



Staff Anti-Harassment and Bullying Policy

A. Introduction

1. The Arts Educational Schools (ArtsEd) operates an enabling environment where all members of staff and students/pupils are supported to feel safe, respected and able to challenge inappropriate behaviours wherever they occur, ensuring dignity for all.
2. The Institution recognises that harassment, bullying, discrimination and victimisation causes considerable distress to those directly or indirectly involved and accepts that an individual's health, performance, personal and family life can be affected as a result.
3. ArtsEd is committed to eliminating and preventing harassment, bullying, discrimination and/or victimisation. The Institution will take steps to protect its community from harassment, bullying, discrimination and/or victimisation whether this arises from race, sex, sexual preference, age, appearance, religious views or on any other grounds or protected characteristics.
4. The Institution strives to build an environment in which harassment, bullying, discrimination and/or victimisation are known to be unacceptable and where individuals have the confidence to report inappropriate behaviour, in the knowledge that their concerns will be dealt with appropriately and fairly.
5. ArtsEd maintains transparent and robust mechanisms by which any member of the Institution may raise concerns and report incidents of harassment, bullying, discrimination and/or victimisation.

B. Legal Framework and related ArtsEd Policies

6. ArtsEd will take all reasonable steps to ensure that it meets its statutory obligations in eliminating and preventing harassment, bullying, discrimination and/or victimisation. Nothing in this Policy prevents the complainant, the alleged perpetrator, or others involved in an allegation of harassment, bullying, discrimination and/or victimisation from exercising their legal rights. Harassment, bullying, discrimination and victimisation may be found to be unlawful under the following legislation:

- [Health and Safety at Work Act \(1974\)](#)
- [Criminal Justice and Public Disorder Act \(1995\)](#)
- [Protection from Harassment Act \(1997\)](#)
- [Crime and Disorder Act \(1998\)](#)
- [Human Rights Act \(1998\)](#)
- [The Equality Act \(2010\)](#)

7. ArtsEd will respond appropriately and effectively to any breaches of this Staff Anti-Harassment and Bullying Policy, and its associated procedures. Where an allegation of harassment, bullying, discrimination and/or victimisation is made by or against a member of staff (including those undertaking activities on behalf of ArtsEd), it will be reviewed under this Policy and, as appropriate, alongside the following ArtsEd Policies:

- [Staff Disciplinary/ Grievance Procedure](#)
- [Staff Sexual Misconduct Policy](#)
- [Safeguarding Policy](#) (if the report relates to persons under the age of 18, or who may be considered to be 'Adults at Risk')
- [Student Discipline Policy](#)
- [Policy and procedure for the Management of Historic Allegations of Misconduct.](#)

C. Scope

8. This Policy, where it involves a member of staff (including those undertaking activities on behalf of ArtsEd), may be used by staff, pupils, students, and third parties (such as visitors) to ArtsEd.

9. **This Policy should only be used when the staff member involved is an alleged victim (this may include as a witness) or the alleged perpetrator of:**

- i. incidents of harassment, bullying and/or discrimination which have either taken place on ArtsEd premises (in working environments or social activities) and when activities are linked to the ArtsEd community.
- ii. Incidents which occur within an online or virtual space, such as a virtual learning environment used by ArtsEd, or a social media group relating to ArtsEd activities.
- iii. Incidents or text messages and emails which may have an impact on a member of staff (including staff members working on behalf of ArtsEd), a pupil or student or another member of the ArtsEd community.

10. Processes within this Policy will usually take precedence when handling a report of harassment and bullying involving a staff member. Where another policy would take precedence or should be referred to, this will be clearly communicated within this Policy. In cases where a staff member is alleged to have harassed, bullied, discriminated against or victimised a pupil or student, it will be considered in line with the [Safeguarding Policy](#).

11. Allegations of harassment, bullying, discrimination and/or victimisation which are not made by or against a staff member (or those undertaking activities on behalf of ArtsEd), are outside the scope of this Policy.

