



# **Anti-Bullying and Harassment Policy**

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Denbigh Alliance website		School website	
1	Statutory publication	A	Statutory publication
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**Policy level			
1	Trust wide	Single policy relevant to everyone and consistently applied across all schools and departments, with no variation. e.g. Complaints procedure	Statutory policies approved by the Denbigh Alliance Board of Trustees (or designated Trustee Committee). Non-statutory policies approved by the CEO with exception of Executive Pay.
2	Trust core values	This policy defines the Trust core values in the form of a Trust statement to be incorporated fully into all other policies on this subject, that in addition contain relevant information, procedures and or processes contextualised to that school. e.g. Safeguarding, Behaviour	Statements in statutory policies approved by the Denbigh Alliance Board of Trustees (or designated Trustee Committee). Statements in non-statutory policies approved by the CEO.  Policy approved by Local School Board.
3	School/department	These policies/procedures are defined independently by schools as appropriate. E.g. Anti-bullying	Approved by Local School Board.

## Contents

1	Introduction .....	4
2	Scope and purpose of this policy .....	4
3	The legal framework .....	4
4	What is harassment? .....	5
5	What is bullying? .....	6
6	Examples of bullying and harassment .....	6
7	Informal steps .....	7
8	Raising a formal complaint .....	7
9	Formal investigations .....	8
10	Action following the investigation .....	8
11	Appeals.....	9
12	Protection and support for those involved.....	9
13	Confidentiality and data protection.....	10
14	Review of this policy .....	10

## **1 Introduction**

- 1.1 Denbigh Alliance is committed to a work environment free of harassment and bullying, where everyone is treated with dignity and respect. Denbigh Alliance takes a firm stance against bullying between pupils, and it is important that all staff lead by example with their own behaviour.
- 1.2 Harassment and bullying can have very serious consequences for individuals at the Denbigh Alliance including loss of morale, poor work performance, increased turnover of staff, legal claims, and damage to our reputation.
- 1.3 We will take allegations of harassment or bullying seriously and address them promptly and confidentially where possible. Harassment or bullying by an employee will be treated as misconduct under our Disciplinary Procedure. In some cases, it may amount to gross misconduct leading to summary dismissal.
- 1.4 This policy does not form part of any employee's contract of employment and may be amended at any time.

## **2 Scope and purpose of this policy**

- 2.1 The policy sets out the types of behaviour that are unacceptable and covers bullying and harassment both in and out of the workplace such as on school trips, at school events or work-related social functions. This policy covers bullying and harassment by staff and also by third parties such as suppliers or visitors to the school.
- 2.2 This policy applies to all employees of the Denbigh Alliance, governors, contractors, casual and agency staff and volunteers (collectively referred to as staff in this policy). The policy does not apply to pupils or parents who consider they have been the subject of bullying or harassment by Denbigh Alliance employees, where separate complaints procedures apply.
- 2.3 Employees may make a complaint under this policy or the grievance policy but not both policies.

## **3 The legal framework**

- 3.1 This policy is in accordance with the Equality Act 2010 which prohibits harassment 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 (protected characteristics). The Protection from Harassment Act 1997 also makes it unlawful to pursue a course of conduct which you know or ought to know would be harassment, which includes causing someone alarm or distress. Under the Health and Safety at Work Act 1974 staff are entitled to a safe place and system of work.
- 3.2 Individual members of staff may in some cases be personally legally liable for harassment of colleagues or third parties (including pupils) and may be ordered to pay compensation by a court or employment tribunal.

#### **4 What is harassment?**

- 4.1 Harassment is any unwanted physical, verbal, or non-verbal conduct which has the purpose or effect of:
  - 4.1.1 violating a person's dignity; or
  - 4.1.2 creating an intimidating, hostile, degrading, humiliating, or offensive environment for them.
- 4.2 It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
- 4.3 Unlawful harassment may involve conduct related to a protected characteristic (see 3) or of a sexual nature (see 5). Harassment is unacceptable even if it does not fall within any of these categories.
- 4.4 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 they create an offensive environment for them. Harassment may also occur even if an individual does not have a protected characteristic, but another individual engages in unwanted conduct towards them because:
  - 4.3.1 they perceive the recipient to have a protected characteristic; or
  - 4.3.2 they are associated with a person who does have a protected characteristic.
- 4.5 A single incident can amount to harassment although first-time conduct which unintentionally causes offence will not usually be harassment. However, it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to them.

