Bullying and Harassment in schools. Guidance for Heads and Governors

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# Introduction

Bullying and harassment can take place in any workplace, but education staff are particularly at risk. In a survey carried out by the trade union NASUWT in 2019, four out of every five teachers said they had experienced bullying or harassment at work.

Bullying and harassment may be verbal, physical or psychological. It can happen face to face or online. It might be a one-off incident but is more often a repeated pattern of behaviour. Behaviour may be considered harassment if it violates a person’s dignity or creates a hostile environment for them – whether the perpetrator intends this or not.

It is important that employees at all levels are supported through, and wherever possible protected from, instances of bullying and harassment; and that employers fulfil their legal duty to protect the health, safety and wellbeing of their employees.

The aim of this guidance is to:

Help schools to provide support for staff experiencing harassment and bullying from parents, carers, pupils or members of the public

Support the well-being of pupils, staff and those connected with the School, including Governors and parents, where there is a persistent complaint or harassment

Help schools deal fairly with persistent complainants and those who harass members of staff or pupils in the School

Outline the role of the local authority in supporting schools with instances of bullying an harassment

The guidance also lays out a code of conduct for all parents, carers and members of the public (annex 1) when submitting complaints to the school. At all times, it is expected that complainants will:

* Correctly follow the School’s Complaints Policy procedures
* Treat school staff and Governors with courtesy and respect
* Behave reasonably
* Respect the needs of pupils and staff within the school
* Never use, or threaten to use, violence
* Never be aggressive or give verbal abuse
* Recognise the time constraints under which staff in the School work

Where the standards of this guidance or associated code of conduct are not met, the behaviour should be considered to be either persistent complaint or harassment. In these circumstances, the school will utilise their Unreasonable Behaviour Policy. This guidance should be used in conjunction with your unreasonable behaviour policy, and does not replace it.

# Examples of bullying and harassment

Bullying and Harassment can take many forms, including the spreading of malicious rumours, intimidation, threats, persistent unsolicited communication, and may extend to stalking. It can happen:

face-to-face

by letter

by email

by phone

Social Media platforms

All forms of bullying and harassment should be taken seriously; just because something isn’t said face to face doesn’t mean it will have less impact on an individual’s wellbeing, and doesn’t remove and employers responsibility to act.

# Dealing with individuals who exhibit harassing or bullying behaviour

Line managers should take action as soon as they are aware that staff are experiencing bullying or harassment. In some cases, the perpetrator may not realise that their behaviour has been construed this way, and a formal letter explaining that schools policy on harassment and asking that the individual stop this behaviour may be sufficient.

If this doesn’t address the situation, you may need to take the additional steps laid out in your unreasonable Behaviour Policy including:

* Requiring an individual to only contact named employees, restricting contact to single routes such as email, or restricting the frequency of communication.
* Restricting the subjects that will be corresponded on, ceasing communication about certain subjects.
* Requesting that any further allegations you submit are supported by an independent third party such as the Citizens Advice Bureau, a legal representative or an advocate, to ensure that our employee resources are used in an appropriate way.
* If posting derogatory, defamatory, and offensive or threatening remarks on social media, asking the site to remove them and blocking your account.
* Banning individuals from school sites.

These steps should be clearly recorded in your Unreasonable Behaviour Policy, and Parents/Carers should be made aware of this policy.

# Keeping a record

It is important to keep a record of all communications with anyone exhibiting unreasonable behaviour, including your own notes on any verbal incidents. To assist with record keeping, employees should set a filter on their inboxes so that all emails from a certain address are sent to a designated inbox or folder. This inbox can be monitored, for example on a weekly basis, rather than this involving the staff member having to review correspondence as and when it comes in.

It is important that this “filter” system is not shared with the recipient as they may take steps to correspond from an alternative email address so as to circumvent this system. It is imperative that all correspondence is kept on file as it may be used as evidence for either of the legal avenues set out below.

# Supporting employees

Dealing with harassment and bullying can have a significant impact on an individual’s wellbeing and mental health. While taking the actions above may reduce the direct contact an employee has with an individual, they may still require additional support.

