

## Grievance and Anti-Bullying and Harassment Policy and Procedures

|                  |                   |
|------------------|-------------------|
| Approved on      | 20th July 2026    |
| Approved by      | Board of Trustees |
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### Change Record

| Date of Change: | Changed By: | Comments:                  |
|-----------------|-------------|----------------------------|
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**Date of next review: 15/07/29**

### 1. INTRODUCTION

Essex and Thames SCITT is committed to creating a working, learning and living environment which is free from bullying, harassment and victimisation and in which the rights and dignity of all members of the partnership are respected.

This Procedure explains what Trainees, Apprentices, Practitioners and staff should do if they have a grievance, including if they feel they are being bullied, harassed, victimised, or discriminated against and how issues should be dealt with.

The purpose of this policy is to provide an overarching statement of commitment which is applicable across all functions of the Partnership and clarifies compliance for SCITT Trainees, Apprentices, Practitioners and staff members. The policy is supported by procedures which provide the mechanism through which an allegation may be made by staff or Trainees, Apprentices and Practitioners regarding

unwarranted behaviour or bullying, harassment and victimisation. Additional details of the way in which bullying, harassment and victimisation are interpreted by the SCITT may be found in Annex D.

Essex and Thames SCITT aims to:

- Promote a positive environment in which Staff and Trainees, Apprentices and Practitioners are treated fairly and with respect;
- Take a zero-tolerance approach to all incidents of bullying and harassment;
- Ensure all members of the SCITT community understand their responsibility to contribute to the creation and maintenance of an environment free from bullying and harassment;
- Provide a framework of support for Staff and Trainees, Apprentices and Practitioners and for all parties if and when involved in any complaint or allegation;
- Provide a mechanism to resolve issues. Every effort will be made to encourage individuals to resolve the matter informally, or failing that, at the lowest possible level of escalation through the accompanying procedures.

## **2. PRINCIPLES**

- 2.1.** All grievances and allegations of bullying, harassment or victimisation, whether informal or formal, will be regarded as a serious matter and will be dealt with in a sensitive and thorough manner, respecting the rights of all parties involved.
- 2.2.** Any information received will be handled with an appropriate level of confidentiality in line with SCITT GDPR policies and procedures, where personal information is shared or released will only be done so for the purposes of ensuring compliance with this policy and procedure.
- 2.3** The Charity has a specific Policy on how incidents of sexual misconduct will be managed to reflect the particularly sensitive nature of such matters.

## **3. SCOPE**

- 3.1.** This policy and the accompanying procedures outline the SCITT's approach to dealing with grievances, including bullying, harassment and victimisation for both Staff and Trainees, Apprentices and Practitioners.
- 3.2.** Separate procedures exist for both Staff and Trainees, Apprentices and Practitioners who wish to raise a concern and are shown as Annexes A and B to this policy.
- 3.3.** Grievances and complaints of bullying or harassment must be made within 2 months of Trainees, Apprentices and Practitioners leaving the programme or staff having been employed by the SCITT.

- 3.4.** Where the concern involves both Staff and Trainees, Apprentices and Practitioners the matter will be investigated jointly with involvement from the Headteachers' Advisory Board.
- 3.5** Any member of Staff, Trainee, Apprentice or Practitioner who is not subject to an incident of harassment or bullying, e.g. has witnessed an incident, may also raise an allegation. In such cases the alleged victim will be made aware of the complaint raised by the third party who will be invited to participate in the process should they wish to do so.
- Concerns regarding the conduct of other staff which do not affect you personally, may be dealt with under other procedures (e.g. Complaints or Disciplinary) as appropriate.
- 3.6** Trainees, Apprentices and Practitioners on placement remain within the duty of care of the SCITT and are governed by the principles set out in this Statement.
- 3.7.** The SCITT will seek to protect Staff and Trainees, Apprentices and Practitioners from harassment by third parties (i.e. individuals over whom the SCITT does not have direct control for example, visitors, contractors or suppliers) and will investigate any concerns or allegations as appropriate.
- 3.8.** This policy relates to all forms of grievance, bullying, harassment and victimisation. However grievances arising directly related to the application of other policies or procedures e.g. discipline of capability will normally be dealt with as part of those procedures.
- Line Managers should not raise a grievance against one of their direct reports. If the conduct of a subordinate constitutes bullying, harassment or victimisation it should be dealt with as a management issue and potentially a misconduct issue under the Disciplinary Process.
- 3.9.** This policy does not cover those instances related to domestic violence/domestic abuse.
- 3.10.** Any complaint or allegation of bullying, harassment or victimisation made under these procedures will trigger a formal Risk Assessment. Without prejudice to any investigation, the assessment will consider potential risks to the individual, their peers and the partnership (Annex C)
- 3.11.** The SCITT will take affirmative action to mitigate any potential risks at each stage of the procedures.

