

SEXUAL HARASSMENT POLICY

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Item	Page(s)
1. Introduction	2
2. Policy Commitment Statement	2
3. Policy Objectives	2
4. Definition of Sexual Harassment	2
4.1 Physical conduct	3
4.2 Verbal conduct	3
4.3 Non verbal conduct	3
4.4 Sex based Harassment	3
5. Scope of the policy	3
6. Responsibilities	3
6.1 Management Responsibilities	4
6.2 Employee Responsibilities	4
7. Reporting Procedures	4
7.1 Table 1 Levels of reporting	5
8. Confidentiality	5
9. Support During Reporting	6
10. Third Party Harassment	6
11. Investigation procedures	6-7
12. Protection from Retaliation	7
13. Welfare Support	7
14. Whistleblowing	7 -8
15. Policy Review and Monitoring	8
16. Conclusion	8
Appendix 1 – Acknowledgment of report	9
Appendix 2 – Sexual Harassment reporting form	10-11

As part of our focus on diversity and inclusion, BDAT pledges that our policies will seek to promote equality, fairness, and respect for all staff and students. Our policies reflect the BDAT values of inclusion, compassion, aspiration, resilience, and excellence. By working closely with a range of stakeholders, such as our school, union, and HR colleagues, we have ensured that BDAT's policies do not unlawfully discriminate against anybody.

For the purpose of this policy, the term Trust refers to BDAT. The term school and the term academy are interchangeable. The term pupil and the term student are interchangeable.

1. Introduction

This Prevention of Sexual Harassment Policy is designed to ensure a safe and respectful environment for all employees working for BDAT. This reflects the duty on employers under the Worker Protection (Amendment of Equality Act 2010) Act 2023, which came into force on 26 October 2024 and the Employment Rights Act 2025 that requires employers to take all reasonable steps to prevent sexual harassment of their employees, including that by third parties.

This policy outlines the BDAT commitment to prevention of Sexual Harassment in the workplace by establishing clear reporting and investigation procedures and providing support for all employees.

2. Policy Commitment Statement

BDAT is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment.

BDAT operates a zero-tolerance policy for any form of sexual harassment in the workplace, treats all incidents seriously and promptly investigates all allegations of sexual harassment.

BDAT will take proactive and anticipatory steps to prevent harassment, not just respond to complaints.

Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint.

3. Policy Objectives

- To promote a work environment free from sexual harassment.
- To inform employees of their rights and responsibilities regarding sexual harassment.
- To provide clear procedures for reporting, investigating, and resolving complaints of sexual harassment.
- To ensure that support services are available for affected employees.
- To ensure compliance with this statutory duty.

4. Definition of Sexual Harassment

Sexual harassment is defined as 'unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient.'

Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal.

Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

4.1 Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favours

4.2 Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

4.3 Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually suggestive gestures
- Whistling
- Leering

4.4 Sex Based Harassment

This policy also prohibits "harassment related to sex," which is unwanted conduct related to a person's sex (but not necessarily of a sexual nature) that has the purpose or effect of violating their dignity or creating a hostile environment.

5. Scope of the Policy

This policy applies to all employees of BDAT regardless of their contractual status (permanent, temporary, part-time, or full-time).

This policy, in addition to employees, also explicitly applies to cover agency workers, contractors, visitors, suppliers, clients, and third-party representatives who interact with staff. Remote work settings, work-related events, training sessions, school trips, and social gatherings, as harassment can happen outside traditional workplace settings.

BDAT will take reasonable steps to prevent harassment of staff by third parties such as parents, carers, contractors, visitors and others.

6. Responsibilities

Both the BDAT as an Employer, and Trust employees, parents, governors, contractors, suppliers, and visitors will adhere to the expectations set out within this policy, in conjunction with the Staff Code of Conduct, ensuring they recognise and act upon their responsibilities.

BDAT will take proactive steps to assess and mitigate risks by regularly assessing and reviewing workplace culture.

6.1 Management responsibilities

Management is responsible for ensuring that this policy is actively communicated and enforced amongst employees across the company.