#### **5 What is sexual harassment?**

- 5.1 Sexual harassment is defined as any unwanted conduct of a sexual nature that violates an individual's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment. This may include, but is not limited to, unwelcome verbal, non-verbal, or physical conduct, gestures, comments, advances, or requests of a sexual nature. Sexual harassment can occur between individuals regardless of gender, age, or role within the Trust.
- 5.2 Examples of sexual harassment may include:
  - 5.2.1 Unwelcome or inappropriate touching, physical proximity, or gestures
  - 5.2.2 Derogatory or sexualised remarks, jokes, or comments
  - 5.2.3 Persistent or unwelcome advances or propositions
  - 5.2.4 Display of sexually suggestive or explicit materials in the workplace
  - 5.2.5 Use of communication channels (email, messaging, etc.) to convey inappropriate or sexually suggestive messages

5.3 The Trust is committed to providing a safe, respectful, and inclusive environment for all employees, students, volunteers, and visitors. We uphold a zero-tolerance approach to sexual harassment in any form. Preventative measures include:

5.3.1 **Clear Reporting Channels:** Ensuring accessible and confidential methods for reporting incidents or concerns related to sexual harassment.

5.3.2 **Education and Training:** Conducting regular training for all staff on recognising, preventing, and addressing sexual harassment to foster a culture of mutual respect.

5.3.3 **Support Services:** Providing appropriate support and counselling options for individuals affected by harassment.

5.3.4 **Prompt Investigation and Action:** Committing to a timely, fair, and impartial investigation of reported cases, with clear consequences aligned with the Trust's disciplinary policies for confirmed cases of misconduct.

## 6 What is bullying?

6.1 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.

6.2 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 on their own. It is also recognised that differences of opinion, outbursts of bad temper etc. may occur from time to time in any normal working environment. We would normally expect our employees to resolve through informal processes rather than through the use of the formal procedure set out below.

## 7 Examples of bullying and harassment

7.1 Bullying and harassment can take the form of physical, verbal and non-verbal conduct. Employees should always consider whether their words or conduct could be offensive. Conduct may be harassment or bullying whether or not the person behaving in that way intends to offend. (Not an exhaustive list)

7.1.1 Aggressive or abusive behaviour, such as shouting or personal insults.

7.1.2 Spreading malicious rumours or gossip or insulting someone.

7.1.3 Discrimination or harassment when related to a protected characteristic under the Equality Act 2010.

7.1.4 Unwanted physical contact

7.1.5 unwanted physical conduct including touching, pinching, brushing past someone, invading their personal space, and more serious forms of physical or sexual assault;

7.1.6 continued suggestions for social activity after it has been made clear that such suggestions are unwelcome.

- 7.1.7 offensive or intimidating comments or gestures, or insensitive jokes or pranks.
- 7.1.8 jokes or comments about an individual's age, disability, sexual orientation, or religion, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender.
- 7.1.9 ignoring or shunning someone, for example, by deliberately excluding them from a conversation, a workplace social activity or from meetings.
- 7.1.10 shouting at, being sarcastic towards, ridiculing or demeaning others.
- 7.1.11 physical or psychological threats.
- 7.1.12 overbearing and intimidating levels of supervision.
- 7.1.13 inappropriate and/or derogatory remarks about someone's performance.
- 7.1.14 abuse of authority, power, or status by those in positions of seniority.

## **8 Informal steps**

- 8.1 If you are being bullied or harassed, you should initially consider raising the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, you should speak to your line manager (or another manager if the matter relates to your line manager), who can provide advice and assistance in resolving the issue formally or informally.
- 8.2 If you are not certain whether an incident or series of incidents amount to bullying or harassment, you should initially contact your line manager (or another manager if the matter relates to your line manager) informally for confidential advice.
- 8.3 If informal steps have not been successful or are not possible or appropriate, you should follow the formal procedure set out below.