## 4. DEFINITIONS

### 4.1 Grievance

A 'grievance' may be defined as concerns, problems or complaints raised by a staff member about their work, working conditions or relationships with colleagues.

### 4.2 Harassment

'Harassment' is defined as *"Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual"*.<sup>[1]</sup> Anyone can be the victim of harassment. The law specifically prohibits harassment in relation to the following protected characteristics, Age, Disability, Gender reassignment, Sexual orientation, Religion or belief <sup>[1]</sup> Further examples of such behaviours may be found in Annex D (including non-belief), Sex, Race, Pregnancy and maternity, Marriage and civil partnership as defined within the Equality Act 2010. Allegations of harassment from an individual because of perceived possession of a protected characteristic or because of their association with someone who possesses, or is perceived to possess, a protected characteristic may also be raised through each of the procedures.

### 4.3 Bullying

'Bullying' is defined as "Offensive, intimidating or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient." There is no legal definition of bullying. An allegation in relation to alleged bullying is described as repeated, unwelcomed, unwarranted behaviour which causes a detrimental effect on a person's well being. Whilst 'harassment' is legally defined and relates to treatment of an individual based on a protected characteristic, bullying is also unwanted conduct but is not necessarily related to a protected characteristic. The SCITT is committed to dealing with any allegation of bullying as it would harassment.

### 4.4 Victimisation

'Victimisation' is defined as "the subjection of a person to a detriment because they have made (or intends to make, or you believe they have/will make), in good faith, an allegation of harassment or has supported someone else in making an allegation." 'Victimisation' is defined as specifically relating to someone being treated less favourably as a result of a 'protected act'. A 'protected act' is:

- Making a claim or complaint of discrimination (under the Equality Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that you or someone else has breached the Act.

- Doing anything else in connection with the Act. (Definition as within the Equality Act 2010)

#### 4.4.1 Cyber and Electronic harassment/bullying

Cyber bullying involves using technology to bully people. It can include texting, instant messaging, and posting on social media and gaming websites. The SCITT expects all staff and Trainees, Apprentices and Practitioners to comply with the IT policy.

#### 4.5 Criminal behaviour

A number of serious incidents which constitute a criminal offence go beyond the scope of this policy, for example, physical violence, sexual violence and hate crime. Details for dealing with such incidents are referenced in both the staff, Trainee, Apprentice and Practitioner procedures. Hate crime is defined as “any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate” (The Association of Chief Police). If you have been the victim of hate crime you should contact the SCITT Executive Director immediately.

#### 4.6 Unwarranted allegations

If an allegation is deemed to be malicious or vexatious this may result in disciplinary action being taken against the alleged complainant. No action will be taken if an allegation which proves to be unfounded is judged, on the balance of probability, to have been made in good faith.

## 5 APPLICATION OF THE PROCEDURES

Bullying, harassment and victimisation are serious offences. Any person who feels aggrieved or that they have been subject to bullying, harassment or victimisation can make an allegation via the appropriate staff, Trainee, Apprentice and Practitioner procedures. The procedures for making an allegation against bullying and/or harassment is defined within two different procedures as follows:

- a) Procedure for Trainees, Apprentices and Practitioners raising a grievance or allegation of bullying, harassment or victimisation (Annex A);
- b) Procedure for a member of staff to raise a grievance or complaint of bullying, harassment or victimisation (Annex B).

## THE PROCEDURES

### 1. REPORTING

The complainant should use the format in Annexes A and B to report their concerns.

