Anti-Bullying and Harassment Policy – Working with Learners and Employers

The Development Manager (TDM) is committed to developing a culture which will not tolerate bullying or harassment of adults, children or young people.

Sexual violence and sexual harassment involving learners at TDM is a form of peer-on-peer abuse. Sexual violence involves the criminal sexual offences defined in the Sexual Offences Act 2003. Sexual misconduct including harassment is defined as unwanted conduct of a sexual nature and can include online behaviour. Neither is acceptable and will not be tolerated.

TDM recognises that all forms of bullying and harassment, especially if left unaddressed, can have a devastating effect on individuals and that it can create a barrier to learning and positive progression and that it can have serious consequences for mental health and wellbeing.

The Anti-Bullying and Harassment policy aims to promote an anti-bullying ethos by:
● ensuring that everyone at TDM is aware of what bullying and harassment is
● creating an anti-bullying and harassment culture and promoting good citizenship
● having effective procedures and strategies in place that deal with any bullying and harassment issues
● ensuring that there is a clear link between the understanding and promotion of anti-bullying and harassment and effective learning
● ensuring that there is a clear link between the Anti-Bullying and Harassment Policy and the Behaviour – Code of Practice Policy

This policy should be read in conjunction with the following related policies:
● Safeguarding Policy
● Behaviour - Code of Practice Policy
● Acceptable Use Policy
● Anti-Bullying and Harassment Policy for TDM Staff

This policy is informed by:
● Department of Education (DfE) guidance on the prevention of bullying, contained in 'Safe to Learn - Embedding anti-bullying work in schools'
● Keeping Children Safe in Education (KCSIE), 2024
● DfE guidance "Preventing and Tackling Bullying"
● Section 26(2) Equality Act 2010
● Sexual Offences Act 2003

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Aims and Objectives

TDM will not tolerate bullying or harassment in any form. Such behaviour is unacceptable and will not be discounted as banter. TDM fully recognises the serious nature of bullying/harassment and its detrimental effect on the wellbeing of employees, learners and employers.

TDM takes all such reports seriously and they will receive the same high standard of care that any other safeguarding concern receives. TDM will deal with any concerns raised about bullying and harassment effectively and sensitively.

TDM wishes for every learner to be able to develop their potential. For this to happen, everyone must feel safe and valued. This places a responsibility on every member of our community to create a positive ethos and implement measures to defeat bullying and harassment. Members of TDM staff, learners and employer organisations need to know how to recognise and report all bullying and harassment incidents and will be given guidance on how to prevent it in the first place.

Bullying Definition

Bullying is the victimisation of one person by another or by others. It suggests unkind, hurtful or aggressive behaviour repeated over a period of time. It is more grievous when it is perpetrated deliberately and/or after the victim has made his/her discomfort known and/or after the perpetrator has been spoken to about their behaviour. Bullying can be physical, emotional and psychological; it may include:

- physical acts (such as the taking or damaging of another's belongings);
- verbal abuse (such as name calling, offensive remarks including any of a sexual, sexist or homophobic nature, and any remark made regarding race, religion, culture, sex, sexual orientation, special educational need or disability);
- other unkind behaviour (such as the spreading of stories, ostracising);
- cyber abuse (use of mobile phone, chat rooms, social media sites or other forms of technology to harass, embarrass, threaten or intimidate by making malicious calls or sending malicious texts, photographs, emails or posting malicious or unkind website comments). Bullying may take place in the cyber sphere alone.

Bullying is recognised as serious. It can cause psychological damage and even lead to suicide. (Although bullying is not a specific criminal offence, it may be covered by criminal laws which apply to harassment and threatening behaviour).

Any serious incident of bullying, where a young learner (or vulnerable adult) suffers or is likely to suffer significant harm, will be treated as a child protection issue and reported to the police and/or Children's Services as appropriate.

Staff are made aware of the TDM's Anti-Bullying and Harassment Policy and procedures through training and induction programmes.

Learners are made aware of TDM's Anti-Bullying and Harassment Policy and procedures using educational elements such as the professional development programme, one to one coaching, VLE forums, etc.

TDM's Safeguarding Policy recognises bullying as a serious offence. Bullying may lead to the application of strong sanctions (including exclusion of the programme) as well as support for both the victim and the bully.

Incidents of bullying are recorded and monitored for patterns by the Designated Safeguarding Lead(s) (DSL). The safeguarding log, where bullying incidents are logged, is discussed with the Governors every quarter.

