

Hadrian Park Primary School

Updated February 2026

To be reviewed February 2027

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Statement of intent

Hadrian Park Primary School is committed to providing a work environment that is free of harassment, bullying and intimidation, and ensuring that all employees are treated with dignity and respect at work.

The school understands that harassment at work can have a profound, long-lasting and damaging impact on both workers and employers and it therefore believes that no form of harassment can ever be justified.

The school has a zero-tolerance approach towards conduct amounting to harassment or sexual harassment, whether intended or not. Those found to be in breach of these procedures may be subject to disciplinary action, up to, and including, summary dismissal.

The school is fully aware of its duties and responsibilities under the Worker Protection (Amendment of Equality Act 2010) Act 2023, including the legal obligation to prevent sexual harassment of workers.

This policy therefore aims to:

- Change workplace behaviours and eradicate harassment in the workplace.
- Protect staff against harassment and transform workplace culture.
- Inform staff of their responsibilities regarding their behaviour and conduct.
- Outline the procedures to be taken when responding to incidents of harassment.
- Promote a climate where employees feel able to raise complaints without fear of victimisation.
- Ensure that all allegations are responded to promptly, fairly and sensitively.

1. Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Equality Act 2010
- Protection from Harassment Act 1997
- Health and Safety at Work etc. Act 1974
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Worker Protection (Amendment of Equality Act 2010) Act 2023
- ACAS (2024) 'Sexual harassment'
- EHRC (2024) 'Sexual harassment and harassment at work: technical guidance'

This policy operates in conjunction with the following school policies:

- Allegations of Abuse Against Staff Policy
- Equality Information and Objectives Policy
- Data Protection Policy
- Disciplinary Policy and Procedure
- Grievance Policy
- Records Management Policy
- Whistleblowing Policy
- Staff Code of Conduct
- Staff Wellbeing Policy
- Staff Equality, Diversity and Inclusion Policy
- Staff Bullying and Harassment Policy

2. Definitions

The Equality Act (2010) makes three types of harassment unlawful. These are:

- Harassment related to a 'relevant protected characteristic'.
- Sexual harassment.
- Less favourable treatment of a worker because they submit to, or reject, sexual harassment or harassment related to sex or gender reassignment.

For the purposes of this policy the following definitions and explanations will be used when discussing any issues relating to harassment:

Harassment arises when a worker is subject to unwanted conduct that has the purpose or the effect of:

- Violating the worker's dignity.
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for that worker.
- Treating the worker less favourably because they submitted to or rejected the unwanted conduct.

Conduct that has one of these effects can be harassment even if the effect was not intended.

Sexual harassment occurs when a worker is subjected to unwanted conduct that is of a sexual nature. The conduct need not be sexually motivated, only sexual in nature.

'Unwanted' is defined as unwanted by the worker and is taken to mean the same as 'unwelcome' or 'uninvited' from the worker's subjective point of view. Unwanted conduct covers a wide range of behaviours and can include the following:

- Spoken words
- Written words
- Banter
- Posts or contact on social media
- Imagery
- Graffiti
- Physical gestures
- Facial expressions
- Mimicry
- Jokes or pranks
- Acts affecting a person's surroundings
- Aggression
- Physical behaviour towards a person or their property

Conduct 'of a sexual nature' includes a wide range of behaviour, such as the following:

- Sexual comments or jokes
- Displaying sexually graphic pictures, posters or photographs
- Suggestive looks, staring or leering
- Propositions and sexual advances
- Making promises in return for sexual favours
- Sexual gestures
- Intrusive questions about a person's private or sex life or a person discussing their own sex life
- Sexual posts or contact on social media
- Spreading sexual rumours about a person

- Sending sexually explicit emails or text messages
- Unwelcome touching, hugging, massaging or kissing

An individual can experience unwanted conduct from someone of the same or a different sex.

Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted; however, sexual conduct that has been welcomed in the past can become unwanted.

