




# LIGHTHOUSE SCHOOLS PARTNERSHIP

## STAFF ANTI-BULLYING & ANTI-HARASSMENT POLICY Non-Statutory

This Policy applies to all schools and employees within the Lighthouse Trust Partnership.

Policy approved by Trust Executive Team	
Signed: 	Date: 3.6.2025
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### Document History

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1.4	Ollie Carter, Laura Payne, Tania Newman	05.09.24 & 01.03.2025	Including changes to Worker Protection (Equality Act 2010) Act 2024, relating to sexual harassment in the workplace. Change of policy name. Introducing the roles and responsibilities. Providing additional information on the informal process. Updates to contents page and updating the Employee Assistance contact details.

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# STAFF ANTI-BULLYING & ANTI-HARASSMENT POLICY

## Non-Statutory

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## 1. Introduction

- 1.1 The Trust is committed to a work environment free of harassment and bullying, where everyone is treated with dignity and respect. The Trust takes a firm stance against bullying between pupils, and it is important that all staff lead by example with their own behaviour.
- 1.2 Harassment and bullying is not tolerated by the Trust and it can have very serious consequences for individuals and the Trust, including loss of morale, poor work performance, increased anxiety, increased turnover of staff, legal claims and damage to our reputation.
- 1.3 The Trust will take allegations of harassment or bullying seriously and will address them promptly and confidentially where possible. Harassment or bullying by an employee will be treated as misconduct under the Trust's Disciplinary Procedure. In some cases, it may amount to gross misconduct leading to summary dismissal.
- 1.4 This policy has been agreed and implemented following consultation with the recognised trade unions.
- 1.5 This policy does not form part of an employee's contract of employment and may be amended at any time.
- 1.6 This policy accompanies LSP policies including, Equality & Diversity, Code of Conduct, and Disciplinary.
- 1.7 This policy relates to 'working days' being Monday to Friday, irrespective of the working pattern of individuals, and typically excludes school holidays.

## 2. Scope and Purpose

- 2.1 The policy sets out the types of behaviour that are unacceptable and covers bullying and harassment both in and out of the workplace such as on school trips, at school events or work-related social functions. This policy covers bullying and harassment by staff and also by third parties such as suppliers or visitors to the school.
- 2.2 This policy applies to all employees of the Trust, trustees, governors, contractors, workers, apprentices, casual and agency staff and volunteers (collectively referred to as staff in this policy). The policy does not apply to pupils or parents who consider they have been the subject of bullying or harassment by trust employees, where separate complaints procedures apply.
- 2.3 Employee's may make a complaint under this policy or the grievance policy but not both policies.

## 3. The Legal Framework

- 3.1 The Worker Protection (Amendment of Equality Act 2010) Act 2023 prohibits harassment related to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation (protected characteristics). It also places a new duty on employers to take 'reasonable steps' to prevent sexual harassment by any perpetrator, which may include third parties. 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 safe systems of work.
- 3.2 Individual members of staff may in some cases be legally liable for harassment of colleagues or third parties (including pupils), and may be ordered to pay compensation by a court or employment tribunal.

## 4. Roles and Responsibilities

- 4.1 All individuals have a responsibility to play a role in preventing bullying and harassment within the workplace, creating a more inclusive and tolerant working environment. Every employee carries responsibility for their own behaviour. All individuals are responsible for ensuring confidentiality throughout the process and following procedures relating to

this policy.

- 4.2 Headteachers and line managers need to ensure they understand this policy and are approachable for any potential complaints relating to bullying and harassment.

## 5. What is Harassment?

- 5.1 Harassment is any unwanted 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.
  - Unwanted conduct of a sexual nature (sexual harassment).
  - It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
- 5.2 Unlawful harassment may involve conduct related to a protected characteristic (see 3.1) or of a sexual nature (sexual harassment). Harassment is unacceptable even if it does not fall within any of these categories.
- 5.3 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. Harassment may also occur even if an individual does not have a protected characteristic, but another individual engages in unwanted conduct towards them because:
  - they perceive the recipient to have a protected characteristic; or
  - they are associated with a person who does have a protected characteristic.
- 5.4 A single incident can amount to harassment, although first-time conduct which unintentionally causes offence will not usually be harassment. However, it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to them.

