The British School

**TBS Anti-Harassment Policy**

The British School Kathmandu (TBS) is committed to equal opportunities and to providing an environment in which all staff, students and visitors (such as parents, governors, contractors or staff from other schools) are treated with dignity and respect; and in which they can work and study free from any type of discrimination, harassment, or victimisation.

All members of TBS are responsible for upholding this policy and should act in accordance in the course of their day-to-day work or study, ensuring an environment in which the dignity of other staff, students, and visitors is respected. Offensive behaviour will not be tolerated.

TBS is committed to making all staff, students and visitors aware of this policy and the accompanying guidance and to provide effective guidance and briefing on it so that it is fully understood by all. The policy and guidance will be brought to the attention of all staff, students, visitors and is available on the school website. The policy forms a part of every employment, and student contract, or relationship, or contract for services. TBS encourages a culture of non-tolerance of any form of harassment. This culture includes setting a good personal example, making it clear that harassment will not be tolerated, being familiar with, explaining, and offering guidance on this policy and the consequences of breaching it, investigating reports of harassment, taking corrective action if appropriate, and ensuring that victimisation does not occur as a result of a complaint.

**Definition of Harassment**

Harassment is unwanted conduct on the grounds of sex, marital status, gender reassignment, race, disability, religion/belief, sexual orientation or age that violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment. Acts of harassment may be unlawful. Harassment on grounds of sex, race, religion, disability, sexual orientation or age may amount to unlawful discrimination. Harassment may also breach other legislation and may in some circumstances be a criminal offence in Nepal. The other person’s motives are not the main factor in deciding if behaviour amounts to harassment. Just because certain behaviour may be acceptable to the alleged harasser or another person does not mean it is not harassment. Being under the influence of alcohol or otherwise intoxicated will not be admitted as an excuse for harassment, and may be regarded as an aggravating feature.

Sexual harassment is a form of sex discrimination. Direct and indirect sex discrimination is unlawful under the Sex Discrimination Act 1975 and as the law has been amended under the Equality Act 2010. Sexual harassment has been characterised as ‘a particularly degrading and unacceptable form of treatment’, and, as well as being unlawful, a victim may bring legal proceedings. If the conduct amounts to assault it may also constitute a criminal offence. All those to whom this Policy
apply are under a duty not to engage in sexual harassment. Complaints that sexual harassment has occurred will be taken seriously by TBS, and where appropriate may result in disciplinary proceedings. Reasonable and proper management instructions administered in a fair and proper way, or reasonable and proper review of a member of staff’s or a student’s work and/or performance will not constitute harassment. Behaviour will not amount to harassment if the conduct complained of could not reasonably be perceived as offensive.

Summary of features of harassment

❖ In summary, examples of behaviour that may constitute harassment are:
❖ verbal or physical threats; • open hostility;
❖ suggestive comments or body language; offensive gestures, language, rumours, gossip, jokes
❖ publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive pictures or other materials;
❖ insulting, abusive, embarrassing or patronising behaviour or comments;
❖ isolation or exclusion from normal work or study place, conversations, or social events;
❖ humiliating, intimidating, demeaning and/or persistent criticism;
❖ unwanted physical contact, ranging from an invasion of space to a serious assault.

(The above list is not intended to be exhaustive.)

Advice to individuals who may be suffering from one or more forms of harassment

Individuals may be unsure whether certain behaviour amounts to harassment. The first step may be to discuss the matter in confidence with a friend or colleague. Members of staff may want to discuss the matter with line-managers, HR Manager or colleagues. Students may want to discuss the matter with teachers or school staff. Cases of harassment should be brought to the attention of the Principal and/or HR Manager who will liaise with the Board of Governor’s HR committee. Depending on the case, the Staff Disciplinary Policy (for school staff) and the TBS Positive Behaviour Policy (adults, children and students) will be followed.

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