Victimisation is when an individual is treated less favourably as a result of being involved with a discrimination or harassment complaint. It is the act of treating a worker, or former worker, badly by subjecting them to a detriment because they have done, or are going to do, a protected act, e.g. making a complaint of harassment. It is against the law to victimise someone for making a sexual harassment complaint.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

3. Scope

In its efforts to promote equality and prevent sexual harassment, the school is aware that, within its workforce, there is likely to be a range of attitudes about what conduct is considered to be offensive, humiliating, intimidating, hostile, or degrading. What one or more workers might see as harmless fun or 'banter', others may find unacceptable.

The school is aware that a worker complaining about conduct may be considered by others to be overly sensitive; however, any conduct that has the effect of violating a worker's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them will be considered to be harassment, whether or not the conduct was intended or unintended.

The Equality Act protects the following people against sexual harassment at work:

- Employees and workers
- Contractors and self-employed people hired to personally do the work
- Job applicants

The school is aware that it is liable for acts of harassment in the following circumstances:

- Where acts are committed by one worker against another of its workers
- Where acts are committed by one of its workers against a job applicant or former worker

- Where acts are committed by an agent acting on their behalf against one of its workers
- Where a failure to deal with harassment of one of its workers by a third party, or by another worker outside of employment, amounts to direct or indirect discrimination, or a breach of other legal obligations.

This policy will therefore apply to all employees of the school, including all agency staff, consultants, contractors and volunteers working with or for the school.

All governors will be expected to conduct themselves in a way that is consistent with both the provisions of their code of conduct and with this policy.

The school will investigate and take appropriate action where there are incidents of sexual harassment or victimisation committed:

- In a work situation.
- During any situation related to work such as at a social event with colleagues.
- Against a colleague or other person connected to the employer outside of a work situation, including on social media.
- Against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

4. Roles and responsibilities

The governing board will be responsible for:

- Ensuring this policy is implemented and reviewing this policy and grievance procedure.
- Ensuring adequate resources are available to promote appropriate behaviour and deal effectively with any issues raised.
- Promptly responding to any complaints and offering guidance to the headteacher.
- Establishing an appeals committee for the governing board, who are responsible for effectively dealing with any appeals from staff.
- Taking the necessary action against members of staff following an investigation into serious allegations of misconduct.
- Ensuring that records are kept of harassment complaints, whether formal or informal and that such a record complies with GDPR standards.

The headteacher will be responsible for:

- Explaining this policy to all employees, ensuring they are aware of how to implement the procedures.
- Setting a good example to other staff by promoting a respectful attitude.
- Liaising with the governing body in maintaining a proactive approach to preventing harassment from occurring in the school by identifying and mitigating signs of harassment.
- Being responsive and open to employees who make allegations of bullying or harassment.
- Ensuring that appropriate reporting channels are in place for complainants to make complaints in a safe and secure manner.
- Providing staff involved in a complaint with any support and guidance required.
- Providing timely and constructive resolutions to address any issues raised.
- Being alert to unacceptable behaviour amongst staff members.
- Ensuring that staff involved in a complaint, or instances of bullying or harassment, are supported in line with the Staff Wellbeing Policy.
- Ensuring that staff are educated about sexual harassment and what actions constitute and amount to this type of behaviour.

All staff will be responsible for:

- Ensuring that their behaviour is in line with this policy.
- Conducting themselves in a professional manner at all times.
- Creating an inclusive environment which is free from bullying and harassment.
- Following the correct complaints procedure and dealing with issues in a respectful manner.
- Supporting fellow colleagues who are suffering from harassment or bullying.
- Appropriately intervening to stop bullying and harassment.
- Informing the headteacher of any behaviour they believe is unacceptable in the workplace.
- Attempting to address and resolve any concerns at the earliest convenience.
- Maintaining all necessary confidentiality regarding allegations and appeals.
- Assisting with any investigation into a complaint of harassment or bullying.
- Adhering to the Staff Code of Conduct at all times.
- Understanding what sexual harassment is, what to do if an incident happens and how complaints will be dealt with.

5. The preventative duty

The school is aware of its positive legal duty in taking reasonable steps to prevent sexual harassment of its workers, i.e. the preventative duty. It understands that this duty is an anticipatory duty which is designed to transform workplace cultures. The school will

therefore not wait until a complaint of sexual harassment has been raised before it takes any action.

Through the implementation of its policies and procedures the school will endeavor to anticipate scenarios when its workers may be subject to sexual harassment in the course of employment and take action to prevent such harassment taking place.