## 6. What is Sexual Harassment?

- 6.1 Sexual Harassment is unwanted conduct of a sexual nature that has the purpose or effect of violating someone's dignity or creating an intimidating, hostile degrading, humiliating or offensive environment, whether verbal, non-verbal or physical. It can be seen as less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submissions to, sexual conduct.

Headteachers/Senior Leadership Teams (SLT) are recommended to use the risk assessment form (Appendix 1) to assess the risk of workers being exposed to sexual harassment in the workplace and determine reasonable measures that can be taken to minimize those risks. If further support is required contact the Central HR Team.

## 7. What is Bullying?

- 7.1 Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined, threatened or physically injured. 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.
- 7.2 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 its own. It is also recognised that differences of opinion, outbursts of bad temper etc. may occur from time to time in any normal working environment. The Trust would normally expect employees to resolve this through an informal process rather than through the use of the formal procedure as set out below.

## 8. Examples of Bullying, Harassment, and Sexual Harassment

8.1 Bullying and harassment can take the form of physical, verbal and non-verbal conduct. Employees should always consider whether their words or conduct could be offensive. Conduct may be harassment or bullying whether or not the person behaving in that way intends to offend. Examples of unacceptable conduct include, but is not exhaustive to:

- unwanted physical conduct including touching, pinching, brushing past someone, invading their personal space, and more serious forms of physical or sexual assault;
- unwelcome sexual advances, suggestive behaviour or 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 communication that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet or on social media sites or apps);
- gossip and speculation about someone's sexual orientation, including spreading malicious rumours.
- offensive or intimidating comments and gestures, insensitive jokes or pranks;
- jokes or comments about an individual's age, disability, sexual orientation or religion, derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- ignoring or shunning someone, for example, by deliberately excluding them from a conversation, a workplace social activity or from meetings;
- 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, power or status by those in positions of seniority;
- denying someone's training or promotion opportunities without good reason.

## 9. Informal Steps

- 9.1 If you think you are being bullied or harassed, you should initially consider raising 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 another manager if the matter relates to your line manager) or the Central HR Team, who can provide advice and assistance in resolving the issue informally in the first instance or if it's more appropriate to resolve on a formal basis.
- 9.2 If you are not certain whether an incident or series of incidents amount to bullying or harassment, you should initially contact your line manager, (or a member of the school/Trust SLT if the matter relates to your line manager), or the Central HR team to gain informal confidential advice.
- 9.3 If informal steps have not been successful or are not possible or appropriate, you should follow the formal procedure set out in section 10. This may be more appropriate where the welfare or safety of others is at risk or where the allegations are particularly serious.
- 9.4 If you do not wish to discuss the issue with anyone at work, you are able to gain independent confidential counselling support through our Employee Assistance Programme (EAP). Information on how to access this support can be found on the LSP Gateway website, please refer to point 14.6 for further details.
- 9.5 If you are experiencing bullying and harassment from a third party, such as a contractor, pupil, parent or visitor, you are encouraged to report this to your line manager/headteacher or the Central HR team, so they are able to advise on the most

effective approach.

## 10. Raising a Formal Complaint

- 10.1 If you wish to make a formal complaint about bullying or harassment, you should submit it in writing to the headteacher or line manager for Central teams, whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned. If the matter concerns the headteacher or line manager for Central teams, you should refer it to an appropriate position at a higher level of management (normally the CEO). If the matter concerns the CEO, raise the complaint with the Chair of the Board of Trustees.
- 10.2 Where the headteacher feels bullied or harassed they should raise the matter with the Chair of the Local Governing Body or, if it involves the Chair of Governors, with the CEO. Where the CEO feels bullied, it should be raised with a member of the Board of Trustees.
- 10.3 Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.
- 10.4 As a general principle, the decision whether to progress a complaint is up to the employee raising the complaint. However, the Trust has a duty to protect all staff and may pursue the matter independently if it is deemed appropriate to do so.

