Guidance on Dealing with Harassment and Bullying Complaints

Guidance for Leaders, Managers and Employees

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Table of Contents

1. Purpose of this Guidance 4
2. Definitions and Policy Framework 4
3. Responsibilities of All Employees 4
4. What Behaviour Is Not Acceptable 4
4.1 Derogatory, Offensive or Inappropriate Comments 4
4.2 Undermining or Disrespecting Colleagues 4
4.3 Behaviour Contrary to Trust Values 5
4.4 Inappropriate Communication 5
4.5 Misuse of Position or Influence 5
5. Guidance for Employees: How to Raise Concerns 5
5.1 Informal Options 5
5.2 Speaking to a Manager 5
5.3 Formal Complaint 6
6. Guidance for Managers: Responding to Concerns 6
6.1 Deciding the Appropriate Route 6
7. Management Advice and Letters of Instruction 6
8. Formal Investigation and Disciplinary Action 7
9. Support for All Parties 7
10. Protection from Victimisation 7
11. Record Keeping 7
Further information 7

1. Purpose of this Guidance

This guidance supports all staff; leaders, managers and employees in understanding:

- how concerns about harassment, bullying or inappropriate conduct should be raised
- how managers should respond
- what behaviour is not acceptable
- what employees can expect if such behaviour occurs
- the support available to all parties

It ensures that concerns are handled swiftly, fairly and consistently, in line with Trust policies and employment law, and that the Trust maintains a safe, respectful and professional working environment.

2. Definitions and Policy Framework

This guidance must be read alongside:

- Anti Harassment and Bullying Policy
- Grievance Policy
- Disciplinary Policy
- Code of Conduct
- Trust values and professional standards

Definitions of harassment, bullying and victimisation are set out in the Anti Harassment and Bullying Policy and apply throughout this guidance.

3. Responsibilities of All Employees

All employees must:

- treat colleagues with dignity and respect
- uphold Trust values at all times
- use professional and appropriate language
- raise concerns through appropriate channels
- refrain from gossip, derogatory commentary or inappropriate “banter”
- contribute to a positive, safe and inclusive working environment

Failure to meet these expectations may result in informal or formal action.

4. What Behaviour Is Not Acceptable

The Trust has a zero tolerance approach to harassment, bullying and victimisation. The following behaviours are not acceptable under any circumstances. This list is not exhaustive but provides clear examples.

4.1 Derogatory, Offensive or Inappropriate Comments

Including but not limited to:

- explicit, sexualised or graphic comments about a colleague’s body, appearance or private life
- derogatory remarks about a colleague’s character, competence or personal attributes
- “banter” that is unwanted, offensive or humiliating
- jokes or remarks that could reasonably be viewed as discriminatory or harassing
- insulting or mocking language

Examples:

- making explicit comments about a colleague’s genitalia
- using derogatory language to describe a colleague’s personality or professionalism
- sharing inappropriate stories, rumours or sexualised commentary

Such behaviour may constitute harassment, including sexual harassment, even if not intended to offend.

4.2 Undermining or Disrespecting Colleagues

Including:

- speaking negatively about colleagues to others instead of raising concerns appropriately
- publicly criticising or belittling colleagues
- spreading gossip or unverified allegations
- using dismissive, hostile or contemptuous language

- encouraging others to lose confidence in a colleague

Examples:

- making derogatory comments about senior leaders to teaching or support staff
- describing a colleague's work using insulting or inflammatory language
- behaviour that erodes trust or damages professional relationships

This behaviour may constitute bullying or victimisation.