You should always take the concerns of an employee seriously; harassing behaviour might not seem significant from the outside, but can often feel overwhelming to an individual due to the frequency of communication or the number of avenues (social media, face to face, phone calls, emails etc.)

You should consider making temporary adjustments to an employee’s role where necessary, including less parent/carer contact.

Employees should also be given access to counselling services where they are included in an Employee Assistance Programme or through an Occupational Health provider.

You should also encourage employees to speak to their trade union representative, who may be able to offer additional support or guidance.

Teachers and education staff can also call contact Education Support to talk through concerns including:

Managing difficult feelings or situations

Advice on boundary setting and self-care

Getting the best out of your work relationships

Planning for or processing difficult conversations

Any challenging personal matter

General discussion about frustrations at work.

The Education Support helpline can be accessed for free, on 08000 562 561.

In some cases, where the harassment is significant or persistent, especially if it extends outside of the workplace, it should be reported to the police.

If you’d like to report online, rather than speaking to an officer by telephone in the first instance, you can use the police [online crime reporting service](https://www.westmercia.police.uk/ro/report/ocr/af/how-to-report-a-crime/)which is secure and confidential. If an individual is too concerned to report themselves, a representative can report on their behalf.

All reports made using this service are reviewed by the police 24/7 contact centre within a few hours and an officer will respond in a maximum of two days (although usually quicker).

To talk to someone directly, report what happened or to get some advice, the national non-emergency telephone number 101 is staffed 24/7.

Remember, if you feel there is an immediate threat, call 999.

# Support for employees receiving online abuse

In order to provide a welcoming forum for other users to engage with our platforms, the Council/school reserves the right to mute or block individuals, who post comments that contravene the principles outlined in this document, by filing a report through the relevant channels to block their account and escalating the issue directly with the company. Every social media platform has a procedure for reporting users who violate their code of conduct. In extreme cases, social media content may be referred to the police for investigation. West Mercia Police provide guidance on reporting harassment on social media and making complaints to on their [website](http://www.westmercia.police.uk/police-forces/west-mercia-police/areas/west-mercia/campaigns/campaigns/2019/make-the-right-call/social-media-abuse/).

Cyberbullying, uninvited, intimidating, or offensive comments designed to attack, threaten or belittle an individual, and trolling, inflammatory comments intended to provoke arguments and confrontation, can be distressing to experience. It is advisable to avoid entering into discussions with someone posting abuse. Employees should also avoid replying to messages on behalf of others, as they could end up being subjected to harassment, too.

Online harassment can create feelings of frustration, isolation and anxiety, therefore, if an employee believes they are suffering from cyberbullying, trolling or feels offended by material uploaded by a colleague on any digital communication network, they should discuss the situation with their line manager or a HR Advisor for support.

Another step staff can take on social media is to close any accounts or ensure that they are not identifiable to members of the public. Further, any contact made via social media should be recorded by the staff member, ideally as screenshots to avoid them being lost if deleted by the poster, as this may form part of the evidence bases for legal avenues.

Cyberbullying and trolling are as unacceptable as any other form of bullying or harassment, and will be addressed wherever applicable under the school’s Unreasonable Behaviour Policy.

# Allegations against staff

As part of an escalating pattern of behaviour, those displaying harassing and bullying behaviour may make false allegations against a staff member, with the goal of intimidating them or having them removed from post.

These situations are rare, but schools should be careful not to summarily dismiss allegations without investigation, just because they believe they are being made maliciously. Schools should always follow guidance available from the [LADO document library](https://westmidlands.procedures.org.uk/local-content/ygjN/lado-managing-allegations/?b=Herefordshire).

Where an allegation has been made, in addition to following schools should complete a risk assessment to protect their staff and the pupil in question. A template risk assessment can be found in Annex 2.

# Sexual harassment of staff

Along with all other forms of harassment, all employers have a duty of care to protect their workers and will be legally liable for sexual harassment in the workplace if they have not taken reasonable steps to prevent it.

