

Policy title:	Bullying Policy	Date of Issue:	22/03/21
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1. Policy Statement

- 1.1. This policy sets out our expectations from our learners, employers, stakeholders and staff in relation to bullying.
- 1.2. TRS Training recognise that bullying or harassment, especially if left unaddressed, can have a devastating effect on individuals. It can be a barrier to their learning and have serious consequences for their mental health. It is unlawful to discriminate against an individual because of their age, disability, religion and belief, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sex and sexual orientation.
- 1.3. We do not accept any acts of bullying or harassment in or out of the workplace. The way in which we will deal with such incidents is described in this policy.

2. Scope of Policy

- 2.1. This policy applies to all staff, learners (regardless of age), learners' colleagues, our employers, our subcontractors, associates and partners.
- 2.2. Bullying and harassment is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages and social media, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because of an individual's financial, family or career status. It might be motivated by actual differences between individuals, or perceived differences.
- 2.3. Bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online. Low-level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed as banter or horseplay it can also lead to reluctance to report other behaviour. Early intervention can help to set clear expectations of the behaviour that is and isn't acceptable and help stop negative behaviours escalating.

3. TRS Values

This policy underpins our commitment to our values, with particular reference to:

- RESPECT – All individuals and their unique talents
- SUPPORT – A strong ethos of care, guidance and support
- RESPOND – Listening to our customers, partners and stakeholders and being equipped to meet their changing needs
- PARTNERS – Developing sustainable partnerships where everyone involved benefits from the relationship
- QUALITY – Providing outstanding teaching, learning and customer service
- DEVELOPMENT – Supporting continuous professional development for all staff

4. Implementation Principles

- 4.1. Bullying is a safeguarding issue and all incidents should be dealt with via the Safeguarding Policy and Procedure. The Safeguarding Policy and Procedure can be found on TRS Training's website (www.trstrainingltd.com), on OneFile and in the Employer, Learner and Staff Handbooks.
- 4.2. When there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm' a bullying incident should be addressed as a child protection concern under the Children Act 1989. A child is defined as an individual who is under the age of 18 years.
- 4.3. Although bullying in itself is not a specific criminal offence in the UK, it is important to bear in mind that some types of harassing or threatening behaviour – or communications – could be a criminal offence, for example under the Protection from Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986. If an individual feels that an offence may have been committed they should seek assistance from the Safeguarding Lead or the police. For example, under the Malicious Communications Act 1988, any person who sends an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender, is guilty of an offence if their purpose in sending it was to cause distress or anxiety to the recipient. Harassment is an offence under the Equality Act 2010.
- 4.4. All TRS Training staff receive training on bullying and harassment and are competent in identifying and escalating concerns via the Safeguarding Policy and Procedure.
- 4.5. Bullying and harassment forms part of TRS Training's Learner Wellbeing curriculum and learners' understanding of the issue and how to tackle incidents is developed through all apprenticeships teaching and learning activities, and through pastoral sessions with their trainer.
- 4.6. All learners are assigned workplace mentors who assess and support the development of positive workplace behaviours.
- 4.7. Support is offered to employers in understanding what bullying is and how to tackle incidents and promote diversity through the Employer Handbook, social media and support from their trainers. This includes helping them to create environments where learners can confidently and safely develop positive behaviours and attitudes, and are free prejudice and ridicule.
- 4.8. TRS Training recognise that "banter" in the workplace occurs, but there should be an appreciation by each employer of what levels of "banter" are acceptable and identify boundaries for staff. Everyone should have a clear understanding of how our actions affect others and permeate our environments.
- 4.9. TRS Training appreciate that each employer has their own disciplinary policies and expectations of conduct of their staff, however we reserve the right to terminate our contractual agreements if we believe that practices towards our learners or staff have contravened the principles of the policy and insufficient action has been taken by the employer. Where this happens we will support the apprentice to find alternative employment to enable them to achieve their training programme.
- 4.10. Learners who do not act in accordance with this policy will be considered by the senior management team, and this may lead to a termination of their training agreement.
- 4.11. Subcontractors and associates must read and accept this policy as part of their practices when dealing with TRS Training's learners, employers and staff. Failure to comply or act in a way that contradicts these principles will result in a termination of contractual agreements.
- 4.12. Acts of bullying or harassment by TRS Training staff should be raised through the Grievance procedure and managed via the Disciplinary procedure. External grievances should be raised through the Complaints Policy and Procedure.

5. Roles and Responsibilities

- 5.1. It is the responsibility of all learners, employers, contractors, stakeholders and staff to act in accordance with this policy.

