

OWLCOTES MULTI-ACADEMY TRUST

Anti-Sexual Harassment Policy



March 2025

About Owlcotes Multi-Academy Trust (OMAT)

OMAT is committed to the development of inclusive schools, sharing a common purpose to provide excellent education and improved outcomes for pupils.

OMAT strives to provide high-quality education for all children within our local communities by inspiring innovation, creativity and aspiration through an enriched curriculum.

OMAT is committed to the principles of co-operation, collaboration and sharing best practice with a strong focus on staff development.

OMAT is also committed to the preservation of the unique identity of all schools within the trust: each school will have a Local Governing Board (LGB) which is involved in decision making at school level, with autonomy to make decisions for its own school in line with the scheme of delegation.

Anti-Sexual Harassment Policy

1. Introduction

Owlcotes Multi-Academy Trust is committed to taking and enforcing a zero-tolerance approach to any unwanted, inappropriate and/or harmful sexual behaviours within the workplace, and to ensure that all staff are treated, and treat others, with dignity and respect. It is recognised that sexual harassment can occur both in and outside the workplace, work related events, social functions, or on social media.

This policy, and the actions of the Trust, aims to; protect all Trust employees from experiencing sexual harassment, detail how employees will be supported in respect of this policy and in matters of sexual harassment, ensure a clear understanding of sexual harassment within the organisation, provide guidelines detailing how to report incidents, and signpost to other policies and procedures which have relevance in the context of sexual harassment.

This policy should be read in conjunction with the Staff Disciplinary policy and procedures (where applicable), and the setting's Staff Handbook.

Sexual harassment in the workplace in any form is unlawful and not acceptable. The Trust's culture is based on mutual respect and collaboration. Sexual harassment is a serious violation of those principles and the Staff Handbook.

2. Scope

From 26th October 2024 the Worker Protection (Amendment of Equality Act 2010) Act 2023 (the new Act) places a duty on schools to take reasonable steps to prevent sexual harassment of employees in the course of their employment.

All members of staff are entitled to be treated with dignity and respect in their place of work. This means freedom from sexual harassment, feeling safe and supported, and having access to redress if such behaviour does arise.

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

The Trust operates a zero-tolerance approach to sexual harassment and may deal with incidents of sexual harassment under the Owlcotes Multi-Academy Trust disciplinary policy and procedure.

This policy applies to all employees of the Trust. The Trust will not tolerate sexual harassment from inside or outside of the Trust. Employees, members of the Trust community, external agencies and everyone interacting with the Trust are covered by the policy.

3. Sexual Harassment Definition

Sexual harassment is unwanted behaviour of a sexual nature. It is categorised in the Equality Act 2010 as any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to sexual harassment. Sexual harassment can also include treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature.

A person sexually harasses someone, for example, when they:

- Insinuate, propose or demand sexual favours of any kind including making promises in return for sexual favours.
- Invade another person's personal space and/or make unwanted physical contact (e.g., inappropriate touching, patting, brushing against another person's body.)
- Make obscene comments, jokes or gestures that humiliate or offend someone including sexual advances, propositions, suggestive remarks, jokes which may be referred to as 'banter', or other gestures
- Spreading sexual rumours or information about a person.
- Stalk, intimidate, coerce or threaten another person to get them to engage in sexual acts.
- Send or display sexually explicit objects, pictures or messages or that some people may find offensive. This may include posting such material on social media. A person may be sexually harassed even if they were not the intended target. For example, a person may be sexually harassed if they witnessed pornographic images displayed on a colleague's phone or if they overheard a conversation of an inappropriate sexual nature.
- Comment on someone's looks, dress, sexuality or gender in a derogatory or objectifying manner or a manner that makes them uncomfortable.
- Intrusive questions about a person's private or sex life or a person discussing intimate/explicit details about their own private or sex life.
- Pursue or flirt with another person persistently without the other person's willing participation.

Please note that this list is not exhaustive. The most extreme form of sexual harassment is sexual assault. This is a crime and should be reported to the police.

4. Responsibilities

Employers are responsible for taking reasonable steps to prevent sexual harassment of their staff.

4.1. The Trust

Trust leaders are responsible for:

- Embedding this policy within all Trust settings, which includes:
 - Sharing this policy and the setting's staff handbook with all employees, with a clear message outlining the expectations that they read and familiarise themselves with the content.
 - Ensure this policy is accessible to external agencies and providers.
 - Putting in place regular and effective training/updates for employees and any other relevant stakeholders (such as those frequently attending the Trust or its schools to undertake duties i.e., Trustees, Governors, those running wraparound care), in relation to sexual harassment.
 - Taking effective and swift action in relation to any allegations of sexual harassment in the context of any concerns raised or incidents, including as part of lessons learned.
 - Keeping centralised, confidential records of all concerns raised, formal and informal, and monitoring compliance, identifying trends and evaluating the Trust's actions.

4.2. Employees

Employees are responsible for:

- Reading the sexual harassment policy (and all other related policies shared by the Trust) ensuring that they read the content and draw to their manager's attention any lack of understanding of the content.
- Undertaking training as required by the Trust.
- Ensuring that their conduct is appropriate at all times in line with the setting's Staff Handbook.
- Reporting any incidents of sexual harassment observed or experienced to the Trust in line with this policy and associated policies.