Where sexual harassment has taken place, the school will fulfil its obligations under the preventative duty to take action to stop it from happening again.

The school is aware that the preventative duty also requires the school to take reasonable steps to prevent sexual harassment of workers by third parties, such as clients and customers.

In undertaking its duty to prevent sexual harassment of its workers the school will:

- Consider the risks of sexual harassment occurring in the course of employment.
- Consider what steps it could take to reduce those risks and prevent sexual harassment of workers.
- Consider which of those steps it would be reasonable to take.
- Implement those reasonable steps.

Although the school is aware that the preventative duty only applies to sexual harassment and does not cover harassment related to a protected characteristic or to less favourable treatment for rejecting or submitting to unwanted conduct, it understands that these types of harassment are unlawful and will also take steps to prevent these types of harassment at work.

6. Preventing harassment: assessing risks relating to harassment

The school will make an assessment of risks relating to harassment, sexual harassment and victimisation which identify the risks and control measures.

Factors that the school may consider when conducting risk assessments will include, but are not limited to the following:

- Power imbalances
- Job insecurity, such as the use of zero hours contracts, agency staff or contractors
- Lone working and night working
- Out of hours working
- The presence of alcohol
- Customer-facing duties

- Particular events that raise tensions locally or nationally
- Lack of diversity in the workforce, especially at a senior level
- Workers being placed on secondment
- Travel to different work locations
- Working from home
- Attendance at events outside of the usual working environment, e.g. training, conferences or work-related social events
- Socialising outside work
- Social media contact between workers
- The workforce demographic, e.g. the risk of sexual harassment may be higher in a predominantly male workforce

The school is aware that there are certain factors that may increase the risk of sexual harassment, and it will consider these factors when thinking about how it can comply with the preventative duty. These factors may include, a variety of issues, e.g. workplace culture and working conditions.

7. Training

The school will ensure that staff are provided with suitable training that addresses each of the three types of harassment along with training on victimisation.

Training will ensure that workers know:

- What is deemed as acceptable behaviour.
- What each of the three types of harassment involves and what victimisation is.
- How to recognise harassment and what to do if they experience or witness it.
- How to handle complaints of harassment.
- How to address harassment from third parties, e.g. parents, visitors, contractors

Staff with supervisory or management responsibilities will receive additional guidance on the following:

- What to do when they receive a report or complaint of harassment
- Investigating complaints
- Taking disciplinary action
- Supporting workers

The school will keep records of who has received the training and ensure that it is refreshed **annually**.

The school will ensure that there are workers who are trained in providing support to individuals who have experienced harassment through the process of making a complaint.

This training will include the particular sensitive issues involved in different forms of harassment related to different protected characteristics.

8. Responding to harassment

All staff will be encouraged to raise a concern wherever they have witnessed or experienced sexual harassment as soon as possible; however, if a complaint is made a long time after something happened it will still take it seriously.

In all instances the school will deal with complaints promptly, efficiently and sensitively.

What someone should do if they experience or witness sexual harassment

Staff can choose to either raise a problem informally or formally i.e. by raising a grievance via following the school's grievance policy.

Complainants will be made aware that there may be instances which might be too serious to deal with informally.

The school will ensure that there are multiple reporting channels for staff who wish to report harassment. This is to ensure that individuals are not required to report an incident to the perpetrator or someone who they may feel will not be objective.

Staff can report sexual harassment complaints to:

- Their line manager.
- A member of the SLT.
- An identified member of staff who is specially trained to deal with sexual harassment complaints.
- Their trade union representative, if they are a member.
- A member of human resources.

When reporting a concern, the school will not expect a complainant to complete any particular administrative form; staff can report concerns in any way they prefer, whether verbally or in writing.

Staff will, however, be encouraged to make a note of what has happened, including dates, times, names, and the details of any witnesses. This can be especially helpful if anybody finds talking about the experience distressing.

The school will ensure that no person is victimised in any way for having made a sexual harassment complaint. All those involved in a complaint will be informed that doing so is against the law and that appropriate action will be taken where necessary.

Supply and agency workers

Where supply and agency workers are employed, the agency and the school will divide responsibilities in relation to handling complaints of harassment and victimisation between them and confirm these arrangements in writing.