### 2. INFORMAL RESOLUTION

**2.1.** Complaints can often be resolved at an informal level. The individual concerned may not realise that their behaviour is unwelcome or upsetting. There may be cultural or language differences which impact on their behaviour or how it is perceived. An informal discussion may help those concerned to understand the effect of their behaviour so that they agree to change it. Informal and amicable resolution of issues is usually much easier if matters are raised without delay.

**2.1.1.** An individual may find it helpful to keep a diary of the unwarranted behaviour ~~instances of harassment or bullying~~ to which they believe they have been subjected. It is important to note the date, time and place of the incident, exactly what was said or done, the context in which it was said or done, how it made the employee feel and what action was taken (if any). The names of any witnesses should be noted and relevant documents retained.

**2.1.2.** Raise the issue with the person/s concerned  
Where the individual feels able to do so they should speak to the person or persons directly, without delay, giving examples of the behaviour they find unacceptable and asking for it to stop. Trainees, Apprentices and Practitioners may ask to be supported by their Personal Tutors or External Mentors to have these conversations if they so wish. If Personal Tutors are involved they should record dialogues using the SCITT Blue Form (Annex E)

**2.1.3.** The individual should keep a record of the date they spoke to the person/s and their response.

**2.1.4.** If the individual does not feel able to speak to the person/s, they may prefer to write to them, outlining the behaviour they find unacceptable, together with example(s), and asking for the behaviour to stop. The individual may wish to add that if the unacceptable behaviour continues, that they intend to make a formal complaint.

If the person being complained about is the individual's own line manager, the employee may prefer to speak to the CEO, Vice CEO, Member of SCITT Senior Leadership or Chair of Trustees.

### 2.2. PARTICIPATE IN AN INFORMAL MEETING

- 2.2.1. The SCITT will normally seek to support an informal resolution of the concerns. This may take the form of facilitating a resolution by speaking to both parties individually. Where such meetings are arranged, the person complained about will be informed in advance of the allegation in order to give them a fair opportunity to respond.
- 2.2.2. The SCITT will identify an appropriate person to facilitate the meeting.
- 2.2.3. There is no right of accompaniment by a trade union representative at an informal meeting. If the individual wishes to be accompanied by a trade union representative it must be recognised that the meeting will be held under the formal stage. The SCITT will have due regard to any distress felt by individuals and they may be accompanied by a supportive friend or colleague. The SCITT may also consider the possibility of mediation by a neutral person trained in mediation.
- 2.2.4. The SCITT Blue form will be used to record the meeting and agreed outcomes.

### **3. FORMAL STAGE**

- 3.1. Normally the formal written complaint should be submitted to the CEO or if the allegation involves the CEO to the Chair of Trustees.
- 3.2. The written complaint should set out the nature of the issues, including relevant facts, names and dates, so that the matters can be investigated. The individual raising the complaint may wish to state their desired outcome.
- 3.3. If the manager considering the written complaint believes that it may still be possible for the matter to be resolved without formal action, they may suggest further measures to address the matter informally. This does not, however, prevent the individual from pursuing the formal procedure if they wish to do so.

### **4. INVESTIGATION**

- 4.1. An investigator will be appointed. The person appointed to conduct an investigation will not be involved with the people or issues concerned. When appointing individuals to carry out roles in the process, every effort will be made to avoid a conflict of interest. If a manager is appointed to a formal role and the employee or manager is aware of a conflict of interest, they should raise this immediately with the manager of the complaint
- 4.2. Any necessary investigations will be carried out before reaching a decision. Investigation will normally involve conducting interviews with the individual, the person complained about and any witnesses, as well as reviewing any relevant documents. All parties are expected to cooperate fully and promptly. Individuals may be accompanied at investigation meetings if they wish.