## 11. Formal Investigations

- 11.1 The Trust will investigate complaints in a timely and confidential manner. Individuals not involved in the complaint or the investigation should not be informed. The investigation will be conducted by someone with no prior involvement in the complaint. The investigation should be thorough, impartial, objective, and carried out with sensitivity and due respect for the rights of all parties concerned.
- 11.2 The Trust will arrange a meeting with the employee who raised the complaint, usually within 5 working days (see section 1.7), upon receiving the complaint, so their account of events can be investigated. The employee has the right to be accompanied by a colleague or a trade union representative of their choice, who must respect the confidentiality of the investigation. A provisional timetable for the investigation will be provided and the investigator will arrange further meetings as appropriate throughout the investigation.
- 11.3 Where the complaint is about an employee, the school/Trust may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require and there is no alternative to suspension. The investigator will also meet with the alleged harasser or bully who may also be accompanied by a colleague or trade union representative of their choice to hear their account of events. They have a right to be informed of the details of the allegations against them, so that they can respond.
- 11.4 Where the complaint is about someone other than an employee, such as a contractor, pupil, parent or visitor, the school/Trust will consider what action may be appropriate to protect the employee making the complaint and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the school/Trust and the rights of that person. Where appropriate, the school/trust will attempt to discuss the matter with the third party.
- 11.5 The Trust will consider any request that the employee makes for changes to their own working arrangements during the investigation. For example, they may ask for changes to their duties or working hours to avoid or minimise contact with the alleged harasser or bully.

- 11.6 It may be necessary to interview witnesses to any of the incidents mentioned in the complaint. If so, the importance of confidentiality will be emphasised to them. There may be a need for further meetings to be held following initial meetings with the alleged bully/harasser and witnesses.
- 11.7 At the end of the investigation, the investigator will submit a report to the headteacher or line manager, or the person nominated to consider the complaint.

## 12. Action Following the Investigation

- 12.1 If the headteacher/line manager considers that harassment or bullying has occurred, prompt action will be taken to address it.
- 12.2 Where the harasser or bully is an employee the matter will be dealt with as a case of possible misconduct or gross misconduct under the Trust's Disciplinary Procedure.
- 12.3 Where the harasser or bully is a third party, appropriate action might include putting up signs setting out acceptable and unacceptable behaviour; speaking or writing to the person and/or their superior about their behaviour; or, in very serious cases, banning them from the premises or terminating a contract with them.
- 12.4 Whether or not the complaint is upheld, the school/trust will consider how best to manage the ongoing working relationship between the employee and the alleged harasser or bully. It may be appropriate to arrange some form of mediation and/or counselling, change the duties, working location or reporting lines for one or both parties.
- 12.5 Any staff member who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under the Trust's Disciplinary Procedure.

## 13. Appeal

- 13.1 If the situation has not been resolved to the employee's satisfaction they may appeal in writing to the headteacher, or line manager for Central Teams, stating their full grounds of appeal, within 5 working days (see section 1.7) from the date of the letter informing the employee of the decision.
- 13.2 An appeal meeting will be held without unreasonable delay, normally within 10 working days, (see section 1.7) of receiving the written appeal. This will be dealt with impartially by a panel of three, which may comprise of members from the Senior Leadership Team, local LGB members, or Trustees, who have not previously been involved in the case (although they may ask anyone previously involved to be present). The panel may seek the advice of the CEO/Central Team HR where appropriate and will inform the CEO of the appeal hearing date and outcome when appropriate. The employee has the right to bring a companion to the meeting (Section 15). The employee will receive written notification of the outcome within 5 working days (see section 1.7) of the appeal hearing. This is the end of the procedure and there is no further appeal.

## 14. Protection and support for those involved

- 14.1 Staff who make complaints or who participate in good faith in any investigation conducted under this policy must not suffer any form of retaliation or victimisation as a result.
- 14.2 Victimisation is subjecting a person to a detriment because they have in good faith:
  - complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else; or
  - supported someone to make a complaint; or
  - given evidence in relation to a complaint.