The Equality Act 2010 defines sexual harassment as unwanted conduct of a sexual nature which has the purpose or effect of violating someone’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

In October 2024, the Worker Protection (Amendment of Equality Act 2010) Act 2023 will introduce specific duties on employers to protect staff from sexual harassment in relation to their work.

As with allegations made against staff, the school should follow LADO guidance when dealing with cases of sexual harassment from pupils towards staff members, and in all cases inform the police if necessary.

# Legal avenues

Report matter to the police

Where an employee fears for their personal safety, and they know that they are being followed or harassed (for example candid photographs have been posted of you on social media), it would be for the staff member to report their concern to the police as harassment is a criminal offence pursuant to Protection from Harassment Act 1997. The police would then take steps to potentially open an investigation into the matter. They would also require correspondence that may have been sent through work, in the form of the records of communication mentioned earlier.

When a matter has been reported to the police, the school should complete a risk assessment with the affected member(s) of staff, and put in place a safety plan, using the guidance in this document, and consider a single point of contact for the organisation/school. The LA can support the school in completing the risk assessment and safety plan in place.

In addition to assessing the risk to staff safety and exposure to harassment, you should also complete a staff stress risk assessment, as stress levels are likely to be high during this time. The risk assessment should consider factors not directly relating to the harassment, but which could be exacerbated by it, such as work pressures, sense of control, and team relationships.

Restorative justice

Alongside criminal proceedings, police can implement a Restorative Justice approach. RJ aims to return a level of control over the outcome of proceedings to the victim. RJ includes specifically defined interactions between the offender and victim, which can bring justice to victims and encourage offenders to take responsibility for their actions.

The approach allows for the harm to be mitigated rather than just punishing the offender, and can help repair the dignity and loss that the victim has experienced. Furthermore, the RJ process can empower victims to gain some control over their situation, and can also help offenders to be reintegrated back into society and prevent them from reoffending.

Currently, the UK has a victim-led approach to RJ, whereby victims can request a restorative intervention at any stage during the criminal justice process.

Civil injunction

On rare occasions, there may be a sufficient evidence base for the individual to consider an application for a civil injunction against the individual who is harassing them. This is also under the Protection from Harassment Act 1997. There is no definition of harassment, so that the courts are able to interpret this broadly, however there is a high threshold for such an application and evidence base for this would need to be strong (where for example the staff member is receiving hundreds of emails a day). The individual has to show that they’ve been harassed more than once - this includes stalking and if the harassment made them feel distressed or alarmed.

Annex 1. Parent and Carer Code of Conduct

At [School name] we hope to maintain good relationships with parents and carers in order to provide a supportive environment for our pupils. We are fortunate in having supportive parents and carers who understand the importance of maintaining good working relationships and ensuring effective communication between home and school.

Children will be fully supported and encouraged to thrive in every aspect of their academic, emotional and social development. They will be safeguarded and cared for during their time in our school. Staff will be supported by Senior Leaders, the Headteacher, Governors and Trust Board [amend to suit school] to provide a healthy environment for children to develop.

We understand that on occasions there may be challenges for individual children and their families. We will work with parents and carers to overcome those challenges and spend time supporting them. We ask that during more challenging times, the conversations our parents and carers have with our staff remain mutually respectful and do not create barriers. The care, safeguarding and development of the children should remain everyone’s priority during those times.

This Parent and Carer Code of Conduct has been developed to ensure that we are clear in our expectations of the conduct of parents and carers during any communication or meeting. Our staff should not fear harassment or intimidation and safeguards are in place to ensure all staff feel protected and supported, as well as other parents and carers.

If parents or carers behave in a way which is not consistent with this Code of Conduct, the school will address this in a reasonable and proportionate way. We will always explain to you what action we are taking and why. This may include writing to or meeting with parents or carers whose conduct gives the school cause for concern. If the conduct issues persist or is particularly concerning, the school may take a range of actions to secure the safety and best interests of the school community. Further detail on these actions can be found in our Unreasonable Behaviour Policy.

