Anti- Harassment Policy

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Approved/ Ratified:	Pat Hunt 10.11.26
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Document Version Control Log

Version	Modification Date	Synopsis of Changes
1.0	September 2025	
2.0	November 2026	'Staff' and 'employee' changed to 'Colleague(s)'

This policy takes effect from the start of the academic year on 2 September 2026. The review date of November 2026 reflects the scheduled review cycle only and does not delay implementation of the policy.

1. Introduction

1.1 This guidance is designed to support all colleagues with a greater understanding of what the new duty means in taking positive proactive steps to prevent sexual harassment in the workplace. It builds on existing regulations and is referred to as the 'Worker Protection Act' (Amendment of Equality Act) Act 2023.

1.2 Since October 2024 the new law places a new duty on employers to take 'reasonable steps' to prevent sexual harassment in the workplace.

1.3 The academy is clear on its commitment to creating a working environment for all its colleagues, which is free from all forms of harassment including sexual harassment, where everyone is treated fairly and with dignity and respect. The guidance should be read in conjunction with the Grievance procedure.

1.4 The document provides guidance on what sexual harassment is, including the academies responsibility as an employer and the responsibility as a colleague in preventing and addressing it. It includes the process to report Sexual Harassment and who you can go to for support.

Anti-Harassment

What is harassment?

Harassment covers 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. Sexual harassment related to a protected characteristic is unwanted conduct of a sexual nature that has that effect. Different people have different levels of acceptability and offence. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. However, it is generally unwelcome harassment, unreciprocated conduct or behaviour causing distress or discomfort for that person. Examples of harassment include unwelcome jokes relating to a protected characteristic, unwanted nick names relating to a person's age, race or religion. Questions about a person's sex life, excluding an individual because they are related to or associated with someone with a protected characteristic, ignoring an individual because they are perceived to be transgender, or being treated unfairly at work based on their LGBTQ status or gender reassignment. Further examples: Suppose a manager who has chauvinistic tendencies subjects a female colleague to belittling comments and jokes. That would be unwanted conduct related to her sex and which violates her dignity.

Duty to Prevent Sexual Harassment at Work

Sexual Harassment – The duty to prevent and what it means

By law, all employers must take reasonable steps to prevent sexual harassment of their employees.

The law is the Worker Protection (Amendment of Equality Act 2010) Act 2023. The law came into effect on 26 October 2024.

The law covers sexual harassment from:

- other people at work
- third parties – for example customers and clients

The duty to prevent states that sexual harassment is not just harassment where the relevant protected characteristic is sex. The focus is on the employer taking reasonable 'proactive preventative steps' to protect all of its employees (preventative duty). The duty set out in the Act applies only to the prevention of unwanted conduct of a sexual nature and does not cover harassment more generally.

To be 'sexual harassment', the unwanted behaviour must have either:

- violated someone's dignity
- created an intimidating, hostile, degrading, humiliating or offensive environment for someone

It can be sexual harassment if the behaviour:

- has one of these effects even if it was not intended
- intended to have one of these effects even if it did not have that effect

Sexual harassment can happen to men, women and people of any sexual orientation. It can be carried out by anyone of the same sex, another sex or anyone of any sexual orientation.

Who is Liable? - Employer and Employee's

The duty describes that employers should be proactive and systematic in how it prevents and tackles sexual harassment at work, highlighting it is not a 'tick-box' exercise. Employers will need to evidence the reasonable steps taken in responding to the new duty and how the employer has raised awareness amongst all employees.

Employers' liability is described as:

Vicarious Liability = When the employer is held responsible for the actions of employees. What the employer will

need to do

The employer will need to anticipate scenarios when workers may be subject to sexual harassment in the course of employment and take action to prevent it. That will include risk assessment where relevant. As we develop training and preventative steps, we will be viewing sexual harassment through a health and safety lens, using risk assessments specific to different audiences so as to identify 'risks and mitigation measures'.

It may include actions like:

- Colleague surveys
- Keeping records of informal complaints
- Reviewing absences
- Training
- Risk assessments
- Updating procedures
- Creating the right culture - making it clear to colleagues and service users, that the employer will not tolerate sexual harassment
- Making colleagues aware standards of behaviour at work and at social events/trips
- Colleagues are aware of where to report situations where they felt at risk

Sexual harassment can occur both during and outside working hours, in-person and online. It will also apply when away from the workplace like social events / trips and attending work related meetings.