All staff at TDM, but especially trainers and coaches need to be alert to the following signs that bullying may be taking place:

- Changes in behaviour that may indicate a learner is being bullied include:
- the learner being upset, anxious, withdrawn or unusually quiet;
- failure to produce work or producing unusually bad work or work that appears to have been copied, interfered with, or spoilt by others;
- the learner is laughed at by others or appears embarrassed when asked a question in class or the workplace, or is awkward when working in small groups in class or at tripartite coaching sessions
- changes in eating habits, spurious illness or unexplainable injuries;
- frequent absence, erratic attendance, late arrival to training;
- lack of confidence, reluctance to participate in any activities; improbable excuses for any of the above.

On their own, any of the above may be caused by another reason, trivial or serious, and not indicate bullying, but repetition or a combination of even a few of these signs might be a reason to suspect it, and should be investigated.

Preventative Measures
- Professional Development Coaches (PDCs) and the Designated Safeguarding Leads (DSLs) must make learners aware of the support systems should they be a victim of bullying.
- Learners should know whom they can talk to in confidence (a member of staff whom they trust, a mentor or manager in the workplace, the DSLs or and that information will be acted upon discreetly and sensitively.
- Opportunities are taken in the delivery of the professional development programme and the training and coaching on the national educational priorities, to explain TDM's policy on bullying.
- PDCs may also make use of opportune moments in activities to highlight the issue of bullying and to reinforce this message.
- Learners are encouraged to reflect on British Values and Equality and Diversity, about respecting individual differences and avoiding prejudice-based language; PDCs should also promote learner resilience during the professional development courses and coaching, to enable them to protect themselves and others.
- Learners are also encouraged to participate in activities which raise their awareness of bullying in order to understand what to do if they or other learners are being bullied.
- TDM has an Acceptable Use Policy for learners as well as staff. All are expected to follow the TDM rules on the use of computers, mobile phones, social media and virtual platforms.
- Staff should be punctual and keep to lesson times. Bullying amongst learners, often happens before lessons start or if lessons have been dismissed early. This applies for both onsite and virtual training.
- Staff should set a personal example. No member of staff should ever bully a group of learners or an individual.
- There should be classroom/training rules which make it clear that criticising or humiliating another

learner in class is not tolerated.

- Staff need to be alert to racist, homophobic and sexist language and/or actions which are a form of bullying.
- Raising staff awareness of bullying, particularly cyber- bullying, is undertaken through training, either individual continuing professional development or as part of the team training days.
- Members of staff should be on the alert for any changes in learner's behaviour that indicate they are being bullied.

Cyber-Bullying Definition

Cyber-bullying is a form of bullying that occurs online or through digital devices. It can include sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can also involve sharing personal or private information about someone else causing embarrassment or humiliation. Cyber-bullying can take place on social media, messaging platforms, gaming platforms, and mobile phones. It can be persistent, pervasive, and difficult to escape.

Recognising Cyber-Bullying

Cyber-bullying can manifest in various ways, including but not limited to:

- **Harassing Messages**: Sending threatening, intimidating, or abusive messages via text, email, or social media.
- **Public Humiliation:** Posting embarrassing or harmful content about someone online.
- **Impersonation:** Creating fake profiles or accounts to impersonate someone and cause harm.
- **Exclusion**: Deliberately excluding someone from online groups or activities.
- **Cyber Stalking**: Repeatedly sending messages or following someone online to intimidate or harass.

Preventative Measures

To prevent cyber-bullying, TDM has implemented several measures:

- **Acceptable Use Policy:** All staff and learners must adhere to TDM's Acceptable Use Policy, which outlines the appropriate use of digital devices and online platforms.
- **Internet Content Filtering:** TDM uses a commercial Internet Content Filtering Service to prevent access to unsuitable websites when learners are on TDM training premises.
- **Monitoring Services:** TDM operates monitoring services on workstations, allowing staff to view and control screens during physical classroom sessions.
- **Online Safety Education:** Learners are taught about online safety and cyber-bullying as part of their personal and professional development coaching and cyber security training.
- **Information Security Training:** Staff receive training on information security policies and procedures to raise awareness of cyber-bullying.

Reporting Cyber-Bullying

If a learner or staff member experiences or witnesses cyber-bullying, they should report it immediately to the Designated Safeguarding Lead (DSL). The reporting process includes:

- **Confidential Reporting:** Learners can report incidents confidentially to a trusted member of staff, mentor, or manager.