- 5.2. Employers have a responsibility to provide a safe and healthy work environment, to respond to acts of bullying in accordance with their disciplinary policies and to comply with their legislative duties in relation to the Equality Act 2010.
- 5.3. It is everyone's duty to be vigilant to incidents of bullying or harassment, and to report them to the Safeguarding Lead as described in the Safeguarding Procedure.
- 5.4. The Safeguarding Lead is responsible for monitoring incidents and referring these to external agencies if necessary or providing support to individuals where appropriate.

6. Policy Monitoring and reporting arrangements

- 6.1. Incidents of bullying are recorded on the Safeguarding Register and are monitored at each Board Meeting
- 6.2. This policy is reviewed bi annually.

Further support and advice can be found at:

For employees

<http://www.acas.org.uk/media/pdf/r/l/Bullying-and-harassment-at-work-a-guide-for-employees.pdf>

For managers and employers

<http://www.acas.org.uk/media/pdf/2/j/Bullying-and-harassment-in-the-workplace-a-guide-for-managers-and-employers.pdf>

<https://www.nationalbullyinghelpline.co.uk/>

Cyberbullying - Information and advice for victims of online bullying or harassment

Cyberbullying is bullying and harassment using technology. This includes trolling, mobbing, stalking, grooming or any form of abuse online. Cyberbullying is most certainly on the increase - more and more cases are being reported to our helpline by children and by extremely worried parents.

Over half of the UK's 12 to 15 year olds have faced some form of bullying, including Cyberbullying over the last year. Research by the National Centre for Social Research found that 47% of young people reported being bullied at the age of 14. The same study showed that girls are more likely to be bullied, than boys, in that same age group.

We are focusing on this very serious issue and we are working closely with The Police, Facebook and other IT service providers, to work towards eliminating this unacceptable behaviour. If you are a parent, take positive steps to protect your child when he or she uses a mobile phone or the computer. There is a great deal you can do to safeguard your child.

We have been using the terminology 'eCRIME' for many years now because we believe it describes all forms of on-line abuse. Already the Police and others are adopting the term eCRIME when they talk about Cyberbullying.

The Association of Chief Police Officers



National Policing Lead for ACPO Communication Advisory Group Chief Constable Andy Trotter said: "People may think they can remain anonymous when they are online, that they can hide, say and do things they wouldn't dream of doing in real life without consequences or being found out; this is not the case.

Reports of credible threats and communications made over social media that specifically target an individual and constitute harassment will be taken very seriously by the police and investigated. Please call your local police force on 101 if you think you are being harassed or threatened online."

What is Cyberbullying?

Cyberbullying is bullying online and any form of anti-social behaviour over the internet or via a mobile device. It is an attack or abuse, using technology, which is intended to cause another person harm, distress or personal loss.

Forums and tools used often vary and include a range of electronic devices often linked to forums or chat rooms. The tool may be a computer or laptop, a mobile phone, a camera or recording device, a tablet or games-console or simply email or mobile text messaging. Typically, the bullies use Social Networking sites such as Facebook, Twitter and other interactive forums to target an individual or group. Some examples of cyberbullying can include:

- Spreading malicious and abusive rumours and gossiping
- Emailing or texting you with threatening or intimidating remarks
- Mobbing (a group or gang that target you)
- Harassing you repeatedly
- Intimidation and blackmail
- Stalking you on-line and continually harassing you
- Posting embarrassing or humiliating images or video's without your consent.
- Posting your private details on-line without consent
- General Bullying or Stalking
- Grooming (enticing or goading you on-line to self-harm or commit a crime)
- Setting up a false profile, Identity fraud or identity theft
- Using gaming sites to attack or bully you
- Theft, Fraud or deception over the internet

If someone has posted false, malicious or private things about you online and you believe the cyberbully is someone you know or used to be friends with, this can be very distressing. In some cases, photographs, images or unkind comments are being posted on-line without your consent by someone you know, or once knew.

This guide will help you understand what you can do and how to persuade the perpetrator to stop bullying you. It contains sample letters which will help you strategise your case and deal with matters moving forward.

When should you take action against Cyberbullying?

Without doubt, ever-changing technology is driving the need for the introduction of new tougher, clearer, legislation to protect targets of cyberbullying. We are already seeing changes in law linked to Cyberbullying but more must be done. Having said that, there are laws in place that can protect you if you are being cyberbullied. When should you take action and what can you do to protect yourself.

If you see something inappropriate.

If you ever come across anything on the internet that makes you feel uncomfortable, no matter where it is, please report it.

If someone spreads rumours about you

If someone has posted false and malicious things about you on the internet or on a social networking site, it may be regarded as harassment. Harassment, on or off line, is a crime under UK laws. This can be very distressing. Anything nasty posted about you can be seen by lots of people, very quickly, because it's so public and because the bullies make sure they tell everyone where to find the abuse. The bullies know this. These bullies are cowards as they hide behind the technology to bully others !