- 4.3. Unless there are exceptional circumstances, investigations will not normally include historic issues which were not raised within two months of the occurrence or the most recent incident, or matters which were previously investigated.
- 4.4. Whilst it can be difficult to determine a fixed timescale for conducting an investigation, especially in complex cases, the investigator should set out an indicative timescale and keep the individuals involved updated about progress and any delays.
- 4.5. The SCITT will treat complaints sensitively and maintain strict confidentiality as far as possible. Investigation of allegations will normally require limited disclosure on a “need to know” basis. For example, the identity of the individual concerned and the nature of the allegations will be shared with the person complained about so that they are able to respond to the allegations. Some details may need to be given to potential witnesses; where this is necessary, the importance of confidentiality will be emphasised.
- 4.6. Where “counter-claims” are received, for example where the person complained about considers the behaviour of the person raising the complaint amounts to harassment, discrimination or bullying, the terms of reference for the investigation will be extended to cover these claims.
- 4.7. The investigator will investigate the facts, write a report and then submit it to the manager hearing the complaint. Information gathered may be appended to the main report. The investigator should ensure their report is written without unfair bias. The investigator does not make a recommendation as to the outcome. The investigator will not restrict evidence from the report, although any sensitive data will not be shared without consent.
- 4.8. The complainant and the individual complained about will be given a copy of the report subject to confidentiality and GDPR. Where the SCITT is not authorised to disclose sensitive personal data, this will be redacted.
- 4.9. If at any time enquiries indicate that suspension may be an appropriate step, this will be considered in line with the SCITT Disciplinary policy.

## **5. FORMAL MEETING**

- 5.1. If the complaint is about the CEO, they will not hear the formal complaint; the Chair of Trustees will hear the complaint.
- 5.2. If the CEO or Chair of Trustees deems the case to be complex in nature they may refer it to the SCITT Disciplinary Committee to sit as a panel.

- 5.3. Where necessary the investigator will be available to provide clarification on their investigation.
- 5.4. The individual who has raised the complaint and the person being complained about will be given at least 10 working days' notice of the formal meeting. Any additional information to be submitted which is not already available in the investigation report should be sent to the manager or panel hearing the case no later than three working days before the meeting.
- 5.5. A representative from SCITT Human Resources may attend the meeting to provide procedural advice. In the event that witnesses are to be called, advance notice must be given. A note-taker will also attend. The manager overseeing the case will normally be responsible for making the necessary arrangements.
- 5.6. The individual who raised the complaint and the person complained about will not normally attend the meeting simultaneously. However, where all parties wish to be present at the same time, this may be agreed.
- 5.7. The formal meeting will be adjourned to allow consideration of all the evidence before reaching a decision.  
Potential outcomes from a formal meeting are that the complaint is:
- ☐ upheld
  - ☐ partially upheld or
  - ☐ not upheld.
- 5.8. Minutes will be provided as soon as possible and normally within 10 working days of the meeting. Minutes are not verbatim but are a summary. The attendees can ask for corrections to the minutes. If the requested amendments are not made, their comments will be appended to the minutes.
- 5.9. The decision from the meeting will be advised to the person who raised the complaint and the person complained about. Where possible a decision should be provided on that day.
- 5.10. Where a complaint is not upheld it will normally be desirable for the decision to be communicated face-to-face to the individual who raised the complaint. In any case the decision will be sent in writing, normally within five working days. In the event of any delay, the parties to the complaint should be kept informed.

- 5.11. Where a decision is upheld or partially upheld the matter will normally be referred for consideration under the Disciplinary policy. Where this is the case, the grievance ~~Bullying and Harassment~~ investigation report and notes/documents from the ~~Bullying and Harassment~~ meeting will serve as the investigation report for the disciplinary panel.
- 5.12. Where a sub-committee has been convened from the Disciplinary Committee an new panel will be convened, who have had no involvement with the case to date.

## **6. APPEAL**

- 6.1. If the individual who raised the complaint disagrees with the outcome of the formal ~~Bullying and Harassment~~ meeting, they may be able to appeal.
- 6.2. Appeals may only be raised on the following grounds:
- 6.2.1. Procedural failings
  - 6.2.2. New material evidence which the individual was unable, for valid reasons, to provide earlier in the process.
- 6.3. The individual must submit any appeal they wish to make in writing to the person named in the decision letter, within 10 working days of receiving the written decision and set out their grounds of appeal. Any additional documentary evidence to be submitted must be provided no later than three working days before the appeal meeting.
- 6.4. The appeal will be heard by a senior manager who is not involved with the people or issues concerned.
- 6.5. Documentation from the ~~Bullying and Harassment~~ meeting will be made available to those present at the appeal.
- 6.6. A representative from SCITT Human Resources will attend the appeal to provide procedural advice. A note-taker will also attend. The manager hearing the appeal should make the necessary arrangements.
- 6.7. The outcome of the appeal will be confirmed in writing, normally within five working days of the appeal hearing. Following delivery of the appeal decision there is no further right of appeal. If still dissatisfied Trainees, Apprentices and Practitioners may make a formal complaint to the Office of Independent Adjudicators [Office of the Independent Adjudicator for Higher Education](#)

