

Pound Hill Pre-School Policy and Procedures



5.5 Harassment, Sexual Harassment and Bullying in the Work Place Policy

Policy Statement

Pound Hill Preschool is committed to providing a working environment free from bullying and harassment. We aim to ensure that all staff, visitors, volunteers and committee members are treated, and treat others, with dignity and respect. This policy covers bullying or harassment including sexual harassment, which occurs at work and out of the workplace when on work trips or at work-related events or social functions. This policy applies to all staff, volunteers, students and committee members.

What is harassment?

Harassment is any unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. A person may be harassed even if they were not the intended "target". Harassment also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

It is unlawful under the Equality Act 2010 to harass a person because of their 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. It also includes conduct of a sexual nature (sexual harassment).

Harassment is unacceptable even if it does not fall within any of these categories. Examples of harassment include, but are not limited to:

- Unwanted physical conduct including touching, pinching, pushing and grabbing
- Unwelcome sexual advances or suggestive behaviour;
- offensive e-mails, text messages or social media content or the display of offensive materials;
- Unwanted jokes, banter, mocking, mimicking or belittling a person.

What is Sexual Harassment?

The definition of Sexual harassment is any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. No employee, committee member, visitor or volunteer at any level should subject any other employee, volunteer, customer or visitor to any form of sexual harassment. Pound Hill Preschool will not tolerate sexual harassment under any circumstances.

Examples of sexual harassment include, but are not limited to,

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about your private life
- displaying posters, magazines or screen savers of a sexual nature
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications

Behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

Procedure

Pound Hill Preschool strongly encourages any employee who feels they have been sexually harassed to take immediate action. If an employee, visitor, committee member or volunteer feels comfortable in doing so, it is preferable to raise the issue with the person directly with a view to resolving the issue by discussion. The employee, visitor, committee member or volunteer should identify the harassing behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stops.

Alternatively, or in addition, they may report the behaviour in accordance with the grievance procedure. Once a report has been raised Pound Hill Preschool has the right to determine how the report should be dealt with in accordance with its obligations and this policy.

Any reports of sexual harassment will be treated seriously and promptly with sensitivity. Complainants have the right to determine how to have a complaint

treated, to have support or representation throughout the process, and the option to discontinue a complaint at any stage of the process.

The alleged harasser also has the right to have support or representation during any investigation, as well as the right to respond fully to any formal allegations made. There will be no presumptions of guilt and no determination made until a full investigation has been completed.

No employee, visitor, committee member or volunteer will be treated unfairly as a result of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment or against any employee, visitor, committee member or volunteer who has been alleged to be a harasser.

A breach of this policy will result in disciplinary action, up to and including termination of employment

What is bullying?

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying can include the use of personal strength or the power to coerce through fear or intimidation, not necessarily from someone in a position of authority. Bullying may be physical, verbal or non-verbal. It can include conduct that is not face-to-face, including via text message, email and social media.

Examples of bullying include:

- Physical or psychological threats;
- Overbearing and intimidating levels of supervision;
- Inappropriate derogatory remarks about a person or their performance
- shouting at staff; • persistently picking on people in front of others or in private;
- blocking promotion and training opportunities;
- Regularly and deliberately ignoring or excluding staff from work activities or work related social events;
- setting a person up to fail by overloading them with work or setting impossible deadlines;
- Regularly making the same person the butt of jokes.

Procedure

If you believe you are being harassed or bullied, you may wish to raise the problem informally with the person responsible. Explain the situation and how it has made you feel. It can be helpful to describe the event so the other person is clear about your concerns. Use the opportunity to ask the person to change or stop their behaviour. Alternatively you may speak to your manager who can provide

confidential advice and assistance in resolving the issue formally or informally. If you do not feel that informal steps are appropriate, or they have been unsuccessful, you should raise the matter formally under our grievance procedure. All complaints will be investigated in accordance with our grievance procedure. If we consider that there is sufficient evidence to suggest you have been harassed or bullied we will consider the appropriate action to take. If the person accused is an employee, this may include invoking our disciplinary procedure. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Conclusion

Breaches of this Policy are not tolerated in our workplace and all staff, visitors, committee members and volunteers are required to treat each other, along with our parents with dignity and respect. Breaches of this policy will be dealt with in accordance with our disciplinary procedure. Serious cases of bullying or harassment may amount to gross misconduct resulting in dismissal.

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our disciplinary procedure. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our disciplinary procedure.

Legitimate and reasonable criticism of a staff member’s performance or behaviour, or reasonable management instructions, does not amount to bullying.

This policy was adopted onK Platt.....

Role of signatory Manager.....

DateJuly 2021.....

Date to be reviewed01/09/2022.....

