

Bullying and Harassment Policy



The Spark Group

Purpose

The Spark Group is fully committed to providing a safe, respectful, and inclusive environment for all employees, learners, contractors and visitors.

We operate a **zero-tolerance approach** to all forms of bullying, harassment, discrimination, or victimisation and will take prompt, fair and appropriate action where concerns are raised.

Everyone has the right to work, learn and participate in our activities free from intimidation, abuse or unfair treatment.

The Spark Group recognises its legal duty to take reasonable steps to prevent sexual harassment and other unlawful harassment. We are committed to promoting a culture where inappropriate behaviour is challenged early and everyone feels safe, valued and respected.

Scope

This policy applies to:

- All employees;
- All sub-contractors;
- All contractors;
- All volunteers;
- All learners;
- All activities on-site, online (including email, social media, learning platforms), off-site events, trips, placements or anywhere associated with The Spark Group

Definitions

Bullying

Bullying is repeated or persistent behaviour that is offensive, intimidating, malicious or insulting and is intended, or has the effect of, undermining, humiliating or harming another person.

Bullying may be verbal, physical, psychological or online.

Examples include, but are not limited to:

- Verbal abuse, insults or offensive jokes;
- Shouting or aggressive behaviour;
- Physical intimidation or threats;
- Deliberately excluding someone;
- Spreading rumours or malicious gossip;
- Cyberbullying through emails, messages or social media;

- Misuse of authority or position;
- Excessive or unjustified criticism;
- Deliberately withholding information needed for someone to carry out their role;
- Setting unrealistic expectations with the intention of causing someone to fail

Harassment

Harassment is unwanted conduct related to a protected characteristic, including:

- Age;
- Disability;
- Gender reassignment;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex; or
- Sexual orientation

Harassment has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Examples include:

- Offensive comments or jokes;
- Displaying offensive images or material;
- Unwanted physical contact;
- Unwanted sexual comments or attention;
- Mimicking or ridiculing someone because of a protected characteristic;
- Offensive online communications;
- Any behaviour that causes another person to feel intimidated, humiliated or threatened

What is Not Bullying?

Not all disagreements, differences of opinion or appropriate actions taken to support learning, employment or maintain standards of behaviour constitute bullying or harassment.

Examples include:

- Giving constructive feedback or guidance to help someone improve;
- Addressing concerns about behaviour, attendance, performance or conduct in a fair and respectful way;
- Setting reasonable expectations and standards;
- Managing performance or capability appropriately;
- Applying organisational policies and procedures fairly and consistently;
- Making reasonable decisions about workloads, responsibilities, learning activities or programme requirements;
- Resolving conflicts or disagreements respectfully;
- Taking disciplinary, behaviour management or safeguarding action where this is appropriate and carried out fairly

Everyone will not always agree with decisions or feedback they receive. However, where these are communicated respectfully, applied fairly and are intended to support individuals or maintain appropriate standards, they will not normally be regarded as bullying or harassment.

Our Commitment

The Spark Group will:

- Promote a culture of dignity, respect and inclusion;
- Take reasonable steps to prevent bullying, harassment and sexual harassment;
- Ensure everyone understands the standards of behaviour expected;
- Provide appropriate training and awareness for employees and learners;
- Encourage individuals to speak up if they experience or witness unacceptable behaviour;
- Take all concerns seriously and investigate them fairly;
- Protect individuals from victimisation for raising concerns in good faith

Reporting Concerns

Anyone who experiences or witnesses bullying or harassment should report it as soon as possible.

Concerns can be reported to:

- A line manager;
- A member of the Senior Leadership Team;
- A tutor (for learners);
- The Designated Safeguarding Lead;

If a concern involves your usual point of contact, or you do not feel comfortable reporting it to them, you should report it to another manager, the Designated Safeguarding Lead or a member of the Senior Leadership Team.

Concerns may be raised verbally or in writing.

If a concern involves the Designated Safeguarding Lead (DSL) or a member of the Senior Leadership Team, please report it directly to the Investor Board Members.

Informal Resolution

Where appropriate, concerns may be resolved informally through discussion, mediation or facilitated conversations.

Informal resolution will only be used where appropriate and with the agreement of those involved.

Serious allegations or concerns involving safeguarding will always be managed through the appropriate formal procedures.

Investigation Process

All concerns will be taken seriously, handled fairly and confidentially, and investigated without unnecessary delay.

We will acknowledge concerns promptly and aim to begin the investigation within five working days.

Both parties will have an opportunity to explain their account.

Following the investigation, all parties will be informed of the outcome, subject to confidentiality requirements.

Safeguarding

Where bullying or harassment involves a learner, raises safeguarding concerns or indicates that someone may be at risk of harm, the matter will immediately be referred to the Designated Safeguarding Lead and managed in accordance with the Safeguarding and Prevent Policy. Where concerns involve allegations of abuse against staff or volunteers, these will be managed in accordance with our Safeguarding and Prevent Policy, which includes notification to the Local Authority Designated Officer (LADO) where statutory criteria are met.

Where appropriate, concerns may also be referred to external agencies.

Confidentiality

All reports will be handled sensitively.

Information will only be shared with those who need to know in order to investigate concerns, safeguard individuals or fulfil legal responsibilities.

Absolute confidentiality cannot always be guaranteed where safeguarding or legal obligations require information to be shared.

Support

The Spark Group recognises that bullying and harassment can have a significant impact on wellbeing. Appropriate support may include:

- Wellbeing support;
- Regular welfare meetings;
- Reasonable adjustments where appropriate;
- Safeguarding support;
- Referral to external support organisations where appropriate

We will also take steps to ensure individuals are protected from victimisation after reporting concerns.

Malicious Complaints

The Spark Group encourages individuals to report concerns honestly and in good faith. No action will be taken against anyone who raises a genuine concern that is not subsequently upheld.

However, deliberately false or malicious allegations made with the intention of causing harm may be treated as misconduct for employees or managed under the (Learner) Behaviour and Code of Conduct Policy.

Disciplinary Action

Bullying, harassment, discrimination, victimisation or sexual harassment are unacceptable.

Employees who engage in such behaviour may be subject to disciplinary action, up to and including dismissal.

Learners may be subject to action under the (Learner) Behaviour and Code of Conduct Policy, which may include removal from learning activities where appropriate.

Where concerns involve contractors, visitors, employers or third parties, The Spark Group may take appropriate action, including ending working relationships or restricting access to our premises or activities.

Record Keeping

Appropriate records of complaints, investigations, actions and outcomes will be maintained securely in accordance with our Data Protection Policy and data protection legislation.

Review

This policy will be reviewed annually, or sooner where there are changes in legislation, statutory guidance or organisational requirements.

The review will ensure the policy continues to promote a safe, respectful and inclusive environment for everyone connected with The Spark Group.

Approval

This policy has been approved by The Spark Group's Senior Leadership Team.

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