

## **Harassment and bullying at work policy and procedure**

### **Statement of intent**

1. Everyone in this school/college is working together to create a community where bullying in any form and of any description will not be tolerated.
2. As part of its overall equal opportunities policy, [name] School/College is committed to ensuring that all employees are treated with dignity and respect while at work, irrespective of race, colour, nationality, ethnic or national origins, sex or marital status, disability, sexual orientation, age, religion or belief.
3. The governing body is committed to creating an environment of positive working relationships. To establish and protect such an environment, the governing body has policies and procedures (e.g. on grievance) which enable staff to raise concerns and allow these to be addressed.
4. This policy is concerned with the prevention of harassment and bullying in the workplace, and aims to provide a means of challenging unreasonable or unjustifiable behaviour. It is not intended to inhibit reasonable and effective management of staff.
5. Harassment and bullying in the workplace will not be permitted or condoned by the governing body and may be treated as a disciplinary offence.
6. The governing body will promote and publicise this policy among school/college staff.

### **Equal opportunities statement of commitment**

7. The governing body believes firmly in equality of opportunity in employment. It therefore commits itself to developing policies, practices and procedures that promote equality of opportunity and anti-discriminatory practices. To this end, the governing body is committed to ensuring that job applicants and employees receive equal treatment.

No applicant or employee will be discriminated against on the grounds of race, colour, nationality, ethnic or national origin, sex or marital status, disability, sexual orientation, age, religious belief, nor be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

Procedures will be regularly reviewed to ensure that individuals are treated on the basis of their relevant merits and abilities. The governing body will continue to review its personnel policies and practices, and to undertake appropriate action to make its policy fully effective.

### **To whom does this policy apply?**

8. All governors and employees have a responsibility to comply with this policy. Management has a particular responsibility to implement it by creating a good working environment and by managing people in a professional and caring manner.

### **Definition and effects of bullying**

9. Bullying is characterised as aggressive, intimidating, malicious or insulting behaviour or abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

10. Bullying does not always derive from supervisor/subordinate relationships or vice versa; unacceptable peer pressure can also amount to bullying.

11. Examples of bullying include:

- displays of rage at a colleague in public and/or in private
- personal insults and name-calling
- persistent unjust criticism and public humiliation
- setting objectives with impossible deadlines
- removing areas of responsibility and inflicting menial tasks instead
- ignoring or excluding an individual, or talking only to a third party to isolate another

- spreading malicious rumours
- insulting someone
- copying critical memos about someone to others who do not need to know
- ridiculing or demeaning someone
- exclusion
- victimisation
- unfair treatment
- overbearing supervision
- unwelcome sexual advances
- touching or standing too close
- displaying offensive materials
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overlooking and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

12. Bullying can take other forms. For example, what may emerge as a concern initially categorised as ‘harassment’, ‘intimidation’ or ‘aggressive management’ may, upon investigation, be considered to be a case of bullying.

13. A person who is subject to bullying may suffer from physical and/or emotional symptoms, e.g. disturbed sleep, feeling sick, sweating, shaking, depression and loss of confidence and motivation. Additionally, they can suffer in other ways, e.g. loss of training and development opportunities, and missed promotion opportunities.

## **The school’s approach to bullying and harassment**

### **How to complain about harassment or bullying**

14. The governing body requires that any allegations of harassment will be considered seriously and confidentially. Lack of confidentiality can harm both the complainant and also the person accused. The governing body recognises that employees may fear victimisation for making or being involved in a complaint and so is committed to ensure complainants do not suffer. In some circumstances, confidential informal advice from persons nominated for this purpose by the governing body (e.g. a deputy head or a member of the governing body) and their trade union or professional association might help an employee who is unsure of how best to proceed.

15. Complaints of bullying should be pursued in the following way:

15.1. Employees are encouraged to make clear to the person who is harassing or bullying them that the behaviour is unwelcome and must be stopped. However, it may not be possible to resolve the matter informally.

(Employees may find it helpful to keep records of incidents of behaviour, which they consider to be harassment or bullying, noting the date and time of the incident and details of any witnesses. Such records can be helpful in describing the problem and may also be used if any formal action is subsequently taken. It is not expected, however, that such records would be kept for extended periods without the complainant’s concerns being raised through the process described in paragraphs 15, 16 and 17).

15.2. Should the behaviour continue, staff should approach their line manager or, if appropriate (e.g. if that person is the one causing the concerns), another senior manager.

15.3. If both of these approaches fail, or the person causing the concerns is the headteacher, staff should seek advice from persons nominated for this purpose by the governing body (normally at least one male and one female) and their trade union or professional association.

16. A manager handling the complaint of harassment or bullying is likely, in the first instance, to discuss the complaint informally with the alleged offender. This should take place without delay after the complaint has been made.

17. If the matter is not resolved informally, the manager will initiate an investigation.

18. Following an investigation, as referred to in paragraph 17, the decision of the manager will be confirmed in writing to the complainant and the person against whom the allegation has been made.

19. If the manager concludes that harassment or bullying have taken place, procedures set out in the school's disciplinary procedure will be initiated.

20. The complainant can appeal against the manager's decision to the appeals panel of the governing body. Appeals must be lodged within ten working days of receipt of the letter confirming the decision, in accordance with arrangements set out in the letter. The decision of the appeals panel is final.

21. Relocation within the school may be considered and, if it is feasible, every effort will be made to relocate the harasser or bully and not the victim, subject to consultation with all parties. Suspension of the harasser or bully might be considered.

22. Employees who feel they have been harassed or bullied or who have been the subject of allegations will be given access to support, e.g. counselling, if this is appropriate.

23. If, after an investigation (which may include medical enquiries), a period of absence is attributed to proven harassment or bullying at work, no absence shall be recorded against the entitlement to occupational sick pay.

### **Responsibilities of governors and staff (including complainants)**

24. The governing body requires all governors and staff to maintain a high standard of conduct in relationships with colleagues and those who are under their direct authority.

25. The governing body will not tolerate intimidation, victimisation, retaliation or discrimination against an individual for filing a complaint or assisting in an investigation, whether or not the complaint is upheld. Where such action is alleged, the matter will be dealt with in the same way as an allegation of harassment or bullying.

26. Malicious complaints of harassment or bullying will not be condoned and will be regarded as a disciplinary offence. They will be dealt with in accordance with the school's disciplinary procedure.

27. This policy must not be used as a defence against reasonable management behaviour, e.g. action under the capability or disciplinary procedure. Such procedures may be suspended where a complaint of harassment or bullying is made.

28. This policy further requires all governors and staff to act to eliminate any harassment or bullying in the workplace of which they are aware. Failure to do so will be considered a failure to fulfil all the responsibilities of their position.

29. Harassment or bullying of any kind should not be dismissed by either governors or staff as trivial or insignificant, as a matter of interest only to a minority or as behaviour that can be excused as fun or a joke.