Diocese of Norwich Education and Academies Trust

Staff Bullying and Harassment Policy

Policy Type:	**Trust Policy**
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Approved By:	**Executive Team**
Approval Date:	**30/09/2025**
Review Date:	**September 2028**
Person Responsible:	**Human Resources Director**

Our Christian Ethos and Values

All policies within the Diocese of Norwich Education and Academies Trust (hereafter referred to as "the Trust"), whether relating to an individual academy or the whole Trust, will be written and implemented in line with our Christian ethos and values.

We have high ambition for all, and we truly value the wider educational experience.

We walk and talk our Christian values. We put people at the centre of the organisation and want to see them flourish and grow. Our schools are inclusive, welcoming those of all faiths and none.

Overall accountabilities and roles

The Trust has overall accountability for all its academies and staff. Through a Scheme of Delegation it sets out the responsibilities of the Trust, its Executive Officers, the Local Governance Committee and the Principal / Headteacher. The Principal / Headteacher of each academy is responsible for the implementation of all policies of the Trust.

All employees of the Trust are subject to the Trust's policies.

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The aim of this policy is to ensure that all employees are treated with dignity and respect and that the working environment is one free from bullying or harassment. It provides a mechanism for employees to challenge any unwanted treatment, behaviour or conduct. All employees are expected to treat fellow employees, visitors, customers and suppliers with respect and to adhere to this policy.

Any reference to 'the employer' refers to the Trust. The 'appropriate level of authority' should be determined according to the Trust's scheme of delegation.

The policy applies to all employees, regardless of length of service, but does not form part of the contract of employment and may be amended from time to time and in line with current guidance and legislation.

This policy applies not only to treatment, behaviour or conduct in the workplace but outside the workplace e.g. business trips, training courses, work related social activities as well as comments made via social media such as Facebook etc.

1. General Principles

The Trust will not tolerate harassment or bullying and will ensure that leaders at every level understands this. All allegations of harassment or bullying will be taken seriously and dealt with promptly and confidentially. It is the responsibility of leaders to ensure that all employees understand the policy, that it is adhered to and to deal with behaviours that are in breach of this policy. Where it is found that harassment or bullying has occurred, the appropriate action will be taken which could include dismissal for gross misconduct.

Employees who make a complaint of harassment or bullying or support a colleague in making a complaint, in good faith will not suffer any less favourable treatment, retaliation or victimisation.

Any colleague who feels that they have suffered such treatment should raise this with their line manager. If they are unable to do this, they can raise the matter higher such as to the CEO or a trustee. Allegations of retaliation or victimisation will be dealt with under the disciplinary procedure and may be treated as gross misconduct and may result in dismissal, whether or not the harassment or bullying complaint was upheld.

Even where a formal complaint has not been made by the employee, leaders are required to and will investigate and deal with any treatment, behaviour or conduct which is contrary to this policy, such as inappropriate banter, aggressive attitudes or insensitive jokes. We are committed to equality and diversity and will make reasonable adjustments to the application of this policy in line with our equal opportunities commitment.

2. Behaviour that may Amount to Bullying or Harassment

Bullying or harassment is used to describe unwanted treatment, behaviour or conduct of one person by another or others which has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It does not have to be a series of events; a single incident may amount to bullying or harassment.

Bullying or harassment may be by an individual against another individual (perhaps by someone in a position of authority such as a manager or supervisor) or it can involve groups of people. It may be obvious, or it may be insidious. Whatever format it takes, it is unwarranted and unwelcome to the individual.

Bullying or harassment may include conduct, which is related to sex, age, sexual orientation, race, colour, nationality, ethnic or national origin, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, religion or belief, membership of a trade unions or taking part in the activities of a trade union. However, it must be noted that conduct can amount to bullying or harassment without it relating to any of these categories.