## **7. ACCOMPANIMENT**

- 7.1. An individual has the right to be accompanied at a formal meeting or appeal by a workplace colleague or trade union representative or an official employed by the trade union. The SCITT also permits accompaniment at an investigation meeting. A companion should not answer questions on behalf of the employee but may make representations and ask questions. The employee and companion may talk privately at any time during the meeting. The chosen companion must not be otherwise involved with the case.
- 7.2. If the chosen companion is not available at the time offered, the individual may request that the meeting be postponed to an alternative time provided this is not more than five working days after the original date. This request may only be granted once.
- 7.3. Where a witness is asked to attend, they may be accompanied although there is no automatic right of accompaniment. Their chosen companion must not be otherwise involved in the case.

## **8. SUPPORT**

- 8.1. Those involved in a ~~bullying and harassment~~ complaint will have access to appropriate support at all stages of a complaint.

## **9. COMPLAINTS ABOUT SCITT STAFF**

- 9.1. Staff are expected to respond appropriately if an individual raises a concern about their behaviour. An apology or assurance that the behaviour will not be repeated may be all that is needed to deal with the situation.
- 9.2. The SCITT recognises it can be distressing to be accused of unwarranted behaviour or bullying and/or harassment. If a member of staff is approached and told their behaviour is unwarranted or could be construed as bullying or harassment, they should be prepared to listen patiently and calmly. Whilst it may be upsetting, they should listen carefully and allow the complainant to express their concerns and then try to reach common ground to remedy the situation. The member of staff should not ignore the complaint because it is felt the person raising the complaint was being too sensitive, or the behaviour was intended as a joke. It is often helpful to seek clarification about what aspects of behaviour were felt to be unacceptable and to discuss ways of working together more effectively. All conversations of this nature should be noted and dated and passed to the CEO at the earliest opportunity.
- 9.3. The SCITT acknowledges that an alleged perpetrator ~~harasser~~ is not necessarily blameworthy and will ensure that appropriate support is available to them.

## **10. UNWARRANTED COMPLAINTS**

- 10.1. The SCITT will not tolerate victimisation of a person who has made an allegation in good faith or someone who has supported, in good faith, a person who has raised a complaint. However, if there is evidence that allegations ~~of harassment, discrimination or bullying~~ have been made vexatiously, maliciously or that false information has been provided, disciplinary action will be taken. Vexatious complaints themselves can be a form of harassment.

## **11. CRIMINAL OFFENCES**

- 11.1. If a person experiences unwanted physical contact, intimidation or stalking they should seek appropriate advice/ assistance immediately. In such cases for their own protection and that of others, it is important that an offender is caught. Some actions are so serious, such as physical assault, indecent exposure or stalking, that they are very likely to be a criminal offence. In serious matters such as these, the SCITT will encourage the victim to involve the Police and will support the victim to do so. If an investigation is undertaken, the SCITT will facilitate the Police enquiry wherever possible.
- 11.2. In exceptional cases where the police are investigating allegations against an individual, or legal proceedings have commenced, the matter should be referred to the Board of Trustees who will make a decision as to whether to pursue the complaint in parallel with the criminal investigation, or whether the complaint shall be held in abeyance until the criminal investigation is concluded.

