

Last reviewed	January 2023
Next Review Date	September 2023

BULLYING AND HARRASSMENT PROCEDURE

1. INTRODUCTION

- 1.1 BARBRI Global (the "**Company**", "**we**") recognises the right of every person to dignity and respect in the working and learning environments ("**Environments**"). As an employer and education provider we are committed to providing an environment that is free from any form of bullying, harassment, or sexual harassment ("**bullying**"). The purpose of this procedural policy is to identify examples of unacceptable behaviour and provide a mechanism for dealing with these behaviours. This procedure should be read in conjunction with the Company's Bullying and Harassment Policy.
- 1.2 There is a responsibility on the Company UK HR, tutors, learning coaches and management (together the "**team**") to ensure that this policy is adhered to. All students and employees ("**individuals**") will be directed to the Bullying and Harassment Policy and the available courses of action if an incident of bullying occurs at the outset of their studies / employment. The Company will reference the Bullying and Harassment Policy in all inductions to ensure individuals are familiar with the process.

2. INFORMAL PROCEDURE

- 2.1 We recommend that the Team and individuals involved in complaints look to avail of the informal approach in the first instance. While the Company in no way wants to diminish the issue or the effects on individuals, an informal approach can often resolve matters. We acknowledge that this may not be appropriate in some cases. The objective of this approach is to resolve the complaint with minimum conflict and stress for the individuals involved.
- 2.2 Any individual who believes they are being bullied should explain clearly to the alleged perpetrator ("**respondent**") that they deem the behaviour in question as unacceptable. In circumstances where the complainant finds it difficult to approach the respondent directly, they should seek help and advice, on a strictly confidential basis, from a member of the Team. We have listed designated Team members below:
- 2.2.1 individual tutor / learning coach for students;
 - 2.2.2 lead tutor / learning coach if course tutor is not appropriate;
 - 2.2.3 line manager for employees; or
 - 2.2.4 second level manager if course tutor is not appropriate.
- 2.3 The Company will make steps to ensure all Team members are familiar with the Bullying and Harassment Policy. The team will be trained appropriately to advise any individual making an allegation of bullying. The Team member should listen patiently, be supportive and discuss the various options open to the individual concerned, namely the informal and formal procedures. The complainant should also be advised to keep a detailed written record of any incidents that occur. Refer to the Bullying and Harassment Policy for instructions on record keeping.
- 2.4 The complainant may request the assistance of the Team member in raising the issue with the respondent. In this situation this Team member should approach the respondent by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal manner. In the event the complainant has requested the help of a Team member to approach the respondent, the respondent's course tutor or manager should be notified before the informal conversation occurs.

3. FORMAL PROCEDURE

- 3.1 Where an informal approach is inappropriate or if after the informal stage, the bullying persists,

the following formal procedures should be invoked:

- 3.1.1 the complainant should make a formal complaint in writing to the appropriate Team member, using the form in Appendix 1;
- 3.1.2 the complaint should be confined to precise details of actual incidents of bullying;
- 3.1.3 the Team member should notify the respondent and their head tutor / manager in writing that an allegation of bullying has been made against the respondent. The respondent should be given a copy of the complainant 's statement and advised that they shall be afforded a fair opportunity to respond to the allegation;
- 3.1.4 the respondent will be advised in the communication that they have 7 working days to respond to the allegations in writing; and
- 3.1.5 the complaint should be subject to an initial examination by a designated member of the Team, who is considered impartial, with a view to determining an appropriate course of action. An appropriate course of action at this stage, for example, could be exploring a mediated solution or a view that the issue can be resolved informally. Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint should take place with a view to determining the facts and the credibility or otherwise of the allegation.

4. INVESTIGATION

- 4.1 The investigation should be conducted by either a designated member or members of the Team or, if deemed appropriate, an agreed third party. The investigation should be conducted thoroughly, objectively, with sensitivity, utmost confidentiality, and with due respect for the rights of both the complainant and the respondent.
- 4.2 The investigator should meet with the complainant and respondent and any witnesses or relevant persons on an individual confidential basis with a view to establishing the facts surrounding the allegation. Both the complainant and respondent may be accompanied by a work colleague or an employee or agreed third party if so desired. Every effort should be made to carry out and complete the investigation as quickly as possible and preferably within an agreed timeframe.
- 4.3 On completion of the investigation, the investigator should submit a written report to management containing the findings of the investigation. Both parties should be given the opportunity to comment on the findings before any action is decided upon by management.
- 4.4 The complainant and the respondent should be informed in writing of the findings of the investigation in a timely manner. The findings should contain instructions on how to appeal the decision, as set out in the Bullying and Harassment Policy.

5. OUTCOME

Where the teaching or management team decide that the complaint is well founded, the respondent should be given a formal interview to determine an appropriate course of action. Such action could, for example, involve counselling and / or monitoring or progressing the issue through the disciplinary and grievance procedure of the Company. If either party is unhappy with the outcome of the investigation, the issue may be processed through the appeal procedure set out in the Bullying and Harassment policy.

6. CONFIDENTIALITY

All individuals involved in the procedures referred to above should maintain absolute confidentiality on the subject.

7. TRAINING/AWARENESS

It is considered that all personnel who have a role in either the informal or formal procedure for example, designated members of management, worker representatives, etc. should be made aware of appropriate policies and procedures which should, if possible, include appropriate training.

APPENDIX 1

Complaint form

In order to make a formal complaint, please email this form, once complete, to sqstudentservices@barbri.com or your lead tutor or UK HR.

Personal details	
Name	
Student number	
e-mail address/telephone number	

Your complaint

Issue raised Please list the specific issues which you would like investigated
Action already taken Please describe any action you have already taken, with dates, to try and address this complaint (for example, speaking to a member of BARBRI staff, approaching your Learning Coach, utilising the BARBRI Feedback Questionnaire or other feedback tool). You must take reasonable steps to address your concern informally before making a formal complaint. If you require support or guidance, speak to any member of BARBRI staff.
Associated evidence Please list the evidence which you are submitting in support of your complaint (you should attach the evidence to the email in which you file your complaint). For example, you can attach emails and dates and times of meetings, with any agreed actions.

Declaration I declare that the information given in this form is true to the best of my knowledge and that I would be willing to answer further questions relating to it if necessary. I authorise representatives of BARBRI to consider the evidence submitted alongside this complaint, and any other relevant information held by BARBRI, to the extent necessary for the consideration of my complaint. I understand that any documentation that has implications for third parties may also be shared with those third parties in the interests of natural justice.	
Name (print)	
Signature	
Date	