



Wessex
Learning Trust
We Learn Together!

Staff Harassment and Bullying Policy

Date approved by Trust Board: September 2020
Review Date: September 2022

Station Road, Cheddar, Somerset BS27 3AQ Telephone: 01934 745363
Email: office@wessexlearningtrust.co.uk www.wessexlearningtrust.co.uk
Wessex Learning Trust. Registered in England. Company Number 7348580.

Wessex Learning Trust

Staff Harassment and Bullying Policy

This policy will be reviewed by the Board of Trustees in September 2022, and then henceforth every three years or earlier if legislation requires it.

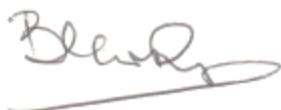
A handwritten signature in black ink that reads "Gavin Ball". The signature is written in a cursive style with a large initial 'G'.

Signature:

Name: Mr Gavin Ball

Position: Chief Executive

Date: 04/09/2020

A handwritten signature in black ink that reads "Brian Kirkup". The signature is written in a cursive style with a large initial 'B' and a long horizontal stroke at the end.

Signature:

Name: Mr Brian Kirkup

Position: Chair of the Board

Date: 04/09/2020

1. Introduction

1.1 The Wessex Learning Trust believes that all of its employees have the right to a safe working environment free from intimidating and insulting behaviour, and recognises its legal obligations to provide such an environment. Harassment and bullying of employees can have serious consequences for individuals and for schools. The Trust prohibits all forms of bullying and harassment and is committed to taking appropriate steps to eliminate such behaviour from the school.

1.2 This policy applies to all the Trust employees, including those employed on a temporary basis, or via an agency, and the Trust will ensure that all employees are made aware of the policy and how to access a copy.

1.3 The School/Trust is committed to providing a comprehensive training programme for all employees and members of local governing bodies on harassment, bullying and equality issues. Appropriately qualified members of staff, such as managers, may be required to act as investigating officers or undertake another role as part of the harassment procedure. Resources will be made available centrally to enable such staff to receive training and to carry out their investigating duties.

1.4 In accordance with the Equality Act 2010 and the public sector equality duty to eliminate discrimination and advance equality of opportunity, monitoring of the procedure will be undertaken to collect information such as: the type and frequency of complaints arising; the proportion of complaints resolved satisfactorily; any problem areas to be addressed; and any additional training required.

1.5 In adopting this policy the Trust recognises its responsibility for ensuring that the policy is implemented and will encourage employees who consider that they have been harassed or bullied to use the procedures outlined in this and the Staff Grievance Policy.

1.6 This policy should be read in conjunction with the Trust's Staff Grievance Policy, which provides the procedural guidelines on how a Bullying or Harassment complaint should be made and dealt with.

2. Harassment and Bullying in the Workplace

2.1 The Trust is committed to the elimination of all forms of harassment and bullying of its employees in connection with their employment. Harassment may be unlawful under the Equality Act 2010, and both bullying and harassment affect working conditions, impact on health and safety, and undermine equality at work. They undermine attempts to improve education provision for all learners because they:

- present an unacceptable model for learner's own behaviour
- cause increased incidence of stress-related illness among staff
- lead to high levels of staff turnover in individual schools
- demoralise all staff working in schools where their colleagues are bullied by management or other members of staff.

2.2 All staff are prohibited from harassing or bullying colleagues in the workplace and are expected to comply with this policy. Breach of this policy is a disciplinary offence and appropriate disciplinary

action, including dismissal for serious offences, will be considered if any employee fails to adhere to this policy.

3. Definition of Harassment

3.1 Harassment is defined by the Equality Act 2010 as “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment”. Harassment in relation to one or more of the following protected characteristics is unlawful: age, disability, gender reassignment, race, religion and belief, sex and sexual orientation. However, the Trust is aware that harassment may also occur that is not in relation to a protected characteristic, and all forms of harassment will be dealt with via this policy and procedure.

3.2 Harassment can interfere with a person's work performance and undermine job security. Harassment may be either intentional or unintentional. The key feature is its effect on the person rather than the motive of the perpetrator.

3.3 Harassment can take many forms. These include (and are not limited to):

- the display or distribution of offensive material, graffiti or badges
- non-verbal abuse such as offensive gestures and body language
- inappropriate comments about someone's appearance
- intrusive questioning about someone's private life
- verbal abuse such as suggestive remarks, ‘jokes’ and name calling
- physical contact such as unnecessary touching
- offensive messages or materials received via email or online
- threatened or actual physical abuse or attack.

4. Definition of Bullying

4.1 Bullying is a form of harassment in which the bully undermines and belittles or assaults the recipient. Bullies may seek to exploit others' perceived personal weaknesses, either because they enjoy the exercise of such power or because they are under pressure themselves, or even because they believe such behaviour is the best means of managing relationships.

4.2 Common examples of bullying include allocating additional workload, withholding work responsibility, changing priorities and objectives unreasonably, imposing impractical deadlines, excessive and unreasonable supervision, or unnecessary invoking of disciplinary or capability procedures. Bullying may also involve abuse and undue criticism in front of colleagues and learners. Bullying can also be in the form of ‘cyberbullying’ whereby the methods used to undertake the bullying behaviour are through information and communications technology, particularly mobile phones and the internet.

4.3 The common feature of the different forms of behaviour that constitute harassment and bullying is that it is behaviour unwanted by the victim.

5. Harassment, Bullying and the Law

5.1 The Equality Act 2010 provides a legal framework for employees to be protected from unfair treatment and for the Trust to promote equality and fairness in the workplace.

5.2 Harassment is likely to breach the law if undertaken in relation to one or more relevant 'protected characteristics' (age, disability, gender reassignment, race, religion and belief, sex and sexual orientation), and this can be used effectively to tackle harassment at work.

5.3 Harassment will be deemed to be taking place if the victim is perceived by the harasser to have a protected characteristic, whether they actually have it or not. A person may also be harassed because of their association with someone who has a protected characteristic. For instance, a person might be harassed because of the sexual orientation of one of their family members.

5.4 Under the Act, the School/Trust as employer may be asked to answer for its own conduct and the conduct of its staff, as claims can be made against both the harasser and their employer.

5.5 Victimisation in the form of retaliation for making or supporting a claim of harassment may also constitute unlawful behaviour under the Equality Act 2010, and behaviour that constitutes victimisation will not be tolerated.

6. Harassment and Bullying of Employees by Members of the School Community

6.1 Employees may experience bullying or harassment from governors, parents and other visitors to the school, as well as harassment from pupils or colleagues. It is not part of an employee's duties to accept or tolerate such behaviour.

6.2 All such complaints of harassment made by employees will be investigated, and the Trust will provide support to any employee who is the victim of harassment by a member of the public in the course of their employment.

7. Dealing with Allegations of Harassment and Bullying

7.1 If a staff member feels as though they have been subject to harassment or bullying at work they are encouraged to take steps to remedy the situation, through following the procedure detailed in the Staff Grievance Policy.

7.2 The Trust believes in providing a positive and enjoyable working environment for all its staff, and will treat all allegations of Harassment and Bullying with utmost seriousness in order to continue to provide this.