Employee Liability Unwanted conduct and behaviour can have a significant effect on the workplace by undermining performance, decreasing commitment and influencing a colleague's intentions to leave. Sexual harassment can undermine health and wellbeing through increased stress and reduced job satisfaction. It is not just an employer that can be held liable and accountable, an employee can be if the allegations are upheld. This means that a colleague who displays unwanted conduct or behaviour of a sexual nature as described in this guidance would be liable and the consequences could result in:

- An investigation into the allegations or
- Grievance raised
- Disciplinary action or
- Dismissal from the business
- Be personally liable to pay compensation in legal claims

Examples of Sexual Harassment within the context of the new 'Duty to Prevent'. Sexual harassment occurs when a worker is subjected to unwanted conduct which is of a sexual nature. The conduct need not be sexually motivated, only sexual in nature. The word 'unwanted' means essentially the same as 'unwelcome' or 'uninvited'.

Example: Michael starts making sexual comments about Tracey's body, getting very close to her and resting his hand on her arm and neck. It makes Tracey feel very uncomfortable and intimidated. This is sexual harassment.

With the example above the new duty to prevent will be requiring us to look at certain workplace settings / environments or processes to evidence were possible preventative steps and measures have been implemented in keeping our workplace harassment free.

How to Report

The policy is clear that acts of discrimination or bullying and harassment of any kind including sexual harassment, whether intentional or otherwise, will not be tolerated. The duty to prevent guidance advocates that complaints are investigated and dealt with promptly and effectively. If a colleague believes that they are the target of behaviour which impacts upon their dignity at work, they should first discuss the situation with their Executive Headteacher/Headteacher and advice should be sought from HR.

Colleagues are reminded that 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. A colleague may have offended someone without intending to and where this is the case the offended person may be content with being given the opportunity to explain their feelings and be given an explanation and/or apology. This along with an assurance that the accused will be mindful in future not to behave in a way they now know may cause offence, maybe all that is required to informally resolve the matter, provided the behaviour that caused offence is not repeated. If no immediate resolution can be made to resolve the matter then the formal grievance policy should be followed. We know that this can be a very stressful time for all parties concerned so any investigation will be conducted in a sensitive and supportive manner and as swiftly as possible. Please seek advice from HR Consultancy Team.

Anti-harassment and bullying statement

We are committed to ensuring that our colleagues are treated with dignity and respect and treat others in the same way. We believe that all colleagues have the right to work in an environment which is free from any form of harassment and/or bullying.

All colleagues are required to read this statement in conjunction with the grievance policy and to ensure that they understand what types of behaviours are unacceptable.

Harassment

The harassment of any colleague is unacceptable behaviour. Anyone found to have engaged in such conduct will be liable to disciplinary action.

Harassment can take a number of forms (including bullying) It can occur on a variety of different grounds and be directed at one person or a number of people. Harassment does not have to be directed at the complainant and can occur if the complainant witnesses another person being harassed.

Harassment involves subjecting an individual to conduct which is unwanted and where the conduct has the purpose or effect of:

- Violating the victims dignity: or
- Creating an environment that is intimidating, hostile, degrading, humiliating

Harassment can occur when the perpetrator engages in unwanted conduct of a sexual nature and that conduct has the purpose or the effect referred to above. An individual of any gender may be the victim of sexual harassment.

Conduct usually becomes harassment if it continues even though it has been made clear that it is regarded by the recipient as offensive or unwanted. However a single incident may amount to harassment if it is sufficiently serious.

Harassment may relate to matters such as:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sexual orientation
- Trade Union membership (or non membership)
- Part time or fixed term status
- Power or hierarchy
- Willingness to challenge harassment (leading to victimisation)

Bullying

Bullying may be behaviour that is offensive, intimidating, malicious or insulting, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Bullying may be physical, verbal or non-verbal conduct.

Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the 'grey' areas that cause most problems. In our academy, unacceptable behaviour includes (this is not an exhaustive list):

- Spreading malicious rumours or insulting someone (particularly because of age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation)
- Ridiculing or demeaning someone, picking on them or setting them up to fail
- Deliberately excluding a person from communications or meeting without good reason
- Unfair treatment
- Overbearing or intimidating supervision or other misuse of power or position
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities

Legitimate, reasonable and constructive criticism of performance or behaviour or reasonable instructions given in the course of employment will not, on their own, amount to bullying.

Informal and formal procedures for dealing with complaints of harassment or bullying should be made via the Grievance Policy. All allegations of harassment and/or bullying will be dealt with seriously, promptly and in confidence. Colleagues who feel they have been subject to harassment and/or bullying must not hesitate in using the grievance procedure nor fear victimisation. Retaliation against a colleague who brings a complaint of harassment and/or bullying could be a serious disciplinary offence which may constitute gross misconduct and could result in dismissal.

Malicious complaints of harassment and/or bullying can have serious and detrimental effect, any unwarranted allegation of harassment and/or bullying made in bad faith may be dealt with via the