

## *Harassment Policy*

Bodywork Company will not tolerate any form of harassment amongst employees or students. If you are found guilty of harassing another, disciplinary action will be taken which could lead to dismissal or expulsion. In cases of serious harassment, criminal action may be taken against you.

It is the duty of all staff to uphold the company policy and report any known actions of harassment to their Line Manager or a Partner immediately. You are responsible for your behaviour and are expected to act in a manner that avoids and discourages any form of harassment.

### Introduction

Bodywork Company recognise the right of all staff and students to be treated with respect and dignity and are committed to the development of positive policies for the elimination of all kinds of harassment. All parties have the right to work and study in an environment free from harassment, bullying and other types of intimidation.

### What is harassment?

Harassment takes many forms, occurs on a variety of different grounds and can be directed at one person or many peoples. Harassment is conduct that is unwanted by the recipient and which the recipient finds offensive or unacceptable. It can include unwelcome physical, verbal or non-verbal conduct. Conduct can be harassment even if it was not intended to violate the recipient's dignity, if it has that effect. Conduct normally becomes harassment if it is persisted even though it has been made clear that it is regarded to the recipient as offensive, although a single incident may amount as harassment is sufficiently serious.

Harassment can be based on a wide variety of the recipient's characteristics including: race, ethnic origin, nationality or skin colour, gender or sexual orientation, disabilities, sensory impairments or learning difficulties, religion, age, being an inferior person in terms of power. Forms of harassment can include: physical contact, including violence or threatened violence, jokes or pranks, obscene gestures, verbal abuse or offensive language, gossip or slander, obscene or offensive posters, requests for sexual favours, threat of dismissal/expulsion for refusal of sexual favours, isolation and exclusion, abuse of position of power by bullying or humiliating and intrusion by pestering, spying and stalking.

## Responsibilities

Students and staff have a responsibility to help ensure that the dignity of all respected within the working environment. Everyone must comply with this policy and should ensure that their behaviour to all does not cause offense and could not in any way be regarded as harassment. Everyone should discourage harassment by making it clear that they find such behaviour unacceptable and alerting an appropriate member of management in confidence to any incident of harassment.

## Procedure

Due to the seriousness of harassment, this procedure is separate and replaces the grievance procedure for dealing with complaints of harassment, they are advised to attempt to resolve the problem informally first. In some cases, it may be sufficient to make it clear to the harasser that their behaviour is unacceptable and that it must stop. If support is needed, it should be sort from a student rep, elected member of staff or Line Manager.

If harassment continues, where serious harassment occurs or where the informal approach seems inappropriate a formal complaint should be made in writing to the Principal or another member of Senior Management stating: the name of the harasser, the nature of the harassment, dates and times the harassment took place, names of witnesses (if any) to the incidents, the action (if any) already taken to stop the harassment. They will investigate the allegations sensitively and respect the rights to both the alleged victim and the accused. Both parties will be interviewed and may be accompanied to these interviews. Anyone else interviewed in the course of the investigation will be reminded of the need for confidentiality. When the investigation is complete, a decision will be made on whether the complaint is considered to be well-founded. If the complaint is well-founded, disciplinary action will be taken against the person about whom the complaint was made.

Deliberate sexual, racial or disability harassment, victimisation or serious bullying will normally result in dismissal/expulsion. Where a lesser penalty is appropriate, or if the complaint is considered to be unfounded, reasonable adjustment may be made to enable both parties to continue without embarrassment or anxiety. Any unwarranted allegation of harassment, made in bad faith and in a malicious manner, will be very seriously addressed and may result in dismissal/expulsion.

## Appeals

If either party is not satisfied with the way the complaint has been handled, they may ask for it to be reconsidered by another member of management. The appeal should be made in writing and the person handling the appeal will decide if any further investigation is needed. Their decision is final.

**Reviewed by Mike Udin, Chair of Governors – September 2020**

**To be next reviewed September 2022**