



SJC Training Academy Trading as:

HB Academy

Anti-Bullying, Harassment and Victimisation Policy

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Anti-Bullying, Harassment and Victimisation Policy

Introduction

The Company seeks to provide a work environment in which all employees, visitors and learners are treated with respect and dignity and that is free of harassment based upon an individual's race, religion, colour, sex, age, national origin, disability or sexual orientation. Visitors, Learners or Employees must not harass or intimidate others on any of these grounds. Such harassment not only contravenes this policy but it may also constitute unlawful discrimination. Such behaviour will be treated as gross misconduct in accordance with HB Academy's disciplinary procedure and could render the , learner, visitor or employee liable to summary dismissal from employment, a course or from the premises.

Objectives

All visitors, learners and employees are responsible for:

- conducting themselves in accordance with this policy
- to understand what areas come under bullying and harassment
- what are the consequences of bullying and harassment and why HB Academy has a zero tolerance towards it
- to know where to report any matters of bullying and harassment

The scope of limitation for bullying and harassment does not only apply to HB Academy premises, but can be applicable to work-based employment premises, on social media or by outside third parties who do business with the Company.

Responsibility and Authority

HB Academy has ultimate responsibility for visitor, learner and employee protection and will ensure that the arrangements for overseeing anti-harassment and bullying are effective, robust and reviewed on a regular basis. As such three senior members of staff have been designated as Anti-Harassment & Bullying Personnel. The designated personnel are:

1. Sarah Chidley
Director
02088593446
sarah@hbacademy.co.uk
2. Nikki Roberts
Academy Coordinator / Safeguarding Officer
02088593446
nikki@hbacademy.co.uk

How Bullying & Harassment can be received

Bullying and harassment can take the form of the following:

- Face-to-face
- By email
- By letter
- Over Social Media
- By Phone

Confidential 24 hour Reporting Email

HB Academy has the following two modes of confidential contact available to report any matter relating to harassment and bullying:

Email: nikki@hbacademy.co.uk or to either of the other two designated personnel previously listed. We would always recommend that you speak to HB Academy in the first instance. If you require further advice or feel that your complaint has not had a satisfactory outcome you may wish to contact:

ACAS Helpline

Telephone : 0300 123 1100

Open Monday, Wednesday and Thursday 8am to 8pm

Tuesday and Friday 8am to 6pm

Saturday 9am to 1pm

Report – Don't Retaliate

All staff, learners or employees must not victimise or retaliate against any other who has made allegations or complaints of harassment, or provided information about such harassment or bullying. Such behaviour will be treated as gross misconduct in accordance with the Company's disciplinary procedure.

Workplace Bullying and Harassment

HB Academy will equally treat any forms of bullying or harassment that may be reported to have happened in the workplace or associated with an apprentice's placement, whether indirectly or directly. For further advice and help you can visit the following Government link:

<https://www.gov.uk/workplace-bullying-and-harassment>

Useful guides for either employees or employers can be downloaded from this site.

Providing Evidence

If you have been a victim of bullying and harassment and this has been perpetrated by a means where it can be recorded or saved (such as social media), please take measures to save any contact (screenshotting) it, for example.

If the bullying has been perpetrated verbally, please write down the details of the bullying or harassment as soon after as possible so that it is recorded whilst still fresh in your memory and as accurate as possible. Please only record date, time, location, if anyone else was present as a witness and actual facts or spoken words. Pass this to the Safeguarding Officer as soon as you can. This evidence may be required at a later date if any investigations are taken up.

Legal Definition of Harassment

Men and women have a right not to be subjected to harassment at work or work in an intimidating environment. Legally, it is defined as occurring where an individual engages in unwanted conduct which has the purpose or effect of violating another person's dignity, or creating an intimidating, hostile, degrading or offensive environment for that person. Please note that an individual may feel harassed or offended even when the inappropriate comment or conduct is not made towards or about the individual personally.

Harassment can take a variety of different forms and can be written, verbal, non-verbal or transmitted electronically. Examples include repeatedly ignoring a colleague through to subjecting him or her to unwelcome attention, ridicule or humiliation.

All forms of harassment intentional or not are covered by this policy and procedure. The following are examples of unacceptable behaviour. This list is not exhaustive:

- **Sexual harassment** can be physical conduct ranging from the invasion of personal space and/or inappropriate touching to serious assault. It can include questions or remarks about a person's sex life, comments or ridicule about appearance or dress, unwanted sexual advances, sexually explicit remarks or innuendoes and/or pressure for sexual favours, displays or distribution of pornographic or sexually suggestive material, including graffiti, posters or other offensive material.
- **Racial harassment** may include obscene gestures or jokes about, or gratuitous references to, a person's colour, race, religion or nationality. It can include deliberate exclusion for reasons related to race. It can also include offensive remarks about dress, culture or customs which have the effect of ridiculing or undermining an individual, or fostering hatred and/or prejudice towards individuals or particular ethnic groups. It also includes inappropriate displays of posters, or other offensive material. In some circumstances it can include pressure to participate in political/religious groups.
- **Harassment of people with disabilities** can take the form of individuals being ignored, disparaged, ridiculed or denied opportunities because of mistaken assumptions about their capabilities. In such cases, disability, rather than ability, has become the focus of attention. Such harassment can include inappropriate personal remarks, jokes or inappropriate references to an individual's appearance.
- **Harassment on the grounds of actual or perceived sexual orientation** can include homophobic remarks or jokes (whether spoken, written or sent by email), offensive comments relating to a person's sexuality, threats to disclose a person's sexuality to others or offensive behaviour/abuse relating to HIV or AIDS status.