Employees can complain of behaviour, treatment or conduct that they find offensive even if it is not directed at them and they do not have the relevant characteristic themselves. The following is a list of examples of behaviour that may be bullying or harassment:

- Offensive, abusive or intimidating comments, insensitive jokes or pranks, derogative or stereotypical remarks.
- Deliberately excluding someone from conversations or work activities.
- Ridiculing, humiliating or belittling someone.
- Inappropriate remarks about someone's performance.
- Overbearing 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.
- Copying memos that are critical about someone to others who do not need to know.
- Spreading malicious rumours or insulting someone by word or behaviour (particularly on the grounds of protected characteristics).
- Preventing employees' progressing by intentionally blocking promotion or training opportunities.
- The use of social networking sites such (but not limited to) as Facebook, X (Twitter), Snapchat, Instagram, Tik Tok or information from YouTube to bully or harass others.

The list is not exhaustive. What one employee finds acceptable, another may not and therefore all employees ought to ensure that they treat one another with respect. Also, it is not necessary that the treatment, behaviour or conduct in question was directed at the employee. Harassment or bullying can include behaviour which creates an intimidating and offensive environment for the colleague and anyone else who may witness that behaviour.

Where, following an investigation, it has been determined that an employee has been subject to legitimate, constructive and reasonable criticism of their performance or conduct, this will not amount to bullying or harassment.

3. Complaints against Third Parties

Sometimes the allegation of bullying or harassment may be against someone you come across as part of your work e.g. a pupil. In this case a complaint should be made to your line manager who will then discuss with you how best to deal with the situation. Where your line manager is unavailable e.g. due to sickness or holiday, you should raise your concern with the next level of leadership .

4. Right to be Accompanied

You have the right to be accompanied by a companion at any meeting as part of this policy. The companion may be a work colleague, a trade union representative or an official employed by a trade union.

The companion is allowed to address the meeting; to put and sum up your case, they may not respond on your behalf to any questions asked at the meeting however they may confer with you during the meeting.

Under this procedure, you do not have the right to be accompanied by anyone else (such as a spouse, partner, other family member or legal representative) apart from those people already referred to above.

Where appropriate, eligible employees, for example those with disabilities or language difficulties, may have the attendance of a supporter or interpreter.

5. Procedure

If you believe that you have been subjected to treatment, behaviour or conduct which is not linked to the Bullying and Harassment Policy, you can raise a complaint either informally or formally under the Trust's Grievance Policy.

How to raise a complaint under bullying and harassment policy

6. Stage 1 - Informal Procedure

Many issues or concerns can be dealt with on an informal basis through discussion with your line

manager and we would encourage this. You should make it clear to your line manager that you are raising your complaint informally and you should clarify what outcome you are seeking. You must give your line manager reasonable time to deal with your complaint informally.

If your complaint is about your line manager then you can discuss the matter with a more senior manager in the first instance. No action will normally be taken unless agreed with you first.

7. Stage 2 – The Formal Procedure

If your complaint has not been resolved informally or you feel that the informal process is not appropriate, then you can raise the matter formally. To do this, you must put your complaint in writing to your line manager making it clear that you wish to raise the matter under formal stage two of the Bullying and Harassment Policy. If the complaint concerns your line manager, then you should send your complaint to a more senior manager.

Your complaint should explain the basis of your concerns, and it will be helpful to give as much information as possible including any relevant dates, facts and any thoughts you may have on the outcome you are seeking.

If you choose to follow the formal route, on receipt of the complaint the manager will:

- arrange a meeting with you to discuss the complaint.
- ensure the meeting is private.
- respect your confidentiality.
- take notes of your complaint at the meeting.
- carefully consider all the points raised and agree with you any steps or actions to try and resolve the complaint.

Where reasonably practicable, the meeting will be held within **10 working days** of receipt of the written complaint. You will invited to attend a meeting in writing and will be given **5 working days** notice of the meeting date.

