



**ST PETER'S SCHOOL
BULLYING AND HARASSMENT POLICY
AND PROCEDURE FOR STAFF**

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Reviewer: Rachel Boyall

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Document Control		
Edition	Issued	Changes from previous
1	20/02/18	Whole policy review
2	10/03/20	Addition of section on counselling and mediation
3	20/06/2022	Additional information to section 1.1 and 2.1
4	03/10/2022	Change of Terminology to LGBT phobic 2.1
Policies/Documents referred to in this policy		Post holders/Persons named in this policy
This policy links to other school policies on: Grievance policy Disciplinary policy		Head teacher Line Managers

1 Introduction

1.1 Introduction

The school/academy is committed to providing a workplace free from harassment and bullying. It is committed to ensuring that all staff are treated, and treat others, with dignity and respect. The school is responsible for taking action when it is aware that harassment or bullying may be or is taking place.

This policy applies to all members of staff. Managers should ensure that staff understand the standards of behaviour expected of them. All staff can prevent harassment and bullying by being sensitive to the reactions and needs of others and ensuring that their conduct does not cause offence.

This policy covers harassment or bullying which occurs both in and out of the workplace, such as on school visits, at events, work-related social functions or on social networking sites. It covers bullying and harassment against employees, governors and volunteers and also by third parties such as suppliers or visitors to our School, which includes parents.

2 Definitions

2.1 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.

Harassment may involve conduct of a sexual nature 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 may include, for example:

- Unwanted physical conduct or 'horseplay', including touching, pinching, pushing and grabbing or 'banter'.
- Continued suggestions for social activity after it has been made clear that such suggestions are unwelcome.
- Sending or displaying material that some people may find offensive (including emails, text messages, video clips and images sent by mobile phones or posted on the internet or social media).
- Unwelcome sexual advances or suggestive behaviour.

- Racist, sexist, LGBT phobic or ageist jokes, or derogatory or stereotypical remarks.
- Mocking, mimicking or belittling a person's disability or perceived differences.

An employee may be harassed even if they were not the intended "target". For example, an employee may be harassed by racist jokes about a different ethnic group if they create an offensive environment, or the harasser may wrongly believe the employee to have a particular protected characteristic or the employee may be associated with someone who has a protected characteristic. When deciding whether or not conduct has the effect of harassment, the perception of the other person, the circumstances of the case for example is the harasser a person of seniority, and whether or not it is reasonable for the conduct to have that effect, must all be taken into account.

2.2 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. Bullying can take the form of physical, verbal and non-verbal conduct.

Legitimate, reasonable and constructive criticism of performance or behaviour, or reasonable instructions during the course of employment, will not amount to bullying on its own.

3 Harassment and bullying complaints procedures

3.1 Informal

- Whenever possible, a member of staff who believes that he or she has been harassed or bullied should, in the first instance, raise the matter directly with the person responsible and ask that person to stop the harassing or bullying behaviour.
- If a staff member feels unable to confront the person responsible direct, they should speak to their line manager who will be able to provide assistance in resolving the issue informally.
- Counselling can play a vital role in complaints about bullying and harassment, by providing a confidential avenue for an informal approach, and perhaps the opportunity to resolve the complaint without need for any further or formal action. Counselling can be particularly useful where investigation shows no cause for disciplinary action, or where doubt is cast on the validity of the complaint. Counselling may resolve the issue or help support the person accused as well as the complainant
- Mediation is a voluntary process where the mediator helps two (or more) people in dispute to find a solution to the issue that they can both agree to. The mediator does not take sides or tell those in dispute what to do. Mediation is most likely to be successful if both parties:
 - understand what mediation involves

- enter into the process voluntarily
- are seeking to repair the working relationship. Mediation can be a good way of dealing with bullying, discrimination or harassment situations depending upon the nature of any allegations.

3 Formal Procedure

3.1 Formal

- If informal action fails to resolve the problem, the member of staff should raise the matter formally by submitting a formal complaint under the trusts grievance policy. The complaint should include full details of the conduct, including the name of the harasser or bully and the nature of the harassment or bullying.
- Formal complaints will be dealt with in a timely and confidential manner and by someone with appropriate experience and with no prior involvement.
- The investigator will meet with both the complainant and the alleged harasser/bully individually. Both will be entitled to be accompanied to any meetings by a colleague or a representative of their trade union or professional association.
- It may be necessary to suspend the harasser or bully while the investigation is undertaken. If the investigation reveals that the complaint is valid, disciplinary action against the accused will then be considered under the terms of the trusts disciplinary procedures.
- If a complainant is not happy with the outcome of an investigation by the Head teacher, he or she may appeal to an appeal body comprising at least three members of the governing board [in accordance with the grievance policy]. The appeal body's decision will be final.
- Intimidation, victimisation and discrimination on the basis that an individual has brought a harassment claim are also regarded as gross misconduct.
- Confidentiality is important during any investigation in order to maintain the trust and confidence of those staff concerned. Breach of confidentiality may give rise to disciplinary action under the terms of the disciplinary procedure.