12. For the management of reports of Sexual Misconduct against a staff member (or those undertaking activities on behalf of ArtsEd), please refer, as appropriate, to the [Staff Sexual Misconduct Policy](#).

13. Any allegations against a staff member made by an individual who is under the age of 18, or who is considered to be an 'Adult at Risk' (including vulnerable adults and adults who are experiencing abuse), will be considered in line with ArtsEd's [Safeguarding Policy](#).

14. A breach of this Staff Anti-Harassment and Bullying Policy will constitute misconduct. Such matters most likely would also breach a staff member's contract and the Staff Code of Conduct and may be considered under the [Staff Disciplinary Procedure](#).
15. ArtsEd reserves the right to utilise its Staff Disciplinary Procedure to investigate and deal with staff behaviour which falls below the expected standard. The Procedure has a range of sanctions available to it, up to and including dismissal.
16. Staff will be signposted to available support and will be able to access such support regardless of being subject to a disciplinary matter. Staff found in breach of the Staff Disciplinary Procedure will be subject to disciplinary action(s) and may also be referred to the Police where a criminal activity is alleged to have taken place.
17. Reports not made in good faith will be rejected. Where reasonable belief exists that a report is false or malicious (i.e., submitted for no other reason than to cause harm or discredit other individuals), disciplinary action under the relevant staff or student policy may be taken against the complainant/reporting party. This may be a formal warning, suspension or expulsion from the Institution.
18. Staff who wish to bring a complaint about how a matter managed under this Policy was dealt with by ArtsEd (or by staff undertaking activities for ArtsEd) should refer to and follow the process set out in the [Staff Grievance Procedure](#) or contact HR directly. Students should refer to the [Student Complaints Procedure](#).
19. Where a complaint is made staff and students should avoid disclosing unnecessary personal information about themselves (for example, medical conditions) unless it is deemed to be relevant to the issues raised. Staff and students must also avoid disclosing other people's personal data when making their complaint unless they have been given written permission by the third party to do so.
20. ArtsEd may pause the use of this Policy where it deems it necessary to report an incident to the Police, such as where behaviour has been alleged which would amount to a serious criminal offence (for example, grievous bodily harm). For more information, please see **paragraph 59 to paragraph 63**.

D. Definitions and Terminologies

21. **Harassment:** Harassment relates to behaviour or conduct that is considered unwanted (and unacceptable) to the recipient (and by any reasonable person) and such action(s) violate their dignity or create an intimidating, hostile, degrading, humiliating and/or offensive environment for employment or academic life. Harassment may consist of one single event or an incident, or incidents that frequently or occasionally occur(s). It can be targeted at a specific individual or groups of people. Harassment takes many forms and may include the following; this is not a definitive list:
 - i. Verbal comments relating to gender, disability, marital status, colour, race, religious beliefs, age, sexual orientation and/or sexual preferences.
 - ii. Sexual innuendos which are offensive and unwarranted.
 - iii. Displaying or distributing offensive posters, photos, jokes or e-mails.
 - iv. Unwanted touching or violent behaviour.

