

Equality, Relationship, Harassment and Abuse Policies and Procedures

Equality Policy statement

English in Chester is an equal opportunity employer and is fully committed to a policy of treating all of its employees, students and job applicants equally.

The School will take all reasonable steps to employ, train and promote employees on the basis of their experience, abilities and qualifications without regard to race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation, gender reassignment, age, marital or civil partnership status or disability. The School will also take all reasonable steps to provide a work environment in which all employees and students are treated with respect and dignity and that is free of harassment based upon an employee's race, colour, ethnic origin, nationality, national origin, religion or belief, sex, age, pregnancy or maternity, sexual orientation, gender reassignment, age, marital or civil partnership status or disability. The School will not condone any form of harassment, whether engaged in by employees, students or by outside third parties who do business with the School, such as agents, host families, customers, contractors and suppliers. This includes harassment or abuse via the internet or other modes of communication.

Employees have a duty to co-operate with the School to ensure that this policy is effective in promoting equal opportunities and in preventing discrimination, harassment or bullying. Action will be taken under the School's disciplinary procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious breaches of this statement will be treated as potential gross misconduct and could render the employee liable to summary dismissal. Employees should also bear in mind that they can be held personally liable for any act of unlawful discrimination. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

You should draw the attention of your line manager to suspected discriminatory acts or practices or suspected cases of harassment. You must not victimise or retaliate against an employee or student who has made allegations or complaints of discrimination or harassment or who has provided information about such discrimination or harassment. Such behaviour will be treated as potential gross misconduct in accordance with the School's disciplinary procedure, as outlined in the school's current Terms and Conditions documents.

The School will also take appropriate action against any third parties who are found to have committed an act of improper or unlawful harassment against its employees or students.

Employees: Recruitment, advertising and selection

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant experience, abilities and qualifications. The School is committed to applying its equal opportunities policy statement at all stages of recruitment and selection.

Where posts are advertised, advertisements will encourage applications from all suitably qualified and experienced people. When advertising job vacancies, in order to attract applications from all sections of the community, the School will, as far as reasonably practicable:

1. Avoid prescribing any unnecessary requirements which would exclude a higher proportion of a particular gender, sexual orientation, age, religion or racial group or which would exclude disabled job applicants.
3. Avoid prescribing any requirements as to marital or civil partnership status.
4. Where vacancies may be filled by promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees of any particular section of the community.

The selection process will be carried out consistently for all jobs at all levels. All applications will be processed in the same way. The staff responsible for short-listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. Person specifications and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Wherever possible, all applicants will be interviewed by at least two interviewers and all questions asked of the applicants will relate to the requirements of the job. The selection of new staff will be based on the job requirements and the individual's suitability and ability to do, or to train for, the job in question.

With disabled job applicants, the School will have regard to its duty to make reasonable adjustments to work provisions, criteria and practices or to work premises in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

If it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves unsociable hours or extensive travel), this will be discussed objectively.

Training and promotion

The School will bring all line managers' attention to the School's policy on equal opportunities to help them to identify discriminatory acts or practices or acts of harassment or bullying. Line managers will be responsible for ensuring they promote equal opportunity within the departments for which they are responsible.

The School will also provide information to all employees to help them understand their rights and responsibilities in relation to dignity at work and what they can do to maintain a work environment that is free of bullying and harassment.

Terms of employment, benefits, facilities and services

All terms of employment, benefits, facilities and service will be reviewed from time to time, in order to ensure that there is no unlawful discrimination.

Equal pay

The School is committed to equal pay in employment. It believes its male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this,

the School will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

Personal relationships

Personal relationships at work need to be handled with sensitivity. Particular issues can arise when the two parties are of different seniority levels or working within the same area. Resentments can arise if it is felt that an individual is being treated differently, and if a relationship should end it can be difficult for the two parties to continue working with each other.

