

Anti-Bullying and Harassment Policy and Procedure

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1. Policy 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 and/or bullying which occurs both in and out of the workplace, such as on business trips, social media, at events or work-related social functions. It covers bullying and harassment by staff, students and third parties such as visitors, supplier, or sub-contractors to our premises.

Blackpool Skills Academy (BSA) is committed to creating a working and learning environment which is free from bullying and harassing behaviour and in which no one feels threatened or intimidated. BSA recognise that incidents of bullying and or harassment can affect a person's morale, health, and their ability to study or to work.

We will take allegations of harassment or bullying seriously and address them promptly and confidentially where possible. Harassment or bullying by an employee or student will be treated as misconduct under our Disciplinary procedure. In some cases it may amount to gross misconduct leading to summary dismissal.

2. Definition

Within this policy, bullying is considered a form of harassment. Harassment includes causing another person alarm or distress. Harassment on grounds of gender (including gender re-assignment), race, religion or belief, political opinions, disability, sexual orientation, or age may also breach BSA's equality and Diversity policy if it involves discrimination against an individual in the way they are treated in relation to the provision of services.

Although harassment normally implies that there have been several incidents of unwanted behaviour, students may also raise concerns relating to a single incident and should do so if the behaviour of the person is serious.

3. General Harassment

Harassment can take many forms and may be directed against women, ethnic minorities or towards people because of their age, disability, sexual orientation, gender/gender reassignment, marriage/ civil partnership, pregnancy/maternity, race, religion, or belief. It may involve action, behaviour, comments, or physical contact

which is found unacceptable or which causes offence. It can result in the recipient feeling threatened, humiliated, or patronised and it can create an intimidating work environment.

4. Bullying

Bullying can 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. Some examples of bullying behaviour are included below:

- Unfair treatment
- Overbearing supervision or other misuse of power or position
- Ridiculing or demeaning someone – Picking on them or setting them up to fail
- Spreading malicious rumours, or insulting someone by word or behaviour
- Copying memos that are critical about someone to others who do not need to know
- Unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions based on sexual advances being accepted or rejected.
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism

5. Raising a formal complaint

If you wish to make a formal complaint about bullying or harassment, you should submit it in writing to the Head of Centre, whose role is to achieve a quick fix wherever possible and to respect the confidentiality of all concerned. If the matter concerns that person, you should refer to the Managing Director.

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.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and students and may pursue the matter independently if, in all the circumstances, we deem it appropriate to do so.

6. The formal Investigation

We will investigate the complaints in a timely and confidential manner. Individuals not involved in the complaint or the investigation should not be told about it. The investigation will be conducted by someone with appropriate experience and no prior

involvement in the complaint. The investigation should be thorough, impartial, ededededededsand objective and carried out with sensitivity and due respect for the rights of all parties concerned.

We will arrange a meeting with you, usually within one week of receiving your complaint, so that you can give your account of events. You have the right to be accompanied by a colleague or a trade union representative of your choice, who must respect the confidentiality of the investigation. You will be given a provisional timetable for the investigation. The investigator will arrange further meetings with you as appropriate throughout the investigation.

Where your complaint is about an employee, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. 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 told the details of the allegations against them, so that they can respond.

It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.

At the end of the investigation, the investigator will submit a report to a manager nominated to consider the complaint. The manager will arrange a meeting with you, usually within a week of receiving the report, in order to discuss the outcome and what action, if any, should be taken. You have the right to bring a colleague or a trade union representative to the meeting. A copy of the report and the manager's findings will be given to you and to the alleged harasser.

7. Actions following the investigation

If the manager considers that harassment or bullying has occurred, prompted action will be taken to address it. Where the harasser or bully is an employee the matter will be dealt with as a case of possible misconduct or gross misconduct under our disciplinary procedure.

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.

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 our Disciplinary procedure.

8. Responsibilities of managers

Every manager has an obligation to prevent harassment/ bullying and to take immediate action once it has been identified whether a complaint has been made.

Allegations of harassment or bullying, received either informally or formally, must be

dealt with promptly and sensitively.

It is important that managers recognise that sexual harassment is any sexual advance unwanted by the recipient or behaviour which causes offence to the recipient. Similarly, racial harassment is behaviour which is racially offensive to the recipient.

All managers have as specific responsibility to operate within the boundaries of this policy, ensure that all staff understand the standards of behaviour expected of them and to act when behavior falls below its requirement. Managers will be given training in order that they may do so. Staff should disclose any instances of harassment or bullying of which they become aware to the Head of Centre.

9. Appeals

If you are not satisfied with the outcome you may appeal in writing to the Head of Centre, stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you.

We will hold an appeal meeting, normally within one week of receiving your written appeal. This will be dealt with impartially by a more senior manager who has not previously been involved in the case. You may bring a colleague or trade union representative to the meeting

We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.

10. Equality Impact Assessment

BSA is committed to the promotion of equality, diversity and providing a supportive environment for all members of its community. Our commitment means that this policy has been reviewed to ensure that it does not discriminate (either intentionally or unintentionally) any of the protected characteristics of age, disability, gender (including gender identity), race, religion or sexual orientation and meets our obligations under the Equality Act 2010