22. **Bullying:** Bullying usually relates to the accumulation of many small malevolent incidents over a period of time, which could be inflicted by one or a number of individuals. Each incident may be viewed as being trivial but when these incidents become persistent and targeted at an individual, then bullying can have serious repercussions on that individual's well-being. Bullying may involve the following (which is not an exhaustive list):
- i. Persistent unwelcome behaviour.
 - ii. Unwarranted or invalid criticism, nit-picking, fault-finding.
 - iii. Exclusion, isolation.
 - iv. Being singled out or treated differently.
 - v. Being made a scapegoat.
 - vi. Being shouted at or humiliated.
23. **Discrimination:** Discrimination is the unfair or prejudicial treatment of different categories of people, especially on the grounds of a protected characteristic. It is against the law (Equality Act 2010) to discriminate against anyone because of:
- i. age
 - ii. gender reassignment
 - iii. being married or in a civil partnership
 - iv. being pregnant or on maternity leave
 - v. disability
 - vi. race including colour, nationality, ethnic or national origin
 - vii. religion or belief
 - viii. sex
 - ix. sexual orientation
24. **Victimisation:** No staff member, visitor, pupil, or student, should fear or experience victimisation or detriment for raising or making a genuinely perceived report about a breach of this Policy, or for assisting in an investigation into such an allegation. This refers to the complainant, alleged perpetrator or witnesses. Victimisation occurs when someone is treated less favourably because they have made or supported disclosures or made reports about harassment, bullying and/or discrimination or because an individual thinks that they may do so.
25. The following is not intended to be an exhaustive list and other behaviours may also be considered as victimisation:
- i. Excluding someone from social situations because they have made or rumoured to have made a report of harassment, bullying and/or discrimination.
 - ii. Denying someone the opportunity to progress in their career because they are perceived to be a 'troublemaker' or 'different'.
26. All allegations of victimisation will be considered as serious by ArtsEd and may lead to disciplinary action under the relevant ArtsEd policy and process. Reports of victimisation under this Policy should be made to hr@artsed.co.uk
27. **Complainant:** A person who makes an allegation of harassment, bullying, discrimination and/or victimisation to ArtsEd that they or someone else has been subjected to by a member of the ArtsEd

community. The burden of proof¹ is on the complainant to make available any evidence² they have, so as to support any formal or informal resolution of the case.

28. **Perpetrator:** A person who is reported for carrying out an alleged incident of harassment, bullying, discrimination and/or victimisation. All cases will be managed with an open mind and fairness and without the presumption of guilt until a determination is reached following a formal investigation or informal resolution such as mediation.
29. **Witness:** A witness is a person who observes an incident of harassment, bullying, discrimination and/or victimisation taking place. The person may report the incident directly to ArtsEd or may be contacted by the Institution to provide evidence or testimony about the incident the person observed. (Please see **paragraph 40 to paragraph 42**, 'Witnessing an alleged incident of harassment and bullying' for more information).
30. **Reporting Party (including 'member of staff', 'pupil' or 'student')**: The Reporting Party is the person(s) who has experienced the alleged incident of harassment, bullying, discrimination and/or victimisation and, in most cases, has made a report to ArtsEd. A witness may also be the reporting party.

The reporting party will be asked to provide any relevant evidence or supporting statements to the Investigating Officer. The responding party will be notified of the report against them and be given the opportunity to provide their own statement and evidence in response.

31. **Responding Party (including 'member of staff' or 'student')**: The Responding Party is the person(s) whose behaviour is alleged to have amounted to harassment, bullying, discrimination and/or victimisation and a breach of this Policy, and has been named as such in a report made to ArtsEd.
32. **Investigating Officer:** An Investigating Officer who has not previously been involved in the incident, will be appointed to establish, analyse and report on the factual accuracy of the concerns raised and to gather additional information. Detailed, clear, concise collation of the facts is the primary focus of the Investigating Officer's task. The Investigating Officer will assume and maintain a neutral approach and remain impartial throughout the investigation. This impartial approach will also be reflected in the report submitted, presenting the facts as established whilst being neither advocate nor supporter for the reporting party or responding party.
33. An Investigating Officer will usually be an academic or professional staff member, a Safeguarding and Welfare Officer or other member of staff with responsibility for staff welfare such as a Head of Year. ArtsEd will appoint an Investigating Officer, as appropriate for the resolution of the allegation.

¹ The burden of proof determines whose responsibility it is to prove an issue. In any case we would expect the burden of proof to be on the person bringing the case. The staff member should not have to disprove the allegation.

² The standard of proof used by ArtsEd under this Policy is "the balance of probabilities", meaning it is more likely than not that something happened. The standard used is higher than simply believing that something is likely to have happened and as such, it is necessary for decisions to be supported by evidence.