In most circumstances the school will investigate any complaint relating to harassment or victimisation of agency workers that has occurred during the course of the agency providing their services; however, there may be exceptions to this. For example, different arrangements may be made in circumstances where the complaint is made by an agency worker against another worker from the same agency.

Where complaints involve agency workers the school will not simply end its engagement of the agency to avoid investigating the issue properly.

9. Informal solutions

Staff will be informed that they can raise an issue informally if they prefer to do so; however, the school will ensure that they do not feel that the onus is on them to resolve an issue personally.

Where a complaint is raised informally, those it is raised with will fully engage in resolving the issue and provide guidance on how to do so.

The school will provide staff with guidance on how to raise the issue directly with the harasser if that is their preferred method, they feel able to and it is appropriate to do so. This may involve the complainant speaking to the harasser directly to explain how their conduct has made them feel and why they would like it to stop; however, complainants will be informed that there is no pressure on them to take this approach.

Where a complainant does not feel able to resolve an issue directly the school will provide the appropriate support or enlist support from an appropriate third party to resolve their complaint.

The school will direct the complainant towards someone who is equipped to help them resolve their complaint, such as the following:

- Their line manager.
- A member of the SLT.
- An identified member of staff who is specially trained to deal with sexual harassment complaints.
- Their trade union representative, if they're a member.
- A member of human resources.

Whoever the person of choice is for the complaint, the school will expect that individual to listen to the complainant and work out how best they can help them to resolve the issue informally and in a way with which the complainant is most comfortable having considered the different options. This may include:

- Providing the complainant with advice on how to approach the issue directly with the alleged harasser.
- Supporting the complainant in raising the issue with the alleged harasser by accompanying them in any discussion or helping them to set out their thoughts in writing.
- Raising the matter informally with the alleged perpetrator on the complainant's behalf.
- Arranging mediation by a trained mediator between the complainant and the alleged harasser.
- Helping to obtain advice on how best to resolve the issue
- Sourcing assistance to address the complaint from other sources, either internally such as from human resources, or externally, from sources such as ACAS.
- Helping to obtain advice and assistance in dealing with issues relating to protected characteristics, e.g. from specialist charities with expertise relating to a particular disability.
- Helping to obtain counselling or support for the individual.

The school recognises that an informal solution may not be appropriate or may not work in some cases, e.g. in more serious cases, or in cases where the alleged harasser is unlikely to accept that they have done anything wrong. In these situations, the school will inform complainants that they can make the matter formal at any stage if they wish to do so.

10. Formal solutions

When dealing with a formal complaint of sexual harassment the school will:

- Follow the procedures outlined in the Grievance Policy and any other related policies.
- Ensure that all procedures and practices are based on accepted good practice guidelines for dealing with discipline and grievances at work and conducting workplace investigations, e.g. from ACAS.

When dealing with formal complaints the school will adhere to the following principles and practices:

- Complainants will be able to raise an act of harassment or victimisation with someone other than the alleged harasser. Where possible, this will be someone more senior than the alleged harasser.
- Roles and responsibilities during the process will be clearly defined, ensuring the following:
    - Independence and objectivity will be prioritised at each stage of the process.
    - Different people at escalating levels of seniority will conduct the investigation, formal hearing and appeal hearing phases, wherever possible.
    - Individuals who have been involved in the issue will not be appointed to carry out these roles.
    - People from different parts of their organisations will be appointed, where possible.
    - People with no or less knowledge of the situation or people involved will be appointed to ensure objectivity.
    - Appointments will be made according to the particular sensitivities of the case, e.g. Appointing a female investigator in cases of sexual assault.

Where it is felt appropriate, the school will consider appointing an external investigator.

When dealing with complaints, the school will:

- Adhere to the target timescales for each stage of the process as set out within the Grievance Policy.
- Communicate timescales and procedures to the complainant.
- Provide the complainant with regular updates on progress and, when expected timescales are not met, give the worker a clear explanation as to why.
- Inform the complainant and alleged harasser of their statutory right to be accompanied to formal grievance hearings by a trade union representative or colleague.
- Consider extending this right to be accompanied by a colleague or trade union representative to other meetings such as investigation meetings where reasonable.

