



## Capernwray Hall Anti-Bullying and Harassment Policy

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**This policy applies to:** Staff, Voluntary Workers, Students, Contractors, Guests and Visitors

**Approved by:** Board of Trustees

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## 1.0 Introduction

In accordance with Capernwray's stated values (see separate document), Capernwray recognises the impact of bullying on people's lives in terms of how it can undermine confidence and destroy their sense of security. Bullying and harassment can take many forms but intimidating behaviour, with the intention of physical or emotional hurt and humiliation, is a common factor. Bullying can happen anywhere, and to prevent and address it, Capernwray recognises its role in maintaining a culture where bullying is unacceptable as well as developing the skills of staff, students, and guests in building confidence and resilience.

More serious offences of terrorism or radicalisation are also implicit within bullying and harassment. Capernwray will link such types of bullying with its responsibilities under the Prevent Duty.

## 1.1 Scope

This policy covers behaviour which occurs in the following situations:

- a situation on Capernwray premises;
- a situation occurring outside of the premises that is related to a Capernwray event e.g. social function for work or outreach;
- a situation occurring outside of the premises that involves a colleague or other person connected to the organisation, including on social media; and
- a situation against anyone outside of a work scenario, where the incident is relevant to an individual's suitability to carry out a role.

## 1.2 Definitions

### Bullying

There are many definitions of bullying but it is defined by Acas as 'unwanted behaviour from a person or group) that is either:

- offensive, intimidating, malicious or insulting; or
- an abusive or misuse of power that undermines, humiliates or causes physical or emotional harm to someone.

While bullying often involves repeated behaviour over time, a single incident may constitute bullying if it is sufficiently serious, harmful, or involves a misuse of power that undermines, humiliates, or causes physical or emotional harm

Bullying can take, but is not limited to, the form of physical, verbal or indirect (exclusion from social groups) bullying, cyberbullying (the use of information and communications technology, particularly mobile phones and the internet to deliberately upset someone. It includes text messages, chat rooms, email and social media, the encouragement of the vulnerable to engage in risk-taking behaviour online, grooming, the expression of discriminatory views, and radicalisation and Child-on-Child Sexual Violence and Sexual Harassment.

Examples of bullying include:

- Deliberately hurtful or humiliating behaviour;
- Repeated bullying, often over a period of time;
- Behaviour that is difficult for victims to defend against;
- Singling out a person because they belong to a particular group;
- Racist and religious bullying that makes a person feel unwelcome, marginalised, excluded, powerless and worthless because of their colour, ethnicity, culture, faith, community, national origin or status;
- Sexist, gender, sexual, homophobic and transphobic bullying – any behaviour, physical or non-physical, where sexuality is used as a weapon, whether overtly or covertly. It can include inappropriate touching and jokes about sexual assault or rape; or
- Bullying involving people with disabilities. This employs many of the forms of other types of bullying, but can include manipulative bullying, exploiting of sensory stimuli, conditional friendship and persistent low-level bullying.

## **Harassment**

Harassment is defined as the unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading or humiliating environment.

Capernwray takes harassment to include:

- Negative remarks about a person's ethnicity, nationality, sexuality, gender, age, disability, religious, or political beliefs;
- Verbal abuse or taunting, in person or electronically;
- Racist and/or sexist comments or jokes;
- Sustained deliberate exclusion;
- Making unwanted physical contact;
- Display or circulation of offensive materials, e.g., books, magazines, emails, text messages, images; or
- Intrusive questioning.

## **Sexual Harassment**

Sexual harassment occurs when a worker is subjected to unwanted conduct of a sexual nature. The conduct need not be sexually motivated, only sexual in nature (s26(2) of the Equality Act 2010).

