



# SIR THOMAS RICH'S

## Staff Anti-Harassment and Anti-Bullying Policy

This policy draws upon the ACAS Code of Practice on Discipline and Grievance Procedures. The school Governing Body has adopted the policy and related procedures after consulting with the trade unions recognised by the school.

**Date reviewed:** March 2017

**Status:** Non-Statutory

**Responsibility:** The school's senior management team (SMT) has operational responsibility for this policy. The Governors' Personnel Committee agree its principles, review procedures regularly, and monitor its implementation.

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## 1. Introduction

Sir Thomas Rich's School is committed to providing a working environment free from harassment and bullying and ensuring all staff are treated, and treat others, with dignity and respect.

This policy covers harassment or bullying which occurs at work and out of the workplace, such as on work-related trips or at work-related events or social functions. It covers bullying and harassment by staff (which may include consultants, contractors and agency workers) and also by third parties such as customers, suppliers or visitors to our premises.

This policy does not form part of any employee's contract of employment and the School may amend it at any time.

## 2. What is harassment?

Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include, for example:

- a) unwanted physical conduct or including touching, pinching, pushing and grabbing;
- b) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- c) offensive e-mails, text messages or social media content;
- d) mocking or belittling a person's disability.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

### **3. What is bullying?**

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:

- a) physical or psychological threats;
- b) overbearing and intimidating levels of supervision;
- c) inappropriate derogatory remarks about someone's performance;

Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying.

### **4. If an employee considers he or she is being harassed or bullied**

If an employee considers he or she is being harassed or bullied, they should consider whether they feel able to raise the problem informally with the person they consider responsible. They should explain clearly to them that their behaviour is not welcome or makes them feel uncomfortable. If this is too difficult or embarrassing, they should speak to their line manager or the Headmaster, who can provide confidential advice and assistance in resolving the issue formally or informally.

If informal steps are not appropriate, or have not been successful, an employee should raise the matter formally under the School's Grievance Procedure.

The School will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. The School will consider whether any steps are necessary to manage any ongoing relationship between the employee and the person accused during the investigation.

Once the investigation is complete, The School will inform the employee of its decision. If the School considers an employee has been harassed or bullied by another employee, the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct. If the harasser or bully is a third party such as a customer or other visitor, the School will consider what action would be appropriate to deal with the problem. Whether or not an employee's complaint is upheld, the School will consider how best to manage any ongoing working relationship between all concerned.

### **5. Protection and support for those involved**

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under the School's Disciplinary Procedure.

### **6. Record-keeping**

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.