



OLDFIELD
SCHOOL

BULLYING AND HARASSMENT POLICY (STAFF)

Last Review:	February 2020
Committee:	PSW
Date Ratified:	27/2/2020
Next Review:	February 2022

1. Purpose

The School, in partnership with staff, is committed to developing and maintaining an environment in which all staff can work free from any form of bullying, harassment or victimisation (as defined in this policy) and the School is committed to dealing quickly and efficiently with any incidents of bullying and harassment that arise.

Any incidents of bullying, harassment or victimisation will be regarded extremely seriously and could be grounds for disciplinary action which may include dismissal.

The School's aim is that no member of staff should:

- be subjected to **any form** of harassment, bullying or victimisation;
- feel that such harassment, bullying or victimisation has to be tolerated; feel that such harassment, bullying or victimisation is his/her fault.

All members of the School community are entitled to be treated with dignity, fairness and respect.

Staff who feel that they may be victims of bullying, harassment or victimisation should pursue the issue either informally or formally by using the procedures described in this policy. When reported, formal complaints of bullying, harassment or victimisation will be investigated and the School will take appropriate action as quickly as possible.

2. Scope of the Procedure

The procedure covers all teaching and non-teaching staff employed by Oldfield School.

If the complaint is not within the scope of this policy the complainant may wish to take advice on other policies and procedures which may apply, such as the grievance or whistle blowing procedure. If the harassment and bullying is by a student, then it is dealt with in the Anti-Bullying Policy.

This procedure is separate from the disciplinary procedure, which may be used if the result of an investigation establishes a case for disciplinary action. Allegations which constitute gross misconduct will be dealt with directly under the School's Disciplinary Procedure.

3. Definitions

3.1 Harassment

Harassment may be described broadly as "unwanted conduct affecting the dignity of individuals or groups of people". Where a particular form of conduct has the effect of making a person feel humiliated, threatened or that their privacy is being invaded, then that conduct could constitute harassment.

The Equality Act 2010 specifically prohibits three types of harassment. These are:

I. Harassment related to a "relevant protected characteristic".

The seven protected characteristics are listed below:

- Age
- Disability
- Gender Reassignment
- Race
- Religion or Belief
- Sex
- Sexual Orientation.

II. Sexual Harassment.

Sexual harassment occurs when any such unwanted sexual attention creates an intimidating, hostile or offensive environment for employment, for study or for social life. Sexual harassment involves unwanted sexual attention which emphasises sexual status over that as an individual, colleague or student. It can be:

- physical – this could range from suggestive looks to serious sexual assault ,
- verbal - this could include belittling or suggestive remarks, compromising invitations, aggressively foul language, unwanted demands for sex/sexual favours
- visual/written - this could include displays of sexually suggestive or degrading pictures in the workplace, suggestive, offensive or degrading emails, notes or text messages.

Sexual harassment of women by men is most often reported. However, sexual harassment between members of the same sex or of men by women also occurs.

III. Less favourable treatment of a worker because they submit to, or reject, sexual harassment or harassment related to sex or gender reassignment.

The third type of harassment occurs when a worker is treated less favourably by their employer because they have submitted to, or have rejected unwanted conduct of a sexual nature, or unwanted conduct which

is related to sex or to gender reassignment, and the unwanted conduct then results in a violation of their dignity or the creation of an intimidating, hostile, degrading, humiliating or offensive environment.

3.2 Bullying

Bullying may be characterised as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.” Bullying behaviour may or may not amount to harassment in equality law, as set out later in this policy. Some examples of bullying and harassment behaviour are:

Verbal communications

- Remarks, insults, jokes and innuendoes which are inappropriate and offensive.
- Ridicule, teasing or name calling.
- Abusive or threatening language including shouting and swearing.
- Humiliating someone in front of other colleagues or in private.
- Unreasonable criticism.
- Trivialising of work and achievements.
- Malicious gossip.

Physical

- Unwanted physical contact.
- Invasion of personal space.
- Unnecessary touching, patting, pinching, brushing against one another.
- Violence.
- Ignoring or excluding an individual.

Written

- Offensive posters, leaflets, graffiti, pin-ups, magazines and papers.
- Written insults, threatening mail, email or via social media.
- Inappropriate insignia or symbols.

Other

- Singling out one person when there is a common problem.
- Blaming the majority for the actions of individuals.
- Belittling or disregarding opinions or suggestions.
- Giving negative feedback with no evidence of support or encouragement for improvement.
- Managing performance through threats and intimidation.
- Deliberately setting tasks that cannot be achieved within reasonable timescales to undermine an individual or set up for failure.
- Isolating people from normal work interactions.

