# Anti Bullying and Anti Harassment Policy for schools

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# Anti Bullying and Anti Harassment Policy for schools


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# Introduction

Buckinghamshire Council ("the Council") and the schools Governing Body recognises the right of all employees/workers to work in a climate of respect, free from intimidating, hostile or humiliating treatment. The Council/Governing Body is committed to ensuring that all staff in the school are provided with a safe and respectful working environment and encourage an environment which is free from bullying, harassment, sexual harassment, discrimination and victimisation, all forms of which are unacceptable and will not be tolerated.

# Scope

This policy applies to:

- All Teachers on Teachers pay and conditions and Buckinghamshire Council employees employed in schools under the terms of Bucks Pay Employment Conditions.
- All agency staff, consultants, contractors and volunteers working with or for the School.
- All Governors are expected to conduct themselves in a way consistent with both the provisions of their Code of Conduct and, where applicable, the contents of this Policy.

# Principles

All employees/workers/school governors have a responsibility to create and maintain a respectful workplace that is free from harassment, sexual harassment, bullying or victimisation,

All complaints whether informal or formal will be treated as serious and be investigated.

All complaints will be treated as confidential and discussed on a need-to-know basis.

Subsequently any breaches in confidentiality may be treated as a disciplinary matter.

No employee/worker/school governor will be subjected to any form of discrimination in the application of this policy on the protected characteristics of age, disability, gender, gender reassignment, marriage, and civil partnerships, maternity and pregnancy, race, religion, belief, sex, sexual orientation or other grounds protected by law.

# Roles and Responsibilities

Both managers and employees/workers/school governors/ Head teacher have roles and responsibilities under this policy.

### Headteacher/Line Managers will:

- Apply the provisions of this guidance on a day-to-day basis, especially in setting a good example for other employees/workers to follow and for intervening where necessary to protect and reassure employees/workers.
- Ensure that employees/workers have read this guidance and know where it can be found.
- Ensure that all complaints of harassment, sexual harassment, bullying, or victimisation are dealt with promptly, seriously, and confidentially and in accordance with our internal grievance procedure.
- Will set a good example by treating employees, workers, parents, governors and pupils with fairness, dignity, and respect.
- Be alert to unacceptable, inappropriate behaviour and take appropriate action to challenge and stop it.
- Have a duty to take reasonable steps to prevent harassment, sexual harassment and bullying.

- Promote a professional and positive workplace, proactively identify areas of risk and incidents of harassment, sexual harassment and bullying
- Treat all complaints as serious and deal with them in a confidential and sensitive way, only discussing the case on a need-to-know basis.

### Employees/workers will:

- Conduct themselves in accordance with the Schools Code of Conduct and the provisions of this guidance. Behaving professionally and appropriately during the working day extending to work related social events and social media use.
- Treat others with dignity and respect.

- Not commit, condone, or encourage any acts of harassment, sexual harassment, bullying, or victimisation against any person, such as their co-workers, governors, parents or pupils . This includes but is not limited to situations such as in work, at a school social event, against a colleague or person connected to the council outside of school including on social media, against anyone outside of a school situation where the incident is relevant to their suitability to carry out the role. Any form of harassment, sexual harassment or victimisation may lead to disciplinary action up to and including dismissal if it is committed.

- Discourage harassment, sexual harassment, bullying, or victimisation by making it clear that they find such behaviour unacceptable and by supporting co-workers who suffer such treatment.
- Alert a manager, headteacher or a member of the senior leadership team to instances of unacceptable behaviour to enable the Council to manage it appropriately.
- Try and raise their concerns, if appropriate, in the first instance by telling the perpetrator to ‘Stop’ their unacceptable and inappropriate behaviour verbally or in writing.
- Where employees/workers do not feel they can raise concerns informally they should raise concerns relating to harassment, sexual harassment, bullying, or victimisation with their line manager or the head teacher as soon as they occur or as is reasonably practicable.

# Definitions

## Harassment

Harassment is any unwanted conduct related to a relevant protective characteristic, which 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 take place over a period of time, or it could be an isolated incident. The harassment may take many forms and employees may not realise that their behaviour constitutes harassment.

Examples of unwanted behaviour include but are not limited to:

- insensitive jokes and pranks
- lewd or abusive comments
- deliberate exclusion from conversations
- displaying abusive or offensive writing or material
- abusive, threatening or insulting words or behaviour
- name-calling

- picking on someone or setting them up to fail
- exclusion or victimisation
- undermining their contribution/position
- demanding a greater work output than is reasonably feasible
- blocking promotion or other development/advancement.