We expect that parents and carers make all persons responsible for collecting children aware of this Code of Conduct.

The school expects parents and carers to:

Respect the ethos of the school.

Understand that parents and teachers need to work together for the benefit of our children.

Work with the school to build relationships with its staff.

Talk to us if you have any concerns about any part of your child’s education and development.

If you do wish to raise a formal complaint/concern, please ensure that you follow the school’s complaint procedures. Please refer to the Complaints Policy on the school website, which includes details of how we will deal with serial and unreasonable complaints.

Setting a positive example for children with your own speech and behaviour.

Understand that even if divergent views exist, all should remain calm and respectful and be mindful that we are all working together for the child’s best interests.

Approach school staff to inform them of any issue and allow them time to investigate and resolve issues according to school policy.

Understand that the school needs to be able to maintain arrangements for the running of the school, meaning that appointments cannot be arranged on demand and that the school will not be able interrupt daily teaching arrangements to meet parents or carers without notice other than in an emergency.

Take in to account both the child’s version of events and the school’s, in order to bring about a peaceful solution to any issue.

Support the school in addressing your child’s behaviour, especially where it could lead to conflict.

Understand that the school is responsible for curriculum and timetabling matters.

Dress appropriately when accessing school premises, including not wearing clothing which may be viewed as offensive.

Complete all consent, contact and medical forms and inform us straight away if anything changes.

Make sure your child has the right clothing for any school activity they are involved in.

Attend school events and Parents’ Evenings wherever possible or re-arrange if necessary to share information about your child’s development.

Only take photographs and videos under the direction and supervision of senior leaders within the school with the subject being your child. No images or videos should be shared on social media.

Switch off electronic devices, including mobile phones, cameras and iPads while on school premises.

Sign in and wear a visible visitor’s badge while on school premises. Those without an enhanced DBS will be supervised at all times.

The following behaviours will not be tolerated:

Disruptive behaviour which interferes or threatens to interfere with the operation of a classroom, office or other area of school grounds.

Loud or offensive language, swearing, cursing or displaying temper.

Threatening to or carrying out actual bodily harm to a member of school staff, governor, visitor, parent/carer or pupil.

Damaging or destroying school property.

Sending abusive or threatening emails, text/voicemail/phone messages or other written communication. This includes issues which consume an inordinate amount of staff time.

Post defamatory, offensive or derogatory comments regarding the school or any of the pupils/parents/staff at the school on Facebook or other social media sites.

The use of physical aggression towards another adult or child. This includes physically punishing your own child on school premises.

Remaining on school premises or in school reception for an unreasonable time after a visit or after being asked to leave.

Chastising or harassing someone else’s child.

Smoking, vaping or consuming alcohol or drugs whilst on school property.

Bringing dogs (except assistance dogs) on to school premises.

Annex 2. Allegation risk assessment

| Allegation /Complaint Risk Assessment Tool  Name of Child :  Staff members : | | | | |
| --- | --- | --- | --- | --- |
|  | Consideration | Risk identified | Impact Analysis | Allegation/ Risk Management  Actions |
| Content of alleged allegation:   * Degree and nature of alleged harm * Duration and frequency of alleged abuse * Degree of threat or Coercion * Extent premeditation/grooming |  |  |  |  |
| Information   * Previous concerns * Previous allegations * Attitude to allegation * Contact with child * Contact with parents |  |  |  |  |
|  | Consideration | Risk identified | Impact Analysis | Allegation/ Risk Management  Actions |
| Information r.e. child/Children :   * Age and level of understanding * Special needs and vulnerability * Impact on health and development * Previous allegations |  |  |  |  |
|  | Consideration | Risk identified | Impact Analysis |  |
| School procedures / policy   * Policy/procedure in place? * Degree of compliance * Training |  |  |  |  |
| Date of decision:  LADO Advice sought: YES / NO  Summary:  Review date:  Name and signature of responsible manager: | | | | |
| Support for employees:  Action plan:  Employee name:  Target date:  Summary Action Plan | | | | |