



# **Dignity at Work Policy**

Person responsible for policy: HR Director

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## **Introduction**

1. This policy is based on the Oxfordshire model policy which has been drawn up following consultation with Headteacher groups and the recognised trade unions and associations: ASCL, ATL, NAHT, NASUWT, National Education Union (ATL & NUT sections) and Unison.
2. Further advice and support on the application of the policy is available from the HR Team.
3. This policy applies to all employees working across the Trust. It also applies to all members of the relevant body.
4. The word 'school' should be taken to refer to the academy and/or the Trust.
5. The term 'relevant body' has been used throughout this policy and is used for the Trust Board and the Local Governing Bodies of schools.

## **Policy Statement**

6. The relevant body and the Headteachers are committed to providing a safe, healthy and productive work environment free from discrimination, harassment, bullying and victimisation.
7. School managers are committed to ensuring that everyone is treated with dignity and respect and:
  - encouraged to meet their full potential
  - treated without favouritism
  - spoken to with courtesy
  - accorded due professional trust
  - recognised for their achievements
  - consulted about any changes in their role
  - given adequate time and resources for the successful discharge of their duties
  - provided with appropriate training and development opportunities
  - accorded respect for their individual privacy
8. It is the responsibility of all employees and members of the relevant body to maintain appropriate standards of behaviour and to ensure they support a positive working environment. All employees and members of the relevant body must:
  - treat colleagues with dignity and respect
  - be aware of the effect that their own behaviour can have on others
  - dress appropriately for the workplace
  - support colleagues if they experience bullying, harassment or singling out
  - challenge inappropriate behaviour and report any incident to a

manager

- set a positive example to others
  - consider their language and attitudes and refrain from making personal comments to or about others
  - co-operate with any investigation undertaken by the school into allegations of bullying and harassment
9. This policy provides a framework to help prevent bullying and harassment and explains the procedure that should be followed when incidents occur.
  10. The policy applies to everyone working for the school including agency or supply staff. It applies whether employees are working on school premises or at other locations and also covers work-related social events.
  11. All complaints of bullying and harassment will be taken seriously and handled sensitively and discretely. Managers will take prompt action to investigate and respond to allegations. Where bullying or harassment is found to have taken place, disciplinary action may be taken which could result in dismissal.
  12. No employee will suffer detriment for raising a concern in good faith, or for assisting a colleague to do so. Victimisation (defined in Section 27 of the Equality Act 2010) takes place where one person treats another less favourably because he or she has asserted their legal rights in line with the Act or helped someone else to do so.
  13. Everyone should be able to work without the fear of mischievous or malicious allegations and anyone found to be making a deliberately false or vexatious complaint may be subject to disciplinary action.

## **The law and definitions of bullying and harassment**

14. Bullying and harassment are terms used interchangeably and cover a range of behaviours that undermine the right of others to be treated with dignity.
15. **Harassment** is: *'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'*. Source: Equality Act 2010.
16. It is against the law to discriminate against anyone because of - age; disability; race; religion and belief; gender reassignment; sex; sexual orientation; marriage or civil partnerships or maternity
17. Sexual harassment is also unlawful under the Equality Act 2010.
18. There is also legal protection against harassment on the basis of an individual's membership or non-membership of a trade union.
19. **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'. Source: Advisory, Conciliation and Arbitration Service (ACAS)*

20. Both the school and individual employees can be held liable for unlawful discriminatory harassment or bullying.

## **Behaviours that could be regarded as bullying and harassment**

21. Bullying and harassment is not always verbal or face to face, but can involve written communications or visual images, such as pictures of a sexual nature or embarrassing photographs sent by text, instant messaging, email or social media.
22. Bullying and harassment may involve single or repeated incidents, ranging from extreme forms of intimidating behaviour, such as physical violence, to more subtle forms such as ignoring someone. It can often occur without witnesses.
23. Employees should be familiar with the school's Social Media policy when posting messages and material that could be open to wider publication and circulation e.g. using Facebook, Twitter.
24. Examples of unacceptable behaviour include:
  - personal insults that are discriminatory (particularly on the grounds of age; disability; race; religion and belief; gender reassignment; sex; sexual orientation; marriage or civil partnerships or maternity)
  - physical aggression or intimidation
  - practical jokes which embarrass or humiliate
  - verbal abuse, including personal insults, inappropriate stereotyping, offensive comments, taunts, threats, malicious gossip or innuendo
  - abuse of an individual's right to personal privacy, for example, intrusion into another employee's personal property or into their private life (this may also be a breach of the Data Protection Act 1998)
  - deliberate isolation or non-cooperation and exclusion from normal social or professional contact in the workplace
  - unwelcome sexual advances – assault, touching, standing too close, the display of offensive materials, making decisions on the basis of sexual advances being accepted or rejected
  - personal intrusion from pestering, spying and stalking.

*This list is not exhaustive.*

## **Legitimate management actions**

25. School leadership and managers at times are required to make decisions that affect employees' jobs and ways of working and to speak to employees about their

performance and expected standards. This does not constitute bullying and harassment. However, managers must carry out these functions fairly, consistently and in a professional manner.