It is essential that there is a harmonious and professional atmosphere amongst the staff at all times. You are expected to ensure that any personal relationships do not interfere with this. Where a relationship develops beyond normal friendship you are encouraged to tell your manager so that if appropriate and possible your circumstances can be taken into account.

In the same way, you are expected to behave positively and with professionalism in your dealings with colleagues even if you do not get on with them personally.

Personal relations with students and clients are particularly sensitive. Although most people studying here are adults, you must at all times remember that you may not be regarded as having equal status even if that is your perception. This will apply with particular force if you are a teacher and the individual concerned is in your class. While normal social friendliness is certainly encouraged, more intimate relationships are often inappropriate and if you perceive that one is developing you are urged to discuss this with your manager or with another senior member of staff.

Bullying, harassment and abuse

Bullying is offensive or intimidating behaviour or an abuse or misuse of power which undermines or humiliates an employee or student.

Harassment occurs where, on the ground of a student or employee's race, colour, ethnic origin, nationality, national origin, sex, religion or belief, sexual orientation, gender reassignment, age, marital or civil partnership status or disability, a person (student or employee) engages in unwanted conduct that:

- has the purpose of violating the student or employee's dignity, or of creating an intimidating, hostile, degrading, humiliating or offensive environment for the student or employee; or
- is reasonably considered by the student or employee to have the effect of violating their dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the student or employee, even if this effect was not intended by the person responsible for the conduct.

Conduct may be harassment whether or not the person intended to offend. Something intended as a "joke" or as "office banter" may offend another person. Behaviour which a reasonable person would realise would be likely to offend a student or employee will always constitute harassment without the

need for the student or employee having to make it clear that such behaviour is unacceptable, for example, touching someone in a sexual way. With other forms of behaviour, it may not always be clear in advance that it will offend a particular employee, for example, office banter and jokes. In these cases, the behaviour will constitute harassment if the conduct continues after the employee has made it clear, by words or conduct, that such behaviour is unacceptable to him or her. A single incident can amount to harassment if it is sufficiently serious.

Harassment also occurs where, on the ground of the student or employee's rejection of or submission to unwanted conduct of the kind specified above, a person treats the student or employee less favourably than he or she would treat him or her had he or she not rejected, or submitted to, the unwanted conduct.

Examples

Bullying and harassment may be verbal, non-verbal, written or physical. Examples of unacceptable behaviour include, but are not limited to, the following:

- unwelcome sexual advances, requests for sexual favours, other conduct of a sexual nature
- subjection to obscene or other sexually suggestive or racist comments, gestures or images
- demeaning comments about a student or employee's appearance
- questions about a person's sex life
- the use of nick names related to a student or employee's sex, sexual orientation, gender reassignment, race, religion, age or disability
- picking on or ridiculing a student or employee
- isolating a student or employee or excluding him or her from social activities or relevant work-related matters.

Reporting complaints

All allegations of discrimination, bullying or harassment will be dealt with seriously, confidentially and speedily. With cases of harassment, while the School encourages students or employees who believe they are being harassed to notify the offender (by words or by conduct) that his or her behaviour is unwelcome, the School also recognises that actual or perceived power and status disparities may make such confrontation impractical.

If a student or employee wishes to make a complaint of discrimination or harassment, whether against the School, a fellow employee, a student or a third party, they should follow the following steps:

- 1.** First of all, the complainant should report the incident of discrimination, bullying or harassment to their line manager, in the case of an employee, or to the Academic Manager, in the case of a student. If the student or employee does not wish to speak to this person, they can instead speak to the Principal or the Director.
- 2.** Such reports should be made promptly so that investigation may proceed and any action taken expeditiously.
- 3.** All allegations of discrimination, bullying or harassment will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, the complainant may be interviewed and asked to provide a written witness statement setting out the details of the complaint. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, the

School must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation.

