

Kingsleigh Primary School



Sexual Harassment Policy

Review Cycle: 1 Year

Last Reviewed: September 2026

Responsible for Review: HT

Next Review Date: September 2027

Policy Statement

We are committed to providing a working environment free from sexual harassment and ensuring all staff are treated, and treat others, with dignity, respect and professionalism. We recognise that sexual harassment can occur both in and outside the workplace, such as on work-related trips, at work-related events or social functions, or on social media.

Sexual harassment and victimisation are unlawful and will not be tolerated under any circumstances. The Trust adopts a zero-tolerance approach and will take all reasonable steps to prevent sexual harassment and support those affected by it.

Any employee who experiences or witnesses sexual harassment is encouraged to report it in accordance with this policy. Complaints will be taken seriously, investigated promptly and handled as confidentially as possible.

Sexual harassment may result in disciplinary action, up to and including dismissal.

About this Policy

The purpose of this policy is to:

- Prevent sexual harassment and victimisation within the workplace
- Provide a clear framework for reporting concerns
- Ensure complaints are dealt with consistently, fairly and sensitively
- Protect employees and workers from discrimination and retaliation
- Set out the school's approach to harassment by third parties

This policy does not form part of any contract of employment and may be amended by the school at any time.

Who does this Policy Apply To?

This policy applies to:

- Employees
- Teaching staff
- Support staff
- Senior leaders
- Agency workers and supply teachers
- Consultants
- Contractors
- Casual workers
- Volunteers
- Trainee Teachers

For the avoidance of doubt, this policy applies to all individuals carrying out work for or on behalf of the School.

Who is Responsible for this Policy?

Board of Directors

The Board of Directors has overall responsibility for ensuring the effective operation of this policy and has delegated responsibility for implementation to the Headteacher.

Headteacher

The Headteacher is responsible for:

- Overseeing implementation of the policy
- Ensuring appropriate investigations are conducted
- Promoting a safe and respectful working environment

Line Managers

Line managers are responsible for:

- Addressing concerns promptly
- Supporting staff who raise complaints
- Taking appropriate action where behaviour falls below expected standards

Questions regarding this policy should initially be directed to a line manager.

What is Sexual Harassment?

Sexual harassment is any unwanted conduct of a sexual nature which has the purpose or effect of:

- Violating a person's dignity; or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment.

A single incident can amount to sexual harassment.

Sexual harassment may include, but is not limited to:

- Unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- Continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- Sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- Unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless); or
- Offensive emails, text messages or social media content
- Behaviour presented as 'banter' that causes offence or discomfort

A person may be sexually harassed even if they were not the intended target. For example, a person may be sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

Victimisation

Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

- Made a complaint under the Equality Act 2010
- Assisted another person in making a complaint
- Provided evidence or information in relation to proceedings
- Alleged unlawful discrimination or harassment

Victimisation may include:

- Excluding someone from opportunities
- Refusing promotion or training opportunities
- Subjecting an individual to unfair treatment
- Dismissing or disadvantaging an employee because they raised concerns

Sexual harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal if they are committed:

- In a work situation.
- During any situation related to work, such as at a social event with colleagues.
- Against a colleague or other person connected to us outside of a work situation, including on social media.

- Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.

We will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

If any sexual harassment or victimisation of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. These may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.

Third-Party Harassment

Third-party harassment occurs where a person is harassed or sexually harassed by someone who is not employed by the school but with whom they come into contact during their work.

Examples include:

- Parents/Carers
- Family members of pupils
- Contractors and suppliers
- Visitors
- Individuals encountered on educational visits or residential trips

The School will take reasonable steps to prevent and address third-party harassment.

Where appropriate, actions may include:

- Issuing warnings
- Restricting access to school premises
- Ending contractual arrangements
- Reporting matters to the police
- Liaising with relevant agencies

Any employee who sexually harasses a third party may face disciplinary action.

If You Are Being Sexually Harassed - Informal Steps

If you are being sexually harassed, consider whether you feel able to raise the problem informally with the person responsible. If you are able to you should:

- Explain that the behaviour is unwanted
- Explain clearly to them that their behaviour is not welcome or makes you uncomfortable
- Ask the individual responsible to stop
- Seek support from a line manager or member of the Senior Leadership Team if you are finding it difficult

If informal action is unsuccessful or inappropriate, a formal complaint should be made as set out below.

If you are unsure whether behaviour constitutes sexual harassment, you may seek confidential advice from your line manager or a member of the Senior Leadership Team.

