



ANTI HARASSMENT & BULLYING POLICY

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PART A - POLICY

1. POLICY STATEMENT

1.1 The aims of this policy are to enable members of our workforce to raise concerns about workplace harassment, bullying and victimisation without fear of repercussion, and to ensure all concerns are dealt with fairly, fully and objectively.

1.2 The Trust is committed to ensuring that the process for dealing with concerns about workplace harassment, bullying and victimisation adheres to the following principles:

- i. All members of the workforce (as defined in section 2) have a right to be treated with dignity and respect in the workplace.
- ii. Workplace harassment, bullying and victimisation are totally unacceptable.
- iii. No member of the school workforce should have to tolerate harassment, bullying or victimisation from colleagues, students, members of the public, or other individuals they may encounter at work, or on school trips.
- iv. The Trust will assess whether harassment, bullying or victimisation has occurred based on the impact of the action(s) on the victim rather than the intent of the alleged perpetrator.
- v. The Trust will not base decisions about handling harassment, bullying or victimisation on whether someone submitted to or rejected a particular instance of harassment, bullying or victimisation.
- vi. The Trust strives for a workplace that is free of harassment, bullying and victimisation through:
 - Raising awareness of the issues of harassment, bullying and victimisation, and refusing to tolerate these behaviours.
 - Supporting any member of the school workforce who has been and / or continues to be harassed, bullied or victimised.
 - Dealing with any issues through agreed processes when they are raised.
 - Ensuring that senior leaders demonstrate and uphold high standards of conduct.

1.3 This policy should be read in conjunction with the following policies, which can be located on the GLT Staff Zone:

- Staff Code of Conduct
- Whistleblowing Policy
- Staff Disciplinary Policy
- Safeguarding & Child Protection Policy

2. SCOPE

2.1 This policy is designed to protect all members of the workforce.

2.2 For the purposes of this policy, the term 'workforce' includes:

- Employees
- Agency Workers
- Consultants
- Casual Workers
- Apprentices

- Volunteers, including Governors and Trustees
- Job Applicants

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

3. LEGISLATION & DEFINITIONS

3.1 This policy is based on Acas guidance on discrimination, bullying and harassment at work.

3.2 This policy follows the principles of the:

- Equality Act 2010 (including the Public Sector Equality Duty)
- Worker Protection (Amendment of Equality Act 2010) Act 2023
- Protection from Harassment Act 1997
- Employment Rights Act 1996
- Employment Relations Act 1999

3.3 For the purposes of this policy, the following definitions apply:

- A reference to Headteacher also means member of the Executive Leadership Team for staff who work across the Trust within our shared professional services.
- A reference to Executive Leadership Team in shared professional services means the CEO, Chief Financial Officer, Chief People Officer, Chief Infrastructure Officer and Head of Governance.
- A reference to Senior Leadership team in schools means the Headteacher, Deputy Headteachers and Assistant Headteachers.

3.4 All forms of harassment, bullying or victimisation may consist of either a single act or a continuous pattern of behaviour. The individual making the complaint usually defines what they mean by harassment, bullying or victimisation in a given context, where something has happened to them that is unwelcome, unwarranted and causes a detrimental effect.

3.5 If a member of the school workforce reports that they are being bullied, harassed or victimised, then they have a complaint which must be dealt with, regardless of whether or not it accords with the definitions below (3.6 – 3.9).

3.6 **Harassment**, as defined in the Equality Act 2010, is:

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 for that individual.

The unwanted conduct may be physical, verbal or non-verbal. A single incident can amount to harassment.

The relevant protected characteristics defined in the Equality Act 2010 are:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation

The individual making the complaint does not need to be the intended target or possess the relevant characteristic themselves.

An individual may find the behaviour offensive even if it is not directed at them, or they may be:

- Associated with a person who has a protected characteristic.
- Wrongly perceived to have a protected characteristic.
- Treated as if they have a protected characteristic.

Harassment will not be tolerated and may still be considered and addressed under this policy even if it does not fall within any of the defined categories above.