Depending on your complaint, your complaint may need to be investigated, and the meeting may need to be adjourned. A further meeting will be arranged with you following the investigation. You will be kept informed of the progress of the investigation. Investigations will be dealt with as confidentially and sensitively as possible.

Once your complaint has been considered your line manager or the nominated person handling your complaint will write to you with the outcome within **5 working days**. You will also be advised of your right of appeal should you be dissatisfied with the decision and to whom your appeal should be made.

8. Stage 3 – The Appeal

If you are not satisfied with the outcome at Stage 2, you may appeal the decision. Your appeal must be in writing and set out the grounds of your appeal in line with the list below and include all the information you wish to rely on at the appeal meeting. You must send your appeal to the person

detailed in the outcome letter within **10 working days** of the date you received the letter notifying you of the decision. An appeal panel will be convened who have had no prior involvement in the complaint process.

You must be appealing against either:

- the finding that your complaint was not upheld where the evidence does not support this finding.
- the fact that you don't feel the correct procedure was followed.
- the fact the new evidence has come to light that would change the outcome.
- the outcome is inconsistent with how others have been treated.

You will be invited to the meeting in writing. You will be given at least **5 working days**' notice of the Appeal Meeting to consider your appeal and any suggestions you have for resolving the complaint. You have the right to be accompanied at the Appeal Meeting by your companion.

The outcome of the appeal may be to overturn or confirm the original decision or apply a different resolution. The Appeal Chair/panel will either recall the colleague to the Appeal Hearing or will write to the colleague confirming their decision. The appeal outcome will be confirmed in writing within **5 working days** of the Appeal Hearing. There is no further right of appeal.

In some circumstances and with the agreement of both parties the Trust may agree to appoint an independent mediator or conciliator which may include ACAS or another person acceptable to both parties.

9. Records

At the end of each formal stage of the complaint procedure, the manager hearing the case will send you written confirmation of the decision, within **5 working days** following the meeting. The letter will record the outcome and any terms of any agreement reached in resolving the dispute. At Stage 2 the letter will also explain who you can appeal to if you are still not satisfied.

A copy of the outcome letter and any formal meeting notes will remain on your personnel file.

10. Mediation Service

As an alternative to pursing a complaint under the Bullying and Harassment Policy you also have the opportunity to access the Mediation Service.

Mediation is a confidential process that seeks to help employees resolve disputes in the workplace. Mediation is an informal process where employees involved in a dispute or whose relationship is under strain, have the opportunity to air their differences in a voluntary, safe, confidential meeting with the other party, in the presence of a mediator.

Mediation can be used at any point in the procedures, for example where, other informal approaches have been unsuccessful, or if you do not feel that the formal procedure is the right option, you may want to consider mediation as an alternative to the formal procedure. Mediation is a voluntary option and it can only be used when both parties agree to take part. There is no penalty or detriment if you choose not to participate in a mediation process.

Information on how to access the mediation service are contained within the mediation policy.