## Annex A

**Procedure for a Trainees, Apprentices and Practitioners raising a grievance or an allegation of bullying, harassment or victimisation.**

|                                                                                                                                |  |       |
|--------------------------------------------------------------------------------------------------------------------------------|--|-------|
| Trainee, Apprentice or Practitioners' Name                                                                                     |  |       |
| Member/s of Staff hearing the disclosure                                                                                       |  |       |
| Name of the alleged perpetrator                                                                                                |  |       |
| Please give a brief description of the issues and events, include dates, material evidence and witness names where appropriate |  |       |
|                                                                                                                                |  |       |
| Actions Agreed                                                                                                                 |  |       |
| Complete a blue form                                                                                                           |  | ✓ / X |
| Refer to Wellbeing Lead                                                                                                        |  | ✓ / X |
| Refer to senior member of staff                                                                                                |  | ✓ / X |
| Support Trainees, Apprentices and Practitioners in conversation at informal stage                                              |  | ✓ / X |

## Annex B

### Procedure for a Member of Staff raising a grievance or an allegation of bullying, harassment or victimisation.

|                                                                                                                                |  |       |
|--------------------------------------------------------------------------------------------------------------------------------|--|-------|
| Staff Name                                                                                                                     |  |       |
| Member/s of Staff hearing the disclosure                                                                                       |  |       |
| Name of the alleged perpetrator                                                                                                |  |       |
| Please give a brief description of the issues and events, include dates, material evidence and witness names where appropriate |  |       |
|                                                                                                                                |  |       |
| Actions Agreed                                                                                                                 |  |       |
| Complete a blue form                                                                                                           |  | ✓ / X |
| Refer to senior member of staff or Board of Trustees                                                                           |  | ✓ / X |
| Support members of staff in conversation at informal stage                                                                     |  | ✓ / X |

## Annex C - SCITT Risk Assessment

To be used in the event of Trainee, Apprentice, Practitioner or Staff allegations of bullying, harassment or victimisation.

|                                                                                                                                                                                                                  |  |                                                               |                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------|----------------------------------------------------------------------|
| <b>Name of complainant</b>                                                                                                                                                                                       |  | <b>Name of Individual(s) named in the allegations</b>         |                                                                      |
| Summary of allegations                                                                                                                                                                                           |  |                                                               |                                                                      |
|                                                                                                                                                                                                                  |  |                                                               |                                                                      |
| Is the bullying, harassment or victimisation ongoing in the view of the complainant?                                                                                                                             |  |                                                               | Yes/No                                                               |
| If the response above is yes, what would the complainant like the SCITT to do in order to safeguard them?                                                                                                        |  |                                                               |                                                                      |
|                                                                                                                                                                                                                  |  |                                                               |                                                                      |
| Actions agreed by the SCITT                                                                                                                                                                                      |  |                                                               |                                                                      |
|                                                                                                                                                                                                                  |  |                                                               |                                                                      |
| What would the complainant like in terms of pastoral support?                                                                                                                                                    |  |                                                               |                                                                      |
|                                                                                                                                                                                                                  |  |                                                               |                                                                      |
| Actions agreed by the SCITT                                                                                                                                                                                      |  |                                                               |                                                                      |
|                                                                                                                                                                                                                  |  |                                                               |                                                                      |
| <b>Name of SCITT Staff to provide <u>professional advice</u></b>                                                                                                                                                 |  | <b>Name of SCITT Staff to provide <u>pastoral support</u></b> |                                                                      |
| Has the Trainee, Apprentice or Practitioner/ Members of Staff been reminded of support from:<br><br>Unions<br>Education Support Partnership<br>Placement School<br>Personal Tutor<br>Wellbeing Lead<br>SCITT SLT |  |                                                               | Y or N/A<br>Y or N/A<br>Y or N/A<br>Y or N/A<br>Y or N/A<br>Y or N/A |
| Notes:                                                                                                                                                                                                           |  |                                                               |                                                                      |

## **Annex D**

### **Potentially criminal misconduct**

The Staff and Trainee, Apprentice or Practitioner procedures may not be applicable where the allegations are of behaviours that may attract criminal sanction. This would include, but would not be limited to cases of serious assault or threat of serious assault. In the first instance such allegations will normally be a matter for police investigation and action. Support for any Trainee, Apprentice or Practitioner affected by such an incident may be sought from SCITT SLT. In addition the SCITT will consider whether it is appropriate to make recommendations to appropriate bodies regarding arrangements that would have the purpose of limiting contact between Trainees, Apprentices and Practitioners for so long as may be considered reasonably necessary. Further guidance on cases of sexual assault and sexual violence, including support available, is available from the SCITT Office. Issues including, but not limited to, those around teaching and social activity may need to be considered.

