



DPN HARASSMENT AND ANTI-BULLYING POLICY

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1 AIMS AND OBJECTIVES

1.1 DPN has a working Equal Opportunities Policy and opposes all forms of unlawful and unfair discrimination and harassment.

1.2 The aims of this policy are to prevent any forms of harassment, bullying or victimisation at DPN. If it does occur, the policy aims to take appropriate and effective action to prevent any recurrence.

1.3 This policy aims to address all forms of harassment within the organisation. This covers all DPN members and clients, i.e. students, staff members and Board members.

1.4 The specific objectives of this policy are:

(a) To ensure that all members of the DPN community are aware of the types of behaviour which constitute harassment / bullying.

(b) To ensure all members of the DPN community understand that harassment / bullying is unacceptable, will not be tolerated and that appropriate measures will be taken.

(c) Promote a climate within the organisation where a member of the community feels confident in bringing forward complaints of harassment / bullying without fear of victimisation or recrimination.

(d) Ensure that allegations of harassment / bullying are responded to quickly, positively and in confidence.

2 DEFINITIONS

2.1 Harassment / bullying may consist of unwanted conduct, which has the purpose or effect of violating an individual’s dignity or creating an intimidating,

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hostile, degrading, humiliating or offensive environment for that individual, either as a single act or series of offensive actions directed (at any individual or group on grounds of their age, disability, gender reassignment, race, religion or belief, sex or sexual orientation). Management bullying is also a recognised form of harassment.

2.2 Whilst harassment / bullying often involves repeated acts of offensive behaviour, a single incident will also, if sufficiently serious, constitute harassment / bullying under this policy. It is a criminal offence to commit intentional harassment / bullying. This occurs if a person ‘with intent to cause a person harassment, alarm or distress’:

i) Uses threatening, abusive or insulting language or behaviour or disorderly behaviour, or,

ii) Display any writing, sign or other visible representation which is threatening, abusive or insulting, thereby causing that or another person harassment, alarm or distress. The Equality Act covers all acts of harassment and could result in up to 6 months imprisonment or a fine of up to £5,000 or both.

2.3 Sexual Harassment

Sexual harassment is, “conduct of a sexual nature, or other conduct based on sex, affecting the dignity of women and men at work,” which constitutes an intolerable violation of the dignity of workers and is unacceptable if:

a) Such conduct is unwanted, unreasonable and offensive to the recipient

b) A person’s rejection of or submission to such conduct on the part of employers (including supervisors or colleagues) is used explicitly or implicitly as a basis for a decision which affects that person’s access to vocational training, access to employment, continued employment, promotion, salary or any other employment decisions.

Sexual harassment includes activities such as:

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- Unnecessary and unwelcome physical contact
- Suggestive and unwelcome comments or gestures
- Unwelcome or derogatory remarks regarding the sexual orientation or preference of an individual or group
- Display of suggestive or pornographic pictures at the workplace
- Criminal acts such as indecent exposure or sexual assault

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of harassment.

2.4 Racial harassment

Racial harassment can be sustained or offensive behaviour, physical or verbal, or it can be a single incident.

Racial harassment may be defined as a hostile or offensive act or expression.

Such behaviour includes:

- Insults and racist jokes
- Ridicule of an individual for cultural differences
- Exclusion from normal workplace conversation or social events
- Unfair allocation of work and responsibilities
- Racist graffiti or insignia
- Verbal abuse and threats

- Physical attack
- Derogatory name calling

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of harassment.

2.5 Other forms of harassment / bullying

Other forms of harassment, e.g. towards people with disabilities, or towards people on the grounds of age, sexual orientation, etc. have common characteristics with sexual and racial harassment, in that they may be:

- Personally directed or non specific
- Verbal, physical, written or in the form of insinuations
- Jokes or ridicule
- Refusals to co-operate with others
- Bullying, either physical or verbal
- Display, storage or circulation of offensive material (including information held on computer)
- Excessive and unnecessary criticism of the performance of work tasks

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of harassment / bullying.

2.6 Discussion of a legitimate educational nature, for example on religion, may make a person feel threatened or uneasy but need not constitute

harassment. The same may apply to other areas and professional judgement is required on the legitimacy of such a discussion.

2.7 The characteristics of harassment / bullying shown above are that behaviour is unwanted by the recipient and it is for each individual to determine what behaviour is acceptable to them and what they regard as offensive.

2.8 Harassment / bullying is not dependent on an intention to cause distress or hurt but is assessed by the impact the behaviour has on the recipient.

3 LEGAL FRAMEWORK

3.1 DPN recognises that any person who has suffered harassment / bullying may be able to seek remedies through criminal or civil law. This policy is not an attempt to restrict anyone's legal rights, but a means of providing additional support and assistance.

The DPN Board have a specific responsibility to implement and update this policy and lead by example.