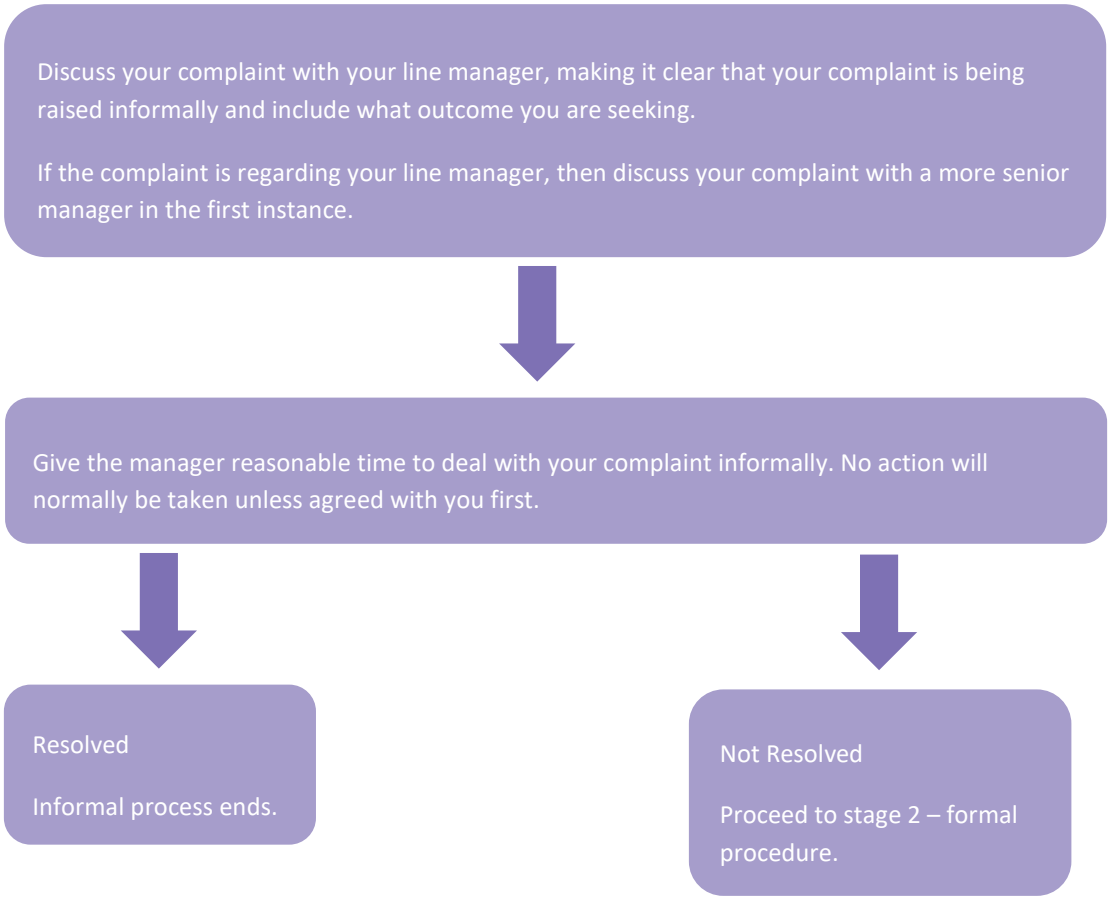
If you go through mediation and it is not successful, you can then revert to the formal part of this policy.

If you have raised a complaint and decide to pursue mediation, the complaint may be paused while the mediation is taking place. If the issue is resolved informally or through mediation, the formal complaint will be closed.

You are entitled to have a work colleague or trade union representation at all meetings