### **Behaviours**

Bullying and/or Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment. The intentions of the alleged bully/harasser are not always determinative of whether bullying/harassment has taken place. The perception of the complainant and the extent to which that perception is in all the circumstances reasonable will also be relevant. Being under the influence of alcohol, drugs or otherwise intoxicated is not an excuse for bullying/harassment. Bullying and/or Harassment can take a variety of forms:

- Through individual behaviour
  - face to face, either verbally or physically;
  - through other forms of communication, including but not limited to, written communications and communications via any form of electronic media or mobile communications device
  - directly to the person concerned, or to a third party;
- Through a prevailing workplace or study environment which creates a culture which tolerates harassment or bullying, for example the telling of homophobic or racist jokes.

Examples of behaviour which may amount to bullying and/or harassment under the staff and Trainees, Apprentices and Practitioners' procedure including (but are not limited to) the following:

- offensive comments or body language, including insults, jokes or gestures and malicious rumours, open hostility, verbal or physical threats;

- insulting, abusive, embarrassing or patronising behaviour or comments, humiliating, intimidating, and/or demeaning criticism;
- persistently shouting at, insulting, threatening, disparaging or intimidating an individual;
- constantly criticising an individual without providing constructive support to address any performance concerns;
- persistently overloading an individual with work that s/he cannot reasonably be expected to complete;
- posting offensive comments on digital media, including using mobile communication devices;
- threatening to disclose, or disclosing, a person's sexuality or disability to others without their permission; deliberately using the wrong name or pronoun in relation to a transgender person, or persistently referring to their gender identity history;
- isolation from normal work or study place, conversations, or social events;
- publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials.

**Stalking** may also be a form of harassment and may be characterised by any of the following repeated and unwanted behaviours:

- Following a person;
- Contacting, or attempting to contact, a person by any means;
- Publishing any statement or other material:
  - Relating or purporting to relate to a person, or
  - Purporting to originate from a person
- Monitoring the use by a person of: the internet, email or any other form of electronic communication;
- Loitering in any place (whether public or private);
- Interfering with any property in the possession of a person;
- Watching or spying on a person including through the use of CCTV or electronic surveillance.

### **Cyber and Electronic bullying**

The SCITT may require staff and Trainees, Apprentices and Practitioners to remove internet postings/comments/material which are deemed to constitute a breach of this SCITT policy. Failure to comply with such a request may in itself, result in disciplinary review. Examples of cyberbullying can include:

- emailing or texting threatening or offensive messages to people;
- posting an embarrassing or humiliating video of someone on a video-hosting site such as YouTube;

- harassing someone by repeatedly sending texts or instant messages through an app or in a chat room or forum;
- setting up profiles on social networking sites, such as Facebook, to make fun of someone;
- "happy slapping" – when people use their mobiles to film and share videos of physical attacks;
- posting or forwarding someone else's personal or private information or images; without their permission, this is known as "sexting" when the content is sexually explicit;
- sending viruses that can damage another person's computer;
- making abusive comments about another user on a gaming site.

## **Annex E**

### **INTRODUCTION:**

It is the aim of Essex & Thames SCITT to provide the very best quality of training. In any organisation there are times when informal and more formal feedback is required to maintain and continue to improve the quality of service. This form is one part of that process and represents a means of listening to the concerns of any Trainees, Apprentices and Practitioners (or stakeholder) in a systematic and supportive way.

### **SOME PRINCIPLES BEHIND THE USE OF THIS FORM:**

#### **An informal but recorded process**

When Trainees, Apprentices and Practitioners have a concern (for example, about the support or provision they have received, or an ongoing problem that appears to be becoming more troublesome) then a more structured discussion may be undertaken using the following approach.