## **9 Raising a formal complaint**

- 9.1 If you wish to make a formal complaint about bullying or harassment, you should submit it in writing to HR department, whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned.
- 9.2 Where the Head Teacher feels bullied or harassed, they should raise the matter with the CEO, or if it involves the CEO, with the Chair of Governors. Where the CEO feels bullied or harassed, they should raise this matter with the Chair of Trustees, or if it involves the Chair of Trustees, the Vice Chair.
- 9.3 Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

- 9.4 As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

## **10 Formal investigations**

- 10.1 We will investigate complaints in a timely and confidential manner. Individuals not involved in the complaint, or the investigation should not be told about it. Wherever possible the investigation will be conducted by someone with no prior involvement in the complaint. The investigation should be thorough, impartial, objective and carried out with sensitivity and due respect for the rights of all parties concerned.
- 10.2 We will arrange a meeting with you, usually within five working days of receiving your complaint, so that you can give your account of events. You have the right to be accompanied by a colleague or a trade union representative of your choice, who must respect the confidentiality of the investigation. You will be given an indication of the timescales for the investigation. The investigator will arrange further meetings with you as appropriate throughout the investigation.
- 10.3 Where your complaint is about an employee, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require and there is no alternative to suspension. The investigator will also meet with the alleged harasser or bully who may also be accompanied by a colleague or trade union representative of their choice to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.
- 10.4 Where your complaint is about someone other than an employee, such as a contractor, pupil, parent, or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the Denbigh Alliance and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.
- 10.5 We will also seriously consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours so as to avoid or minimise contact with the alleged harasser or bully.
- 10.6 It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.
- 10.7 At the end of the investigation, the investigator will submit a report to the Head Teacher/CEO and HR department to consider the complaint. A copy of the report and findings will be given to you and to the alleged harasser or bully, together with recommendations for further action.
- 10.8 The Head Teacher/CEO will arrange a meeting with you, usually within one week of receiving the report, in order to discuss the outcome and what action, if any should be taken. You have the right to bring a colleague or a trade union representative to the meeting.

## **11 Action following the investigation.**

- 11.1 If the Head Teacher/CEO considers that harassment or bullying has occurred, prompt action will be taken to address it.



- 11.2 Where the harasser or bully is an employee, the matter will be dealt with as a case of possible misconduct or gross misconduct under our Disciplinary Procedure.
- 11.3 Where the harasser or bully is a third party, appropriate action might include putting up signs setting out acceptable and unacceptable behaviour; speaking or writing to the person and/or their superior about their behaviour; or, in very serious cases, banning them from the premises or terminating a contract with them.
- 11.4 Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the alleged harasser or bully. It may be appropriate to arrange some form of mediation and/or counselling or to change the duties, working location or reporting lines of one or both parties.
- 11.5 Any staff member who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under our Disciplinary Procedure.

## **12 Appeals**

- 12.1 If you are not satisfied with the outcome you may appeal in writing to the CEO, stating your full grounds of appeal, within five working days of the date on which the decision was sent or given to you.
- 12.2 We will hold an appeal meeting, normally within five working days of receiving your written appeal. This will be dealt with impartially someone authorised by the CEO who has not previously been involved in the case (although they may ask anyone previously involved to be present). You may bring a colleague or trade union representative to the meeting.
- 12.3 We will confirm our final decision in writing, usually within five working days of the appeal hearing. This is the end of the procedure and there is no further right of appeal.

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

- 13.1 An employee who makes a complaint or who participates in good faith in any investigation conducted under this policy must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way may be subject to a disciplinary process.
- 13.2 Victimisation is subjecting a person to a detriment because he/she has in good faith:
  - 13.2.1 complained (whether formally or otherwise) that someone has been bullying or harassing him/her or someone else; or
  - 13.2.2 supported someone to make a complaint; or
  - 13.2.3 given evidence in relation to a complaint.
- 13.3 This would include isolating someone or giving them a heavier or more difficult workload. If you believe you have suffered any such treatment, you should inform the Head Teacher/COO. If the matter is not remedied, you should raise it formally using our Grievance Procedure or this procedure if appropriate.