Conduct "of a sexual nature" includes, but is not limited to,:

- sexual comments or jokes;
- displaying sexually graphic pictures, posters, or photos;
- suggestive looks, staring or leering;
- propositions and sexual advances;
- making promises in return for sexual favours;
- sexual gestures;
- intrusive questions about a person's private or sex life or a person discussing their own sex life;
- sexual posts or contact on social media;
- spreading sexual rumours about a person;

- sending sexually explicit emails or text messages; or
- unwelcome touching, hugging, massaging, or kissing.

An individual can experience unwanted conduct from someone of the same or different sex. Sexual interaction, that is invited, mutual or consensual is not sexual harassment because it is not unwanted. However, sexual conduct that has been welcomed in the past can become unwanted.

Sexual harassment will not be tolerated at Capernwray

### **Victimisation**

Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do an act which is protected under discrimination and harassment laws. It is not necessary for the person to have done the protected act in order for detrimental treatment to be considered victimisation.

The protected acts are:

- making a claim or complaint under the Equality Act 2010;
- helping someone else to make a claim by giving evidence or information in connection with proceedings under the Equality Act 2010;
- making an allegation that someone has breached the Equality Act 2010; or
- doing anything else in connection with the Equality Act 2010.

Examples of victimisation may include:

- failing to consider someone for promotion because they have previously made a sexual harassment complaint;
- dismissing someone because they accompanied someone to a meeting about a sexual harassment complaint;
- excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

## **2.0 Policy Statement**

Capernwray staff have a collective and individual responsibility to maintain a safe environment for its staff, students and guests and will challenge bullying and harassment in all its forms and take firm and decisive action to protect the safety and well-being of everyone. Capernwray is committed to taking reasonable steps to proactively assess and mitigate harassment risks, including from guests, contractors, or visitors.

Capernwray will ensure that the whole community is aware of the policy and the standards of behaviour and conduct expected so that they know what to do if they experience or suspect bullying or harassment, confident that it will be dealt with in accordance with the policy.

A risk assessment is in place to assess the risks and determine what other measures need to be added to ensure reasonable steps have been taken. This is reviewed every 2 years, or with change of legislation.

This policy and procedure applies when anyone is on Capernwray premises or on Capernwray-related activities. They apply to all remunerated and volunteer staff, to all students and holiday programme guests, to all visitors and external users of the facilities, and to any activity using social media or electronic means that can be linked to Capernwray sites.

Bullying and harassment may not be immediately obvious, and it may be difficult to articulate concerns about the behaviour of others, sometimes for fear of reprisal. It is therefore important to maintain a culture within Capernwray that allows anyone to disclose their concerns in the safe knowledge that something will be done.

### **3.0 Procedure**

#### **3.1 Promoting Anti-Bullying and Harassment at Capernwray**

Through a combination of prevention and response, the following measures are put in place to raise awareness of Capernwray's policy of zero-tolerance of bullying and harassment by staff, voluntary workers, students, guests, and third parties:

- A statement of the intolerance of bullying and harassment is included within the Staff & Student Handbooks and is reiterated during induction. This includes staying safe through awareness of cyberbullying and the risks associated with online media, including social networks.
- The staff induction programme includes a training module on Equality and Diversity which includes content on bullying and harassment.
- All staff have a role in ensuring there is no evidence of bullying and harassment at Capernwray. Heads of Department, Family Group Leaders, Bible School staff, and Ministry Assistants, Holiday Week Leaders and Room Leaders will stay particularly vigilant when fulfilling their duties. Capernwray's teaching programme will regularly promote positive attitudes in line with the Christian value of unconditional loving acceptance of others.
- All contractor inductions include an explanation of our zero-tolerance policy to bullying and harassment.
- Management will regularly review any feedback, incident reports, or third-party interactions involving bullying and harassment to identify and address potential risks proactively.

#### **3.2 Dealing with Allegations of Bullying or Harassment**

In many cases, the identification of bullying/harassment will be by a member of staff becoming aware of an unacceptable situation. Wherever possible, the person should be encouraged to make a note of what has happened, when, where, and who was involved or to talk to someone they trust who can write it down for them.