**Who is protected from harassment**

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

- disability;
- sex;
- gender reassignment;
- marital or civil partnership status;
- race;
- religion or belief;
- sexual orientation; and
- age.

Although pregnancy and maternity and marriage and civil partnership are not specifically protected under the legal provisions on harassment, we consider harassment on any ground to be unacceptable.

## Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It also covers treating someone less favourably because they have submitted to, or refused to submit to, unwanted conduct of a sexual nature or in relation to gender reassignment or sex.

Sexual harassment may be committed by a fellow employee/worker, an agent of an organisation, or a third party. It does not need to occur in person. It can occur via digital means, including social media sites or channels (e.g. WhatsApp). Someone may be sexually harassed even if they were not the target of the behaviour. Examples of sexual harassment include, but are not limited to:

- sexual comments or jokes, which may be referred to as “banter”
- displaying sexually graphic pictures, posters or photos
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person’s private or sex life or a person discussing their own sex life
- sexual posts or contact in online communications, on any digital platform including social media and posting on the internet

- spreading sexual rumours about a person
- sending sexually explicit emails, text messages or messages via other social media
- unwelcome touching, hugging, massaging or kissing.

## Third Party Harassment

The School operates a zero-tolerance policy in relation to harassment perpetrated against one of its employees by a third party, such as a client/customer/parent or visitor to the school. All employees are encouraged to report any and all instances of harassment that involve a third party in line with our reporting procedure.

If we find that the allegation is well-founded, we will take the steps we deem necessary in order to remedy this complaint. This can include, but is not limited to:

- warning the individual about the inappropriate nature of their behaviour
- banning the individual from school premises
- reporting the individual's actions to the police.

In addition to this, the school will endeavour to take reasonable steps to deter and prevent any form of harassment from third parties taking place.

## Bullying

Bullying is the 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, it can include both personal strength and the power to coerce through fear or intimidation.

Bullying, like harassment, may be verbal, non-verbal or physical. It can be carried out by one individual against another individual or group, or by a group against an individual or a group.

Bullying might:

- be a regular pattern of behaviour or a one-off incident
- happen face-to-face, on social media, in emails or calls
- happen at work or in other work-related situations
- not always be obvious or noticed by others

It's possible someone might not know their behaviour is bullying. It can still be bullying even if they do not realise it or do not intend to bully someone.

Examples of bullying at work could include:

- constantly criticising someone's work
- spreading malicious rumours about someone
- constantly putting someone down in meetings
- deliberately giving someone a heavier workload than everyone else
- excluding someone from team social events
- putting humiliating, offensive or threatening comments or photos on social media

## Victimization

Victimisation occurs when person A treats person B unfavourably A knows, or suspects B has done or intends to do a protected act. Protected acts include bringing discrimination proceedings, giving evidence or information in connection with discrimination proceedings, making an allegation of unlawful discrimination, or doing anything else under, or by reference to, discrimination legislation.

## Cyber-Bullying

Cyber-bullying can be defined as the use of information and communication technologies to support deliberate, repeated, and hostile behaviour by an individual or group that is intended to harm others.

Typically, it involves the use of the Internet, e-mail or mobile phones to send or post text or images intended to hurt or embarrass another person. In many cases, the spreading of offensive jokes or shocking or sexual material via phone or e-mail may also constitute cyber-harassment.

In the workplace, bullying by e-mail is probably most often recognised as cyber-bullying. This usually takes the form of curt, rude, or unpleasant e-mails sent by a superior or by a colleague. In some cases, such an e-mail may be sent with no malicious intent but may be poorly written or insensitive. Other e-mails can include relatively inoffensive messages in terms of content, but the implied meaning behind the message can constitute a form of bullying.

Workplace cyber-bullying is not always limited to working hours. Posting malicious or offensive blogs and comments about others on social networking sites, for example, would also fall under the umbrella of cyber-bullying, as would the taking of inappropriate pictures on mobile phones and spreading these on the Internet.

Cyber-bullying is no less unpleasant than conventional bullying, and staff are protected in the same way by the law. Managers and headteachers should always be alert to this form of bullying and take any complaints seriously. They should investigate and take appropriate action, adapting policies as required and working with ICT, where necessary.