Management will ensure compliance with reporting and investigation procedures, as set out and defined in this policy.

BDAT will conduct risk assessments specifically identifying high-risk areas for third-party interaction (e.g., reception areas, parent-teacher evenings, or home visits) and will ensure visible signage is present in public areas stating that harassment of staff will not be tolerated.

6.2 Employees responsibilities

All employees are responsible for contributing to a positive work environment by treating colleagues with respect.

All employees have a duty to report immediately, if they witness or experience Sexual Harassment, in order to keep the workplace safe.

All employees have a duty to engage in a zero-tolerance culture towards Sexual Harassment.

School leadership will maintain a Sexual Harassment Risk Map. This involves a regular audit of the physical environment and working patterns to identify high-risk scenarios, such as:

- Staff working alone in isolated areas of the school
- Frequent one-on-one interactions with third parties (parents, contractors, or visitors).
- Events held outside of standard school hours (e.g., parents' evenings, performances, or community lettings). Risk assessments will be updated annually and following any reported incident.

7. Reporting Procedures

Immediate reporting - employees who experience or witness sexual harassment should report the incident as soon as possible.

Employees should complete a reporting form (see Appendix 2). If employees require support in completing the form, their line manager can assist in the completion in conjunction with the employee. The reporting form can be made available in alternative formats (digital, paper etc). If employees have specific format requirements, they can request this via their line manager. If employees require support in completing the form, their line manager can assist in the completion in conjunction with the employee.

Please see Table 1. For whom to report the incident to.

7.1 Table 1.

The Trust has delegated the following powers to hear grievances to the following levels (or above) of staff:

Member of staff the complaint refers to:	Complaint to be sent to:	Complaint investigated by:	Decision maker	Appeal to:
Member of Academy staff including teacher, support staff etc	Academy Principal / Head teacher	SLT as delegated by Principal/Headteacher	Academy Principal / Head teacher	Local Governing Body (LGB)
Head teacher / Head of School / Principal / Governor	Chair LGB	Member of the Executive Team or an independent investigator or a governor as agreed with BDAT CEO)	Chair of LGB	Education Director
Executive Principal	Education Director	Member of Central Education Team as delegated by Education Director or an alternative Member of the Executive Team	Education Director	CEO
BDAT Central Team (not Executive)	Line manager or a member of the BDAT Executive	Member of Executive Team	Line Manager or member of the BDAT Executive	CEO
BDAT Executive Team	CEO	Trustee	CEO	Chair of Trust Board
Chief Executive Officer (CEO)	Chair of Trust Board	Trustee(s) delegated by Chair of Trust Board (excluding the vice chair in case of appeal) or an independent investigator	Chair of Trust Board	Vice chair of Trust Board
Chair of Local Governing Body	Clerk to LGB	Member of Executive Team as delegated by CEO	CEO	Chair of Trust Board
Chair of Trust Board	Clerk to Trust Board	As agreed with CEO – external	Chair of Trustee Panel	Chair of Trustee Appeal Panel

In all cases BDAT reserves the right to appoint an independent investigator. Charges or fees will apply to the academy/central office where the staff member/volunteer works.

8. Confidentiality:

Reports of sexual harassment will be treated with strict confidentiality and will only be disclosed to those involved in the investigation, unless otherwise required by law.

There are confidentiality limits to the management of data, such as when a disclosure is determined as necessary, to protect the immediate safety of others, as defined under the GDPR, or, if the information is subject to a Subject Access Request, or, if it relates to a safeguarding matter.

9. Support During Reporting:

Employees are encouraged to seek support from trusted colleagues or from a designated mental health and/or wellbeing officer within the Trust during the reporting process (where applicable).

BDAT will aim to provide robust wellbeing support, *where appropriate*, including signposting to relevant/appropriate internal support and external support services for all staff members.

Where appropriate, each employee will be granted access to a designated wellbeing officer, who will confidentially engage with the employee and make themselves available to support the employee during and post investigation process.

10. Third Party Harassment

Third-Party Reporting: The Trust recognises that harassment by third parties (parents, governors, contractors, or visitors) requires a specific response.