F. Underlying Principles and Responsibilities

- **Roles and Responsibilities**

34. ArtsEd expects all staff members (including those undertaking activities on behalf of ArtsEd) and third parties, pupils, and students, to take personal responsibility for familiarising themselves with the Institution's Anti-Harassment and Bullying Policies. Members of ArtsEd's community are accountable for their own actions; they have a responsibility for ensuring harassment and bullying does not occur.

35. The role of ArtsEd is to undertake an investigation into a breach of this Policy, and not to attempt to be a substitute for a Police investigation or criminal proceedings. In doing so, the Investigating Officer, on behalf of ArtsEd, will undertake an assessment of the evidence made available to determine whether, on the balance of probabilities, misconduct which would be considered a breach of this Policy occurred or not.

- **Anonymous Reporting**

36. ArtsEd recognises its equal responsibility to both the reporting party and the responding party. Any report of a breach of this Policy, where an allegation has been submitted to the Institution, would not usually (unless in exceptional circumstance) be considered anonymously to avoid the difficulty in proving anonymous allegations.

- **Fair Hearing**

37. ArtsEd will be mindful of the rights and welfare of both the reporting party and the responding party throughout any investigation; both parties will be ensured a fair hearing, have the right to put their case forward and respond to the case against them, and to have an outcome determined through a fair and impartial process.

- **Duty of Care**

38. ArtsEd takes its duty of care seriously. Where a member of staff (including staff members working on behalf of ArtsEd), pupil, student or another member of the ArtsEd community is at risk to themselves or others and where appropriate, ArtsEd may contact the emergency services (including reporting an incident to the Police) as part of the Institution's response to managing and resolving an allegation/report under this Policy.

39. The Institution will, where appropriate, take reasonable steps to support its members of staff or learners (pupils or students) in a Police investigation against 'visitors'. However, ArtsEd does not have jurisdiction to take any action against 'visitors' with whom ArtsEd does not have a contract or agreement.

- **Witnessing an alleged incident of harassment and bullying**

40. If any member of the community witnesses behaviour which is offensive to them under this Policy, they may report the matter, even if they are not the victim of the behaviour.

41. Witnesses of incidents of harassment and bullying can use ArtsEd's online Report and Support Toolkit [SpeakUp](#) to make a report to ArtsEd.
42. Individuals who feel they may have witnessed harassment, bullying, discrimination and/or victimisation are encouraged to seek help and advice from Human Resources (for Staff) or Student Support (for students).
- **Timeframe for reporting an allegation**
43. Any report of harassment, bullying, discrimination and/or victimisation should be submitted promptly as a significant lapse of time might prejudice a proper and fair investigation, and the potential to resolve the complaint satisfactorily will diminish. If such a delay occurs, ArtsEd may not be able to fully or at all, address the issues raised.
44. A report in relation to a breach of the Staff Anti-Harassment and Bullying Policy should be made as soon as possible, or within 3 calendar months of the date on which the last alleged breach of this Policy has taken place, unless appropriate grounds for a report at a later point have been established, as determined by the Investigating Officer and/or in line with the provisions set out in ArtsEd's Policy and procedure for the [Management of Historic Allegations of Misconduct](#).
45. Grounds which may be considered as valid for considering a report outside of the 3 calendar months would normally be as follows:
- i. The reporting party had been fearful of the repercussions of reporting and may have put themselves or others at risk if they were to have made a report and they can evidence this claim;
 - ii. The reporting party had interrupted been signed-off from work or study, and had not had consistent contact with ArtsEd for around 3 calendar months; or
 - iii. Any other justifiable/reasonable or exceptional reason(s) considered to be valid by the Investigating Officer.
- **Remedial Action**
46. Wherever possible, allegations/reports will be dealt with informally. However serious or unresolved (formal) reports will be dealt with under the procedure set out in **'Section F'**.
47. Disciplinary action against perpetrators of harassment and bullying may result in a formal warning (verbal or written), or dismissal from ArtsEd. Perpetrators may also be required to apologise for their actions. Remedial action may also include the recommendation that the perpetrator and/or victim receive counselling, mediation and/or training. A 'No Contact Agreement' may also be imposed on the parties involved.
- i. **'No Contact Agreements'**
48. Where appropriate and possible, this Policy allows for the introduction of a 'No Contact Agreement' to protect the welfare of both the reporting party and the responding party, and any witnesses or other involved parties. The 'No Contact Agreement' may be implemented as a non-punitive measure. It also protects the integrity of any investigation being undertaken by ArtsEd.
49. The principles of a 'No Contact Agreement' will be the following:

