



# **MODEL ANTI-SEXUAL HARASSMENT POLICY**

**Policy created            September 2025**

**Approved by Trust Board/ October 2025**

**Due for review:        September 2026**

# CONTENTS

---

## CLAUSE

- 1. Policy statement..... 2
- 2. Who does this policy apply to? ..... 2
- 3. Who can be liable? ..... 2
- 4. Who is responsible for this policy? ..... 3
- 5. Training ..... 4
- 6. Risk assessments ..... 4
- 7. What is sexual harassment?..... 5
- 8. What to do if you experience sexual harassment: informal resolution..... 7
- What to do if you experience sexual harassment: formal procedure ..... 7
- 9. Written Complaint ..... 7
- 10. Investigation..... 8
- 11. Action following the investigation ..... 9
- 12. Appeal ..... 9
- 13. If you witness sexual harassment or victimisation ..... 10
- 14. Protection for those involved ..... 10
- 15. Confidentiality and Data Protection ..... 10

## **1. Policy statement**

- 1.1 Kings Academy Trust is committed to providing a working environment free from sexual harassment and ensuring all staff are treated, and treat others, with dignity and respect.
- 1.2 The Trust takes a zero-tolerance approach to sexual harassment.
- 1.3 The law requires employers to take reasonable steps to prevent sexual harassment of their staff during the course of their employment. We will take active steps to help prevent the sexual harassment and victimisation of all staff.
- 1.4 Anyone who is a victim of, or witness to, sexual harassment is encouraged to report it in accordance with this policy. This will enable us to take appropriate action and provide support. Sexual harassment can result in legal liability for both the Trust and the perpetrator, whether they work for us or are a third party outside of our control. Sexual harassment and victimisation may result in disciplinary action up to and including dismissal.

## **2. Who does this policy apply to?**

- 2.1 This policy applies to all individuals working for the Trust irrespective of their status. It, therefore, includes all employees, senior leaders, teachers, support staff, Governors/Trustees, officers, consultants, contractors, casual workers, agency workers, apprentices, volunteers and interns, together referred to as 'staff' in this policy. It also applies to anyone who has applied to work with the Trust referred to as 'applicants'.
- 2.2 The policy applies equally to the way the Trust treats pupils, parents of pupils, visitors, clients, customers, suppliers and former staff members ('third parties') and the way they, in turn, treat you.
- 2.3 The Trust will take reasonable steps to minimise the risk of sexual harassment towards staff and applicants by colleagues or third parties.
- 2.4 This policy does not form part of any contract of employment or contract to provide services, and the Trust may amend it at any time. The Trust will monitor the effectiveness of this policy on an ongoing basis and make appropriate changes to it in response to any lessons learned.

## **3. Who can be liable?**

- 3.1 In some situations, the Trust may be at risk of being held legally responsible for discriminatory acts and/or sexual harassment committed by members of staff.

3.2 Individual members of staff may in some cases be legally liable if they engage in sexual harassment of other staff members, applicants or third parties, and may be ordered to personally pay compensation by a court or employment tribunal.

3.3 Depending on the circumstances, a staff member or third party committing an act of sexual harassment may also commit a criminal offence.

#### **4. Who is responsible for this policy?**

4.1 The Trust Board/Governing Body has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law, but has delegated day to day responsibility for overseeing its implementation to the Central Team/Headteacher/Senior Leadership Team at each school in the Trust.

4.2 The Senior Leadership Team at each Trust establishment has a specific responsibility to ensure the fair application of this policy, and all employees are responsible for supporting colleagues and ensuring its success.

4.3 The Senior Leadership Team and line managers have a specific responsibility:

- (a) to set an appropriate standard of behaviour and lead by example;
- (b) to foster a working environment with a zero-tolerance approach to sexual harassment;
- (c) to anticipate scenarios when staff may be subject to sexual harassment in the course of their employment and take action to prevent such sexual harassment taking place (see 'risk assessments' below);
- (d) not to ignore or overlook incident(s) of sexual harassment which they witness, or which are reported to them / otherwise come to their attention (whether formally reported or not);
- (e) take responsibility and ownership for making sure that any such incident(s) of sexual harassment are dealt with appropriately in accordance with this policy, and that appropriate steps are taken to stop sexual harassment from happening again; and
- (f) to ensure that the staff that they manage adhere to this policy.