It is essential to remember that it is not the intention of the perpetrator which is key in deciding whether bullying or harassment has occurred but whether the behaviour is unacceptable by normal standards and detrimental to the person(s) involved.

Differences of attitude or culture and the misinterpretation of social signals *can* mean that what is perceived as harassment by one person may not seem so to another. The defining feature, however, is that the behaviour is offensive or intimidating to the recipient or a witness. It is not the intention of the perpetrator that is key in deciding if harassment or bullying has occurred, but whether the behaviour is unacceptable by reasonable normal standards and is unwelcome to the person or people subjected to it or witnessing it.

Any difficulty in defining what constitutes bullying or harassment should not deter staff from complaining about behaviour which they feel violates their dignity, intimidates, offends, humiliates or degrades them. Nor should anyone be deterred from making a complaint because of embarrassment or fear of intimidation.

4. Consequences of bullying or harassment

Bullying and harassment are unacceptable behaviours because they breach principles of equality and fairness, and it frequently represents an abuse of power and authority. It also has potential consequences for everyone involved.

5. Procedures & Implementation

Everyone has a responsibility to ensure they do not behave in a way that could be offensive to others, or is in anyway unjust to others. We can all contribute by developing an awareness and sensitivity towards the issues and by ensuring that proper standards of conduct are maintained.

6.1 The School is responsible for:

- Ensuring the health, safety and welfare of all its employees while they are at work
- Ensuring all employees are aware of the Bullying and Harassment Policy and Procedure and the standards of behaviour expected in the workplace
- Monitoring and reviewing the policy and procedure to ensure it reflects best practice and learning
- Raise employee awareness of harassment and bullying and their responsibilities
- Provide guidance, support and training to help managers and department heads to deal with incidents of harassment and bullying
- Ensure support and guidance is available to both complainant and the alleged harasser.

6.2 Managers are responsible for:

- Ensuring that they, and all employees are aware of the anti-bullying harassment policy and procedures.
- Ensuring that any incident of bullying or harassment is dealt with regardless of whether a complaint of bullying or harassment has been received.
- Provide leadership and role-modelling in appropriate professional behaviour and by treating all their employees with dignity and respect
- Consistently re-enforcing appropriate standards of behaviour
- Respond promptly, sensitively and confidentially to all situations where bullying or harassment is observed or alleged to have occurred

6.3 Employees are responsible for:

- Ensuring they are familiar with, and behave according to this policy
- Ensuring their behaviour is free from bullying and harassment

- Report any incidents of bullying or harassment they are witness to, to a senior member of staff
- Speaking to the alleged bully(ies) or harasser(s) to object to the behaviour where appropriate
- Co-operate in giving evidence when harassment and bullying has occurred

7. Procedure

7.1 Informal action

If you feel that you are being bullied or harassed, as a first step you should try to make it clear to the person causing the offence that such behaviour is unacceptable, unwelcome and should be stopped. This will often be sufficient to end the behaviour which is causing offence, because in some cases the person against whom the complaint is directed might be unaware that their behaviour is inappropriate or their words or actions may inadvertently have caused offence.

If you need help or advice you can approach any of the following people:

- a trusted friend or sympathetic colleague
- a staff union representative
- your line manager or SLT link
- the Director of HR&OD

Any of the people mentioned could advise you on a course of action. They will be willing to discuss in an informal way incidents or problems, however large or small they may seem. Any discussion, as far as is reasonably practicable, will be confidential and further action will not be taken without your express permission.

At this stage the person you consult may go with you to speak to the alleged harasser, or go in your place, or help you to write to the alleged harasser with the specifics of your complaint. You should keep a copy of any correspondence.

7.2 Formal Complaint

It is very important to note that if:

- for any reason, you feel unable to approach one of the people listed above; or
- for any reason, you feel unable to approach the alleged harasser informally from the outset, or
- after communicating with the alleged harasser, you are not satisfied with the outcome of that approach (including that the harassment has stopped or will now stop); or
- the nature of the harassment is sufficiently serious as to make it inappropriate to deal with informally as a first step;

you know that you can take forward your complaints about bullying, harassment or victimisation using the School's formal grievance procedure which will be used to deal with the complaint.

It is hoped that the implementation of this policy will ensure that all our employees at the School work in an atmosphere of mutual trust, dignity and respect.