- i. Any individuals specified within the arrangement should not actually, or seek to, make contact with one another, either in-person or virtually.
- ii. Any individuals specified within the arrangement should not be seen to refer to one another, or to issues considered within the relevant report or investigation.

50. Any individuals understood to be in breach of the above terms may have disciplinary action brought against them under the relevant ArtsEd disciplinary procedure.

ii. Mediation

51. Mediation may be offered at any stage of this procedure by a suitably qualified staff member, the Equality and Diversity Coordinator, or an external mediator. All parties must be in agreement before referral is made to a mediator. Mediation is a non-punitive measure. The Service is confidential, and anything discussed at mediation cannot be considered in any future investigatory processes, grievance procedures or legal proceedings related to the allegation at any time. Further information about mediation can be obtained from the Head of HR by sending an email to hr@artsed.co.uk

• **Confidentiality and Data Protection**

52. ArtsEd acknowledges the importance of privacy in cases relating to harassment and bullying, and the impact which mishandling of a disclosure can have on the welfare and wellbeing of an alleged victim or perpetrator. Discretion and confidentiality will be maintained as far as is possible, except in circumstances where there is a significant risk of harm to one or more individuals if sensitive information were not appropriately shared.

53. All information obtained as part of this procedure will be securely held in accordance with General Data Protection Regulations (GDPR), Data Protection legislation and the **Staff Privacy Notice**. ArtsEd will ensure that matters handled as part of this process are undertaken with the appropriate level of confidentiality. Information will only be made available to those who need it for the purposes of managing and responding to allegations made under this Policy.

54. Confidentiality will be observed as far as practicable. Staff members responsible for implementing this Policy must be aware of their obligation to respect confidentiality. Respect of an individual's request for confidentiality will be maintained (as far as practicable) except in any or all of the following situations:

- i. Where the reported incident is so serious that it warrants a formal internal investigation.
- ii. Where there is a risk that the alleged perpetrator may repeat their actions, and this would put the alleged victim and/or others at risk of mental or physical harm.
- iii. Where there is a potential risk to the Institution.
- iv. Where failure to disclose information may be a breach of statute for example the Health and Safety at Work Act.

55. Where ArtsEd needs to liaise with and obtain information from a third party as part of managing an allegation under this policy, the Institution will only give the third party as much detail as is necessary to obtain the evidence and/or information required. Staff will ensure that discussions held under this policy are undertaken with the appropriate level of confidentiality, unless doing so could put others at risk.

