

Garton on the Wolds and Barmby Moor CE Primary School

Anti-Harassment Policy

This policy should be read in conjunction with the following policies:

- ☐ Behaviour Policy
- ☐ Anti Bullying Policy
- ☐ Disciplinary and Capability Procedure

Introduction

Barmby Moor and Garton on the Wolds CE Primary School is committed to a working and learning environment where people can achieve their full potential. The School's policy and procedure on harassment is designed to provide:

- ☐ an environment where it is clear that harassment is unacceptable, thereby reducing the chance that harassment will occur in the first instance; and
- ☐ a mechanism to resolve complaints where it is felt that harassment has occurred.

Disciplinary action may be taken to deal with actions or behaviour, intentional or unintentional that results in a breach of this policy. Disciplinary action may also be taken if allegations of harassment are found to be malicious or deliberately vexatious.

It should be noted that harassment can also lead to civil and criminal claims beyond the School's own disciplinary proceedings. For example, victims may be able to apply to the Civil Courts for an injunction to restrain the offending behaviour or claim damages for anxiety caused.

This policy applies to all pupils and staff at the School and relates to harassment perpetrated by:

- ☐ a pupil against a pupil
- ☐ a pupil against a member of staff
- ☐ a member of staff against a pupil
- ☐ a member of staff against a member of staff

Harassment is not necessarily confined to the behaviour of senior staff towards more junior staff; it can take place between colleagues at the same level or involve staff behaving inappropriately towards more senior staff.

Definition of harassment

For the purpose of this policy, harassment is defined as unwelcome comments (written or spoken) or conduct which:

- ☐ Violates an individual's dignity, and/or
- ☐ Creates an intimidating, hostile, degrading, humiliating or offensive environment.

This reflects the statutory definition of harassment as outlined in the recent Race and Employment Directive. It should be noted that racial harassment and harassment relating to disability are now considered to be examples of direct discrimination.

Examples of the different types of harassment are included in Appendix A.

Responsibility of all staff and pupils

All staff and pupils can help to:

- ☐ Prevent harassment by being sensitive to the reactions and needs of others, and ensuring that their conduct does not cause offence.
- ☐ Discourage harassment by others through making it clear that such conduct is unacceptable, and supporting colleagues and peers who are taking steps to stop the harassment.
- ☐ Stop harassment through reporting incidents witnessed.

The School is responsible for:

- ☐ Providing an environment where it is clear that harassment is not acceptable.
- ☐ Taking action when it is aware that harassment may be or is taking place.
- ☐ Ensuring that managers are aware of their responsibility for trying to prevent, in the first instance, or resolve problems in the immediate workplace.

Monitoring of policy and procedures

A record will be kept of any cases relating to harassment and will provide a termly report to the Governors containing information about the number and nature of complaints and any disciplinary action taken, without naming the individuals involved.

This policy will be regularly reviewed.

Individual liability

A member of staff who is found to be harassing another individual is liable at law for his/her actions and may face action in the courts.

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Appendix A - Examples of harassment

The examples given below, which include unacceptable physical and verbal conduct, are not exhaustive. Harassment on grounds of race, sex and disability now constitute forms of discrimination under the law.

- ☐ **Sex-related harassment**
Examples include displaying power over a man or a woman because of gender through disparaging gender-related remarks and threatening behaviour.
- ☐ **Sexual harassment**
Examples include unnecessary touching, unwelcome jokes of a sexual nature, inappropriate use of suggestive visual display unit material, intimidating behaviour such as asking for, or offering, sexual favours in return for positive academic assessment or promotion.
- ☐ **Harassment on grounds of sexual orientation**
Examples include homophobic remarks or unwelcome jokes, threats to disclose sexuality and intimate questions about sexual activity.
- ☐ **Racial harassment**
Examples include inappropriate questioning and/or jokes about racial or ethnic origin, offensive graffiti and intimidating behaviour, including threatening gestures.
- ☐ **Personal harassment**
Examples include making fun of personal circumstances or appearance.
- ☐ **Bullying**
This can be physical or psychological. Examples of psychological bullying include unmerited criticism, isolation, gossip, essential information withheld, or behaviour that is intimidating or demeaning.
- ☐ **Harassment of disabled people**
Examples include discussion of the effects of a disability on an individual's personal life, uninvited touching or staring, and inappropriate questioning about the impact of someone's disability.
- ☐ **Age harassment**
Examples include derogatory age-related remarks and unjustifiable dismissal of suggestions on the grounds of the age of the person.
- ☐ **Stalking**
This can be physical or psychological. Examples include leaving repeated or alarming messages on voice mail or e-mail, following people home, or approaching others to ask for personal information.