

ACHO
Harassment and Bullying Policy
Updated February 2014

1. **Policy Statement**

- 1.1 ACHO wishes to provide a stimulating and supportive working environment which will enable its Principals, tutors and students to fulfil their personal potential and creativity. Such an environment cannot exist where any tutor or student is subjected to harassment, intimidation, aggression or coercion.
- 1.2 ACHO is fully committed to the principles of equality and diversity in the workplace and regards harassment as a form of discrimination. As such ACHO will not tolerate any form of bullying or harassment.

2. **Harassment**

- 2.1 Harassment is unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may be on the grounds of sex, marital status, race, disability, religion or beliefs, sexual orientation, age or gender reassignment. For the purposes of this Policy this list should be considered non-exhaustive, and harassment or bullying on any grounds will not be tolerated by ACHO.
- 2.2 Harassment may be persistent or an isolated incident, obvious or subtle, face-to-face or indirect. It may even be through unequal or unfair application of monitoring systems.
- 2.3 Examples of behaviour which may constitute harassment or bullying include (but are not limited to):
 - 2.3.1 spreading malicious rumours;
 - 2.3.2 professional or social exclusion;
 - 2.3.3 insulting behaviour;
 - 2.3.4 unwelcome sexual advances or physical contact;
 - 2.3.5 unfounded threats relating to job security;
 - 2.3.6 calculated undermining of an employee's competence, for example through a consistently unreasonable or unfair workload, overbearing supervision or unnecessary circulation of critical memoranda;
 - 2.3.7 physical assault;
 - 2.3.8 verbal abuse, threats, derogatory name-calling, ridicule, insults and offensive or embarrassing jokes;
 - 2.3.9 offensive emails, texts or visual images;
 - 2.3.10 derogatory graffiti/insignia or display of derogatory or offensive material; and
 - 2.3.11 inciting others to commit any of the above.

3. **Unlawful Grounds of Harassment and Bullying**

ACHO wishes to reiterate that it will not tolerate any instance of harassment or bullying regardless of the grounds. This Policy will equally apply to work related events even if they occur away from the normal workplace. The following are expressly unlawful grounds by which a person may experience harassment or bullying:

3.1 **Sex**

Harassment or bullying on the grounds of a person's sex, pregnancy, maternity leave etc. This can apply even where the complainant was not the employee to whom the harassment was directed;

3.2 **Marital Status**

Harassment or bullying on the grounds of a person's marital status;

3.3 **Gender Reassignment**

Harassment or bullying on the grounds that a person intends to undergo gender reassignment, is currently undergoing gender reassignment or has already undergone gender reassignment;

3.4 **Sexual Harassment**

This is distinct from sex harassment, as it is physical, visual, verbal or non-verbal conduct that is sexual in nature;

3.5 **Race**

Harassment or bullying on the grounds of race, colour, ethnicity or nationality;

3.6 **Disability**

Bullying or harassment on the grounds of a person's disability;

3.7 **Sexual Orientation**

Bullying or harassment on the grounds of a person's sexual orientation, applying equally to "same sex" orientation, "opposite sex" orientation and "both sexes" orientation;

3.8 **Religion or Belief**

Harassment or bullying on the grounds of a person's religion or beliefs;

3.9 **Age**

Harassment on the grounds of a person's age, applying equally to all people regardless of age;

3.10 **Grievance**

Harassment or bullying as a consequence of a person raising a grievance.

4. **Procedure for Complaints**

4.1 Any Principal, tutor or student who feels that they have been subjected to harassment or bullying by any other Principal, tutor or student, should raise the matter as soon as reasonably practicable.

4.2 A Principal, tutor or student can raise a complaint informally and/or formally. Informal complaints can be made directly to the Tutor or the Principal of the School in the first instance, or to the ACHO Secretary where the complaint is against a Principal. Where a complaint is made against a Tutor the ACHO Secretary should also be notified by the Principal.

4.3 **Informal Procedure**

4.3.1 If the Principal, tutor or student feels able, they should speak up at the time when they feel harassed or bullied. It is important to be direct and for the Principal, tutor or student to state explicitly that they feel they are being harassed and that the behaviour is unacceptable to them. The Principal, tutor or student can also discuss the matter with another colleague or the Secretary of ACHO and ask them to speak to the harasser on their behalf.

4.3.2 Alternatively, if the Principal, tutor or student feels unable to speak to the harasser directly, they could write a letter to them which clearly identifies the offending behaviour and requests that it stops immediately. The Principal, tutor or student should sign and date any such letter and ensure that a copy is kept for any possible future formal complaint. It is also advisable that the Principal, tutor or student keep an 'incident diary' of any offending behaviour.

4.3.3 Where the informal procedure has not resolved a member school, tutor or student's complaint, a formal grievance can be raised by the Principal, tutor or student.

4.4 **Formal Procedure**

4.4.1 Any Principal, tutor or student who feels that they have been subjected to harassment or bullying may at any time decide to deal with the issue through formal procedures, regardless of whether informal steps have been taken or not.

4.4.2 Where a Principal, tutor or student wishes to deal with any issue of harassment formally, they must do so according to the ACHO Grievance Procedure OR the ACHO Equal Opportunities Policy.

4.4.3 Where the Principal, tutors or students are not happy with the outcome of the formal grievance procedure they can appeal this decision.

4.5 ACHO will investigate any informal or formal complaint thoroughly and fairly.

5. **Consequences of Breach**

5.1 Harassment is a disciplinary offence and will be dealt with according to ACHO's Disciplinary Procedure. Bullying, harassment, victimisation or discrimination may constitute gross misconduct, punishable by summary removal from ACHO membership, ACHO Member Schools' courses, or the ACHO Practitioner Register without notice.

- 5.2 Principals, tutors and students should bear in mind that harassment or bullying may also constitute a criminal offence punishable by a fine and / or imprisonment.

6. **Responsibilities of Principals and Tutors**

- 6.1 All Principals and tutors are responsible for their own behaviour and should ensure that they comply with this Policy at all times.
- 6.2 All Principals and tutors are responsible for implementing this Policy and bringing it to the attention of students.
- 6.3 Any complaints under this Policy brought to the attention of a Tutor, Principal or the ACHO Secretary must be dealt with promptly, confidentially, fairly and consistently. The ACHO Secretary may share the information in confidence with the ACHO Disciplinary Chair and Chair of ACHO as he/she sees fit.

7. **Support and Advice**

- 7.1 ACHO will offer counselling and mediation where appropriate.
- 7.2 ACHO will work in conjunction with lead bodies in addressing unacceptable and/or inappropriate behaviour.

8. **Confidentiality**

- 8.1 ACHO will treat any complaint received under this Policy confidentially.
- 8.2 All ACHO Officers, principals, tutors and students involved with an investigation are required to respect the need for confidentiality.
- 8.3 Any breaches in confidentiality will be subject to disciplinary action.