- **Documentation:** The DSL will document the incident in the safeguarding and welfare log and report it to the Governors on a quarterly basis.
- **Investigation:** The DSL will investigate the incident and take appropriate action, which may include informing relevant parties such as the learner's HR Manager or Director.
- **Support:** Both the victim and the perpetrator will be offered professional development support to resume normal activities.

Consequences and Sanctions

Cyber-bullying is taken seriously at TDM, and appropriate sanctions will be applied based on the severity of the incident. These may include:

- **Suspension:** Temporary suspension from the programme.
- **Exclusion:** Permanent exclusion from the programme, which may have repercussions for employment.
- **Legal Action:** In cases of severe cyber-bullying, relevant authorities may be informed, and legal action may be taken.

Support Resources

TDM provides various support resources for victims of cyber-bullying, including:

- **Counselling Services:** Access to professional counselling services.
- **Helplines**: Contact information for helplines that offer support and advice.
- **Peer Support:** Opportunities for peer support and mentoring.

Harassment Definition

Harassment

Harassment can be undertaken by a neighbour, a colleague in the workplace, people from the local area or even a stranger, it could include:

- bullying in the workplace or on programme
- cyber stalking (using the internet to harass someone)
- antisocial behaviour
- sending abusive text or social media messages
- sending unwanted gifts
- unwanted phone calls, letters, emails or visits

It's harassment if the unwanted behaviour has happened more than once.

Sexual Misconduct

Sexual Misconduct relates to all unwanted conduct of a sexual nature that includes but not limited to:

- Sexual harassment as defined by Section 26(2) Equality Act 2010;
    a. violates your dignity
    b. creates an intimidating, hostile, degrading, humiliating or offensive environment (this includes the digital environment, online)
    - Assault as defined by the Sexual Offences Act 2003;

- Rape as defined by the Sexual Offences Act 2003;
- Physical unwanted sexual advances as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017;
- Intimidation or promising resources or benefits in return for sexual favours as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017;
- Distributing private and personal explicit images or video footage of an individual without their consent as defined by the Criminal Justice and Courts Act 2015.

Some examples of sexual misconduct include:
- Pressuring or forcing someone to do something sexual;
- Touching someone sexually without their permission;
- Unwanted sexting – sending sexually explicit texts and images to someone without their consent;
- Unwanted sexual attention – for example 'wolf-whistling' and making sexualised comments about someone's body;
- Kissing without consent;
- Inappropriately showing sexual organs to another person in person or virtually online;
- Repeatedly following another person without good reason;
- Making unwanted remarks of a sexual nature in person or virtually online.

Guidelines for Staff

Responding to Incidents
If a learner or mentor brings to your attention an incident of bullying, misconduct or harassment, you should:

DO:
- Remain calm; reacting emotionally may make matters worse;
- Take the incident seriously, make notes, and take action;
- Reassure the victim; do not make him or her feel inadequate or foolish;
- Let the victim know that our safeguarding team will offer guidance and support;
- If you have to, and where the circumstances are appropriate, for example if it is in the middle of the classroom or online classroom, you may want to ask the person to leave the room. But be very careful how you do this; reacting aggressively or punitively gives the message that it is alright to bully or harass.
- Ensure the safeguarding team have all the facts to deal with the incident effectively.

DO NOT:
- Be overprotective and refuse to allow the victim to help him or herself;
- Assume or come to any conclusions until the facts have been investigated;
- Keep the whole incident a secret because you have dealt with it.

Preventative Measures
Staff should be aware of the following strategies to prevent bullying and harassment:

- **Promote Positive Behaviour:** Encourage learners to satisfy their needs through working with others rather than confrontational ways. This may include difficult conversations with mentors in the workplace, negotiating and facilitating appropriate behaviour.
- **Raise Awareness:** Make it clear that bullying and harassment are unacceptable and stress the serious

consequences of repetition. Highlight the seriousness of these behaviours and their impact on a learner's development and progress.

- **Escalate Cases:** Escalate each case to the Safeguarding Team, who will keep a case file on the incident reported. Ensure the victim is given support and guidance to prevent recurrence. Help the victim raise their self-esteem and counter any feelings of inferiority and guilt.
- **Be Alert:** PDCs and SKCs should be alert for any signs of bullying or harassment and act accordingly if there may be any issues that need to be dealt with.