1. The Trainee, Apprentice and Practitioner will be invited to a meeting with a mandated officer from Essex & Thames SCITT. The Trainee, Apprentice and Practitioner may, if s/he wishes, be accompanied by a friend, union representative or any other person of their choice. The officer may also be accompanied if this is seen as appropriate.
2. At the meeting there will be a discussion about the problem the Trainee, Apprentice and Practitioner faces and ways to resolve it will be considered. An informal intervention plan may be produced, if needed, following the meeting.
3. The interview will be structured by the use of questions that encourage reflection and problem solving.
4. The Trainee, Apprentice and Practitioner will be sent a copy of the completed form.

A key principle behind this approach is its informal character. Unless The Trainee, Apprentice and Practitioner raises a grievance relating to gross misconduct by an employee of the Essex & Thames SCITT then any evidence and findings from this meeting will only be used as a way to resolve the problem or to plan how to.

**Procedure for resolving Trainee, Apprentice and Practitioner (or stakeholder) concerns**  
**Informal Enquiry Form**

|                         |  |
|-------------------------|--|
| This form completed by: |  |
| Role:                   |  |

|                                                                 |  |
|-----------------------------------------------------------------|--|
| Name of The Trainee, Apprentice or Practitioner or stakeholder: |  |
| Date this form completed:                                       |  |

|                                  |
|----------------------------------|
| <b>Semi-Structured Interview</b> |
|----------------------------------|

*Please select the relevant questions.*

|                                                                                                         |                              |
|---------------------------------------------------------------------------------------------------------|------------------------------|
| <b>Part one: Clarifying the Nature and Cause of Concern:</b>                                            | Notes and comments if needed |
| <ul style="list-style-type: none"> <li>• What has happened so far?</li> </ul>                           |                              |
| <ul style="list-style-type: none"> <li>• What has been the effect of what has happened?</li> </ul>      |                              |
| <ul style="list-style-type: none"> <li>• Do you think anyone else has been affected by this?</li> </ul> |                              |
| <ul style="list-style-type: none"> <li>• So far, who else have you talked to about this?</li> </ul>     |                              |
| <ul style="list-style-type: none"> <li>• How did they respond?</li> </ul>                               |                              |

|                                                                                                                         |                              |
|-------------------------------------------------------------------------------------------------------------------------|------------------------------|
| <b>Part two: seeking solutions:</b>                                                                                     | Notes and comments if needed |
| <ul style="list-style-type: none"> <li>• What needs to be thought about now, and what needs to happen next?</li> </ul>  |                              |
| <ul style="list-style-type: none"> <li>• What are you hoping might be the result of talking with me?</li> </ul>         |                              |
| <ul style="list-style-type: none"> <li>• What would be the worst outcome for you?</li> </ul>                            |                              |
| <ul style="list-style-type: none"> <li>• What will be an ideal outcome for you in this situation?</li> </ul>            |                              |
| <ul style="list-style-type: none"> <li>• What do you think needs to happen to make this possible?</li> </ul>            |                              |
| <ul style="list-style-type: none"> <li>• Who else ideally needs to be involved in resolving this issue?</li> </ul>      |                              |
| <ul style="list-style-type: none"> <li>• What do you think is the best way to involve these people and when?</li> </ul> |                              |

|                                                                                                                                                                                                 |                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| <b>Part three: Deciding on next best steps:</b>                                                                                                                                                 | <i>In two sentences can you summarise, for clarity, exactly what the complaint/concern is.</i> |
| <ul style="list-style-type: none"> <li>Before deciding on what we may do together to resolve this issue how far do you feel we have covered the main issues regarding your concerns.</li> </ul> |                                                                                                |
| <ul style="list-style-type: none"> <li>In summary your concerns are as follows: (Write down the summary of concerns and read them back)</li> </ul>                                              |                                                                                                |

|                                                                                                                                     |                      |
|-------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Part four: Agreements for next steps</b>                                                                                         | Agreed interventions |
| (i) It was resolved that Essex and Thames SCITT will:                                                                               |                      |
| (ii) It was resolved that Essex and Thames SCITT in partnership with the The Trainee, Apprentice, Practitioner or stakeholder will: |                      |
| (iii) It was resolved that The Trainee, Apprentice, Practitioner or stakeholder will:                                               |                      |
| <b>Part five*:</b> if required, an informal review meeting will be held on:                                                         |                      |

*\*If both parties agree that a second meeting is not necessary part five may be waived.*