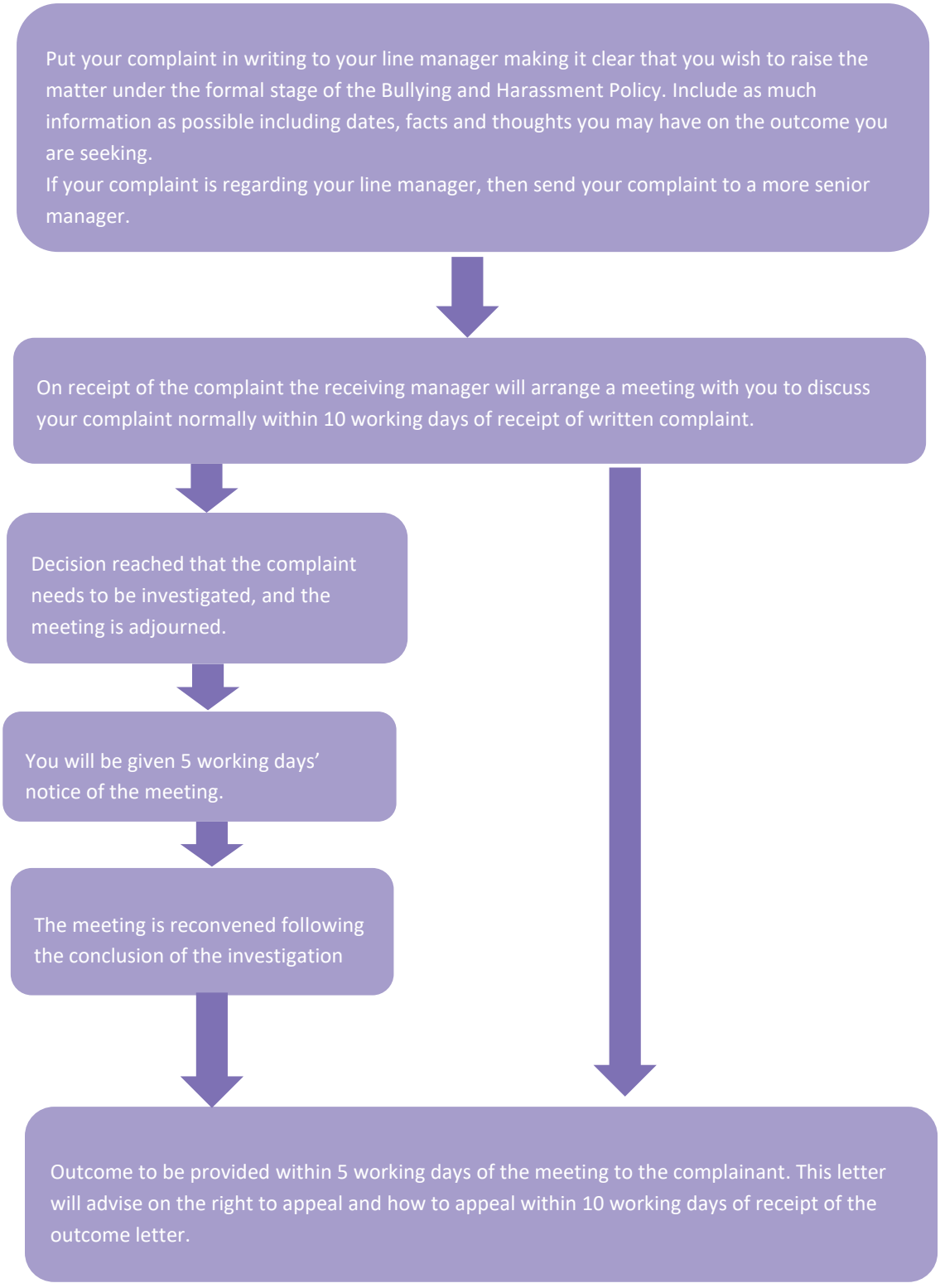
Appendix 1 – complaint procedure flowcharts