The school will extend the right to be accompanied in order to comply with certain legal obligations. For example, the school will allow a worker to be accompanied by another person if that would be necessary:

- To comply with the duty to make reasonable adjustments for a disabled worker.
- If not extending the right to help a worker overcome a language barrier would amount to discrimination.

- To maintain trust and confidence between the employer and employee, e.g. if a vulnerable employee needs emotional support and this cannot be provided by a trade union representative or colleague.

The school will ensure that investigators have appropriate expertise to conduct an investigation and that they have access to appropriate advice, taking into account the nature of the particular complaint to be handled.

In the course of their enquiries, investigators will clearly identify the facts that they need to establish, the questions they will need to ask and the evidence they will need to obtain.

Investigators will avoid inappropriate lines of questioning, e.g. it would not be appropriate to ask a person who complains of sexual harassment about their sexual history.

11. Requests by workers not to take further action

If a worker raises a complaint with the employer but asks them not to take the matter any further, the school will still take steps to ensure that the matter is resolved. This may involve, for example:

- Keeping a record of the complaint and the worker's request to keep the matter confidential.
- Ensuring records of complaints are kept securely and comply with GDPR.
- Encouraging the worker to address the issue informally, either directly themselves or with support.
- Providing the worker with any necessary support and guidance on how to address the issue informally.
- Keeping the situation under review by checking in with the worker to find out if the situation has improved.
- Explaining to the worker that it is necessary to address the issue both for their well-being and that of their colleagues where the situation has not improved.

Where possible, the school will respect the wishes of the complainant to take no further action, as not doing so could compound any harm caused by the original conduct.

The school is aware that there may be circumstances where it is necessary to override a complainant's wishes to take no further action, such as those cases where the harassment is so serious that that there is an immediate risk to the safety of the complainant, their colleagues or anyone else that the harasser may come into contact with, or in cases where criminal behaviour has taken place.

When assessing these risks, the appointed individuals will ask the following questions:

- Have they considered and exhausted all other possible options such as those already referred to in this guidance?
- What will the impact be of overriding the complainant's wishes on them?
- What are the potential risks to the complainant, the complainant's colleagues and to other third parties if the school does not take further action?
- Have other complaints been made against the same person?
- What is the likelihood of the matter being resolved by the complainant without intervention by the school?

If, having assessed the risks, the school decides that it must take formal action then it will explain its decision to the complainant and ensure that it has put in place appropriate safeguards to prevent further harassment or victimisation of them.

The school will also discuss with the complainant support and counselling services available for them to deal with any impact the decision may have.

12. Criminal behaviour

There are some acts of harassment that may also amount to a criminal offence. If an individual makes a complaint of harassment that may amount to a criminal offence, the school will raise the possibility of reporting the matter to the police with the complainant and provide them with the necessary support if they choose to do so.

The school will respect the wishes of the person who initially made the complaint if they do not want the matter to be taken any further; however, the school will take any criminal action deemed necessary if it believes that the safety of people involved may become compromised if the matter is not reported to the police.

In certain circumstances, however, an incident should be reported to the police. The employer should weigh up the risk of reporting the matter to the police contrary to the complainant's wishes, against any risk to the safety of the complainant, the complainant's colleagues and third parties if the matter is not reported to the police.

In cases where the police are involved, the school will:

- Discuss its disciplinary process with the police.
- Not assume that it cannot take any action to investigate the matter until police enquiries or any subsequent prosecution have concluded.
- Check with the police that it can carry out its own investigation without prejudicing any criminal process.

- Consider whether it would be reasonable to continue with an investigation immediately, rather than to await the outcome of the criminal process, where safe to do so.

If police investigations do not result in a conviction, the school will proceed with its own disciplinary action where there are reasonable grounds to conclude that a disciplinary offence has been committed.

13. Preventing further harassment

The school will take further necessary preventative steps to ensure the safety of the complainant once a formal complaint of harassment is made. These include:

- Ensuring the complainant is not subjected to further acts of harassment.
- Ensuring the complainant is not victimised for having made a complaint.
- Any potential adverse impact on the complainant or others is minimised.
- Ensuring there is no interference with the ongoing investigation.