4. Once the investigation has been completed, the complainant will be informed of the outcome and the School's conclusions and decision as soon as possible. The School is committed to taking appropriate action with respect to all complaints of discrimination, bullying or harassment which are upheld.
5. A complainant will not be penalised for raising a complaint, even if it is not upheld, unless the complaint was both untrue and adjudged to have been made in bad faith.
6. If the complaint is fully or partially upheld and the harasser, bully or discriminator remains in the School, the School will take all reasonable steps to ensure that the complainant does not have to continue to work closely with him or her if they do not wish to do so.
7. If the complaint is not upheld, arrangements will be made for the complainant and the alleged harasser, bully or discriminator to continue or resume working and to repair working relationships.

Any student or employee who is found to have discriminated against, bullied or harassed another student or employee in violation of this policy will be subject to disciplinary action under the School's disciplinary procedures for students and staff. Such behaviour may be treated as gross misconduct and could render the employee liable to summary dismissal, or the student liable to exclusion from the School.

Procedures in cases of suspected abuse of students

In the case of students under the age of 18, these procedures should be read in conjunction with the school's Child Protection Policy and Procedures.

Abuse is mistreatment by any other person or persons that violates a person's human and civil rights. The abuse can vary from treating someone with disrespect in a way which significantly affects the person's quality of life, to causing actual physical suffering.

Forms of abuse include:

- Physical abuse such as hitting, pushing, pinching, shaking, misusing medication, scalding, restraint, hair pulling.
- Sexual abuse such as rape, sexual assault, or sexual acts to which the adult has not or could not have consented, or to which they were pressurised into consenting.
- Psychological or emotional abuse such as threats of harm or abandonment, being deprived of social or any other form of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, being prevented from receiving services or support.
- Financial or material abuse such as theft, or exploitation, misuse of property or possessions
- Neglect such as ignoring medical or physical care needs and preventing access to health, social care or educational services or withholding the necessities of life such as food, drink and heating.

- Discriminatory abuse such as that based on race or sexuality or a person's disability and other forms of harassment or slurs.
1. A member of staff may be made aware of suspected abuse through
 - the abused student
 - a fellow student
 - a teacher
 - another member of the teaching/admin staff
 - a homestay provider
 - a person living in the student's homestay
 2. **Where the alleged abuse involves homestay providers**, in all cases the Student Services Officer will talk about the allegation with the student concerned (if necessary using an interpreter), recording in writing the details of the allegation. If required, the student will be removed from the homestay forthwith without explanation to the homestay provider, and, if appropriate, the student's parents/guardian will be informed regarding what has allegedly taken place. Social Services may be informed that allegations of physical/sexual abuse have been made against the homestay provider. The Principal/Director will be kept fully informed at all stages in the process.
 3. **Where the alleged abuse involves an English in Chester employee**, the Principal/Director will talk about the allegation with the student concerned (if necessary using an interpreter), recording in writing the details of the allegation. If required, the student's parents/guardian will be informed regarding what has allegedly taken place. Social Services and/or the Police may be informed if allegations of physical/sexual abuse have been made against the member of staff. If, after investigation, the Principal/Director has established that the allegations are of a serious nature and are substantiated, the school will either:
 - a) suspend the member of staff on full pay pending the outcome of the procedures adopted by Social Services or the Police
 - or
 - b) dismiss the member of staff immediately for gross misconduct as detailed in the school's current Terms and Conditions of Service.
 4. **Where the alleged abuse involves another student at English in Chester**, the Student Services Officer, Academic Manager or Principal will talk about the allegation with the student accused of abuse, record in writing the comments of the accused student, inform the parents/guardians of both students regarding the alleged abuse if appropriate, inform Social Services and/or the Police if allegations of physical/sexual abuse have been made by a student against another student, and, if necessary, suspend the student against whom the allegations have been, with a refund of fees being at the discretion of the Principal. The Principal/Academic Manager should be kept fully informed at all stages in the process.
 5. **Where the alleged abuse involves another person not in one of the above categories**, the Student Services Officer will record in writing the allegations of the student, inform the parents/guardians regarding the alleged abuse if appropriate, take all appropriate steps to find an acceptable solution to the problem and to support the student, and inform the appropriate authorities of the alleged abuse.