5. Reporting Sexual Harassment

Employees reporting a complaint of sexual harassment experienced through the course of duties, carried out by either a colleague, pupil, parent or carer, or member of the Trust community or associated party should report incidents to an appropriate Trust leader as soon as possible. In the instance of schools, this should be reported to the Headteacher. If the complaint is about the Headteacher this should be reported to the CEO. Concerns about Trust central team employees should be reported to the CEO/Chair of Trustees as appropriate.

6. Addressing Complaints and Allegations

Upon receipt of a complaint, the Trust will seek HR advice and determine the most appropriate course of action for addressing complaints of sexual harassment. Any wishes expressed by the complainant will

be taken into account. In considering the most appropriate course of action, the Trust will consider the severity of the allegation.

In many cases, the Trust may decide to investigate allegations of sexual harassment as allegations of misconduct, in line with the Trust disciplinary policy.

If representatives of external organisations sexually harass Owlcotes employees, we will request that the company takes appropriate action in line with their policies and depending upon the outcome, the Trust may refuse to work with that organisation in the future.

6.1. When Trust leaders receive a complaint

The Trust acts to prevent sexual harassment by building a culture of respect and trust. When sexual harassment is alleged and an employee raises an issue relating to this, leaders will:

- Regard sexual harassment complaints as legitimate unless proven otherwise. Those who have reported sexual harassment will be listened to and supported. An initial fact-finding exercise will be undertaken and detailed information from this will be kept in a confidential file separate to the employee's personnel file.
- Consider the Trust's policies and procedures and inform the complainant of these and the Trust's options to act where appropriate. Seek the individual's wishes and preference but being clear that it may be a management decision as to the most appropriate course of action where there are allegations of misconduct.
- Consider any interim actions that may need to be taken, taking into account the perspective and views of the complainant, which may include a need to make temporary changes to working arrangements.
- Direct the employee to available support resources and information available relating to their health and wellbeing.
- Encourage any employees affected to seek support from their Trade Union.

Some complainants might want the matter to be resolved informally and discreetly, while others might expect more formal actions. Leaders, with support of HR, must consider the circumstances and decide on appropriate action, again taking into consideration the responsibility of the Trust to take reasonable actions to prevent sexual harassment in the workplace.

Leaders have a duty to prevent sexual harassment and act when they have suspicions or receive reports. Ignoring or excusing this behaviour may be a matter of misconduct in itself.

7. Supporting Those Affected by Sexual Harassment

The Trust is committed to supporting employees through what is appreciated may be a difficult time. A contact will be arranged for the employee from within the school/within the Trust. Employees should also be signposted to other avenues of support available including Trade Unions, charitable organisations and advice from Occupational Health where applicable. All parties involved will be treated sensitively and objectively by the Trust in order for the facts to be established. The Trust will deal with any matters relating to sexual harassment as a priority.

8. Victimisation

Victimisation is where someone is subject to inappropriate behaviour or conduct because they have made or supported someone in making a complaint of discrimination, bullying or harassment. Any complaints or allegations of victimisation will be treated seriously, and careful consideration will be given as to an appropriate way of addressing or investigating such complaints. This may include the need to investigate in line with the Trust disciplinary policy and procedure.

9. Conclusion of a Sexual Harassment Allegation Investigation

Careful consideration must be given to the appropriate steps to take upon conclusion of any allegations of sexual harassment. The next steps outlined give a framework for management considerations, but it is important to note that each case will be different and what is appropriate will depend on a range of factors, including the views of the individual who has experienced sexual harassment, the detail of any proven sexual harassment, future risks to Trust employees and any mitigating factors.

Where allegations have been investigated as misconduct, the Trust must consider carefully how to address any next steps whether allegations are proven or not. Each case will be unique, and consideration must be given accordingly.

In the event that the accused employee remains in employment, careful consideration also needs to be given to how the individuals will be able to move on from the matter raised, which may include the need to consider carefully at the outcome stage what an appropriate outcome might be. Redeployment may need consideration, as part of an outcome.

Finally, in some cases, where at the end of a case it is determined that the individuals in question will work together in the future, careful consideration should be given in these cases about an appropriate mechanism to support them being able to move forwards in their ongoing working relationship.

10. Record Keeping

Trust leaders will regularly review this policy to ensure reasonable steps are taken to prevent sexual harassment in the workplace. Trust leaders should retain appropriate records of any such incidents in order to be able to consider any trends and further action appropriately.

This Anti-Sexual Harassment Policy was adopted by Owlcotes Multi-Academy Trust on 20/03/2025

Chair of Trustees: Mrs Judith Norfolk		
Signature:		Judith Norfolk
Frequency of review:	3 years	
To be approved by:	OMAT Full Board	
Date of next review:	March 2028	

REVIEW RECORD

Date of review	Reason for review	Date of next review

Name:		Signature:	
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on behalf of OMAT Full Board

Date of review	Reason for review	Date of next review

Name:		Signature:	
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