56. Unless where it involves an individual who is under 18 or a 'vulnerable Adult' (or where individuals who are under 18, 'vulnerable Adults' or members of ArtsEd's community may be at risk), reports should not be made to external authorities (such as the Police) without the consent of the relevant parties, and/or compliance with ArtsEd's processes. If, however, confidentiality does need to be broken, this should always be on a need-to-know basis, and the reporting party should be notified of this action. Such instances should enable ArtsEd to act in accordance with its duty of care and its own policies and procedures.
57. ArtsEd may also be required to provide information relating to a report or investigation to the Police as part of a Police investigation or criminal proceedings, and any relevant parties may also be required to provide evidence as a witness in these proceedings. To enable this, the Investigating Officer should keep accurate and appropriate records in relation to investigations under this Policy and should ensure the security of any records kept.
58. In situations where there is a potential risk that an alleged perpetrator may repeat their actions, posing a real physical/mental threat to the well-being of others, the relevant staff involved with the management of the case under this policy must contact the Head of HR or the Deputy Principal for guidance. In these instances, there will be full disclosure.
- **Reporting an allegation to the Police**
59. Where behaviour has been alleged which would amount to a serious criminal offence (for example, grievous bodily harm) an assessment of risk will be undertaken by ArtsEd as to whether this should be reported to the Police.
60. ArtsEd would usually only report a matter to the Police with the consent of the person who has been subject to the criminal offence. In exceptional circumstances, ArtsEd may take the decision to report an incident to the Police where ArtsEd understands there to be a considerable concern about the safety of its staff, pupils, students or others.
61. Where a report is made to the Police, any resulting Police investigation or criminal proceedings would normally be expected to have been completed before ArtsEd will take any action formally under this Policy. However, emergency action via the Staff Disciplinary Procedures (or Student Discipline Regulation) may be considered appropriate by us, if necessary. This is to protect the welfare, safety and dignity of our staff members, pupils, students, and others.
62. Where a Police investigation or criminal proceeding begins once an investigation has been initiated by us, ArtsEd will normally suspend its investigation and defer to the Police investigation or criminal proceedings. This decision will be considered on a case-by-case basis. ArtsEd will consider the introduction of measures to safeguard the reporting and responding individuals, staff members, pupils, or students as relevant, such as a 'No Contact Arrangement', or emergency actions under the Staff Disciplinary Procedures or Student Discipline Regulations without hindering or interfering with the Police investigation.
63. ArtsEd acknowledges the rights of our staff, students, pupils or others to report an issue directly to the Police. Where a report relating to harassment and/or discrimination has been made to the Police, this should be made known to ArtsEd as there may be support that we can provide.

- **Annual Monitoring**

64. An annual summary report of the number of staff cases and actions taken to resolve them will be received by the Board of Trustees. There will be no reference to individual cases. The reports will show trends and make recommendations for improvements where necessary. A confidential record will be kept separately of individual cases.

E. Process for Managing Allegations of Harassment and Bullying

65. Steps to be used when managing allegations of harassment and bullying include:

- **Step 1: Initial Informal Resolution Stage**
- **Step 2: Informal Resolution Stage**
- **Step 3: Formal Resolution Stage**
- **Step 4: Review Stage**

66. The procedure set out below is intended to deal with any alleged breach. It may be used by a staff member against another staff member (or those undertaking activities on behalf of ArtsEd).

67. Allegations of harassment, bullying, discrimination and/or victimisation should be reported confidentially to ArtsEd by making a report via the online Report and Support Toolkit, [SpeakUp](#). The Head of HR will provide support to the reporting party and recommend options.

- **Step 1: Initial Informal Resolution Stage**

68. It is normally advisable to attempt to resolve concerns and issues in an informal manner wherever possible before using the formal process. The following staff officers can provide additional guidance and initial support to the reporting party with the aim of aiding an effective informal resolution to the matter(s):

- i. Head of Human Resources
- ii. A Safeguarding and Welfare Officer
- iii. Equality and Diversity Coordinator

69. The responding party may not be aware of the impact of their behaviour. The reporting party might take one of the following steps to address the impact of the alleged unacceptable behaviour:

- i. Speaking to the responding party in a logical and constructive manner about the alleged behaviour and its impact on the reporting party, asking them not to repeat this behaviour in future.
- ii. Writing a logical and constructive letter to the responding party explaining how their alleged behaviour has impacted them and asking them not to repeat this behaviour in future.

- **Step 2: Informal Resolution Stage**

70. The Informal Resolution Stage may be appropriate in the following circumstances:

- i. The reporting party has attempted Initial Informal Resolution but has not found this to be effective or is not satisfied that the outcome is proportionate or addresses the concern raised.