Stage 1 - Informal Procedure



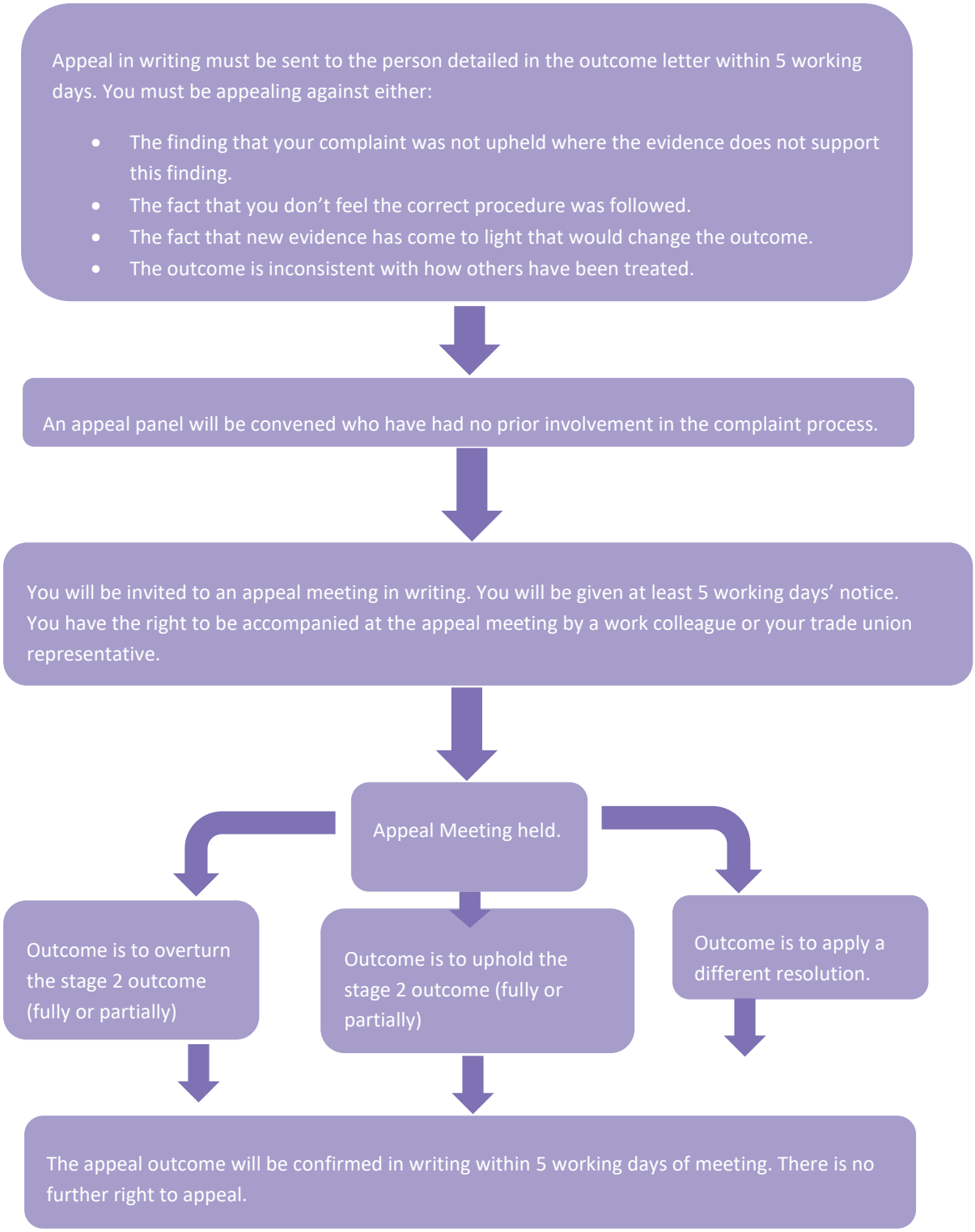
Stage 2 - Formal Procedure

If your complaint has not been resolved informally or you feel that the informal process is not appropriate, then you can raise the matter formally.



Stage 3 – The Appeal

If you are not satisfied with the outcome at Stage 2, you may appeal. Your appeal must be in writing and clearly set out the grounds of your appeal in accordance with the appeal reasons list below and include all the information you wish to rely on at the appeal meeting.



Appendix 2 – Formal Bullying or Harassment Complaint Form

Submitted by:	**Name**	
	Job Title	
	Academy	
I wish to formally complain about the behaviour of:		Insert staff member name
The details of my complaint are (where possible please identify dates, times and names):		
I have attempted to resolve my complaint informally by:		
The resolution I seek is:		

To support my complaint, I have attached the following documents:	
I consider my complaint raises a child protection/safeguarding issue in the following ways:	
I understand that the person/people named within my complaint may be made aware of the content of my complaint as part of the process.	
I have read the Trust's Staff Bullying and Harassment Policy and am aware that false, malicious or vexatious complaints may result in disciplinary action against me for gross misconduct	
Signed	
Print Name	
Date	