



EDClass Harassment and Bullying Policy

POL015

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Approved by Cara Batsford

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Introduction

EDClass is committed to providing a fair, harmonious, and supportive working environment built on dignity, psychological safety, and mutual respect. We maintain a strict zero-tolerance approach to any form of bullying, intimidation, victimisation, or harassment in the workplace.

Scope of Coverage

This policy applies to:

- ✓ All permanent, fixed-term, and part-time employees, online teaching staff, operational teams, managers, consultants, and contractors.
- ✓ Physical workplace premises (including Clock Court offices and teaching hubs), live digital work platforms, remote/home working environments, internal messaging tools, external business engagements, work-related social functions, and company travel.
- ✓ Interactions with colleagues, as well as interactions involving third parties encountered during work duties—such as commissioning school staff, local authority contacts, parents/carers, learners, contractors, or suppliers.

Harassment, victimisation, and bullying constitute gross misconduct. Any worker found to have breached this policy will be subject to disciplinary action, which may lead to summary dismissal without notice or immediate termination of contract.

Legal Framework

This policy complies with all relevant employment and equality legislation, including:

- ✓ The Equality Act 2010 (Protected characteristics, associative and perceptive discrimination)
- ✓ The Worker Protection (Amendment of Equality Act 2010) Act 2023 (Statutory duty to take reasonable steps to prevent sexual harassment, including from third parties)
- ✓ Employment Rights Act 1996 and Employment Relations Act 1999
- ✓ Protection from Harassment Act 1997
- ✓ Health and Safety at Work etc. Act 1974 (Employer's duty to secure health, safety, and welfare, including psychological wellbeing)
- ✓ Malicious Communications Act 1988 and Communications Act 2003
- ✓ ACAS Code of Practice on Disciplinary and Grievance Procedures

Definitions and Specific Behaviours

Harassment

Harassment is unwanted conduct related to a relevant protected characteristic under the Equality Act 2010—**age, disability, gender reassignment, race (including colour, nationality, ethnic or national origins), religion or belief, sex, sexual orientation, or marital/civil partnership status**—that has the purpose or effect of:

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

Harassment is judged by the **impact on the recipient**, not solely by the motive or intent of the perpetrator. A single incident can be sufficient to constitute harassment.

Examples include:

- ✓ **Physical Conduct:** Unwelcome physical contact, ranging from unnecessary touching, patting, or brushing against someone, to assault or physical coercion.
- ✓ **Verbal and Written:** Derogatory jokes, offensive banter, slurs, intrusive questions about personal life, defamatory comments, gossip, or intimidation via phone, email, or chat tools.
- ✓ **Sexual Harassment:** Unsolicited sexual propositions, suggestive remarks, unwanted physical advances, sexualised "jokes," or non-consensual graphic comments.
- ✓ **Visual and Digital:** Transmitting, posting, or displaying obscene, sexually explicit, or offensive material (including images, video clips, memes, or text).
- ✓ **Cyber Harassment:** Stalking, offensive commentary, impersonation, or targeted disparagement through public or private social media channels.
- ✓ **Exclusion and Isolation:** Intentionally marginalising or freezing out colleagues from work collaborations or work-related social events.

Bullying

Bullying is persistent, offensive, abusive, intimidating, malicious, or insulting behaviour, or an abuse of power, which undermines, humiliates, denigrates, or injures the recipient emotionally or physically.

Examples include:

- ✓ Shouting at, verbally berating, or ridiculing an individual in front of colleagues.
- ✓ High-handed, unreasonable, oppressive, or micromanaging supervision.
- ✓ Setting impossible deadlines, deliberate task overloading, or setting colleagues up to fail.
- ✓ Consistent, unjustified criticism or public belittling of professional performance.
- ✓ Blocking professional development, training, or promotion opportunities without fair cause.
- ✓ Making implied or explicit threats regarding job security without cause.

Legitimate, constructive, and fair management—such as setting reasonable workloads, objective performance reviews, or addressing disciplinary/capability concerns proportionally—does not constitute bullying.

Third-Party Harassment

Staff interacting with external clients, partner school contacts, local authority officers, parents, or learners are protected under this policy. In line with the statutory proactive duty under the **Worker Protection Act 2023**, EDClass takes active, preventive steps to protect staff from third-party harassment. Any inappropriate, abusive, or discriminatory behaviour directed at staff by an external party will be intervened upon immediately and escalated to school leadership or appropriate external bodies.