4.4 All staff have a duty to act in accordance with this policy at all times and should not engage in behaviour which may amount to sexual harassment of staff or third parties. This duty extends beyond the workplace and can include behaviour outside of the workplace (e.g. at social functions, or via social media). Staff must ensure that they familiarise themselves with this policy and must act in accordance with its aims and objectives at all times.

- 4.5 Staff should disclose any instances of sexual harassment of which they become aware (either towards themselves or others) to their manager or the Senior Leadership Team.
- 4.6 Staff are required to co-operate fully and promptly in any investigation into sexual harassment (including investigations into their own conduct). This will include disclosing any relevant documents or other evidence to us and attending investigative interviews if required. Anyone who is interviewed as part of such an investigation is expected to be truthful in the answers and evidence they provide and must respect the confidentiality of the process (see 'confidentiality' below).
- 4.7 The Trust will monitor the effectiveness of the policy and implement any changes that may be required. Suggestions for change should be reported to a member of the Senior Leadership Team.

## **5. Training**

- 5.1 All staff will receive training on this policy, including preventing sexual harassment and how to raise complaints.
- 5.2 Senior leaders will also receive training on how to respond to reports or incidents of sexual harassment.

## **6. Risk assessments**

- 6.1 The Trust will assess the risk of staff being exposed to sexual harassment in the course of their employment and identify appropriate steps to minimise those risks and prevent sexual harassment from occurring. This will include risks arising both inside and outside the workplace (e.g. at social functions, conferences or events, during training, when travelling on School or Trust business and whether face-to-face or remotely (e.g. via social media or messaging)).
- 6.2 Particular risk factors may include, for example:
- (a) working one to one or lone working;
  - (b) dealing with third parties;
  - (c) requirement to travel for work purposes;
  - (d) school trips;
  - (e) requirement to socialise with staff or third parties (e.g. at social events, conferences);
  - (f) the presence of alcohol;
  - (g) lack of diversity in the team or workforce;

- (h) power imbalances; and
- (i) job insecurity or other workforce vulnerabilities (e.g. fixed term workers or trainees).

## **7. What is sexual harassment?**

7.1 Sexual harassment is any unwanted physical, verbal or non-verbal conduct of a sexual nature that has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

7.2 It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

7.3 Sexual harassment may be a one-off incident or an ongoing pattern of behaviour. It can happen in person or in other ways, such as through social media or messaging.

7.4 It can occur inside or outside of the work environment, including at social occasions, at conferences or events, during training and/or during work-related trips.

7.5 Sexual harassment may include, for example:

- (a) Flirting, suggestive looks, staring or leering.
- (b) Making sexual remarks about someone's body, clothing or appearance;
- (c) Asking questions about someone's sex life or discussing your own sex life;
- (d) Telling sexually offensive jokes;
- (e) Making sexual comments or jokes about someone's sexual orientation or gender reassignment;
- (f) Spreading sexual rumours about a person;
- (g) Displaying or sharing pornographic or sexual images or other sexual content;
- (h) Making sexual gestures or mimicking sexual acts;
- (i) Making a sexual proposition or sexual advance;
- (j) Making promises in return for sexual favours;
- (k) Sexual posts, messages or comments on social media, in WhatsApp groups or via messaging;
- (l) Touching someone against their will (e.g. hugging them, massaging them or kissing them); and
- (m) Sexual assault or rape.

