LEARNER BULLYING AND HARRASSMENT POLICY AND PROCEDURE

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POLICY STATEMENT

Skills Group aims to create a fair, welcoming and inclusive environment where all members of its community can fulfil their potential.

All members of Skills Group are expected to treat each other with dignity and respect. There is a requirement that staff, students and visitors will not harass or bully other members of the Skills Group community.

The Policy and Procedure applies to all current staff of Skills Group and may apply where harassment takes place off-premises.

GENERAL PRINCIPLES

The following principles will apply:

Individuals involved in a case can seek advice and/or support from a member of the Senior Management Team at any stage in the procedure.

Any steps taken under this procedure should be taken promptly, unless there is a good reason for delay.

There will be no assumption of guilt made in any complaint of harassment until it has been proven following a thorough investigation.

It is acknowledged that counter-complaints of harassment sometimes arise when a complaint is made. In the event that a complaint gives rise to counter-complaints these should be considered at the same time as the original complaint.

Other procedures may run concurrently to the complaint of harassment. If relevant, the results of investigations undertaken as part of harassment or other procedures will be considered.

At any stage in the procedure, appropriate intervention such as mediation, fact-finding or non-adversarial discussions with the aim of facilitating resolution of the case may be undertaken.

If, on investigation, the complaint of harassment is found to be vexatious, the individual making the complaint may be subject to disciplinary procedures.

Right to be accompanied - All parties involved in this procedure will have the right to be accompanied at any formal meetings held under this procedure by a trade union representative or work colleague.

Right to support - All parties involved in this procedure can request support or advice if involved in a case – from a member of the Senior Management Team.

Confidentiality - All parties involved in these procedures must ensure that they maintain, as appropriate, the confidentiality of the process within and outside Skills Group.
Timescales - Whilst every endeavour will be made to comply with timescales, due to the complexity and or specific circumstances of a case, timescales may be extended. In such circumstances the individuals concerned will be advised of the reasons for any delay.

Legislation - this policy is in accordance with the requirements of the Equality Act and Duty. Harassment is defined within the Equality Act 2010. There is no separate definition of bullying in the Act.

DEFINITION OF HARASSMENT

Harassment is behaviour that has the purpose or the effect of offending, hurting, degrading or intimidating a person or persons or violating dignity. It may be a single event, sporadic events or a continuing process.

Bullying is an aspect of harassment. It is defined as the persistent, intent to hurt or humiliate someone.

The defining feature of harassment/bullying is that the behaviour is unwanted by the recipient and unwarranted by the working or study/social relationship and would be regarded as such by any reasonable person.

Harassment/bullying may be verbal, non-verbal, physical, written or by other means of communication including electronic.

Victimisation is where someone is treated less favourably because they have taken or intend to take action under this Policy and within the scope of the Equality Act 2010, or are supporting somebody who is doing so.

PROCEDURE

There is an expectation that every effort will be made to resolve complaints of harassment through the following procedures.

The learner should seek a meeting with their Trainer, Assessor or Coordinator. Depending upon the nature of the complaint, the staff member may undertake to resolve the issue or advise the individual making the complaint on appropriate steps, i.e. a formal complaint

- If this becomes an official complaint this should be forwarded to the Complaints Manager who will work with the staff member to resolve the issue

The Complaints Manager will need to make investigations in order to establish whether any harassment or inappropriate behaviour has taken place and to take appropriate action.

If the complaint of harassment is against the learner's Trainer, Assessor or Coordinator, the Complaints Policy and Procedure should still be followed.

In very exceptional circumstances where the individual is reluctant to pursue a formal complaint, but where the alleged harassment is deemed very serious in nature or where the manager is aware there are broader issues of concern around the culture of a team/group of individuals, an investigation will be instigated, with the agreement of the Senior Management Team.
Talk/write to the individual who is the subject of the complaint to inform them of the unacceptable nature of the behaviour and request that they stop – this will follow the Disciplinary Procedure.

Cessation of the behaviour and an apology (if there has been any unacceptable behaviour) may be sufficient to bring the matter to a close.

Document Control

This policy will be reviewed annually or earlier if deemed necessary

Date Last Reviewed: July 2025

Date to be Reviewed: July 2026

Authorised By

Signed



Mark Boulting
Managing Director