Victimisation

Subjecting an individual to detrimental treatment because they have submitted a complaint in good faith under this policy, raised a grievance, or supported another colleague's complaint is strictly prohibited and constitutes an independent act of gross misconduct.

Rights and Responsibilities

Individual Rights

Every team member has the right to:

- ✓ Work in an atmosphere free from harassment, intimidation, prejudice, and bullying.
- ✓ Raise concerns or formal complaints without fear of retaliation, disadvantage, or victimisation.
- ✓ Have allegations investigated impartially, thoroughly, and as confidentially as the law and natural justice allow.

Employee Responsibilities

Every worker must:

- ✓ Treat all colleagues, learners, and external partners with courtesy, dignity, and professionalism.
- ✓ Review their own conduct to ensure communication cannot reasonably be perceived as offensive or intimidating.
- ✓ Challenge or report unacceptable conduct rather than being an idle bystander if witnessing bullying or harassment.
- ✓ Refrain from retaliating against, gossiping about, or ostracising any colleague involved in a complaint.

Management and Company Responsibilities

EDClass leadership and line managers will:

- ✓ Actively cultivate an inclusive, psychologically safe, and supportive culture.
- ✓ Identify early signs of interpersonal tension, inappropriate banter, or oppressive supervision and address them promptly.
- ✓ Provide thorough, regular workplace training covering equality, harassment prevention, and third-party risk mitigation.
- ✓ Take all complaints seriously, ensure impartial investigations, and enforce appropriate disciplinary actions where misconduct is substantiated.

Resolution and Reporting Procedures

Workers who experience or witness harassment or bullying are encouraged to seek resolution using either the informal or formal routes outlined here@

Stage 1: Incident or Concern Occurs

The process begins when an employee experiences, witnesses, or becomes aware of behaviour that breaches workplace standards. This covers bullying, discriminatory remarks, sexual harassment, intimidation, or victimisation—whether taking place in an office, during remote online delivery, across internal communication channels, or involving an external third party.

Stage 2: The Informal Route (Optional)

If the matter is low-level, non-systemic, or early-stage, the employee may choose to address it informally first to resolve misunderstandings quickly without initiating statutory hearings:

- ✓ **Direct Approach:** The individual speaks or writes directly to the person involved, clearly stating what behaviour caused distress and requesting that it stop immediately.
- ✓ **Facilitated Discussion:** If approaching the person directly feels uncomfortable, the individual can ask a line manager, member of the Senior Leadership Team, or HR to facilitate an informal, constructive conversation.
- ✓ **Escalation Trigger:** If the behaviour continues after this discussion, if the perpetrator reacts hostility, or if the initial incident is severe from the outset (e.g., sexual harassment, threats, assault), the informal route is bypassed and the employee proceeds directly to Stage 3.

Stage 3: Formal Grievance Lodged

The issue transitions into a legally recognised, formal workplace procedure:

- ✓ **Written Submission:** The complainant submits a formal written notification setting out the specific facts, dates, times, locations, individuals involved, and any tangible evidence.
- ✓ **Appropriate Routing:** The complaint is lodged with their Line Manager. If the complaint directly involves the line manager, it is submitted directly to an independent member of the Senior Leadership Team or HR.

Stage 4: Impartial Formal Investigation

An independent investigator (someone uninvolved with the incident or parties) is appointed to establish the objective facts:

- ✓ **Interviews and Statements:** The investigator takes written witness statements from the complainant, the respondent, and relevant witnesses.
- ✓ **Digital and Physical Audit:** Relevant electronic evidence is secured and examined, including email threads, internal chat transcripts, video/audio recordings from live platform sessions, and access logs.
- ✓ **Confidential Fact-Finding:** Evidence is compiled into a balanced investigation report evaluating whether, on the balance of probabilities, the allegations are substantiated.