- ii. The reporting party, or any staff providing support as part of this approach, feels that the concern is too serious to be dealt with using the Initial Informal Resolution step.
 - iii. The reporting party does not feel able to discuss the matter with the responding party directly.
71. To initiate the Informal Resolution Stage, the reporting party should send an email to the Head of HR or or use the online Reporting Toolkit, [SpeakUp](#) to report the alleged incident.
72. Actions taken as a result of Informal Resolution might include some of the following:
- i. An apology from one impacted party to another.
 - ii. An agreement not to communicate between the impacted parties ('No Contact Agreement').
 - iii. Attendance at relevant training for one or both parties.
 - iv. An attempt at mediation between the impacted parties.
73. Where the complainant/reporting party deems the incident is too serious to be considered at the Informal Resolution Stage, they can proceed to **Step 3: Formal Resolution Stage**.
- **Step 3: Formal Resolution Stage**
74. Where allegations cannot be resolved informally, then a formal report of the allegation should be made to the Head of HR as soon as practicable (see **paragraph 44** for timeframes for making a report). The report should address the following issues:
- i. The nature of the allegation and how it has affected the reporting party
 - ii. Any action the reporting party has taken to try to resolve the matter
75. The reporting party will be asked to provide any relevant evidence or supporting statements with their submission. The responding party will be notified of the report against them and be given the opportunity to provide their own statement and evidence in response.
76. The reporting party should keep a note of the details and dates of any incidents of unacceptable behaviour which amount to harassment, bullying, discrimination and/or victimisation. Where possible, the following should be included:
- i. Dates of incidents
 - ii. Location
 - iii. Time
 - iv. Nature of incidents
 - v. Any response made or action taken by the reporting party
 - vi. The reporting party's feelings at the time
 - vii. Names of any witnesses
77. An Investigating Officer will be appointed by the Head of HR or Deputy Principal to investigate the allegations. The Investigating Officer may work together with the Equality and Diversity Coordinator to decide whether or not any formal action should be taken. The relevant Investigating Officer may, if appropriate, arrange a meeting to discuss the matter or request additional statements/evidence from the reporting party. The relevant Investigating Officer will consider the allegation and investigate options for a mutually acceptable resolution within **28 calendar days**.
78. The Head of HR will acknowledge receipt of an allegation within three working days and will deal with the complaint promptly, with the aim of completing the investigation within **28 calendar days** to

conclude a **Formal Resolution Stage**; complex cases may take longer. Where the Investigating Officer requires more time, the parties will be notified of the new timeframe.

79. The Investigating Officer may discuss the matter with the Equality and Diversity Coordinator. The responding party will be given the opportunity to respond. The Investigating Officer may, if appropriate, arrange a meeting to discuss the matter or request additional statements or evidence from both parties. If the Investigating Officer decides that there is a case to answer, they may refer to the Staff Disciplinary Procedure following guidance from the Head of HR.

80. The reporting party and the responding party may bring a colleague or Union representative or any potential witnesses to the alleged incident to any internal meeting with the Investigating Officer and must notify the Investigating Officer in advance of the meeting of the name and status of the accompanying person.

81. At the conclusion of an investigation, the reporting party will be told whether or not the matter has been upheld and, if so advised, whether remedial action has been taken in line with the relevant procedure(s). In this case, they will be asked to respect the confidentiality of the outcome.

- **Outcome**

82. The responding party will be provided with a written outcome of the investigation and required next steps within 7 calendar days of the outcome of the Investigation.

83. The reporting party will be notified in writing by the Head of HR, that the process has been concluded, and of any action required of *them* relating to any sanctions which may be imposed. ArtsEd will not share the full details of the outcome of an investigation with the reporting party; such information is confidential to the responding party.