Increasingly common are complaints that the spreading of malicious rumours and vicious gossip is being carried out by a person who was once your best friend. So choose your friends carefully. Be careful what you tell your friends. Keep your own secrets to yourself. Only tell people things if it wouldn't embarrass you if other people found out about it.

If you are being threatened

It's against the law in the UK to use the phone system - which includes the internet - to cause alarm or distress. It could even be against the 1997 Harassment Act. If threats are made against you then it's essential that you alert someone you trust, or call a helpline or contact the Police. If someone is threatening you on the internet, or threatening someone you know, they could be committing a criminal offence.

Try to get documentary evidence if you can. By pressing the 'print screen' button, you should be able to print of a hard copy of the threatening text or images. Place it in a safe place, both on and off line.

If you are being blackmailed

UK and even worldwide, helplines receive increasingly regular, disturbing, calls from adults and young people who say they have met a person over the internet, who calls themselves a friend, but who pressurises them into taking their clothes off and filming themselves. These so called friends then post the images on-line worldwide ! These strangers then blackmail their target (YOU). In the UK this behaviour is a criminal offence – as indeed blackmail is and should be reported.

Grooming

Do not allow yourself to be intimidated into taking part in unacceptable behaviour over the internet, by someone on line who you do not know. Simply do not participate in something you feel uncomfortable about. Just refuse. Say NO!

These are not true friends. They are NOT the sort of people you want to be associated with, frankly. They may even threaten you saying that if you do not do exactly what they say, they will contact your family and/or friends and tell lies about you. They are unlikely to do this. This is just to frighten you into doing what they want you to do! Don't fall for it!

This behaviour is a serious criminal offence called "grooming". Men who have been found guilty of "grooming" have been sent to jail. You wouldn't get into a car with a stranger, would you? No! So, don't fall for this trick. If you, or someone you know, is being groomed on-line by a stranger – report it immediately to someone you trust. Do not hesitate to call an expert or report the matter to the Police. The Police are now able to get information from your computer's hard drive but it would be helpful if you did not delete anything that might be useful evidence of the grooming.

If someone posts inappropriate pictures of you

We all know how easy it is to snap a picture on a camera or mobile phone and then post it up on Facebook or on the internet. Yes, isn't technology simply amazing. It is also a minefield of corruption and danger!

Don't let anyone take pictures of you that might embarrass you. If someone has posted an inappropriate picture of you, ask them to remove or take it down. If this is not an option then the forum used to display the image will if you contact them. If you are the one that's posting images, make sure that you have a person's permission to take a picture of them for posting on-line, before you proceed. Once it has been posted thousands of people can see it on the internet. Don't offend others.

Don't hurt someone you care about by uploading their picture, for others to have a laugh at. That could be considered harassment and harassment is against the law in the UK. Don't digitally alter pictures of people either because what you might think is funny, may be offensive to other people.

Cyberbullying Law

Bullying does not discriminate, we are all potential targets. No one person is immune to Cyberbullying either, both individuals and organisations may be susceptible to Cyberbullying which targets an individual or an organisation. We are hearing about some very serious cases of on-line abuse associated with the workplace. APP'S are being used to stalk a person (SPYWARE for example), or place a person under surveillance without their knowledge or consent.

Cyberbullying at work is an increasing, very serious, problem that business owners and managers are struggling with. It is reported that bullying in the workplace costs UK employers in excess of £2bn per annum in litigation, investigation costs, lost productivity and sick pay. We think the figure is probably higher. If a person is committing an act of Cyberbullying they may be committing a criminal offence under a number of different laws. The Law is changing all the time and this inappropriate use of technology is driving an urgent need for new, sharper, enforceable, laws.

We are campaigning currently to get all laws combined to make a stronger piece of legislation to address all forms of eCRIME. Celebrity, Katie Price, called on Government to introduce a cyberbullying law to be named after her son, HARVEY. She is calling for new eCRIME legislation to be called HARVEYS LAW. Whilst we commend Katie for speaking out, and any campaigning is good in terms of raising awareness, we would like to see new, stronger, legislation called The eCRIME ACT.

New legislation

The eCRIME ACT should embrace Future on-line crime including sabotage of business to business using technology, any inappropriate surveillance & the application of any nuisance App with intent to cause anxiety, distress or harm.

Below is some of the current legislation that covers areas closely associated with eCRIME and Cyberbullying.

The Protection from Harassment Act

The Malicious Communications Act 1988

The Communications Act 2003

Obscene Publications Act 1959

Computer Misuse Act 1990

Cyberbullying in the Workplace.

Health and Safety and Duty of Care laws

(Source: <https://www.nationalbullyinghelpline.co.uk/> - 22/03/2021)