



Anti- Harassment and Bullying Policy September 2022

Approved by the Trust Board: 26 September 2022

To be reviewed: 26 September 2024

1 ABOUT THIS POLICY

- 1.1 Derby Diocesan Academy Trust ("the Trust", "DDAT") is committed to providing a working environment free from harassment and bullying and ensuring all staff and pupils are treated, and treat others, with dignity and respect.
- 1.2 This policy covers harassment or bullying which occurs at work and out of the workplace, such as on school trips or at work-related events or social functions. It covers bullying and harassment by staff and also by third parties such as pupils, parents or carers, and visitors to our schools and premises.
- 1.3 This policy covers all employees, officers, consultants, contractors, volunteers, casual workers and agency workers, working for the Trust.
- 1.4 This policy does not form part of any employee's contract of employment and DDAT may amend it at any time following consultation with recognised Trade Unions. It has been implemented following consultation with all recognised Trade Unions.

2 WHAT IS HARASSMENT?

- 2.1 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.
- 2.2 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.
- 2.3 Harassment may include, by way of example, unwanted physical conduct or "horseplay", unwelcome sexual advances or suggestive behaviour, offensive e-mails, text messages or social media content, or mocking, mimicking or belittling a person's disability.
- 2.4 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 the jokes create an offensive environment.

3 WHAT IS BULLYING?

- 3.1 Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power.
- 3.2 Bullying can take the form of physical, verbal, and non-verbal conduct. Bullying may include, by way of example, physical or psychological threats or inappropriate derogatory remarks about someone.

- 3.3 Legitimate, reasonable, and constructive criticism of an individual's performance or behaviour, or reasonable instructions given to staff in the course of their employment, will not amount to bullying on their own.

4 IF YOU FEEL YOU ARE BEING HARASSED OR BULLIED

- 4.1 If you are being harassed or bullied, 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 this is too difficult or embarrassing, you should speak to your line manager, or the Human Resources ("HR") team, who can provide confidential advice and assistance in resolving the issue formally or informally. You could seek support from a colleague or your union representative.
- 4.2 If informal steps are not appropriate, or have not been successful, you should raise the matter formally under DDAT's Grievance Procedure.
- 4.3 The School/Trust will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused will only be disclosed on a "need to know" basis. The School/Trust will consider whether any steps are necessary to manage any ongoing relationship between you and the person accused during the investigation.
- 4.4 Once the investigation is complete, the Trust will inform you of its decision. If the School/Trust considers you have been harassed or bullied by an employee, the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct. If the harasser or bully is a third party, the Trust will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, the Trust will consider how best to manage any ongoing working relationship between you and the person concerned.
- 4.5 Malicious or deliberately false complaints will be dealt with under the DDAT disciplinary procedure which may result in dismissal.

5 PROTECTION AND SUPPORT FOR THOSE INVOLVED

- 5.1 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 DDAT's Disciplinary Procedure.
- 5.2 Support may be gained through the schools Employee Assist Programme e.g. Schools Advisory Service or via Education Support: [Education Support, supporting teachers and education staff](#). Support can also be accessed via the Mental Health First Aiders either in school or via the Central Team.

6 **RECORD-KEEPING**

- 6.1 Information about a complaint by or about an employee (including a record of the outcome and copies of any notes or other documents compiled during the process) will be placed on all parties personnel file in a dated and sealed envelope marked confidential complaint to be opened only by the Headteacher or a Trust Directors nominee. These will be processed in accordance with DDAT's Data Protection Policy.