



St Paul's School  
FOUNDED 1509

# Anti-Harassment and Bullying Policy

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Applicable:	SPJ & SPS		

This policy is available on the Handbook page of the School Intranet and policies page of the School website and can be made available in large print or other accessible format if required; such requests can be made by email to [policyquery@stpaulsschool.org.uk](mailto:policyquery@stpaulsschool.org.uk)

## Policy statement

We are committed to providing a working environment free from harassment and bullying and ensuring all staff are treated, and treat others, with dignity and respect. Harassment, bullying or victimisation of any member of staff, or anyone they come into contact with during the course of their work, can be unlawful and will not be tolerated. We will take proactive steps to prevent the harassment, bullying and victimisation of all staff. Anyone who is a victim of, or witness to, harassment, bullying or victimisation is encouraged to report it in accordance with this policy.

You should not engage in any behaviour or conduct which may amount to harassment, bullying or victimisation of another person at work. Harassment, bullying and victimisation are regarded as disciplinary offences and in serious instances may lead to summary dismissal.

The School aims to follow the best practice principles set out by ACAS.

## About this policy

The purpose of this policy is to set out a framework for line managers to deal with harassment, bullying or victimisation that occurs by staff (which may include consultants, contractors and agency workers) and also by third parties such as parents, suppliers or visitors to our premises.

This policy covers harassment, including sexual harassment, bullying or victimisation which occurs at work and out of the workplace, such as on School trips or at work-related events or social functions, or on social media.

This policy does not form part of any employee's contract of employment and may be amended at any time.

### **Who does this policy apply to?**

This policy applies to all employees, governors, consultants, self-employed contractors, casual workers, agency workers and volunteers.

### **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:

- unwanted physical conduct, including touching, pinching, pushing and grabbing;
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender
- continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes
- offensive e-mails, text messages or social media content, including sending or displaying material that is pornographic or that some people may find offensive
- mocking, mimicking 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.

### **What is victimisation?**

Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

- Bringing proceedings under the Equality Act 2010
- Giving evidence or information in connection with proceedings under the Equality Act 2010
- Doing any other thing for the purposes of or in connection with the Equality Act 2010

- Alleging that a person has contravened the Equality Act 2010

Victimisation may include, for example:

- Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment
- Excluding someone because they have raised a grievance about harassment
- Failing to promote someone because they accompanied another staff member to a grievance meeting
- Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing

Harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal.

### **Third-party harassment**

Third-party harassment occurs where a person is harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, derogatory comments about a person's age, disability, pregnancy, colour, religion or belief, sex or sexual orientation from a parent, supplier or visitor to the School's premises.

Third-party harassment can result in legal liability and will not be tolerated. All staff are encouraged to report (see Procedures below) any third-party harassment they are a victim of, or witness.

Any harassment by a member of staff against a third-party may lead to disciplinary action up to and including dismissal.

If any third-party sexual harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. These steps may include warning the harasser about their behaviour, banning them from our premises and reporting any criminal acts to the police.

### **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:

- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- 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 on their own.

**Procedures:**

**1. If you are being harassed, bullied or victimised: informal steps**

If you are being harassed, bullied or victimised, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If you do not feel comfortable raising the issue with the person responsible, or have done so but it has not resolved the issue, you should speak to your line manager in the first instance who can provide confidential advice and assistance in resolving the issue formally or informally. Line managers should liaise with the Deputy Head (Staff Development and Wellbeing) for SPS Teachers or Deputy Head Pastoral for SPJ Teachers or an HR Manager for guidance as required.

If you feel unable to speak to your line manager because the complaint concerns them, or if you are not certain whether an incident or series of incidents amounts to bullying, harassment or victimisation, then you may speak informally to the Deputy Head (Staff Development and Wellbeing) for SPS Teachers or Deputy Head Pastoral for SPJ Teachers or an HR Manager, who can provide confidential advice and assistance in resolving the issue formally or informally.

**2. Raising a formal complaint**

If informal steps have not been successful and/or are not appropriate, you should raise the matter formally under the School Grievance Procedure.

If, following the conclusion of the grievance process, it is considered that you have been harassed, bullied or victimised by an employee the matter will be dealt with under the School Disciplinary Procedure as a case of possible misconduct or gross misconduct. If the perpetrator is a third party such as a parent or visitor, the School will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, the School will consider how best to manage any ongoing working relationship between you and the person concerned.

As a general principle, the decision whether to progress a formal complaint is up to the individual concerned. However, the School has a duty to protect all staff and may pursue the matter independently where it is appropriate to do so.

**3. If you witness harassment, bullying or victimisation**

Staff who witness harassment, bullying or victimisation are encouraged to take appropriate steps to address it. Depending on the circumstances, this could include:

- Intervening where you feel able to do so
- Supporting the victim to report it or reporting it on their behalf
- Reporting the incident where you feel there may be a continuing risk if you do not report it
- Cooperating in any investigation into the incident

All witnesses will be provided with appropriate support and will be protected from victimisation. All reporting to be made to the Deputy Head (Staff Development and Wellbeing) for SPS Teachers or Deputy Head Pastoral for SPJ Teachers or an HR Manager.

### **Preventative steps**

In line with legislative guidance, we are committed to taking proactive steps to prevent the sexual harassment of our staff. These steps include:

- Adopting a clear Anti-Harassment and Bullying Policy
- Preparing a risk assessment to address the duty to take reasonable steps to prevent sexual harassment at work.
- Implementing appropriate training/guidance

### **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 Disciplinary Procedures. The School will seek to ensure that no one is penalised, whether directly or indirectly, for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped.

Any member of staff who believes that they have suffered such treatment should inform their line manager in the first instance. If the matter is not remedied, the matter should be raised formally using the School Grievance Procedure.

The school offers a range of support systems including a 24/7 confidential counselling and support helpline; further details may be found [here](#).

Support and guidance can also be obtained from the following external services:

- The Equality Advisory and Support Service ([www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com))
- Protect ([www.protect-advice.org.uk](http://www.protect-advice.org.uk))
- Victim support ([www.victimsupport.org.uk](http://www.victimsupport.org.uk))

### **False or malicious allegations**

Making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under the School Disciplinary Procedure.

### **Confidentiality and record keeping**

Confidentiality is an important part of the procedures provided under this policy. Details of an investigation into a formal complaint and the names of the person making the complaint and the person accused must only be disclosed on a 'need to know' basis. Breach of confidentiality may give rise to disciplinary action under the School Disciplinary Procedure.

Information about a complaint by or about a member of staff may be placed on their HR file, along

with a record of the outcome and of any notes or other documents compiled during the process, as a historic record.

Any queries about this policy should be directed to the HR team.