please explain here what steps you have taken, together with dates, to resolve your complaint locally (as per the Informal Procedure). If you feel unable to use the Informal Procedure, please set out your reasons here:
3 Please explain why you are dissatisfied with the response you have received from the Line Manager as a result of using the Informal Procedure:

4 Please forward this form to the Human Resources Team for forwarding to a nominated senior manager under stage 2 of the Grievance Procedure.
Appendix 2 - Flowchart

Initial Incident Reported i.e. staff harassed by students, relatives of students or other staff online

Inform
BIG Anti-Bullying Champion.
Immediate Line Manager.
Human Resources Business Partner.
Director of Human Resources.

Gather all evidence
Arrange necessary meetings with Human Resources & Student Services together if appropriate

Incident will be assessed with Human Resources & Student Services

Appropriate action to be decided and taken

Mediation or support as required in place
Disciplinary action if appropriate by Human Resources or Student Services
Police notified if appropriate by Assistant Principal - Human Resources or Assistant Principal - Student Services SS

Record all actions and follow up as required