



Chelsea Academy Foundation

Anti-Bullying and Harassment Policy

Dated 8 October 2024

The Chelsea Academy Foundation (the “Foundation”) is a charitable unincorporated organisation, registered with the UK Charity Commission (no. 1120784). Its purposes are to support such charitable purpose or purposes which promote the advancement of the education of the students at Chelsea Academy (the “Academy”), including the provision of scholarships, bursaries and the funding of capital projects connected to the Academy.

The Foundation is committed to ensuring that all who interact with the Foundation are be treated with dignity and respect. Bullying and harassment of any kind will not be tolerated, including bullying or harassment of trustees and other Foundation volunteers.

Who Does This Policy Apply to?

This policy applies to all members of the Foundation community, including Foundation trustees, volunteers and Academy staff and governors, who are either directly, or indirectly involved in the Foundation’s activities, or from time to time take part in any other charitable, development or engagement activities of the Foundation.

What are Bullying and Harassment?

Harassment, in general terms is unwanted conduct affecting the dignity of individuals, where actions or comments are viewed as demeaning and unacceptable to the recipient.

It may be related to age, gender, race, disability, religion, belief, sexuality, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident.

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Bullying or harassment may be by an individual against an individual or involve groups of people. It may be face to face, in written communications (including electronic), or phone conversations. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Examples of bullying/harassing behaviour include:

- spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of race, sex, age, disability, sexual orientation and religion or belief);
- copying memos that are critical about someone to others who do not need to know;
- ridiculing or demeaning someone - picking on them or setting them up to fail;
- exclusion or victimisation;
- unfair treatment;
- overbearing supervision or other misuse of power or position;
- unwelcome sexual advances - touching, standing too close, the display of offensive materials;
- making threats about volunteer role/job security without basis;
- deliberately undermining a competent worker by overloading and constant criticism.

Legitimate, constructive and fair criticism of a Foundation community member's performance or behaviour related to their involvement in Foundation's activities is not bullying.

Procedures

Complaints of bullying and/or harassment, or information relating to such complaints, should be made to the Chairman of the Foundation or the Principal of the Academy, who in turn will report such complaint to the Chairman of the Foundation. Such complaints will be dealt with fairly, confidentially and sensitively by the Foundation. Bullying or harassment is a serious issue and will be treated as such. Due to the confidential nature of bullying or harassment complaints, all parties should use their best efforts to protect the confidentiality of all parties involved.

Investigation and Action by the Foundation

Complaints will be taken seriously and investigated promptly, objectively and confidentially by the Foundation. To ensure independent and thoughtful review, the Chairman will decide whether they'll manage the complaint themselves, or seek to add or delegate to another trustee to manage the complaint. If the Chairman and the trustees are unable to investigate the complaint for any reason (including a conflict of interest), the complaint should be passed onto an independent party, who may be a member of staff of the Academy, provided that such party is approved by the Chairman and the Principal of the Academy.

As part of the investigation, the Foundation will take the following steps:

- Investigate. Speak directly with the complainant for further information and evidence. If this is not possible, the Chairman will use other reasonable means to investigate the complaint and may discuss this with the Principal of the

Academy. It may be necessary to speak to others involved, consider relevant paperwork, review of communications/correspondence and computer records and take other measures to investigate. The goal is to establish whether the complaint has merit and, if so, what remedial action is necessary.

- Determine whether a Serious Incident Report should be made to the Charity Commission. The Foundation may have an obligation to report complaints to the Charity Commission through a Serious Incident Report. Proven instances of bullying and harassment require reporting. If a complaint has merit, it may require reporting. Certain allegations in themselves regardless of the outcome of the investigation, when serious enough, may also need to be reported. The timing of the report will depend on circumstances, but could be when the complaint is received, or at the end of investigation.
- Consider what information should be shared with the complainant and the full Board of Trustees following investigation. Complaints that are dealt with under this policy are of a confidential nature and must be treated as such. There is no right for the complainant or a witness in the investigation to see the investigation notes, evidence or witness statements from the investigation. The extent of disclosure to any party, including the complainant and individual Foundation trustees will depend upon the nature and sensitivity of the complaint and the rights of those involved to preserve their confidentiality. The people informed of such complaints will be limited to ensure that confidentiality is maintained.

The Foundation reserves the right to seek legal counsel regarding any such complaints. Decisions can then be made as to what action needs to be taken.

If appropriate, the matter will be dealt with informally; sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease. More serious cases of bullying or harassment may result in the termination of the relationship of the individual with the Foundation. The complainant's role with the Foundation will not be changed unless they ask for it to be.

Counselling and Mediation

Counselling or mediation may be considered, particularly where investigation shows no cause for disciplinary action, or where it may be useful to help resolve the issue or help support the person accused as well as the complainant.

Unfounded allegations

All complaints will be taken seriously, but frivolous or vexatious complaints or any repeat complaints which have already been responded to will not be accepted. If someone lodges a complaint that is unfounded or a mistake, that person will not be disciplined for doing so unless such unfounded allegation of bullying and/or harassment was made for malicious reasons or in bad faith (without an honest belief in its truth). The case will then be investigated and dealt with fairly and objectively.

False claims can be extremely distressing to the person who is wrongly accused of bullying or harassment and can be a form of harassment in themselves if such claims are taken out for malicious purposes or repeated by the complainant.

Complaints

The Foundation takes seriously any complaints and will ensure that any complaints received will be treated as such and handled with respect. If you have a concern or complaint under this policy, please contact the Chairman at Megan.Ouchterloney@chelsea-academy.org or the Principal of Chelsea Academy at principal@chelsea-academy.org.