26. In order to carry out their role it is necessary for managers to:
- issue instructions to employees
  - set work-related objectives and monitor achievement
  - set standards of workplace performance and monitor compliance with these
  - address poor performance or unacceptable behaviour

## **Unacceptable behaviour by managers**

27. The following are examples of unacceptable behaviour by managers, over and above those already mentioned in paragraph 24:
- Humiliation (eg reprimanding an employee in front of others)
  - singling out an employee (eg for unjustified criticism)
  - Intimidation (eg aggressive behaviour or threats directed at an employee)
  - persistently placing excessive demands on employees, setting unrealistic work targets or objectives and/or changing targets or objectives without good reason
  - asking employees to perform inappropriate tasks which are outside the remit of the job
  - preventing individuals progressing by intentionally blocking promotion or training opportunities
  - making threats or comments about job security without foundation

## **Responsibilities of managers**

28. It is the responsibility of all managers to behave in accordance with this policy and set an example to others.
29. Managers must make sure employees are aware of this policy and the workplace they are responsible for is one where employees feel able to talk to them about problems or concerns; where everyone is treated with dignity and respect and where any form of bullying or harassment is not tolerated.
30. Managers must prevent harassment and bullying wherever possible and take immediate action once it is identified. Where managers receive a report of

unacceptable behaviour or observe it at first-hand they have a responsibility to take immediate steps to address the matter, whether or not a formal complaint has been made.

31. Managers must also:
- provide a good example of appropriate behaviour

- be alert to the possibility of bullying or harassment
  - act promptly to correct behaviour which could cause offence or be seen to contravene this policy
  - make sure all new employees are aware of expected standards of behaviour and remind employees at regular intervals
  - record any incidents of harassment or bullying and the outcomes of any action or investigations
  - treat all cases of harassment or bullying sensitively and with appropriate confidentiality.
32. Due to the serious effects of bullying and harassment, managers may need to continue with an investigation or disciplinary process even when an allegation is withdrawn by an employee or the employee declines to make a formal complaint.

### **How to deal with bullying and harassment – informal approach**

33. Sometimes people make genuine mistakes or might not be aware their behaviour is unwelcome or offensive. If you feel able to, speak to the person concerned at the time of the incident, explain clearly that you find their behaviour offensive or unwelcome, and ask for it to stop.
34. It can be helpful to keep a diary of all incidents, a record of dates and times and the name of any witnesses.
35. Letting the person know their behaviour is unwelcome or offensive, will give them the opportunity to stop.

### **Who else can you speak to?**

36. If you find it difficult to approach the person directly, you should talk the matter through with your manager, or with:
- another manager in the school
  - a trade union representative
  - the Employee Assistance Programme or Occupational Health Service
- If you are not sure who to speak to, you can contact the Trust's HR team.

### **Mediation**

37. Mediation is an effective way of resolving disputes and helps avoid matters escalating and the need for formal procedures. Mediation can be used at any stage and can address a range of issues including relationship and communication breakdown.
38. Mediators do not make judgments or determine outcomes - they ask questions that help uncover underlying problems, assist the parties to understand each

other's point of view and help them look at options for resolving their dispute.

39. Contact the Trust HR Director to find out more about mediation.

### **Making a formal complaint of bullying or harassment**

40. If it is not possible to resolve matters informally, or if you believe the situation is so serious as to warrant formal action, you can make a formal complaint using the formal grievance procedure.
41. You are advised to speak to your manager or trade union representative about raising a complaint of bullying formally.

### **Confidentiality**

42. Complaints must be treated confidentially and not discussed with anyone who is not involved in the procedures. Confidentiality must be maintained by all parties. No-one must be victimised as a result of making a complaint or being subject to a complaint of bullying or harassment.

### **Bullying or harassment by trade union officials or representatives**

43. Trade unions recognised by the school take bullying and harassment seriously. An employee who is being bullied or harassed by a trade union official should bring this to the attention of an appropriate union officer or notify their manager or Headteacher.

### **Bullying or harassment by members of the public**

44. If an employee experiences offensive or unwelcome behaviour from a member of the public they should speak to their manager. See [guidance on responding to assaults](#) and the school's [Violence to school employees policy](#) if the incident involves verbal abuse, threatening or physical behaviour by a member of the public.

### **Disciplinary Procedure**

45. Where bullying or harassment is found to have taken place, disciplinary action may be taken, the outcome of which may include dismissal.

### **Support for employees**

46. Allegations of bullying and harassment can be upsetting and stressful for all parties and managers have a responsibility for making sure all individuals involved are offered appropriate support. This can be provided by offering additional one to one meetings or by assigning a key contact for the employee.

The Employee Assistance Programme is also available for employees  
[www.employeeassistance.org.uk](http://www.employeeassistance.org.uk) provides links to a variety of additional useful



sources of practical help and advice and also gives you another way of getting in touch with the service. Access Code is: River. The Employee Assistance Helpline can be contacted 24 hours a day, 7 days a week. Telephone: 0800 328 1437

47. Employees who are members of a trade union may wish to contact their representative for support.

## **Equality Monitoring & Accessibility**

48. If any aspect of this procedure causes difficulty on account of any disability that you may have, or if you need assistance because English is not your first language, you should raise this with your manager.
49. In introducing this policy an impact assessment has been undertaken to take account of the Equality Act 2010.

## **Other Sources of Information and advice**

Further advice and support is available from:

- Trust HR team
- Employee Assistance Programme (see para 46 above)
- Advisory, Conciliation and Arbitration Service [www.acas.org.uk](http://www.acas.org.uk) Tel: 08457 474747
- Equality and Human Rights Commission  
<https://www.equalityhumanrights.com/en>