3.2 Harassment can be a criminal offence.

3.3 Failure to deal effectively with incidents of harassment may be covered by these Acts.

3.4 The perpetrator's actions may be covered by these Acts.

3.5 Other considerations that will be taken into account are:

- The Stephen Lawrence Enquiry Report Recommendations – numbers 67, 68 and 69 also form part of the rationale for this policy. Recommendation number 68 is that the Board will have to create and implement strategies to prevent and address racism, to including recording and reporting of racist incidents.

4 PROCEDURE FOR DEALING WITH HARASSMENT / BULLYING

RESPONDING TO HARASSMENT / BULLYING : OPTION FOR INFORMAL ACTION

4.1 Sexual, racial and other forms of harassment or bullying are breaches of DPN’s disciplinary rules for employed and contracted staff and such behaviour may be liable to disciplinary action. If the complainant is a student or member then they must report the incident direct to the Managing Director who will deal with it in a similar process to that described below for employees.

4.2 Where breaches occur DPN seeks always to encourage a return to acceptable behaviour. This objective will frequently be shared by the complainant who will usually only want the offending behaviour to stop.

4.3 If employees consider that they have been subjected to harassment or bullying and want the matter to be dealt with informally outside the disciplinary procedure, DPN whilst reserving the right to institute disciplinary proceedings if it considers it appropriate, will place a high regard on the views and wishes of the employee. Conversely, no pressure will be placed on employees to use informal methods if they do not consider it appropriate.

4.4 If the employee feels confident, an immediate response to an isolated instance of unacceptable behaviour, making it clear that it is unwelcome, will often achieve the desired result. Similarly, colleagues who witness such behaviour may wish to raise their concerns with the person they consider to have behaved unreasonably.

4.5 In some situations, however, the behaviour may be more subtle and its effect cumulative. In such circumstances, employees are advised to keep a note of the details and dates of any incidents that have caused them distress.

4.6 Employees who wish to try and resolve a problem informally may seek support from a colleague, or manager in raising their complaint with the individual concerned.

4.7 Employees who are approached by a colleague complaining of unacceptable behaviour are urged not to dismiss their concerns out of hand. Differences of attitude or culture and the misrepresentation of social signals can mean that what is seen as harassment by one person may not seem so to another. Employees are urged to recognise that, regardless of intent, their behaviour may have caused offence and that an apology with a change of behaviour on their part is an appropriate response if someone says that they have genuinely been offended.

4.8 Employees should keep a note of the date and of any witnesses if they raise an informal complaint of unacceptable behaviour. If the behaviour does not abate, such notes may be relevant to any subsequent disciplinary proceedings.

5 RESPONDING TO HARASSMENT / BULLYING: OPTION FOR FORMAL ACTION

5.1 If informal methods of addressing the problem are not successful, or employees experience what they consider to be harassment or bullying feel that the matter is too serious for informal redress, or the manager considers that the matter is serious enough, allegations of harassment / bullying will be dealt with under DPN's disciplinary procedure.

5.2 A complaint in a harassment / bullying case dealt with under the disciplinary procedure is in the unique position of being both a complainant and a witness. This can be an especially stressful experience. They may, therefore, be accompanied by a friend to give them support whilst giving evidence to as disciplinary hearing, although the or friend will not be permitted to speak at the hearing.

5.3 Depending on the seriousness of the alleged offence, instances of harassment will be dealt with at the appropriate level of the disciplinary procedure, up to an including gross misconduct for the most serious offences.

5.4 As with all disciplinary matters, the managers investigating and hearing the case will pay proper regard to any organisational factors which may have contributed to the situation and identify any remedial or follow-up action which may be necessary.

6 RESPONSIBILITIES FOR IMPLEMENTATION

6.1 DPN Board and Managing Director

The DPN Board through the Managing Director has a specific responsibility to implement and update this policy and to lead by example.

6.2 Students, Staff and other members of DPN's community

Students and staff have a role to play in creating a climate within DPN in which harassment / bullying is unacceptable.

6.3 All members of the DPN, as defined above, should contribute to developing awareness towards the issue by preventing and stopping harassment / bullying within DPN by:

- Ensuring that their conduct does not in any way contribute to incidents of harassment / bullying or does not cause offence or distress to others
- Questioning unacceptable behaviour within DPN
- Informing the appropriate persons of any incidents of harassment/bullying
- Not colluding with any inappropriate behaviour but to discourage harassment/bullying by indicating their disapproval of such behaviour
- Co-operate fully in any investigation undertaken by DPN which may include participating in any formal hearing as a witness

6.4 All staff have a responsibility to lead by example, to ensure that others understand what sort of behaviour is unacceptable and to ensure that the

environment is free from the expression of attitudes that may justify or lead to harassment/bullying.

6.5 Staff with responsibility for guests to DPN's have a responsibility to ensure that their behaviour does not cause offence and to raise the issue with them if their behaviour is not acceptable.

7 VICTIMISATION

7.1 DPN will not tolerate the victimisation of staff who complain of harassment/bullying and any such instances will be treated with particular severity.