This would include isolating someone or giving them a heavier or more difficult workload. If an employee believes they have suffered any such treatment they should inform their headteacher, or line manager for Central Teams. If the matter is not remedied the employee should raise it formally using the Trust's Grievance Procedure, or this procedure if appropriate.

- 14.3 Making a complaint or giving evidence that an employee knows to be untrue may lead to disciplinary action being taken against them.
- 14.4 Anyone found to have retaliated against or victimised someone for making a complaint or assisting in good faith with an investigation under this procedure will be subject to disciplinary action.
- 14.5 If a complaint is made against an employee, they should not dismiss the complaint out of hand because they were only joking or thinking the complainant is being too sensitive. Different people find different things acceptable and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. Some may be offended, even if that wasn't the intention. If this is the case, the person concerned may be content with an explanation and an apology from them and an assurance that they will be careful in future not to behave in a way that they now know may cause offence. Provided that there is no repeat of the behaviour that caused offence that may well be the end of the matter.
- 14.6 The Trust offers resources of support and access to confidential counselling for anyone affected by, or accused of, bullying or harassment. This is provided through the Employee Assistance Programme (EAP), which is available 24 hours a day, 7 days a week. The details are available from the LSP Gateway website or by speaking in confidence to the Central HR team.

## 15. Right to be Accompanied

- 15.1 An employee may bring a companion to any meeting or appeal meeting under this procedure. The companion may be a work colleague or a union representative. They must inform the person holding the meeting or appeal hearing who their chosen companion is, ideally 3 calendar days in advance of the meeting.
- 15.2 Should an employee choose to bring a companion to the meeting or appeal hearing, they will be responsible for making these arrangements and for providing the companion with any paperwork that they require for the meeting.
- 15.3 At the meeting, the companion may make representations to the trust and ask questions but should not answer questions on the employees behalf. They may request an adjournment to speak to them privately at any time during the meeting.
- 15.4 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 to act as a companion.
- 15.5 If the chosen companion is unavailable at the time a meeting is scheduled, the employee may propose an alternative time for the meeting to take place and so long as the alternative time is reasonable and within 5 working days after the original scheduled date, the trust will postpone the meeting on one occasion only. If the chosen companion will not be available for more than 5 working days afterwards, the employee may be asked to choose someone else.
- 15.6 The Trust may, at their discretion, allow the employee to bring a companion who is not a work colleague (for example, a member of their family) as a reasonable adjustment if the employee has a disability, or if they have difficulty understanding English.

## 16. Confidentiality and Data Protection

- 16.1 Confidentiality is an important part of the procedure provided under this policy. Everyone involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of

confidentiality that is required. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a “need to know” basis.

- 16.2 Information about a complaint by or about an employee may be placed in the employee’s personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with the Data Protection Act/GDPR.
- 16.3 Breach of confidentiality may lead to disciplinary action under the Trust’s Disciplinary Procedure.

## Appendix 1: Risk Assessment (protecting staff from sexual harassment)

Use this form to complete your risk assessment, to comply with your employer’s duty to take ‘reasonable steps’ to protect staff from sexual harassment

This is about identifying situations or environments where sexual harassment may be more likely to occur

When a task is done, the person responsible (in the ‘action: when?’ column) should sign and date this form to confirm they’ve completed it

Keep a copy of this risk assessment as a record that you’ve considered all risks, and the action(s) taken

Review this risk assessment on a regular basis, or whenever a change in your context has resulted in potential new hazards

SITUATION/AREA WHERE STAFF MAY BE MORE AT RISK OF SEXUAL HARASSMENT	WHO MAY BE AT RISK, AND WHY?	WHY THIS IS A SITUATION/AREA OF INCREASED RISK?	WHAT ARE YOU DOING ALREADY?	DO YOU NEED TO DO ANYTHING ELSE TO CONTROL THIS RISK?	ACTION: WHO?	ACTION: WHEN?	COMPLETED? OUTCOME?