Staff are empowered to report such incidents using the standard reporting form in Appendix 2.

Where the respondent is a third party, the Trust will take all reasonable steps to investigate and, where appropriate, may take action such as:

- Formally warning the individual about their conduct.
- Banning the individual from the premises.
- Terminating contracts with third-party suppliers.
- Reporting the matter to the Police if the conduct is criminal.
- No staff member will be penalised for reporting harassment by a third party, even if that individual is a significant stakeholder or parent.

11. Investigation Procedures

Upon receiving a report of sexual harassment, the line manager or relevant person detailed in table 1 will follow the reporting and investigation procedures outlined in this policy.

A report may be submitted in a number of ways. Most commonly, reports are received verbally or in writing.

Where a report is made verbally, the designated person receiving the report must take all reasonable steps to ensure immediate safeguarding and wellbeing support of the affected employee(s), to ensure their safety.

Upon receipt of a report, the designated person receiving the report must acknowledge receipt of the report ideally within 2 working days, ensuring transparency and commitment to address the issue.

Following receipt of the report the following steps should be followed.

Step 1: Initial Information Gathering

The designated person receiving the report will use an approved Trust online reporting form, or the equivalent paper version, to record the essential details of the complaint, ensuring consistent documentation of the facts needed to initiate an investigation. A reporting form is provided at Appendix 2.

Step 2: Preliminary Assessment

8.7. The school / Trust will then carry out an initial assessment to determine whether a formal investigation is warranted, based on the seriousness of the complaint and the evidence available at that stage.

Step 3: Formal Investigation

If warranted, initiate a formal investigation, which includes:

- Interviewing the complainant.
- Interviewing the respondent
- Interviewing witnesses or others who may have relevant information.
- Reviewing relevant documentation (emails, texts, social media).

Step 4: Report Generation

The findings will be compiled into a comprehensive investigation report summarising the evidence gathered and the interviews conducted.

Step 5: Review of the Report

The report should be reviewed by senior management and seeking legal / HR advice, if necessary, to ensure all aspects of the investigation have been explored to reach a determination on necessary next steps, if appropriate.

Step 6: Communication of Findings

The findings will be shared with the complainant and the respondent, clearly outlining the decision and next steps. This may also include communication with a third-party respondent, depending on how the report was raised.

Step 7: Decision and Action

Appropriate action will be taken based on the investigation's findings, which may include disciplinary measures or other steps, together with any recommendations required under associated Trust policies, applied alongside this one.

12. Protection from Retaliation

Any form of retaliation against an employee who reports sexual harassment, participates in an investigation, or provides testimony relating to it, will be treated as a serious breach of this policy. Such retaliation may include, but is not limited to, harassment, intimidation, demotion or dismissal. An employee found to have engaged in retaliatory conduct will be subject to disciplinary action, up to and including dismissal.

13. Welfare Support

The Trust is committed to providing support for all employees, whether they have made a disclosure or as a respondent to allegations. The Trust appreciate the impact on employees may be significant, and we will manage this sensitively by ensuring all employees have access to appropriate wellbeing support.

All members of Staff have access to BUPA, they can be contacted at:

Wellbeing contact: The School will appoint a wellbeing contact, with whom you can confidentially discuss matters, and seek advice and support from. They will be able to signpost, where possible.

Employees should approach their line managers to discuss personal circumstances to establish a method of support in the workplace.

Training and Awareness: Training sessions will be provided for all staff annually, to ensure understanding of sexual harassment, how to prevent it, and how to report it effectively.

14. Whistleblowing

Reports of Sexual Harassment constitute a Protected Disclosure under the Employment Rights Act 1996, if the employee reasonably believes the disclosure is made in the public interest.

Where an employee feels unable to use the standard reporting procedure or where the concern involves systemic failures in the Trust's preventative measures, they should refer to the Whistleblowing Policy.

The Trust treats sexual harassment as a serious matter of malpractice. Any employee making a disclosure under this policy is protected from detriment or dismissal, as outlined in the Whistleblowing Policy.