7.6 The above list is non-exhaustive.

- 7.7 Sexual harassment can happen to, and can be carried out by, anyone. If there is an abuse of power (e.g. between a senior and junior member of staff) this will be considered an aggravating factor.
- 7.8 A person may be subject to sexual harassment even if they were not the intended target. For example, there may be a culture of sexual harassment in the workplace that is not specifically aimed at one person – such as sharing sexual images. Staff may still make a complaint of sexual harassment in this situation.
- 7.9 Some serious cases (e.g. sexual assault or rape) may amount to a criminal offence and justify the involvement of the police.
- 7.10 In appropriate cases, it may be necessary to report findings of sexual harassment to the Teaching Regulation Agency (TRA) and the Disclosure and Barring Service (DBS).
- 7.11 Victimization includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:
- (a) Bringing proceedings under the Equality Act 2010.
  - (b) Giving evidence or information in connection with proceedings under the Equality Act 2010.
  - (c) Doing any other thing for the purposes of or in connection with the Equality Act 2010.
  - (d) Alleging that a person has contravened the Equality Act 2010.
- 7.12 Victimization may include, for example:
- (a) Denying someone an opportunity because it is suspected that they intend to make a complaint about sexual harassment.
  - (b) Excluding someone because they have raised a grievance about sexual harassment.
  - (c) Failing to promote someone because they accompanied another staff member to a grievance meeting.
  - (d) Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.
- 7.13 Sexual harassment and victimization are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal if they are committed:
- (a) In a work situation.
  - (b) During any situation related to work, such as at a social event with colleagues.

- (c) Against a colleague or other person connected to us outside of a work situation, including on social media.
- (d) Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.

## **8. What to do if you experience sexual harassment: informal resolution**

- 8.1 If you experience sexual harassment, you should first consider whether you feel able to raise the problem informally with the person responsible at the time or later. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is inappropriate (e.g. you have been sexually assaulted or touched without your consent, or if there is a risk to your safety), or if you would find speaking to the person responsible too difficult or uncomfortable, you should speak to your line manager or a member of the Senior Leadership Team who can provide confidential advice and assistance in resolving the issue formally or informally. If you feel unable to speak to your line manager because the complaint concerns them directly, then you should speak informally to another member of the Senior Leadership Team. If this does not resolve the issue, you should follow the formal procedure below.
- 8.2 If you are not sure whether an incident or series of incidents amounts to sexual harassment, you should speak to your line manager or a member of the Senior Leadership team informally for confidential advice. Line managers or members of the Senior Leadership Team will take advice from HR.
- 8.3 Informal resolution will not usually be appropriate in very serious cases of sexual harassment e.g. several incidents occurring over time, serious abuse of power, unwanted touching without consent, sexual assault or rape.
- 8.4 If informal steps are not appropriate, or have been unsuccessful, you should follow the formal complaints procedure set out below. If you wish, you can escalate the matter to the formal procedure at any stage.

## **What to do if you experience sexual harassment: formal procedure**

### **9. Written Complaint**

- 9.1 If you wish to make a formal complaint about sexual harassment that you have experienced or witnessed, you should speak to your line manager or complain in writing under the provisions of the Trust Grievance Policy. If the grievance concerns your line manager, you may submit it instead to a more senior manager/senior leader or Trust Board/Governing Body. You should specify that you wish your complaint to be considered under this policy and set out full details of the:
  - (a) Reason(s) for your complaint;

- (b) Name(s) of any individuals involved and/or of any witnesses;
- (c) Date(s) and time(s) when any relevant incidents or events occurred;
- (d) Any evidence you have to support your complaint; and
- (e) Any action that has been taken so far to address the matters complained of.

9.2 In some circumstances, we may need to ask you to clarify the subject matter of your complaint or to provide further information.

9.3 Usually, the decision whether to progress a complaint will be up to you. However, please note that the Trust has a duty to protect all staff and may pursue the matter independently if, in all the circumstances, it is considered appropriate to do so. If the Trust chooses to do this it will be investigated under the procedure for investigations set out in the Disciplinary Policy.

9.4 As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

## **10. Investigation**

10.1 The Trust will investigate complaints of sexual harassment in a timely, sensitive manner. The Trust will ensure they are treated confidentially, and details of your complaint are only shared on a “need to know” basis.