If You Are Being Sexually Harassed - Raising a Formal Complaint

A formal complaint should normally be submitted in writing to:

- Your line manager; or
- The Headteacher or a member of the Senior Leadership Team if the complaint concerns your line manager; or
- The Chair of Directors or HR if the complaint involves the Headteacher.

The complaint should include:

- The name of the person involved
- Details of the incident(s)
- Dates and times where possible
- Names of witnesses
- Any actions already taken to resolve the issue

A complaint of victimisation should follow the same process.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

If You Witness Sexual Harassment or Victimisation

Staff who witness sexual harassment or victimisation are encouraged to:

- Intervening where you feel able to do so
- Supporting the victim to report it or reporting it on their behalf
- Reporting the incident where you feel there may be a continuing risk if you do not report it
- Co-operating in any investigation into the incident

All witnesses will be provided with appropriate support and will be protected from victimisation.

Formal Investigations

We will investigate complaints in a timely, respectful and confidential manner. Individuals not involved in the complaint, or the investigation should not be told about it.

We will arrange a meeting with you, usually within one week of receiving your complaint, so that you can give your account of events. You have the right to be accompanied by a colleague or a trade union representative of your choice, who must respect the confidentiality of the investigation.

Where your complaint is about an employee, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. The investigator will also meet with the alleged harasser to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.

Where your complaint is about someone other than an employee, such as a supplier, parent/carer or family of a pupil, or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.

We will also consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the alleged harasser.

It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.

At the end of the investigation, the investigator will submit a report to the Headteacher, or Chair of Directors if the Headteacher is being investigated. The Headteacher/Chair of Directors will arrange a meeting with you, usually within a week of receiving the report, in order to discuss the outcome and what action, if any, should be taken. You have the right to

bring a colleague or a trade union representative to the meeting. A copy of the report and the Headteacher/Chair of Directors's findings will be given to you and to the alleged harasser.

Action Following the Investigation

If the Headteacher/Chair of Directors considers that there is a case to answer and the harasser is an employee, the matter will be dealt with as a case of possible misconduct or gross misconduct under our Disciplinary Procedure. Our investigation into your complaint may be put on hold pending the outcome of the Disciplinary Procedure. Where the disciplinary outcome is that sexual harassment occurred, prompt action will be taken to address it.

Where the complaint concerns a third party, the Trust will determine appropriate action based on the circumstances.

Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation or counselling, or to change the duties, working location or reporting lines of one or both parties.

Any staff member who deliberately provides false information in bad faith, or who otherwise acts in bad faith as part of an investigation, may be subject to action under our Disciplinary Procedure. However, you will not be disciplined or treated detrimentally because your complaint has not been upheld.

Appeals

If you are not satisfied with the outcome you may appeal in writing to Chair of Directors or HR if the Chair of Directors were part of the outcome decision. You must state your full grounds of appeal, within one week of the date on which the decision was sent or given to you.

We will hold an appeal meeting, normally within one week of receiving your written appeal. Where practicable, the appeal hearing will be conducted by a manager who has not been previously involved in the case and is senior to the individual who conducted the previous meeting. They may ask anyone previously involved to be present. You have the right to bring a colleague or trade union representative to the meeting.

We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.

Protection and Support for Those Involved

Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

If you believe you have suffered any such treatment you should inform your line manager. If the matter is not remedied, you should raise it formally using our Grievance Procedure or this procedure if appropriate.

We will monitor the treatment and outcomes of any complaints of sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved and workforce training is targeted where needed.

We offer access to confidential counselling, which is available on request for anyone affected by, or accused of, sexual harassment. This is available on request.

Support and guidance can also be obtained from your Trade Union Representatives and the following external services:

- The Equality Advisory and Support Service (www.equalityadvisoryservice.com).
- Protect (www.protect-advice.org.uk).
- Victim support (www.victimsupport.org.uk).
- Rape crisis (www.rapecrisis.org.uk).
- Rights of women (England and Wales) (www.rightsofwomen.org.uk).
- Reporting outcomes, confidentiality and record-keeping

Confidentiality and Record Keeping

Confidentiality is an essential part of this procedure.

Information relating to complaints and investigations will only be shared on a need-to-know basis.

Breach of confidentiality may give rise to disciplinary action under our Disciplinary Procedure.

When appropriate and possible, where a complaint is upheld, we will advise the complainant of the action that has been taken to address their specific complaint and any measures put in place to prevent a similar event happening again.

Information about a complaint by or about a staff member may be placed on their personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

