

Anti-Harassment and Bullying Policy

1. Purpose of This Policy

1.1 The purpose of this policy is to ensure that all staff and tutors are treated, and treat others, with dignity and respect, free from harassment and bullying.

1.2 All staff and tutors are expected to understand what types of behaviour are unacceptable under this policy.

1.3 This policy covers harassment or bullying that occurs both in and out of the workplace, including on business trips, at events, or at work-related social functions.

1.4 The policy applies to bullying and harassment by staff, tutors and by third parties such as customers, suppliers or visitors.

1.5 Staff and tutors must treat colleagues and others with dignity and respect and consider whether their words or conduct may be offensive. Even unintentional harassment or bullying is unacceptable.

1.6 Allegations of harassment or bullying will be taken seriously and addressed promptly and confidentially wherever possible.

1.7 Harassment or bullying by an employee or a tutor may be treated as misconduct under the Disciplinary Procedure and, in serious cases, gross misconduct leading to summary dismissal.

2. What the Law Says

1.8 The Equality Act 2010 prohibits harassment related to age, disability, gender reassignment, pregnancy or maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex, or sexual orientation. The Equality Act 2010 also protects individuals from discrimination on the grounds of marriage or civil partnership.

1.9 The Protection from Harassment Act 1997 makes it unlawful to pursue a course of conduct which causes someone alarm or distress.

1.10 Under the Health and Safety at Work etc. Act 1974, staff are entitled to a safe workplace and safe systems of work.

1.11 Individual staff members and tutors may be legally liable for harassment of colleagues or third parties and may be ordered to pay compensation.

3. What Is Harassment?

1.12 Harassment is unwanted physical, verbal, or non-verbal conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment. A single incident can amount to harassment.

1.13 It also includes treating someone less favourably because they have submitted to or refused such behaviour.

1.14 Harassment may be sexual or related to any protected characteristic.

1.15 Harassment is unacceptable even if not connected to a protected characteristic.

Examples of Harassment

1.15.1 Unwanted physical conduct or "horseplay", including touching, pushing, grabbing, brushing past, or more serious physical or sexual assault.

1.15.2 Unwelcome sexual advances, suggestive behaviour, or suggestions that sexual favours may affect career progression.

1.15.3 Continued suggestions for social activity after indications they are unwelcome.

1.15.4 Sending or displaying pornographic or offensive material, including emails, texts, video clips, or online posts.

1.15.5 Offensive or intimidating comments, gestures, insensitive jokes or pranks.

1.15.6 Mocking or belittling someone's disability.

1.15.7 Racist, sexist, homophobic, ageist or other derogatory remarks.

1.15.8 Outing or threatening to out someone.

1.15.9 Ignoring or shunning someone, excluding them from work or social activities.

1.16 A person may be harassed even if they are not the intended target.

4. What Is Bullying?

1.17 Bullying is offensive, intimidating, malicious, or insulting behaviour involving misuse of power that makes someone feel vulnerable, humiliated, or threatened.

1.18 Power may arise from personal strength or the ability to coerce through fear or intimidation.

Examples of Bullying

1.18.1 Shouting, sarcasm, ridicule, or demeaning others.

1.18.2 Physical or psychological threats.

1.18.3 Overbearing or intimidating supervision.

1.18.4 Inappropriate comments about performance.

1.18.5 Abuse of authority.

1.18.6 Deliberately excluding someone without good reason.

1.19 Reasonable and constructive criticism of performance or behaviour is not bullying.

1.20 Staff and tutors should report any instances of harassment or bullying to the Managing Director.

5. Informal Steps

1.21 Staff and tutors being bullied or harassed should consider raising the issue informally with the person responsible, if appropriate.

1.22 If this is too difficult, staff and tutors may speak to the Managing Director's for confidential advice.

1.23 If unsure whether behaviour amounts to harassment or bullying, staff and tutors should seek informal guidance.

1.24 If informal steps fail or are not appropriate, the formal procedure should be followed.

6. Raising a Formal Complaint

1.25 Formal complaints should be submitted in writing to the Managing Director's. If the complaint involves this person, it should be referred to Tutor Doctor Home Office.

1.26 The complaint should include details of the conduct, individuals involved, dates, witnesses, and actions taken so far.

1.27 While progressing a complaint is usually the choice of the complainant, the organisation may independently investigate where necessary.

7. Formal Investigations

1.28 Complaints will be investigated promptly and confidentially.

1.29 The investigator will be impartial and have no involvement in the complaint.

1.30 A meeting will be arranged with the complainant within one week.

1.31 The complainant may be accompanied by a colleague or trade union representative.

1.32 An alleged harasser or bully will be informed of the allegations and interviewed.

1.33 Suspension on full pay or temporary work adjustments may be made where necessary.

1.34 Witnesses may be interviewed with confidentiality emphasised.

1.35 A report will be submitted to the Managing Director's.

1.36 A meeting will be arranged to discuss the outcome and actions.

1.37 Both parties will receive copies of findings.

8. Action Following Investigation

1.38 If harassment or bullying is proven, disciplinary action may follow.

1.39 For third parties, actions may include formal warnings, communication with their employer, or banning them from premises.

1.40 The organisation will consider mediation, counselling, or changes to duties or reporting lines.

1.41 Deliberate false accusations may lead to disciplinary action.

9. Appeals

1.42 Staff and tutors may appeal decisions within one week of notification.

1.43 Appeals will be heard impartially and confirmed in writing.

10. Protection and Support

1.44 Staff and tutors who raise complaints or assist investigations will not suffer retaliation.

1.45 Retaliation or victimisation will result in disciplinary action.

11. Confidentiality and Data Protection

1.46 Confidentiality must be maintained throughout the process.

1.47 Information may be recorded on personnel files and processed under the Data Protection Policy.

1.48 Breaches of confidentiality may result in disciplinary action.

Written and approved on behalf of Tutor Doctor York

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