6. In cases of students under the age of 18 where reports are made to Social Services, associated police involvement/legal proceedings then become the responsibility of Social Services (refer to the school's Child Protection Policy and Procedures).
 7. In all cases, the Principal or Academic Manager will ensure that the student who claims to have been abused receives all possible support and counselling following the incident and that the student's parents/guardian are consulted at all stages during the process, if appropriate
 8. In suspected cases of bullying where the student registers a complaint against a member of the homestay the above procedure will be adhered to. Social Services will be involved in cases where the bullying is tantamount to physical abuse.
 9. Where a student complains of being bullied by a fellow student the Academic Manager or Principal will:
 - talk about the situation with the student
 - record in writing the details of the case
 - talk to the student accused of bullying
 - record in writing the details of the case
- If more than one student is involved in allegedly bullying, Academic Manager or Principal will see the students separately and record in writing details from each student seen.
10. The following measures may be applied, depending on the circumstances:
 - attempt a reconciliation between the parties
 - alert the parents/guardians of all parties concerned and inform them of the action that has been taken if appropriate
 - alert members of the teaching/administration staff and the homestay provider to the situation, asking those concerned to take any measures necessary to ensure that the problem is not repeated and that the situation is thoroughly monitored (this might involve a change of class/accommodation etc)
 - ensure that the alleged victim knows the 24-hour emergency number and is given a second emergency number to use where necessary
 - establish regular contact with the victim to monitor the situation.
 11. If a student complains of bullying by people unconnected with the School the procedure will be dealt with as for physical abuse as outlined in 5 above.

Procedures for dealing with abuse of staff

1. If a member of staff abuses a student in any way the procedure is clearly outlined in 5 above.
2. If a member of staff complains that they have been abused by a student or another member of staff, the following procedures will normally apply:
 - a. The member of staff will discuss the abuse with the Principal/Director and/or senior manager.

- b. The Principal/Director and/or senior manager will record in writing the details of the allegation.
- c. If other students or members of staff witnessed the abuse the witnesses will be interviewed individually by the Principal/Director and/or senior manager, who will then record the details in writing.
- d. The Principal/Director and/or other senior manager will then see the student or member of staff who has allegedly abused the member of staff. The accused person will be told of the situation and, if appropriate, will be asked if he/she would like an interpreter to attend the meeting. If the accused asks for a fellow student or colleague to be present, the Principal/Director/senior manager may also ask for a second representative to be present.
- e. At the meeting, details of the allegation will be outlined and the student given an opportunity to respond. The Principal/Director/senior manager will do everything in their power to resolve the situation. At the same time they will outline the possible future options. If there is a misunderstanding or the parties agree that the abuse was of a minor nature then all parties should work towards a speedy resolution of the problem and a reconciliation between the parties.
- f. If the alleged abuser denies abuse and the member of staff is adamant that they were abused the Principal/Director/senior manager must make it clear that they will weigh the evidence and act accordingly. This may result in the alleged abuser being exonerated or receiving a written warning or, in extreme cases, being expelled in the case of a student or dismissed from School following disciplinary procedures as outlined in the school's current Terms and Conditions of employment in the case of an employee . If student expulsion takes place a refund of fees is at the discretion of the Principal. The student should be informed that they may take their case to the English UK Ombudsman.
- g. If the Principal/Director/senior manager finds in favour of the alleged abuser then action against the accusing member of staff may be taken according to the Terms and Conditions of Service document.
- h. The Principal/Director/senior manager will take notes throughout the meetings, which will be signed by those present to indicate they are an accurate reflection of the meeting.

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