



Harassment and Bullying Policy (Staff)

**This Harassment and Bullying Policy has been approved and
adopted by the Xavier Catholic Education Trust
To be reviewed in January 2026**

Committee Responsible: HR Committee

Xavier Catholic Education Trust Mission Statement

Our mission is to provide an outstanding Catholic education for all the children in our schools. We will follow the example and teachings of Christ and everything we do will be inspired by gospel values. We will strive for excellence in all areas of our work and cherish every child in our care.

1. Introduction & Purpose of Policy

Xavier Catholic Education Trust (XCET) is committed to a zero-tolerance approach towards harassment and bullying. Specifically, the aims of this policy are to:

- Work to eliminate all forms of harassment, bullying and discrimination from the workplace;
- Build a confident and enabled workforce empowered to challenge negative behaviours;
- Create a healthy working environment which helps to minimise incidents of harassment and is based on trust, openness, respect and accountability;
- Build a workplace culture that identifies and addresses negative behaviours.

The purpose of this policy is to raise awareness of expected behaviours whilst working at, or for, the Xavier Catholic Education Trust to prevent harassment and provide a means of quickly and effectively resolving issues which arise so that employees can continue to work together harmoniously.

The Xavier Catholic Education Trust is mindful of its obligations under the Equality Act 2010 and this procedure will be applied fairly and consistently to all employees. This policy covers bullying and harassment of and by employees, contractors, governors, volunteers, agency staff and anyone else engaged to undertake work whether by direct contract or otherwise. Where the complainant or alleged harasser is not employed, this policy will apply with any necessary modifications in place. This policy does not apply in relation to pupils for whom there is a separate behaviour policy in place.

2. Definitions

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

- disability;
- sex;
- gender reassignment;
- marital or civil partnership status;
- race;
- religion or belief;
- sexual orientation; and age.

Although pregnancy, maternity, marriage and civil partnership are not specifically protected under the legal provisions on harassment, we consider harassment on any grounds to be unacceptable.

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end.

Harassment is unwanted conduct related to relevant 'protected characteristics' (these are sex, gender reassignment, race, colour, nationality and ethnic or national origins, disability, sexual orientation, religion or belief and age) that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading,

- humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct.

Sexual harassment- Sexual harassment is unwanted behaviour of a sexual nature. The law (Equality Act 2010) protects the following people against sexual harassment at work:

- employees and workers
- contractors and self-employed people hired to personally do the work
- job applicants

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

- violated someone's dignity, whether it was intended or not
- created an intimidating, hostile, degrading, humiliating or offensive environment for them, whether it was intended or not

Victimisation is subjecting a person to a detriment because he/she has, in good faith, made a complaint that someone has been bullying or harassing him/her or someone else, or supported someone to make a complaint or given evidence in relation to a complaint.

Cyberbullying is making use of information and communications technology, particularly mobile phones and the internet, to deliberately undermine, humiliate or otherwise cause distress to the person on the receiving end

3. Roles & Responsibilities

Line managers are expected to:

- Develop the appropriate skills to be responsive and empowered in dealing with unacceptable behaviours and to seek support on this through performance management as necessary.
- Follow informal and formal procedures as set out in this policy and ensure that others are aware of the policy as it applies to them.
- Take responsibility for setting standards in their team, leading by example and fostering a positive workplace culture.
- Monitor and challenge any negative behaviour in the workplace and act on any concern raised in order to prevent harassment from taking place.
- Be aware of, and seek to eliminate, any forms of systemic harassment within the workplace.
- Be approachable, open and responsive to any issues raised by employees.
- Enable all parties involved in instances of bullying and harassment to resume their work, without fear of further intimidation or fear of reprisal.

Employees and other individuals involved in our work are expected to:

- Challenge any negative behaviours they witness at the earliest possible opportunity.
- Be aware of how their own behaviour may affect others and modify it if necessary.
- Treat colleagues with dignity and respect.
- Report harassment or bullying to an appropriate manager and cooperate with any investigation into complaints.
- Inform their line manager (or other suitable person) if they feel they are the subject of bullying or harassment, in accordance with this policy.

Employees should be aware that these standards of behaviour are not confined to normal working hours or normal place of work. Allegations of cyberbullying, for example, will not be disregarded simply because the alleged perpetrator is using his/her own computer in his/her own time.

Employees should also be aware that, if found guilty of harassment or bullying, they may face disciplinary penalties, up to and including dismissal, and could be personally liable to pay compensation in the event that the victim decides to make a legal claim against them. Serious harassment can also be a criminal offence.