The school will determine whether it is appropriate to limit contact between the complainant and the alleged harasser. This may include reassigning the alleged harasser to a separate part of the school, or even suspending the alleged harasser on full pay if it is decided the alleged harasser's continued presence in the school is a risk.

The school will also ensure that both the complainant and the alleged harasser are given access to appropriate levels of support.

14. Reporting outcomes

The school will ensure that the outcome of the complaint will be as appropriately transparent as possible. Both the complainant and the accused will be made fully aware of the further steps the school will take. The complainant will be told what action has been taken to address the situation if the complaint is upheld.

The school will consider on a case-by-case basis each of the grounds on which data can be processed lawfully under Article 6 of the GDPR (and Article 9, where special category data is involved) and what measures it can put in place to ensure that disclosure is proportionate. The school will also record its decision as to whether the outcome can be disclosed or not and its reasons for that decision.

Whatever outcome is reached regarding the situation, the school will continue to ensure that both the complainant and the accused continue to receive appropriate support.

If the complaint is upheld but the harasser is not dismissed, then the school will determine an appropriate course of disciplinary action involving the harasser. If the complaint is upheld and the harasser dismissed, the school will take into account any post-employment issues that may arise.

As part of the support given to the complainant, the school will ensure that the complainant can be successfully integrated back into normal working life.

15. Support for employees

The school is committed to supporting all members of staff and will ensure that additional support is provided as requested.

Staff involved in an investigation will not suffer any form of retaliation or victimisation as a result of the investigation.

If a staff member feels that they have been mistreated, or that they are being subjected to any detrimental treatment as a result of raising a concern under this policy, they should report this to the headteacher immediately.

Where the headteacher is accused of unacceptable behaviour and an informal approach to the situation has failed, the employee will refer the issue directly to the governing board, in order to follow the formal procedure.

Any employee found to have retaliated to or victimised someone involved in an investigation will be subject to disciplinary action, in accordance with the school's Disciplinary Policy and Procedure.

Guidance and advice will be offered for dealing with incidents, both formally and informally, such as through regular staff training. Trade unions and other representatives will be contacted when proceeding to the formal stage of a solution. Adequate resources will be available to staff members such as union information and counselling services.

The governing board will receive guidance from the chair of the governing board concerning any action that needs to be taken.

16. Legal action

If staff members feel that there is no action being taken to prevent mistreatment, they have the right to take legal action.

Where the acts of behaviour are unlawful under the Equality Act 2010, employees may make a claim to an employment tribunal.

In situations regarding sexual harassment, the Employment Tribunal must then consider if, and to what extent, the employer has complied with the Worker Protection Act in preventing the harassment from occurring.

Staff members must have tried to resolve the problem within the school before taking a claim to an employment tribunal, as well as kept a record of any evidence to be considered for the claim.

17. Collective complaints

If several employees are experiencing bullying or harassment from the same source, and wish to lodge a complaint as a group, they will be required to submit individual statements about their experience of the behaviour that is being complained about.

If each of the complaints is raised as a formal grievance, and as long as the issue is of a similar nature in each case, they will be dealt with in one hearing through the school's grievance procedures.

Outcomes of collective complaints will be advised to each individual on a personal basis.

18. Confidentiality and data protection

Any individual subject to this policy, whether making a complaint or involved in the investigation process, is responsible for conducting the high level of confidentiality that is required. The school will ensure that the complaint is kept confidential, whether it is a formal or informal one.

Details of the investigation and the name of the person making the complaint, as well as the individual accused, will only be disclosed on a 'need-to-know' basis.

Information about a complaint, either by or about an employee, may be placed on the employee's personnel file, along with a record of the outcome, and of any notes or other documents compiled during the process.

The school will only use confidentiality agreements where it is lawful and will not use them to prevent staff from whistleblowing or reporting a criminal offence.

In accordance with the Records Management Policy, information about a complaint will be retained on the employee's personal file for **six** years following the termination of employment and securely disposed of.

Any breach of confidentiality may lead to disciplinary action, in accordance with the school's Disciplinary Policy and Procedure.

19. Monitoring and review

The headteacher and governing board will review this policy on an **annual** basis, making any necessary changes.

All members of staff will be informed of any changes made to this policy.