84. Following the outcome of the investigation, the Investigating Officer will determine the next steps to be taken in accordance with the appropriate procedure, which would usually be one of the following:

i. Take no further action, other than, where appropriate, implementing or suggesting steps that would help to restore reasonable professional relationships between the parties.

ii. Initiate resolution of the issues. If a successful resolution is achieved the case will be closed, but the situation will be monitored for an appropriate period.

iii. Institute disciplinary proceedings against the subject of the complaint where the Investigating Officer is reasonably satisfied that there is evidence to support allegations of harassment of a sufficiently serious nature to warrant doing so. In this event, the Deputy Principal will determine what intermediate measures are necessary, including any re-allocation of duties, in consultation as appropriate with any other relevant parties affected by this decision such as the Subject's Head of Department

iv. In rare cases, appropriate action including disciplinary action, may be instituted against the complainant if the investigation establishes that that the complaint of harassment is not made in good faith.

85. Guidance will be provided throughout the process by the Head of HR.

86. Regardless of the outcome of the investigation, ArtsEd should be seeking to provide the parties with support, and to consider any steps which may be required in order to enable them both to continue in employment.

- **Step 4: Review Stage**

87. Where the matter is not referred to a separate ArtsEd procedure such as the Staff Disciplinary Policy and a party is dissatisfied with the outcome of **the Formal Resolution Stage**, the Head of HR should be informed in writing within 7 calendar days of written notification of the outcome. The Head of HR will review the case within 21 calendar days and provide advice on any further action that may be taken.

88. If the Head of HR finds that no further action should or can be taken by ArtsEd, an outcome letter will be sent to indicate that the internal procedure has been exhausted.

89. Where the Head of HR requires more time than 21 calendar days to review the matter, the relevant parties will be notified of the new timeframe.

90. If the complaint is upheld or partially upheld, the subject of the complaint may invoke the relevant grievance or complaint procedure within the time scales specified in that procedure save that, where the decision is to refer the matter for disciplinary action against the subject of the complaint, any matters of dispute will usually be considered as part of that person's response to the disciplinary proceedings.

- **Appeal Stage**

91. If the complaint is not upheld or only partially upheld, the complainant may invoke the appeal stage of the grievance procedure within the time scales specified save that, where the decision is to refer the matter for disciplinary action against the complainant, any matters of dispute will usually be considered as part of that person's response to the disciplinary proceedings.

F. Getting Support

92. ArtsEd staff and students have access to a range of support in relation to harassment, bullying, discrimination and/or victimisation, regardless of whether they are the reporting party or responding party or another party affected by conduct of this nature (for example, a witness to an alleged incident).

100 ArtsEd encourages anyone who believes they have been affected by harassment, bullying and unacceptable behaviour to act promptly and not to feel that they have to wait until the situation is repeated or exacerbated.

101 **Where it is considered that there is a real and immediate threat to the personal safety of any person, please call 999.**

102 **Staff can access support through one or more of the following support services:**

- i. Contact Human Resources by sending an email to hr@artsed.co.uk.
- ii. Seek advice or discuss the matter with your line manager or a colleague, or anyone else with whom you feel comfortable.

- iii. Contact the Designated Safeguarding and Welfare Officer for Staff by sending an email to staffwelfare@artsed.co.uk.
- iv. Report it via the 'SpeakUp' Online reporting Tool.
- v. Call the police on 999 in the case of emergency (or if not urgent call 101).

103 If you witness an incident of harassment and bullying, you are encouraged to report it via the 'SpeakUp' Online reporting Tool.

104 Staff members and students who have any questions about this **Staff Anti-Harassment Policy** should contact the Head of HR by sending an email to hr@artsed.co.uk

Title of Policy / Procedure	Staff Anti-Harassment and Bullying Policy
Maintained By	Head of HR
Owned By	Head of HR
Approving Committee / Ratifying Body	Board of Trustees
Last Reviewed on	March 2022
Review on	March 2025 (Or prior if required)
Current Version	2.0
Location of master document	https://artsed.sharepoint.com/:w:/r/orgfiles/15/Doc.aspx?sourcedoc=%7B411B266B-1280-45BA-ADFB-COA82A3CF946%7D&file=Staff%20Anti-Harassment%20and%20Bullying%20Policy.docx&action=default&mobileredirect=true
Web location	https://artsed003.blob.core.windows.net/policy/staff-anti-harassment-policy.pdf