3.7 Sexual Harassment, as defined in the Equality Act 2010, is:

Unwanted conduct of a sexual nature which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Sexual harassment, and less favourable treatment of a worker because they submit to, or reject, sexual harassment, or harassment related to sex or gender reassignment is unlawful.

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour.

Examples include (this list is not exhaustive):

- Making sexual remarks about someone's body, clothing or appearance
- Asking questions about someone's sex life.
- Telling sexually offensive jokes.
- Making sexual comments or jokes about someone's sexual orientation or gender reassignment.
- Displaying or sharing pornographic or sexual images or content.
- Touching someone against their will, for example hugging them.
- Making decisions on the basis of sexual advances being accepted or rejected.
- Sexual assault or rape.

What some people might consider as joking, 'banter' or part of their workplace culture can still be sexual harassment.

Sexual harassment is usually directed at an individual, but that is not always the case. Sometimes there can be a culture of behaviour that is not specifically aimed at one person. An individual is still entitled to make a complaint of sexual harassment in this situation.

3.8 Bullying in the workplace may be characterised in accordance with the Acas definition as unwanted behaviour from a person or group that is either:

- Offensive, intimidating, malicious or insulting
- An abuse or misuse of power that undermines, humiliates, or cause physical or emotional harm to someone.

Bullying can take the form of physical, verbal and non-verbal conduct. It 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 situation, not always be obvious or noticed by others.

Bullying becomes harassment when the bullying or unwanted behaviour is about any of the protected characteristics defined in the Equality Act 2010 (as defined in 3.6).

3.9 Victimisation is defined in the Equality Act 2010 as:

Subjecting an individual to detriment because they perform a protected act, or it is believed they have done or may perform a protected act.

A protected act is:

- 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.
- Making an allegation that someone has breached the Equality Act 2010.

3.10 Harassment, bullying or victimisation may occur (this list is not exhaustive):

- Face to face
- Through written communication
- Using visual images
- Via email
- Via phone or communication platforms
- Via social media

4. EXAMPLES OF UNACCEPTABLE BEHAVIOUR

4.1 Unacceptable behaviour may include (this list is not exhaustive):

- Insulting someone verbally or through offensive behaviour.
- Physical or psychological threats.
- Spreading malicious rumours.
- Sharing information about an individual with others who do not need to know.
- Ridiculing or demeaning someone.
- Picking on someone or setting them up to fail.
- Exclusion.
- Misuse of power, such as overbearing supervision or deliberately undermining a competent worker.
- Unwelcome sexual advances (as outlined in 3.7).
- Making unfounded threats or comments about job security.
- Preventing an individual from progressing by intentionally blocking promotion or training opportunities.
- Putting humiliating, offensive or threatening comments or photos on social media.

5. REASONABLE MANAGEMENT

5.1 The Trust differentiates between reasonable management, which is firm and fair, and behaviours associated with harassment, bullying and victimisation.

5.2 Legitimate, justifiable, appropriately conducted monitoring of a member of the workforce's behaviour or job performance does not constitute bullying, harassment or victimisation.

6. ROLES AND RESPONSIBILITIES

6.1 Trust Board (via HR & Remuneration Committee):

The Trust Board is responsible for approving and overseeing the Anti-Harassment & Bullying Policy, ensuring it aligns with the Trust's ethical standards and legal obligations. The Board reviews the policy annually and ensures it is applied consistently across the Trust.

6.2 Chief Executive Officer (CEO):

6.3 The CEO is accountable for the effective implementation of the policy across the Trust, ensuring that all staff are aware of their responsibilities in relation to preventing harassment, bullying and victimization. The CEO ensures that proper procedures are in place and are followed when complaints are raised. Where a complaint is against the CEO, the Chair of Trustees will be responsible for coordinating the procedure.

6.4 Headteachers:

Headteachers are responsible for ensuring compliance with the policy within their schools. They are accountable for addressing any significant issues related to harassment, bullying or victimisation, and must ensure staff are aware of their obligations under the policy. Headteachers must report any serious concerns to the CEO. Where a complaint is against the Headteacher, the CEO will be responsible for coordinating the procedure.