The role of the staff member will be to offer support to the victim and if appropriate, to the alleged perpetrator. They should aim to address the issue and seek a resolution, which may include facilitating a discussion between the parties.

Formal routes are also available if the situation cannot be resolved informally. Depending on the circumstances and the role of the person involved:

- The Complaints Policy can be used by students or guests.
- The Grievance Policy can be used by staff or volunteers.
- The Whistleblowing Policy allows any individual to report serious wrongdoing or safeguarding concerns, including anonymous disclosures.

The individual experiencing the bullying/harassment should be advised which route is appropriate for their situation. The protocols described in these separate documents provide detailed guidance for each route.

Investigations into cyberbullying may involve requesting the Capernwray Information Technology team to review and collect evidence from mobile phone messages and social media activity. Staff should follow current guidance, including the Department for Education's '[Searching screening and confiscation](#)' advice and the '[UK Council for Internet Safety \(UKCIS\) guidance on sexting](#)' in schools and colleges. The key consideration is that staff must not view or forward illegal images of a child; the guidance provides advice on what to do if viewing an image is unavoidable. In extreme cases, it may be necessary to involve the police to trace communications or examine another user's data.

The investigation must consider if a legal offence has been committed as bullying, including cyberbullying, can constitute a criminal offence.

If there is any concern that the bullying and harassment could be linked to terrorism or radicalisation, then an immediate referral will be made to the Designated Safeguarding Lead in line with Capernwray's responsibilities under the Prevent Duty.

Where it is identified that there is persistent evidence of bullying and harassment, the Designated Safeguarding Lead will take steps to work with staff to raise awareness of equality and promote positive attitudes within the community. A record of activities should be kept.

It is the responsibility of the person investigating the bullying and harassment claim to discreetly advise other staff members who are linked to the victim on a need-to-know basis.

### **3.3 Recording of Bullying and Harassment**

The importance of follow up of reports of bullying and harassment is required to determine whether the intervention has secured lasting change. Key questions at this stage will include whether the victim now feels safe, whether the bully's behaviour has changed, and what lessons have been learned.

Following the investigation, the staff member in consultation with the Designated Safeguarding Lead should continue to monitor the situation closely, without ever assuming that the bullying has stopped.

Records of bullying and harassment that have escalated to the formal investigation stage are reported to the Board of Trustees at their next meeting by the Managing Director and the Designated Trustee for Safeguarding.

### **3.4 Dealing with Harassment by a Third Party**

Third party harassment can lead to legal liability and is not tolerated by Capernwray.

A worker who is bullied or harassed by a third party is not expected to enter into any confrontation with the third party if it may put their personal safety at risk.

If, however, a worker decides to tackle the matter themselves, they should take the following steps:

1. Politely ask the third party to stop the bullying or harassment and inform them that bullying or harassment of the organisation's workers by a third party is not tolerated.
2. If the third party does not stop the bullying or harassment, repeat step 1 and warn them that action will be taken against them if the bullying or harassment continues.
3. If the third party does not stop the bullying or harassment, they must report the incident to their line manager.

The allegation will be investigated immediately and in some cases the bully or harasser may be asked to leave the premises of the organisation and not return. In all instances of such third-party harassment, the organisation will take effective remedial action, including reporting any criminal act to the police.

A worker should report any incident of bullying or harassment by a third party to their line manager whether or not they have managed to resolve it. The report will be used for the purpose of monitoring the effectiveness of the organisation's bullying and harassment policy.

### **4.0 References**

- Staff Handbook
- Student Handbook
- Safeguarding Policy
- Complaints Policy and Procedure
- Grievance Policy and Procedure
- Whistleblowing Policy
- [Keeping children safe in education](#)
- [‘Searching, screening and confiscation’](#)
- [‘UK Council for Internet Safety \(UKCIS\) guidance on sexting’](#)
- [www.anti-bullyingalliance.org.uk](http://www.anti-bullyingalliance.org.uk)
- <http://www.preventforfeandtraining.org.uk/>