Harassment or victimisation may lead to disciplinary action up to and including dismissal

Aggravating factors, such as abuse of power over a more junior colleague, will be taken into account in deciding what disciplinary action to take.

# Responsibility for resolving Concerns

If employees/workers believe they have been subjected to, or have witnessed, harassment, sexual harassment, bullying, or victimisation they are encouraged to raise their concerns as soon as possible. It is the Schools aim to ensure that all complaints are handled sensitively, promptly, and fairly and to provide employees/workers with support and guidance. Therefore, all employees/workers have a duty to remain vigilant and come forward should they witness anything or believe they have been subject to sexual harassment.

Raising and addressing concerns early and informally can be the most effective method of resolving harassment or bullying at work matters swiftly and sensitively and the School actively support all forms of informal resolution including mediation. We do recognise that in some cases informal resolution is not possible or appropriate and the Grievance procedure should be used in these situations.

The School has a responsibility for the well-being and safety for all employees/workers. If the Head teacher, Line Manager or member of the schools senior leadership team becomes aware of a serious harassment or bullying at work matter the School has a responsibility to investigate and take steps to mitigate the risk even if the victim/witness does not wish to make a formal complaint.

An individual who is the victim of harassment, sexual harassment, bullying, or victimisation may not feel able to raise their concerns and therefore all employees/workers have a duty to be vigilant and to speak up where they witness such behaviour. All concerns should be reported to line managers in the first instance, except where the concern relates to the line manager’s behaviour, in which case employees/workers may raise this with the headteacher of a member of the schools senior leadership team.

# Informal Resolution

If an employee/worker feels that they have not been treated fairly and with dignity at work, they should initially consider explaining to the person that their behaviour makes them feel uncomfortable and that it is not welcome, and the employee expects their behaviour to stop.

It is possible the person is unaware of the effect of their behaviour and needs to have it brought to their attention so it can be corrected. Problems and issues are best resolved if they are acted upon quickly and the School encourages employees/workers to communicate openly and honestly with colleagues,

employees/workers, the head teacher and direct reports to work together to informally resolve any issues that employee may have, in the first instance.

A member of the schools leadership team or a Union Representative if applicable can assist employees/workers with informal resolution if it would benefit from additional support. If the issue concerns the manager, then employees/workers should consider speaking to the headteacher or a senior colleague of your choice in the capacity of a confidential helper, who will support the employee to informally resolve the issue.

Employees/workers may also benefit from the involvement of an impartial and professionally trained mediator who can work with all parties involved to seek and agree a way forward. The school may obtain further advice regarding mediation from their HR provider.

Where matters have been resolved informally and the manager has been involved, they will keep a record of the discussion and any agreed actions, training, or other support as agreed between the parties.

# Raising the matter formally

If Employees/workers are unable to resolve the matter informally and wish to raise a formal complaint they should follow the procedure set out in the Schools Grievance Policy for raising a formal grievance.

# Confidentiality

The School will deal with all complaints sensitively and with respect for the privacy of all individuals involved. All parties involved must treat as confidential any information communicated in connection with an investigation into a bullying, harassment, sexual harassment or victimisation matter.

# Employee Assistance Programme

Confidential advice and support are available from the Council's Employee Assistance Programme (EAP). It is available to support all employees/workers with confidential and impartial advice regarding workplace issues including harassment or bullying at work concerns and can offer counselling either over the phone or in person and details can be found on the Schools Web under Occupational Health.

Employees/workers are also reminded that they must follow the Schools Code of Conduct which is available on Schools web.

# Data protection

We process any personal data collected during the bullying and harassment procedure in accordance with Data protection and GDPR | Buckinghamshire Council . Any data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the bullying and harassment procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with our data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under our disciplinary procedure.

# Downloads

## Download Our Latest Document

We are pleased to offer you access to our latest document. To download, simply click the link below:

**Download Document**

**How to Download:**

1. Click the “Download Document” link.
2. The document will open in a new tab.
3. Save the document to your device by clicking the download icon or selecting “Save As” from your browser’s menu.

We have also developed notices for the school to download and put up in both internal communal areas and public areas such as reception. These state that the school will not tolerate any form of harassment, violent or abusive behaviour towards staff. You can add the school name and logo but please keep the Bucks Council logo.

SCHOOLS Anti-harassment notice for reception - public areas

SCHOOLS Anti-harassment notice for staff - communal areas