6.5 Line Managers:

Line managers are responsible for addressing any concerns or complaints about harassment, bullying or victimization brought forward by staff. They are expected to handle these matters sensitively, ensuring they are taken seriously and resolved in line with the Trust's procedures.

6.6 HR Team:

The Trust's HR team is responsible for supporting the management of complaints, ensuring that the process is handled according to the policy and assisting in moving complaints from informal to formal stages where necessary. HR ensures staff are informed of their rights and responsibilities under the policy.

6.7 All Staff:

All staff are responsible for adhering to the Anti-Harassment & Bullying Policy and maintaining a respectful and supportive working environment. Staff must treat their colleagues with dignity and respect, report any incidents of harassment, bullying, or victimization, and follow the Trust's procedures for raising concerns.

7. CONFIDENTIALITY

7.1 The Trust will respect confidentiality for both the person making the allegation and the subject of it. Details of any investigation and the names of the victim and alleged perpetrator will only be disclosed when necessary (for example, when it is necessary to give details to properly investigate the matters raised).

7.2 Information about a complaint by, or about, an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

7.3 A complaint about a student may be stored on their educational record.

7.4 Information will be processed in line with UK data protection law. It will be kept securely, only for as long as necessary and in line with UK data protection law, the Trust's privacy notices and Records Retention Policy.

PART B - PROCEDURE

8. INFORMAL STAGE

- 8.1 If you are being harassed, bullied or victimised by a colleague, student, member of the public, or other individuals you may encounter at work, you should speak to a member of the senior leadership team or GLT HR team who will provide confidential advice and assistance in resolving the issue. You can also report your concern through the CPOMs StaffSafe platform which will notify the Headteacher.
- 8.2 Consider whether you feel able to raise the issue informally with the person responsible. Raising the matter informally will involve a discussion of the events, with the intention of reaching an agreement that the behaviour will cease with immediate effect.
- 8.3 If you do raise the issue with the person responsible, you should explain clearly that their behaviour is not welcome or makes you uncomfortable. It may be that they are not aware of the effect of their actions.
- 8.4 If you feel uncomfortable raising the matter with the person responsible informally, or you have tried to do so without a successful resolution, the Trust will decide whether your complaint should be dealt with formally under this policy or under the Grievance Policy. It is for the Trust to determine the appropriate procedure, based on the facts of the case.

9. FORMAL STAGE

- 9.1 How complaints will be dealt with will depend, in part, on whether the alleged perpetrator is an employee, a stakeholder or a student. Each option, and who it relates to, is set out below.
- 9.2 For all allegations of members of the Trust's workforce being harassed, bullied or victimised, consideration will be given to involving other agencies as necessary.
- 9.3 Where a complaint has been raised and is being investigated under this procedure, the Trust will consider requests from the complainant to change their working arrangements, duties, or hours to avoid or minimise contact with the alleged perpetrator until a successful resolution and an agreed outcome are reached.

10. ALLEGED HARASSMENT, BULLYING OR VICTIMISATION BY EMPLOYEES

- 10.1 Where the decision has been reached for the complaint to be dealt with under this policy, the complainant should email their complaint to HR@girlslearningtrust.org. They will also have the option to speak with HR in person before submitting a complaint in writing. They can also report via the CPOMs StaffSafe platform, which will notify the Headteacher.
- 10.2 For sexual harassment complaints, reporting will depend on who the person feels most comfortable telling. For example, this could be their line manager, a more senior manager, a member of HR or their trade union representative.
- 10.3 The complaint should set out the nature of the complaint with details of specific incidents where possible, including times, dates and witnesses. It is important that it contains sufficient detail to enable the nature of the complaint to be determined.