General Guidelines to Keep in Mind

- **Set a Personal Example:** No member of staff should ever bully a group of learners or an individual. Classroom/training rules should make it clear that criticising or humiliating another learner in class is not tolerated.
- **Be Punctual:** Staff should be punctual and keep to lesson times. Bullying amongst learners often happens before lessons start or if lessons have been dismissed early. This applies to both onsite and virtual training.
- **Monitor Behaviour:** Be alert to racist, homophobic, and sexist language and/or actions, which are forms of bullying. Raise awareness of bullying, particularly cyber-bullying, through training, either individual continuing professional development or as part of team training days.
- **Recognise Signs:** Changes in behaviour that may indicate a learner is being bullied include being upset, anxious, withdrawn, or unusually quiet; failure to produce work or producing unusually bad work; being laughed at by others; changes in eating habits; frequent absence; lack of confidence; improbable excuses. Repetition or a combination of these signs might be a reason to suspect bullying and should be investigated.

Reporting, Sanctions, and Monitoring

Reporting Incidents

If a learner or staff member experiences or witnesses bullying or harassment, they should report it immediately to the Designated Safeguarding Lead (DSL). The reporting process includes:

- **Confidential Reporting:** Learners can report incidents confidentially to a trusted member of staff, mentor, or manager.
- **Documentation:** The DSL will document the incident in the safeguarding and welfare log and report it to the Governors on a quarterly basis.
- **Investigation:** The DSL will investigate the incident and take appropriate action, which may include informing relevant parties such as the learner's HR Manager or Director.
- **Support:** Both the victim and the perpetrator will be offered professional development support to resume normal activities.

Sanctions

Bullying and harassment are taken seriously at TDM, and appropriate sanctions will be applied based on the severity of the incident. These may include:

- **Suspension:** Temporary suspension from the programme.
- **Exclusion:** Permanent exclusion from the programme, which may have repercussions for employment.
- **Legal Action:** In cases of severe bullying or harassment, relevant authorities may be informed, and legal action may be taken.

Monitoring

To ensure the effectiveness of the policy and the safety of all learners and staff, TDM has implemented several monitoring measures:

- **Incident Log:** All bullying and harassment incidents are recorded in the safeguarding and welfare log, which is reviewed by the Safeguarding Team and discussed with the Governors every quarter.
- **Employer and Mentor Involvement:** Employers or mentors may be informed of incidents and asked to monitor the situation, especially if the bullying occurs in the workplace.
- **Senior DSL Oversight:** The Senior DSL will handle the most serious cases of bullying or cyberbullying, ensuring that appropriate sanctions are applied, and relevant authorities are informed.
- **Support for Victims and Perpetrators:** Both the victim and the bully will receive professional development support to help them resume normal activities and prevent recurrence.

Who is complaining?	Disclosure
Learner about another Learner	The learner should raise the matter by contacting their PDC or reporting it on the VLE either anonymously or contacting the safeguarding team by phone or safeguarding@tdm.co.uk
Learner about a member of staff or third party	The learner should raise the matter by contacting their PDC or reporting it on the VLE either anonymously or contacting the safeguarding team by phone or safeguarding@tdm.co.uk Subsequent investigation will determine whether an allegation about a staff member should be referred to the Staff Disciplinary Policy and Procedure.
A member of staff about a learner	The staff member should raise the matter with their line manager, who subsequently raise with the Academic Delivery Manager for investigation following the Behaviour policy and the Complaints policy & procedure.

Document Management

Document Name and Reference	Anti-Bullying and Harassment Policy-Working with Learners and Employers-TDMPP048
Classification	External
Policy Ownership	This policy is owned by all staff at TDM
Policy lead originator and point of contact in relation to its content:	Elizabeth Hoyos-Operations Director
TDM policy and procedure approval	Elizabeth Hoyos-Operations Director
Signature	
Date	24/06/2022

Version Control					
Issue	Revision	Revision	Revision Changes	Initials	Next

Date	Number	Date			Revision Date
25/06/16	-	-	Issued	DK	
25/06/16	4	Various dates	Reviewed for accuracy on an annual basis	EH	
25/06/16	5	26/07/21	Added SKC and PDC as coaching team. Added Designated Safeguarding Leads duties to add as an agenda item and reporting to governors.	EH	
25/06/16	6	24/06/22	Annual update and inclusion of sexual harassment	SOR	June 2023
25/06/16	6	25/07/23	Updated formatting, policy names and job titles	AR	July 2024
25/06/16	7	02/04/25	Made sections clearer to follow and updated content in cyber-bulling	CB	April 2026
25/06/16	8	08/07/25	Added 'Sexual misconduct' to expand sexual harassment. Added table of actions	JJ	April 2026