4. Inappropriate Behaviour

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to):

- physical conduct ranging from unwelcome touching to threatened or actual serious assault;
- verbal or online abuse of another person, such as making demeaning or insulting comments;
- making unwelcome jokes or comments about an individual's personal characteristics or beliefs (such as their age, gender, race, religion or sexual orientation);
- unwelcome sexual advances, including offers of rewards or threats made in relation to the acceptance or rejection of advances; excluding or ignoring an individual on the basis of his/her protected characteristic (age, sex, race etc.) or because of his/her association with someone who has a protected characteristic;
- the use of obscene gestures or the open display of pictures or objects with sexual or racial overtones;
- spreading malicious rumours about someone or deliberately setting him/her up to fail;
- making threats or comments about someone's job security without justifiable cause;
- isolation or non-cooperation with an individual at work or through excluding them from social activities.

5. Malicious or Vexatious Accusations

Although very rare, vexatious or malicious accusations of discrimination, harassment, victimisation and bullying are extremely damaging, both to individuals and to workplace culture. Making such accusations with, for example, the aim of getting another member of staff into trouble, may lead to disciplinary action being taken against the employee making them. A complaint will not be considered vexatious, frivolous or malicious simply because it was judged to be unfounded by the investigation. This may be the case, for example, where an individual has expressed a concern based on a genuinely held belief that wrongdoing has taken place, but the investigation subsequently uncovers no evidence of this.

6. Sexual harassment

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour.

It can happen in person or in other ways, for example online through things like email, social media or messaging tools.

Examples include:

- flirting, gesturing or making sexual remarks about someone's body, clothing or appearance
- asking questions about someone's sex life
- telling sexually offensive jokes
- making sexual comments or jokes about someone's sexual orientation or gender reassignment
- displaying or sharing pornographic or sexual images, or other sexual content
- touching someone against their will, for example hugging them
- sexual assault or rape

What some people might consider as joking, 'banter' or part of their workplace culture is still sexual harassment if:

- the behaviour is of a sexual nature
- it's unwanted
- it violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them

Line managers play an important role in identifying, challenging and dealing with unfair treatment including sexual harassment

7. Staff training

All staff in the Xavier trust will be required to confirm that they have read this policy in addition to other key policies as part of their annual declaration.

8. Data Protection

As a general rule, all matters raised under this policy will be treated in the strictest confidence, both during and after any informal or formal complaint has been made with records handled in accordance with the Xavier Catholic Education Trusts data protection policy. No information will be relayed to a third party without first informing those involved. Any investigation to be conducted into a complaint is likely to involve some level of disclosure but this will be discussed with the complainant prior to the investigation commencing. In most cases permission will be sought before information is released although there may be instances where the matter is so serious that consent is not required, e.g. where there are health and safety implications, pupils could be at risk, or where physical violence has occurred. In such cases reasons for the disclosure will be explained.

9. Raising a Complaint about Bullying or Harassment

9.1 Introduction

If an employee feels that he/she is being bullied, harassed or victimised, he/she should raise these concerns at the earliest stage. This may be done informally or formally as follows.

9.2 Informal Route

Employees may wish to directly express their concerns to the alleged harasser, explaining the incident(s) and the impact this has had on them.

If the employee feels unable to do this, he/she may instead approach his/her line manager or trade union representative for assistance in stopping the inappropriate behaviour. If the line manager is directly involved in the alleged bullying/harassment, the complainant may instead approach the next more senior manager. In the case of allegations involving the Headteacher, this approach should be made to the CEO.

After an assessment and meeting with both the complainant and the alleged harasser, the manager will attempt to resolve the problem through initial discussions and then through monitoring the behaviour of the alleged harasser. Where a manager requires further assistance in order to achieve resolution, he/she will give consideration to mediation (internal or through the use of an outside organisation) or the temporary reassignment of either party to alternative work. The manager may also refer the matter for further investigation if he/she does not believe that informal measures are sufficient to resolve the matter in all the circumstances of the case.

This route is informal and there is therefore no statutory right to be accompanied at any meetings. There may, however, be circumstances where the support of a work colleague or trade union representative may be beneficial and such requests for support will not be unreasonably refused.

9.3 Formal Route

If an individual feels either that the informal route has not resolved the problem or that the situation is too serious to be dealt with informally, he/she can lodge a formal complaint in writing with the Headteacher (or CEO if the complaint involves the Headteacher). This will be dealt with in accordance with the process and timescales contained within the Grievance Procedure. All complaints will be investigated promptly, which may include appointing either an internal impartial investigator or an external independent investigator. Consideration of whether the suspension of the alleged harasser(s) is appropriate will also be made at this stage (see also Section 8: 'Suspensions and Temporary Transfers'). All parties may be accompanied by a recognised trade union representative or work colleague during the investigation and any subsequent meetings to discuss investigation outcomes.

Complaint Upheld

If the complaint is upheld by the investigation findings, suitable action will be taken. This action may be informal, or it may involve the instigation of disciplinary action against the harasser in accordance with the Disciplinary Procedure. In either case, this may include other management action such as behavioural coaching, managed mediation or learning objectives for the harasser. These measures are to ensure that there is effective action taken to challenge the behaviours and prevent reoccurrence in the future.