- 10.4 Upon receipt of the complaint, HR will liaise with the Headteacher (or CEO if the Headteacher is the subject of the complaint) or relevant Executive leader for the Trust, who will appoint an Investigating Manager. This will be a member of the senior/executive leadership team with no prior knowledge of the complaint.
- 10.5 The subject of the complaint should be advised that a formal complaint has been made and that an investigation will take place.
- 10.6 The Investigating Manager, supported by HR, will arrange a formal meeting (to be held in person, or over video conferencing if appropriate) within 10 working days of receipt of the complaint. At the meeting, the complainant will be given the opportunity to explain their complaint and how they think it should be resolved.
- 10.7 The subject of the complaint will then be interviewed and will be allowed the opportunity to respond to the complaint. There is no entitlement for the subject of the complaint to see the written complaint, but they should be provided with information as to the nature of it.
- 10.8 Both the complainant and the subject of the complaint may be accompanied at any stage of the formal procedure by either a work colleague, a trade union official, or workplace trade union representative who is certified by their union to act as a companion. Employees must notify the investigating manager in advance of the meeting, to allow them to prepare a suitable location and time off for the companion if necessary.
- 10.9 Acting as a companion is voluntary and colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay.
- 10.1 If the employee's chosen companion will not be available to meet at the proposed time, the meeting will be postponed to a time proposed by the employee, as long as the alternative time is reasonable and not more than 5 working days after the original date.
- 10.2 The companion can address the hearing to put forward and sum up the employee's case, respond on behalf of the employee to any views expressed at the hearing, and confer with the employee during the hearing. The companion does not, however, have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the hearing manager from asking questions. If any other witnesses are deemed pertinent to the investigation, the investigating manager will arrange to speak with them and will review relevant information and documentation.
- 10.3 The investigating manager will consider all the information and evidence gathered over the course of their investigation and will produce a written report detailing their findings and recommendations about action to be taken upon conclusion of the investigation.

11. ACTION FOLLOWING THE INVESTIGATION

- 11.1 The investigation report will be shared with the Headteacher or CEO who will determine the action to be taken.
- 11.2 If the investigating manager upholds the complaint against the employee, possible outcomes may be:
- Disciplinary action (up to and including dismissal)
 - Mediation

- Mandatory training

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

11.4 If the investigating officer does not uphold the complaint, possible outcomes may be:

- No action
- Mediation

These lists are not intended to be exhaustive.

12. ALLEGED HARASSMENT, BULLYING OR VICTIMISATION BY STAKEHOLDERS

12.1 The Trust will use this process if the complaint relates to someone not employed directly by the Trust, or when the Trust does not have the power to take any professional or disciplinary action against the person in question.

12.2 Where the decision has been reached for the complaint to be dealt with under this policy, the matter will be handled in line with the above outlined formal procedure – namely the requirement for a formal written complaint to be submitted and a formal investigation to commence. It may be appropriate to allow the stakeholder to be accompanied as part of any investigation interview.

12.3 If the allegation is found to be justified, the response from the Trust will depend on the relationship of the perpetrator to the Trust and the nature and severity of the incident.

12.4 The Trust will take proportionate action in consultation with the individual who made the complaint. This may involve:

- Mediation
- Putting up signs setting out acceptable and unacceptable behaviour
- A verbal warning
- A written warning

This list is not intended to be exhaustive.

12.5 If the action taken is not effective in preventing issues, or for very severe cases, the Trust will consider further action. This may involve a meeting to discuss a ban from a Trust site. If the perpetrator is a contractor, this may involve a meeting to discuss the termination of the contract between them and the Trust.

12.6 In the case of a ban, the individual will be informed in writing that they are banned from the premises, subject to review. At this stage, other agencies such as the local authority may be involved. Where appropriate, the school will have regard to the Department for Education's guidance on controlling access to school premises.

12.7 If the individual is a parent of a student at the school, where appropriate, the arrangements for students being delivered to and collected from the school will be clarified.

13. ALLEGED HARASSMENT, BULLYING OR VICTIMISATION BY STUDENTS

13.1 Where the decision has been reached for the complaint to be dealt with under this policy, the matter will be handled in line with the formal procedure above (section 9) – namely the requirement for a formal

written complaint to be submitted and a formal investigation to commence. It may be appropriate to allow the student to be accompanied by an appropriate adult as part of any investigation interview.