- **Harassment on the grounds of religious belief** can include jokes or insults about items of clothing, religious artefacts, religious beliefs or rituals.
- **Harassment on the grounds of gender reassignment** can include jokes, name calling, humiliation, exclusion or being singled out for different treatment.
- **Harassment on the grounds of age** can include jokes or insults about a person's age, or singling a person out for different treatment as a result of their age.

Legal Definition of Bullying

The exercise of power over another person through persistent, negative acts or behaviour that undermines an individual, personally and/or professionally. Bullying can be threatening, insulting, abusive, disparaging or intimidating behaviour placing inappropriate pressure on the recipient which can affect self-confidence and self-esteem or has the effect of isolating or excluding them. Bullying can take the form of persistent shouting, sarcasm or derogatory remarks; it can be constant criticism, without constructive support, to assist a member of staff to address performance concerns; it may also include cyber bullying, i.e. using the internet and related technologies to harm another person in a deliberate, repeated and hostile manner.

The distinction between good management and bullying is that, whilst the former is intended to support and develop potential and to promote desired work performance, the latter is intended to hurt, intimidate and undermine the individual.

Victimisation

HB Academy will not tolerate victimisation against an individual because he or she has made, or intends to make, a complaint or allegation, or has given, or intends to give, assistance and/or evidence in an investigation. HB Academy will also not tolerate victimisation or discrimination against members of staff who have left; for example, by refusing to give a reference because the person has made a genuine complaint.

HB Academy's Responsibilities

Sexual Harassment

It is against the Company's policy for any person, male or female, to sexually harass another employee or to harass him or her on the grounds of his or her sexual orientation. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favours, engaging in other unwelcome verbal or physical conduct of a sexual nature, subjection to obscene or other suggestive comments, and sexual jokes or pictures. It is for the complainant to decide for him or herself what they regard as offensive.

Racial Harassment

It is against the Company's policy for any employee/learner/staff member to harass another person on the grounds of his or her race, religion, colour or national origin. Racial harassment includes, but is not limited to, engaging in unwelcome verbal or physical conduct of a racial nature, subjection to racist comments, and racist jokes or pictures.

Other Harassment

It is against the Company's policy for any employee/learner/staff member to harass another person on the grounds of his or her disability, age, gender or sexual orientation.

In addition, conduct relating to a person's status or other characteristic which has the purpose or effect of unreasonably interfering with that person's work performance, or creating an intimidating, hostile or offensive working environment constitutes harassment.

Examples of such conduct can include, but are not limited to, epithets, ridicule of individuals on the basis of their status or other verbal, physical or visual abuse or conduct based on status.

Reporting and Investigation of Complaints

While the Company encourages employees/learners/visitors who believe they are being harassed to notify the offender (by words or by conduct) that his or her behaviour is unwelcome, the Company also recognises that actual or perceived power and status disparities may make such confrontation impractical. In the event that such informal, direct communication between parties is either ineffective or impractical, the following steps should be followed in reporting a complaint of harassment:

1. Any person who believes he or she has been or is being harassed in violation of this policy, or who wishes to report an incident of harassment, should speak to their line manager. If they do not wish to speak to their tutor, line manager or senior member of staff, they can instead speak to the following individual: Carla Hales
2. Such reports should be made promptly so that investigation may proceed and any action taken expeditiously.
3. All allegations of harassment will be dealt with seriously, confidentially and speedily. The Company will not ignore or treat lightly complaints of harassment. The allegation will be promptly investigated. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, the Company must be able to determine the scope of the investigation and the individuals who should be informed of the allegation.
4. The complainant will be informed of the outcome of the investigation and the Company's conclusions. The Company is committed to taking appropriate action with respect to all complaints of harassment.

Disciplinary Action

Any employee/learner of the Company who is found to have harassed another person and is in violation of this policy will be subject to appropriate disciplinary action under the Company's disciplinary procedure. Such behaviour will be treated as gross misconduct and could render the person liable to summary dismissal. If the individual is not employed or a current learner with HB Academy then the Company will seek advice and guidance from outside parties regarding how to deal with any allegations or investigations.

In addition, line managers who had knowledge that such harassment had occurred in their departments but who had taken no action to eliminate it will also be subject to disciplinary action under the Company's disciplinary procedure.

Training

HB Academy ensures that training of its Safeguarding Officer, Deputy and Academy Staff is to the standard necessary for their roles and Assessor's training is as appropriate to impart knowledge and report any issues and refreshed intermittently.

Any new procedure that may arise from Government policy is filtered down to staff at regular Teaching & Learning or Standardisation Meetings and forms part of the agenda.

Learner Knowledge

HB Academy ensures that it embeds anti-bullying and harassment throughout a learner's programme and will also evaluate learning has taken place by means of a workshop, questioning, practical assessments, review questions, learner questionnaires and activities.

Linked Policies

Please refer to HB Academy's linked policies below for additional information regarding Anti-Harassment & Anti-Bullying Standards:

- Apprentice Expectation Policy
- Code of Conduct - Staff Policy
- Code of Conduct – Learner Policy
- Confidentiality & Disclosure Policy
- Complaints Policy
- Privacy Policy
- Disciplinary Policy
- Learner Charter Policy
- Learner Positive Behaviour Management Policy
- Learner Contribution & Learner Voice Policy
- Mentoring – Staff Policy
- Mentoring – Learner Policy
- Observation of Teaching & Learning Policy
- Prevent Policy
- Safeguarding & Safeguarding Vulnerable Adults Policy
- Staff CPD Personal Development Training Policy
- Whistle Blowing Policy