Complaint Not Upheld

If the complaint is not upheld, suitable steps will be taken to ensure that both the complainant and the alleged harasser are able to return to work. The complainant may appeal the decision not to uphold his/her complaint in accordance with the Grievance Procedure. Through careful, confidential and safe management of the case and workplace situation, all involved should be able to continue to work in their original roles but, in some exceptional cases, this may not be possible. Mediation will be considered at this stage to help facilitate a return to work or to assist in restoring working relations amongst employees. Ultimately, however, the transfer of either party to alternative work may need to be considered.

10. Suspensions and Temporary Transfers

Suspensions and transfers are a neutral act, to protect and prevent any further possible conflict or difficulties particularly where there is a serious allegation that one member of staff has been bullied, harassed or discriminated against by another. Suspension would, in all cases, be on normal pay.

Suspensions/transfers should be closely monitored and as short as possible, to enable, wherever possible, an effective return to work.

11. Status of Policy and Review

The content and operation of this policy is reviewed as and when deemed necessary by the Xavier HR Committee . The policy is discretionary and does not confer any contractual rights

APPENDIX –A

Xavier Bullying and Harassment training which should be sent out for all staff to read at the beginning of each academic year.

Xavier Bullying and harassment training

We are required by law from October 2024 for all employees to carry out some training on Harassment and bullying in the workplace.

Please could you spend 10 minutes reading the following two-page document.

The situation

While most companies have policies on preventing bullying and harassment in the workplace, too many organisations have workplace cultures in which people are afraid to challenge inappropriate behaviour or are not treated seriously when they do so. As a result, far too many employees continue to face unfair treatment in the workplace.

Bullying and harassment exist at the more severe end of workplace incivility. There's no legal definition but **ACAS** describes it as "unwanted behaviour from a person or group that is either:

- offensive, intimidating, malicious or insulting
- an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone."

[CIPD research](#) shows that 15% of employees in the UK experienced bullying of some kind, with 8% reporting harassment and 4% sexual harassment. The findings show how bullying and harassment can occur across a wide spectrum of behaviours, ranging from extreme forms of intimidation, such as physical violence, to more subtle forms such as an inappropriate joke or ignoring someone.

What are harassment and bullying?

In the UK, under the Equality Act 2010, harassment is defined as: 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. Bullying is not specifically defined in UK law but **ACAS** says bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone.

People have the right to be treated with dignity and respect at work and organisations should take any form of incivility and harassment or bullying seriously. Line managers/ leaders should lead on developing a positive and inclusive culture with zero-tolerance for harassment and bullying. Individuals should feel confident to bring complaints without fear of ridicule or reprisal.

What are harassment and bullying behaviours?

Harassment and bullying may be against one or more people and may involve single or repeated incidents across a wide spectrum of behaviour, ranging from extreme forms of intimidation, such as physical violence, to more subtle

forms such as ignoring someone. Examples include:

- Unwanted physical contact.
- Unwelcome remarks about a person's age, dress, appearance, race or marital status, jokes at personal expense, offensive language, gossip, slander, sectarian songs and letters.
- Isolation or non-cooperation and exclusion from social activities.
- Coercion for sexual favours - sexual harassment.
- Pressure to participate in political/religious groups.
- Personal intrusion from pestering, spying and stalking.
- Persistent unwarranted criticism.
- Personal insults.

The continuing issue of sexual harassment in particular has been highlighted in the media. The Women and Equalities Select Committee has held enquiries into **Sexual harassment in the workplace** with a range of recommendations.

Managing conflict in the modern workplace research found that UK employees were almost twice as likely to have experienced bullying than harassment (not of a sexual nature) at work in the previous three years. Almost a quarter of employees thought that challenging issues like bullying and harassment are swept under the carpet in their organisation.

[Bullying & Harassment at Work | Factsheets | CIPD](#)

Example of harassment related to sexual orientation - Jay has never told people at work that he's gay. One evening he's out with his partner and meets Ali, his supervisor. Ali tells the rest of the team that Jay is gay. Other people in the team start avoiding Jay and ignoring what he says in daily team meetings. Jay finds this humiliating and very uncomfortable. This behaviour is likely to be harassment on the grounds of sexual orientation.

Example of harassment related to sex - Daniel is an apprentice in an office where everyone else is female. He is expected to make drinks for everyone and do the washing up. Several people make comments that "it's nice to see a man doing the chores for once" and this becomes a common joke in the team. Daniel feels disrespected and intimidated. This behaviour is likely to be harassment on the grounds of sex.

Example of less favourable treatment because of harassment- An employee receives several sexual advances from their manager but rejects them. A few weeks later at the employee's yearly performance review, the manager gives them a poor performance score. They are regularly praised by others for their hard work. This could count as harassment if the employee's poor performance score is because they rejected the manager's advances.

Wider reading and training:

Please familiarise yourself with the [Xavier Bullying and Harassment policy](#) which can be found on the Xavier website
There is some optional training on the national college:

[Understanding Bullying Training & Certificate for Schools \(nationalcollege.com\)](#)