13.2 If the allegation is found to be justified, the Trust will then refer to the school's behaviour policy and may issue a disciplinary sanction against the student in accordance with that policy (up to and including permanent exclusion where appropriate), with reference to the safeguarding policy if appropriate to the student's circumstances.

13.3 Where the student remains at the school, the school will also take responsibility for educating the student about appropriate behaviour and will liaise with the individual who raised the allegation about alternative working arrangements (temporary or permanent) if they teach, or otherwise have regular interaction with, the student.

14. CONTINUED WORKING RELATIONSHIPS

14.1 If it is decided that there is no case to answer, support will be provided for both parties and consideration given to managing their ongoing working relationship.

14.2 The Trust will also consider whether there is evidence that the complaint has been malicious. If there is evidence to suggest that the complaint was malicious, this will be investigated and dealt with under our disciplinary procedures. Where the individual isn't covered by the Trust's disciplinary procedures, the school will consider other reasonable action and involve other agencies where appropriate.

14.3 Whatever the outcome, we will consider how to support the individuals involved to maintain an ongoing working relationship.

15. RECORD KEEPING

15.1 Individuals and their representatives are not permitted to make any electronic recordings of any meetings. Summary notes will be taken by a member of HR or a suitably qualified notetaker.

15.2 The Trust reserves the right to electronically record any meetings. In these circumstances, individuals will be informed that a recording is to be made and will be given a copy of the recording upon request.

15.3 Summary notes will be kept of all interviews and meetings. Where possible, these will be confirmed by the individual as an accurate reflection of what was discussed during the meeting.

15.4 Information will be processed in line with UK data protection law. It will be kept securely, only for as long as necessary and in line with UK data protection law, the Trust's privacy notices and Records Retention Policy.

16. APPEALS

16.1 The complainant has a right to raise an appeal regarding the outcome of the procedure if they feel that the outcome does not resolve the problem, or any stage of the procedure was wrong or unfair.

16.2 The complainant should set out their grounds of appeal by email within 5 working days of the date of the outcome letter to HR@girlslearningtrust.org.

16.3 An appeal hearing is not designed to re-hear the matter but to examine the grounds of appeal. The complainant should therefore be specific about the grounds of the appeal. However, a full re-hearing may be appropriate in exceptional circumstances.

- 16.4 Upon receipt of an appeal, HR will liaise with the Headteacher (or CEO if the Headteacher is the subject of the complaint) or relevant Executive leader for the Trust, who will appoint an appeal Hearing Manager. This will be a member of the senior/executive leadership team who is independent from any previous stage of the procedure.
- 16.5 Appeals will be heard without unreasonable delay, either in person or over video conferencing if appropriate.
- 16.6 Complainants have the same statutory right as for the initial investigation meeting, to be accompanied to the appeal hearing by a work colleague, trade union official, or trade union representative who is certified by their union to act as a companion.
- 16.7 Summary notes will be taken by a member of HR or a suitably qualified notetaker. A copy will be sent to the complainant.
- 16.8 The outcome of the appeal will be confirmed in writing by the appeal Hearing Manager as soon as reasonably practicable. The decision of the appeal Hearing Manager will be final.
- 16.9 An outcome may dismiss the appeal and confirm the original decision or may uphold the appeal and overturn the original decision.

17. OVERLAPPING PROCEDURES

- 17.1 If an employee raises a complaint after disciplinary proceedings have already started against them, the disciplinary proceedings may be temporarily suspended in order to consider the implications of the complaint on the disciplinary process. Alternatively, the disciplinary procedure may continue and the complaint may be dealt with entirely separately.
- 17.2 If the complaint and disciplinary proceedings address related matters, it may be possible to deal with the issues simultaneously. This could be either in the same hearing or, where two decision makers are necessary, in separate hearings, with any appeals to be heard together.