- 13.4 Making a complaint or giving evidence that you know to be untrue may lead to disciplinary action being taken against you.
- 13.5 Anyone found to have retaliated against or victimised someone for making a complaint or assisting in good faith with an investigation under this procedure will be subject to disciplinary action.
- 13.6 In the event of receiving a complaint, it is advisable not to immediately dismiss it, particularly on the basis of jest or perceived sensitivity of the complainant. It is imperative to recognize that individual perspectives on acceptability vary, and every individual is entitled to determine their own boundaries, deserving of respect for their feelings. It is plausible that unintentional offense may have been caused. In such instances, the concerned party may find resolution through a sincere explanation, accompanied by an apology, along with an assurance of vigilance to avoid recurrence of behaviour that may cause offense. Demonstrating such awareness and commitment may effectively resolve the issue at hand.
- 13.7 We offer access to confidential counselling, which is available on request for anyone affected by, or accused of, bullying or harassment. The details are available in confidence from the HR department.

#### **14 Confidentiality and data protection**

- 14.1 Confidentiality is an important part of the procedures provided under this policy. Everyone involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required. 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.
- 14.2 As part of the application of this policy, the Denbigh Alliance may collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and the Data Protection Act 2018) and any implementing laws, regulations, and secondary legislation, as amended or updated from time to time. Records will be kept on the employee's personal file in accordance with our GDPR & Privacy Policy, and in line with the requirements of Data Protection Legislation. This will include information about a complaint along with a record of the outcome and of any notes or other documents compiled during the process.
- 14.3 Breach of confidentiality may give rise to disciplinary action under our Disciplinary Procedure.

#### **15 Review of this policy**

We will monitor the application and outcomes of this policy to ensure it is working effectively.

## Appendix 1 - Prevention of Sexual Harassment Risk Assessment *(working document)*

Assessment details	
Date of Assessment	29/10/2024
Risk Assessor	Shannon Webb – HR Manager
People involved in making this assessment	Shannon Webb, Stephen Campbell – Union Representative
People at risk	All employees
Risks identified	
Risks identified of worker to worker sexual harassment	<ul style="list-style-type: none"> <li>• Risk that employees could be sexually harassed by colleagues in the workplace</li> <li>• Risk that employees could be sexually harassed by colleagues at work functions</li> </ul>
Risks identified of third party sexual harassment	<ul style="list-style-type: none"> <li>• Contractors sometimes work with staff</li> <li>• Third parties letting the buildings</li> <li>• Third parties attending open evenings and other school events</li> </ul>
Control measures	
Reasonable steps to be taken to reduce risk	<ul style="list-style-type: none"> <li>• Communication to staff of zero tolerance approach which means recognising that no worker should have to experience sexual harassment at work</li> <li>• Setting up specific training for managers to ensure they understand what sexual harassment is, and that all reports formal and informal must be taken seriously, documented and appropriate action taken</li> <li>• Taking all concerns raised about sexual harassment seriously</li> <li>• Acting to promptly take appropriate action when concerns are raised</li> <li>• Encouraging staff to report any instances of sexual harassment, including third party sexual harassment</li> <li>• Developing a protocol for how any reports of sexual harassment, including third-party harassment, will be dealt with</li> <li>• Instructing colleagues who manage the trust's relationship with lettings/contractors to confirm the trust's approach and ensure that relevant protocols, responsibilities and reporting mechanisms are established for sexual harassment involving third parties</li> </ul>

## **Appendix 2 – Letter to third parties**

Dear [Recipient/Third Party Representatives],

### **Subject: Zero Tolerance Policy on Harassment**

At the Denbigh Alliance, we are committed to fostering a safe, respectful, and inclusive environment for all individuals who engage with our organisation. Harassment of any kind, including but not limited to sexual harassment, will not be tolerated under any circumstances.

We expect all third-party representatives and individuals working on behalf of or in partnership with the Denbigh Alliance to adhere to the highest standards of professional behaviour. Any behaviour that violates our principles of respect and dignity, including harassment, will be taken extremely seriously.

Should an incident of harassment be reported or observed, the individual involved will be required to leave the site immediately. Depending on the nature and severity of the situation, we reserve the right to escalate the matter to the police for further investigation and action.

We appreciate your cooperation in upholding these standards and ensuring that the Denbigh Alliance remains a safe and welcoming environment for everyone. Should you have any questions or require further clarification, please do not hesitate to contact me directly.

Thank you for your understanding and commitment to maintaining our shared values.

Yours sincerely,

[Your Full Name]  
[Your Position]  
The Denbigh Alliance