The Trust encourages a culture of openness and will not tolerate any form of victimisation against those who raise concerns.

Whistleblowing refers to the act of reporting or exposing unethical, illegal, or unsafe practices within an organisation. In the context of preventing sexual harassment, whistleblowing is a critical mechanism that empowers employees to speak out against inappropriate behaviour without fear of retaliation. It fosters a culture of transparency and accountability, ensuring that company policies are upheld and that a safe and respectful workplace is maintained for all employees.

Employees have the right to report any incidents of sexual harassment or related misconduct, whether they have witnessed it firsthand or have become aware of it through credible sources. This report can be made to designated personnel within the organisation, in accordance with established procedures outlined in this policy. Whistleblowers are not only entitled to confidentiality concerning their identity during the investigation process, but they are also protected from any reprisals or adverse actions that may arise from their decision to report.

Moreover, employees should feel assured that whistleblowing is an essential aspect of the organisation's commitment to promoting a safe work environment. Infringing upon an employee's right to report misconduct, or retaliating against them for doing so, is strictly prohibited and may result in disciplinary measures against the offending party.

15. Review and Monitoring

This policy will be reviewed biennially or as necessary in response to legislative changes, feedback or incidents reported. All employees will be encouraged to provide input to ensure that the policy remains effective and relevant.

16. Conclusion

BDAT is committed to fostering a safe and respectful environment for all staff. We take allegations of sexual harassment seriously and pledge to address them promptly and sensitively.

Appendix 1 - Acknowledgment of Report

Dear [Employee's Name],

Thank you for bringing your concerns to our attention, relating to sexual harassment. We take such matters very seriously, and I want to assure you that we are committed to addressing your complaint with the utmost care and confidentiality.

We have received your report, and the next step in our process will be to assign an investigating officer who will reach out to you shortly. This officer is trained to handle these situations sensitively and confidentially, and, will work with you to gather more information about your experience. We want to ensure that you feel safe and supported throughout this process.

During the investigation, we will schedule a confidential meeting with you to discuss your complaint in more detail. This will be an opportunity for you to share any additional information you feel is important. We will also talk about the support resources available to you, as your wellbeing is our priority.

If at any point during the investigation we identify anything in your report that may pose an immediate risk to your safety, we will implement necessary measures right away and discuss them with you to ensure your protection.

We strive to handle such matters as quickly and effectively as possible, and we will keep you informed every step of the way. If you have any immediate concerns or require support, please do not hesitate to reach out.

Thank you once again for your courage in coming forward. We are here to support you and will work diligently to resolve this matter.

Yours Sincerely,

[Your Name]

[Your Job Title]

[Your Contact Information] [Company Name]

Appendix 2 – Sexual Harassment Reporting Form

Confidential Reporting Form (For Internal Use Only)

REPORTING PERSON INFORMATION	
Name	
Position	
Email address	
Phone number	
Preferred contact method	
INCIDENT DETAILS	
Date of incident	
Time of incident	
Location of incident (e.g. office, social media, messages)	
INDIVIDUALS INVOLVED	
Name of alleged harasser(s)	
Witnesses (if any)	
INCIDENT SUMMARY	
Summary of incident (attach additional pages if required)	
PREVIOUS ACTIONS TAKEN	
Details of any previous actions taken or reports made	
ADDITIONAL INFORMATION	

Any additional information to provide at this stage	
DECLARATION	
Signature	
Date	

By submitting this form, you acknowledge that the details provided in this report are true and accurate to the best of your knowledge. You understand that this report will be handled with sensitivity and confidentiality.

Thank you for your courage in reporting this incident. Your safety and well-being are our priority.

In compliance with GDPR, your personal data will be treated confidentially and stored securely. The information collected in this form will be used solely for the purpose of investigating the reported incident. Data will be retained in accordance with our data retention policy and deleted after the conclusion of the investigation unless further retention is required by law. You have the right to access, correct, or request deletion of your personal information at any time.

Please hand this form in a sealed envelope to the designated person detailed in table 1 or member of the senior leadership team in a sealed envelope marked "Confidential."