

### Statement

The purpose of this policy is to ensure that all staff are treated and treat others with dignity and respect, free from harassment and bullying. All staff should take the time to ensure they understand what types of behaviour are unacceptable under this policy.

This policy covers harassment or bullying which occurs both in and out of the workplace, such as on school trips or at events or work-related social functions. It covers bullying and harassment by staff and also by third parties such as contractors or visitors to our premises.

Staff must treat colleagues and others with dignity and respect, and should always consider whether their words or conduct could be offensive. Even unintentional harassment or bullying is unacceptable.

Dussindale Primary School will take allegations of harassment or bullying seriously and address them promptly and confidentially where possible.

This policy covers all individuals working at Dussindale Primary School irrespective of their status, level or grade. It therefore includes all employees, governors, contractors, trainees, casual and agency staff and volunteers (collectively referred to as staff in this policy).

### Legal Framework

The Equality Act 2010 prohibits harassment 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. For more information see our Equal Opportunities and Dignity at Work Policy.

The Protection from Harassment Act 1997 also makes it unlawful to pursue a course of conduct which you know or ought to know would be harassment, which includes causing someone alarm or distress.

Under the Health and Safety at Work Act 1974 staff are entitled to a safe place and system of work.

Individual members of staff may in some cases be legally liable for harassment of colleagues and may be ordered to pay compensation by a court or employment tribunal.

## Definition of Harassment

Harassment is any unwanted physical, verbal or non-verbal conduct which 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, grabbing, brushing past someone, invading their personal space, and more serious forms of physical or sexual assault;
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless), and suggestions that sexual favours may further a career or that a refusal may hinder it;
- continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- offensive or intimidating comments or gestures, or insensitive jokes or pranks;
- mocking, mimicking or belittling a person's disability;
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- outing or threatening to out someone as gay or lesbian; or
- ignoring or shunning someone, for example, by deliberately excluding them from a conversation or a workplace social activity.

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 they create an offensive environment for them.

## Definition of 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.



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Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:

- shouting at, being sarcastic towards, ridiculing or demeaning others;
- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- inappropriate and/or derogatory remarks about someone's performance;
- abuse of authority or power by those in positions of seniority; or
- deliberately excluding someone from meetings or communications without good reason.

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.

## Responsibilities

Everyone has a responsibility to behave in a way that is not offensive to others and to acknowledge that views and opinions held by others, and decisions made by managers and supervisors, may not always coincide with their own. Certain behaviour or actions may be acceptable to one individual while unacceptable to another. It is the deed and the impact on the recipient, which constitutes harassment. The recipient has a responsibility to make their colleague aware that they find it unacceptable and ideally to explain why.

## Procedures

All incidents are confidential. If a member of staff feels able to, then the quickest and most effective means of dealing with an issue is to raise the matter informally with the person or persons concerned, explaining that their behaviour is offensive or unacceptable. Where this has been ineffective then the Line Manager/ Headteacher/Chair of Governors should be informed.

Where a member of staff feels another person's behaviour is continually offensive or unacceptable, a written record of incidents including: what has happened, when and where it has occurred and witnesses or names of others treated similarly must be presented. It is also advisable to consider how the situation may be resolved.

## Grievance Procedure

The Grievance procedure is adhered to when informal procedures have been ineffective.

This policy should be read in line with all other school policies.



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