10.2 A thorough, impartial and objective investigation will be conducted, wherever possible, by someone with no prior involvement in the complaint. Where the Trust considers it appropriate, they may appoint a suitably trained, independent investigator from outside of the Trust. The involvement of the police does not prevent our internal investigation from proceeding, but it may lead to some unavoidable delay.

10.3 The investigative process will follow the procedure set out in the formal stages of the Grievance Policy or the Disciplinary Policy as appropriate.

10.4 Anyone who is interviewed as part of, or otherwise involved in, an investigation may suggest the name(s) of other potential witness(es) who may be able to assist the investigation. However, the investigator has the ultimate discretion to decide whether to interview any suggested witnesses. The Trust can require staff members to be interviewed as part of an investigation but if a witness is external (e.g. a parent of a pupil, member of the public, visitor, customer, former member of staff or a supplier), whilst we may ask them to voluntarily co-operate with any investigation, we cannot compel them to do so.

- 10.5 Any member of staff who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under the Trust Disciplinary Policy.
- 10.6 Where a complaint is about a third party, the Trust will consider what action may be appropriate to protect the complainant and anyone else involved pending the outcome of the investigation, bearing in mind the reasonable needs of the Trust and the rights of the person under investigation. Where appropriate, the Trust will attempt to discuss the matter with the third party.
- 10.7 The Trust will also consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the alleged harasser (whether they are a member of staff or a third party).

## **11. Action following the investigation**

- 11.1 The Grievance Manager will review all evidence before reaching a decision as to whether any complaint of sexual harassment is upheld. If a complaint is upheld, prompt action will be taken to address the problem.
- 11.2 The Trust will seek to learn lessons from the incident(s) to allow us to take appropriate steps to minimise the risk of sexual harassment reoccurring. If a complaint relates to the conduct of a member of staff, action may be taken against them under the Trust Disciplinary Policy. If there has been an abuse of power, this will be an aggravating factor when considering any disciplinary sanction.
- 11.3 If the investigation was initially conducted under the Disciplinary Policy, then the Investigating Officer will review all evidence before reaching a decision as to whether there is a case to answer in a Disciplinary hearing.
- 11.4 Whether or not your complaint is upheld, if the alleged harasser is a member of staff, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties. If the harasser is a third party, we will consider what action would be appropriate to deal with the problem and minimise the risk of recurrence.

## **12. Appeal**

- 12.1 If the complaint is raised under the Grievance Policy and the complainant is not satisfied with the outcome they can appeal the decision.

### **13. If you witness sexual harassment or victimisation**

- 13.1 Staff who witness sexual harassment or victimisation are encouraged to take appropriate steps to address it. Depending on the circumstances, this could include:
- (a) Intervening where you feel able to do so.
  - (b) Supporting the victim to report it or reporting it on their behalf.
  - (c) Reporting the incident where you feel there may be a continuing risk if you do not report it.
  - (d) Co-operating in any investigation into the incident.
- 13.2 All witnesses will be provided with appropriate support and will be protected from victimisation.

### **14. Protection for those involved**

- 14.1 Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation will not suffer any form of retaliation or victimisation as a result.
- 14.2 If you believe you have suffered any such treatment, you should inform your manager in the first instance. If the matter is not remedied, you should raise it formally under the provisions of the Trust Grievance Policy
- 14.3 Where a member of staff is found to have victimised a complainant because they have raised a complaint, or a witness because they have given evidence in relation to a complaint, this will result in disciplinary action up to and including dismissal.
- 14.4

### **15. Confidentiality and Data Protection**

- 15.1 Confidentiality is very important, and it is the responsibility of everyone involved in the procedure to respect the high level of confidentiality that is required. Details of the investigation and the names of the person making the complaint and other individuals involved must only be disclosed on a “need to know” basis. Breach of confidentiality may give rise to disciplinary action under the Trust Disciplinary Policy.
- 15.2 Information about a complaint by or about a staff member may be placed on their personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.