



## Anti-Harassment & Bullying Policy

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## Document Control

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## Version History

<b>Next Review Date</b>		01/02/2026		
<b>Version</b>	<b>Date</b>	<b>Amendments</b>	<b>Author</b>	<b>Status</b>
0.1 to 0.4	Oct 2021 to Oct 2022	Initial Draft – Reviewed by the HR Team & the Trust Board.  Consultation Process – Draft shared with the working group consisting of Senior Leaders, HR, and the Trade Unions.	Lisa-Marie McGrath	Consulted & Reviewed, and implemented agreed points
1.0	01/12/2022	Final Draft – Approved by the CEO and The Trust Board	Lisa-Marie McGrath	Approved
2.0	01/02/2024	N/A	Lisa-Marie Flynn	Approved
3.0	01/02/2025	Updated to reflect changes, duty to prevent sexual harassment (Oct 2024), Third Party Scope extended; preventative actions required; annual training to be implemented and recorded.	Lisa-Marie Flynn	Approved

# Anti-Harassment and Bullying Policy

## 1. ABOUT THIS POLICY

- 1.1 The Sovereign Trust ("Trust") is committed to providing a working environment free from harassment and bullying and ensuring all staff treat others with dignity and respect.
- 1.2 From 26 October 2024, we are legally required to take *reasonable steps to prevent sexual harassment* under the Worker Protection (Amendment of Equality Act 2010) Act. This duty applies to harassment by colleagues and by third parties (e.g. visitors, parents, suppliers).
- 1.3 This policy covers harassment or bullying at work and out of the workplace, such as on business trips, work-related events, or social functions. In addition, it covers bullying and harassment by staff (which may include consultants, contractors and agency workers) and by third parties, such as suppliers or visitors to our premises.
- 1.4 Staff should disclose any instances of harassment or bullying of which they become aware to their Line Manager/ a member of the Senior Leadership Team (SLT).
- 1.5 Questions about this policy and requests for training or information on bullying or harassment should be directed to the Trust's HR Department.

## 2. WHAT IS HARASSMENT?

- 2.1 Harassment is any unwanted physical, verbal or non-verbal conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.
- 2.2 It also includes treating someone less favourably because they have previously refused to submit to such behaviour.
- 2.3 Unlawful harassment may involve conduct of a sexual nature (sexual harassment), whether from staff or **third parties**; 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 these categories.
- 2.4 Harassment may include, for example:
  - unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
  - 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 emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- 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;
- offensive emails, text messages or social media content; or
- mocking, mimicking or belittling a person's disability.

2.5 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 the jokes create an offensive environment.

### 3. WHAT IS BULLYING?

3.1 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 personal strength and the power to coerce through fear or intimidation.

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

- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- inappropriate derogatory remarks about someone's performance;

3.3 Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers during their employment, will not amount to bullying on their own.

### 4. DUTY TO PREVENT SEXUAL HARASSMENT

4.1 The Trust will:

- conduct annual risk assessments to identify harassment risks, including third-party risks;
- implement preventative measures, e.g. clear standards for third parties, safe travel policies, monitoring hot spots;

- provide annual training for all staff and tailored training for managers, including third-party harassment scenarios;
- keep records of incidents and actions;
- ensure policies and procedures remain compliant.

## **5. IF YOU ARE BEING HARASSED OR BULLIED: INFORMAL STEPS**

- 5.1 If you are being harassed or bullied, consider whether you can raise the problem informally with the person responsible. You should clearly explain that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, you should speak to your Line Manager/ a member of the SLT and/or a member of the Trust's HR Department, who can provide confidential advice and assistance in resolving the issue formally or informally.
- 5.2 If you are unsure whether an incident or series of incidents amounts to bullying or harassment, you should initially contact your Line Manager/SLT informally for confidential advice.
- 5.3 If informal steps are inappropriate or unsuccessful, you should follow the formal procedure set out below.

## **6. RAISING A FORMAL COMPLAINT**

- 6.1 If you wish to make a formal complaint about bullying or harassment, you should submit it in writing to your Line Manager, whose role is to achieve a solution wherever possible and respect all concerning confidentiality. If the matter concerns that person, you should refer it to the Trust's HR Department.
- 6.2 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.
- 6.3 As a general principle, the decision of whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

## **7. FORMAL INVESTIGATIONS**

- 7.1 In so far as reasonably possible, we will investigate complaints in a timely manner. However, the investigation should be thorough, impartial, objective, and carried out with sensitivity and respect for all parties' rights.
- 7.2 We will arrange a meeting with you, usually within five days 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. The investigator will arrange further meetings with you if appropriate, throughout the investigation.

- 7.3 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 usually meet with the alleged harasser or bully to hear their account of events. They will usually be told the details of the allegations against them and be given an opportunity to respond.
- 7.4 Where your complaint is about someone other than an employee, such as a customer, supplier or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person.
- 7.5 We will also consider any request you make to change your working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the alleged harasser or bully.
- 7.6 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.
- 7.7 At the end of the investigation, the investigator will submit a report to a member of the SLT appointed to consider the complaint. A member of the SLT will arrange a meeting with you, usually within five days of receiving the report, to discuss the outcome and what action, if any, should be taken.

## 8. ACTION FOLLOWING THE INVESTIGATION

- 8.1 If the Line Manager/SLT considers that harassment or bullying has occurred, where possible, appropriate action will be taken to address it.
- 8.2 Where the harasser or bully is an employee, the matter may be dealt with as a case of possible misconduct or gross misconduct under our Disciplinary Procedure. If the harasser or bully is a third party, such as a supplier or other visitor, we will consider any appropriate action to deal with the problem.
- 8.3 Whether or not your complaint is upheld, we may still consider how best to manage the ongoing working relationship between you and the person concerned. For example, it may be appropriate to arrange some form of mediation and/or counselling or to change one or both parties' duties, working location or reporting lines.
- 8.4 In the reasonable opinion of the Trust, 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.

## 9. APPEALS

- 9.1 If you are not satisfied with the outcome, you may appeal in writing to the Trust's HR Department, stating your full grounds of appeal, within ten days of the date the decision was sent or given to you.

- 9.2 We will hold an appeal meeting, normally within ten days of receiving your written appeal. This will be dealt with impartially by a member of SLT who has not previously been involved in the case (although they may ask anyone previously involved to be present). You may bring a colleague or trade union representative to the meeting.
- 9.3 We will confirm our final decision in writing within ten days of the appeal hearing. This is the end of the procedure, and there is no further appeal.

## **10. PROTECTION AND SUPPORT FOR THOSE INVOLVED**

- 10.1 Staff who make complaints or participate in good faith in any investigation must not suffer any form of retaliation or victimisation. Anyone found to have retaliated against or victimised someone in this way may be subject to disciplinary action under our Disciplinary Procedure.
- 10.2 If you believe you have suffered any such treatment, you should inform your Line Manager/SLT or the Trust's HR department. If the matter is not remedied, you should raise it formally using our Grievance Procedure or this procedure if appropriate.
- 10.3 Sexual harassment reports may constitute protected disclosures under whistleblowing law. NDAs will not restrict such disclosures.
- 10.4 We offer access to confidential counselling, which is available on request for anyone affected by or accused of bullying or harassment. The details are available in confidence from the Trust's HR department.

## **11. RECORD-KEEPING**

- 11.1 Information about a complaint by or about an employee may be placed on the employee's HR file, along with a record of the outcome and any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.
- 11.2 The Trust will monitor and review this policy annually, along with training records.