Stage 5: Formal Grievance Hearing and Written Outcome

Once the investigation concludes, a formal hearing is scheduled:

- ✓ **The Hearing:** The complainant attends a meeting led by a nominated decision-maker to discuss the findings. The employee has the statutory right to be accompanied by a trade union representative or a work colleague.
- ✓ **Written Decision:** A formal outcome letter is issued detailing the findings, the rationale, and any remedial actions.
- ✓ **Right of Appeal:** The letter clearly explains the employee's right to appeal within a specified timeframe if they believe the outcome is flawed or the procedure was unfair.

Stage 6: Determination and Follow-On Pathways

Depending on the evidence and conclusions reached, the case proceeds down one of two final operational tracks:

Pathway A: Complaint Upheld (Substantiated) When evidence shows that harassment, bullying, or victimisation did occur:

- ✓ **Disciplinary Invocation:** The findings transfer directly into the formal **Company Disciplinary Procedure** for the perpetrator.
- ✓ **Disciplinary Sanctions:** Depending on severity, penalties range from formal written warnings to summary dismissal for gross misconduct without notice.
- ✓ **Structural Improvements:** Operational processes, team structures, monitoring safeguards, or policies are updated to eliminate future recurrence.

Pathway B: Complaint Not Upheld (Unsubstantiated) When the evidence does not meet the standard to substantiate harassment or bullying, or indicates an innocent misunderstanding:

- ✓ **Mediation and Pastoral Support:** Independent professional mediation or pastoral debriefs are offered to rebuild working relationships.
- ✓ **Ongoing Monitoring:** Management keeps an active watch on interactions to ensure no subtle hostility, tensions, or ostracism develop.
- ✓ **Safe Re-engagement:** Working arrangements are adjusted if necessary to allow both parties to continue their roles safely and productively without fear of recrimination.

Informal Resolution

Where an incident is minor or non-systemic, and the individual feels comfortable doing so:

- ✓ Explain directly to the person involved that their behaviour is unwelcome, causes distress, and must stop.
- ✓ If approaching the individual directly is difficult, the employee may ask a line manager, member of the Senior Leadership Team, or an HR representative to facilitate an informal mediated discussion.
- ✓ If informal approaches do not end the behaviour, or if the conduct is sufficiently severe, the employee should proceed immediately to the formal process.

Formal Resolution (Grievance Procedure)

If the matter cannot be resolved informally, or involves serious allegations of harassment, physical assault, or sexual misconduct:

- ✓ **Submit Formal Complaint:** Submit a written complaint detailing the nature of the conduct, dates, times, exact language or actions, names of witnesses, and any documentary evidence (e.g., chat logs, emails, screenshots) to your Line Manager or a Director. If the complaint concerns your direct line manager, submit it directly to Senior Leadership/HR.
- ✓ **Investigation:** An independent, trained investigator will be appointed. They will interview the complainant, the respondent, and relevant witnesses, reviewing all pertinent electronic and physical records while maintaining confidentiality.
- ✓ **Formal Hearing:** A formal hearing will be convened where the employee has the statutory right to be accompanied by a trade union representative or a work colleague.
- ✓ **Outcome and Appeal:** A written decision outlining findings and proposed actions will be issued. The employee retains the right to appeal the decision if they are dissatisfied with the findings or the fairness of the process.

Where an investigation confirms that an employee has engaged in harassment, bullying, or victimisation, the matter will transfer directly into the **EDClass Disciplinary Procedure** as gross misconduct, which can lead to dismissal without notice.

Confidentiality and Malicious Allegations

- ✓ **Confidentiality:** All reports and investigations will be handled with appropriate discretion. Information will only be disclosed on a strict need-to-know basis to ensure an objective, fair investigation.
- ✓ **Protection Against Detriment:** Employees raising bona fide concerns will be protected from reprisal. However, deliberately fabricated, malicious, or vexatious allegations will be regarded as serious disciplinary offences.

Policy Review and Monitoring

This policy is maintained by the Senior Leadership Team and is evaluated annually. Monitoring includes review of anonymised grievances, exit interviews, and workplace climate surveys to verify the operational effectiveness of anti-harassment safeguards across all EDClass environments.

Procedure

In order to raise a complaint of harassment or bullying, please refer to the Company Grievance Procedure (outlined elsewhere in this Employee Handbook).

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Version 1	May 2016	Cara Radford	May 2017
Version 2	May 2017	Cara Radford	May 2018
Version 3	May 2018	Cara Radford	May 2019
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