4.3 Behaviour Contrary to Trust Values

Including:

- choosing unkind, hostile or deliberately provocative actions
- behaving in a way that damages trust, relationships or team cohesion
- acting inconsistently with the responsibilities of a leader or role model

Examples:

- deliberately using unprofessional or inflammatory language
- behaviour that could reasonably be interpreted as intimidating or undermining

4.4 Inappropriate Communication

Including:

- offensive, explicit or derogatory language in emails, messages or verbal conversations
- sharing inappropriate content
- discussing confidential matters inappropriately
- using communication channels to criticise or disparage colleagues

Examples:

- sending or posting unprofessional, inflammatory or derogatory language about a colleague (including in online posts or work-related group chats
- sharing offensive, explicit or inappropriate images, memes or videos in any work related communication channel
- disclosing confidential or sensitive information about colleagues or Trust matters in public forums, social media, or online posts
- using email, Teams, messaging apps or social media to criticise, undermine or disparage colleagues, directly or indirectly

4.5 Misuse of Position or Influence

Including:

- using authority to intimidate, pressure or coerce colleagues
- attempting to influence others to join in negative behaviour
- creating an environment where colleagues feel unsafe or unable to speak up

Examples:

- pressuring colleagues in person and/or via email, messages or online platforms to act against their judgement, including insisting on actions outside normal working hours
- encouraging others (including through online posts or group chats) to exclude, criticise, or distance themselves from a particular colleague
- using seniority to dominate communication channels e.g., shutting down contributions in meetings, or publicly criticising colleagues in ways that deter them from raising concerns
- posting or sharing content that leverages one's status or influence to shame, intimidate or silence others

5. Guidance for Employees: How to Raise Concerns

Employees may choose one or more of the following steps depending on the situation.

5.1 Informal Options

If you feel safe and able to do so, you may:

- speak directly to the person
- explain that the behaviour is unwanted
- ask for it to stop

This is optional.

5.2 Speaking to a Manager

You may raise concerns with:

- your line manager
- your manager's manager
- a senior leader
- HR
- your trade union representative

Managers will listen, support you and help determine the appropriate route.

5.3 Formal Complaint

If informal steps are not appropriate or have not resolved the issue, you may raise a formal grievance.

You can expect:

- a fair and impartial investigation
- confidentiality
- the right to representation
- regular updates
- protection from victimisation

6. Guidance for Managers: Responding to Concerns

Managers must:

- take all concerns seriously
- act promptly
- maintain confidentiality
- remain neutral
- seek HR advice early
- ensure no victimisation occurs

6.1 Deciding the Appropriate Route

Informal Resolution

Suitable when:

- behaviour is at a lower level
- the employee is comfortable with an informal approach
- the behaviour appears to be an isolated incident

Options include:

- facilitated conversation
- coaching
- expectations setting
- mediation

Formal Grievance Process

Required when:

- the allegation is serious
- informal action is inappropriate
- the employee requests a formal route after having explored informal resolution
- there is a potential breach of policy or law, advice from HR should be sought

7. Management Advice and Letters of Instruction

A Letter of Instruction is a formal management tool used to:

- stop inappropriate behaviour immediately
- set clear expectations
- prevent recurrence
- protect staff wellbeing
- demonstrate reasonable management action

It is not a disciplinary sanction but may be used where behaviour:

- is inappropriate or unprofessional
- could reasonably be viewed as harassment or bullying
- has undermined colleagues or Trust values
- requires immediate improvement

Employees can expect:

- a meeting to discuss concerns
- a clear explanation of the behaviour that must stop
- written expectations for future conduct
- support (coaching, wellbeing services, regular check-ins)
- clarity that further incidents may lead to disciplinary action

8. Formal Investigation and Disciplinary Action

If behaviour may constitute harassment, bullying, victimisation or serious misconduct, the Trust may initiate a formal investigation.

If allegations are upheld, outcomes may include:

- formal written warning
- final written warning
- demotion or reassignment
- dismissal in the most serious cases

9. Support for All Parties

The Trust provides support to:

- the complainant
- the employee responding to concerns
- witnesses
- the wider team where needed

Support may include:

- wellbeing services (e.g., TELUS)
- coaching or mentoring
- adjustments to working arrangements
- regular check-ins

10. Protection from Victimisation

Employees who raise concerns or participate in investigations are protected from retaliation. Any victimisation will be treated as a disciplinary matter.

11. Record Keeping

Managers must keep accurate, confidential records of:

- concerns raised
- actions taken
- decisions made
- support offered
- outcomes

Letters of Instruction will remain on file for the stated period and then be removed unless further action has been taken.

Further information

For further information and guidance managers should contact the HR Business Partner for the school/department or the HR team via hrhelpdesk@unitysp.co.uk