



DIGNITY AT WORK POLICY

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1. Policy statement

- 1.1 The Reach South Academy Trust values all of its employees and is committed to providing a safe, healthy and productive work environment, free from harassment, bullying, intimidation and victimisation.
- 1.2 Behaviours which could be interpreted as harassment, victimisation or bullying will not be tolerated and will be investigated using the Trust grievance procedure and, where appropriate, may lead to action being taken in accordance with the disciplinary procedure (see list of related policies at the end of this document).
- 1.3 All complaints of harassment, bullying and victimisation will be taken seriously and handled sensitively and discreetly by the Trust.

2. Personnel responsible for implementing the policy

- 2.1 The Board has overall responsibility for the effective operation of this policy, but has delegated day-to-day responsibility for its operation to the Chief Executive Officer (CEO) and the Director of Human Resources.
- 2.2 Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks also lies with the CEO and the Director of Human Resources.
- 2.3 All managers have a specific responsibility for operating within the boundaries of this policy, ensuring that all staff understand the standards of behaviour expected of them and taking action when behaviour falls below its requirements.
- 2.4 All staff are responsible for the success of this policy and should ensure that they take the time to read and understand it.

3. Eligibility

- 3.1 All people who work for the Trust, for example non-school, staff contractors, volunteers, agency staff as well as job applicants, and ex-employees are to be protected from harassment. This is both at work and outside of work, for example at a work related function. The harassment can be from a work colleague but also from a visitor or client of the school such as a parent or carer.
- 3.2 Because of the nature of harassment, bullying and victimisation, employees may potentially not always wish to talk to their direct line manager or the Headteacher/Deputy or Trust Director.
- 3.3 An employee whom is being bullied may wish to confide in a colleague, or hand in their resignation. Therefore, indicators such as change in behaviour or a deterioration in performance at work should be looked out for, and addressed early on in order to address any potential concerns around bullying, harassment and victimisation. It is incumbent on the Trust to be proactive in tackling harassment or bullying behaviours to avoid all of the negative consequences.

4. Entitlement

- 4.1 The Trust has a duty in law to ensure that the workplace is free from discrimination, bullying, harassment and victimisation. It is liable for the discriminatory acts of its employees in the course of their employment, whether or not they are carried out with the knowledge or approval of the Trust, unless it can be shown that all reasonable steps were taken to prevent employees carrying out unlawful discrimination.
- 4.2 Harassment and victimisation of an employee may be carried out by a third party. The employer must take reasonably practicable steps to prevent the third party from harassing the victim where they know or ought to know that harassment is occurring.
- 4.4 All employees and non-school staff are duty bound to comply with this policy and help the Trust to comply with their legal duties. They must co-operate to keep the workplace free of attitudes or behaviours which may cause offence to others, to assist the Trust in dealing with cases of harassment or bullying by giving evidence in investigations or hearings, and generally to take reasonable care of their own health and safety and that of their colleagues.
- 4.5 An employee should be made aware that if they are accused of bullying and/or harassment and advised that allegations will be investigated under the Trust disciplinary policy. In the event that such allegations are upheld this may result in a formal disciplinary sanction including dismissal without notice for gross misconduct.
- 4.6 Harassment and victimisation on the grounds of 'protected characteristics' of individuals (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation) is prohibited in equality law. Sexual harassment and disability harassment is extended to cover harassment of someone associated with the claimant, or harassment witnessed by the claimant, or harassment because of the claimant's association with a person who has one of the protected characteristics.
- 4.7 Protection from harassment is legislated for under the Protection from Harassment Act 1997, the Equality act 2010 and several other acts including the Public Order Act 1986 (as amended) which make intentional harassment a criminal act. Any Trust employee or non-school staff member may be able to pursue criminal charges against an alleged harasser through a court of law in these circumstances.
- 4.8 There is also legal protection against harassment on the basis of an individual's membership or non-membership of a trade union.

5. Definitions

- 5.1 **Harassment** is defined in the Equality Act 2010 as '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' .
- 5.2 **Harassment** can also be defined as an unwanted pattern of behaviour that can leave an individual feeling intimidated, scared, annoyed and/or humiliated. This can take many forms such as: rude gestures, touching, following or watching.

- 5.3 **Bullying** is defined by ACAS as offensive, intimidating, malicious or insulting behaviour; an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
- 5.4 **Victimisation** for example, can be defined as being treated unfairly due to an individual making or supported a complaint which relates to a 'protected characteristic'.
- 5.5 ACAS sets out the following examples of such behaviours:
- spreading malicious rumours, or insulting someone (particularly on the grounds of race, sex, disability, sexual orientation and religion or belief);
 - copying correspondence that are critical about someone to others who do not need to know;
 - ridiculing or demeaning someone—picking on them or setting them up to fail;
 - exclusion or victimisation;
 - unfair treatment;
 - overbearing supervision or other misuse of power or position;
 - unwelcome sexual advances - touching, standing too close, display of offensive materials;
 - making threats or comments about job security without foundation;
 - deliberately undermining a competent worker by overloading and constant criticism;
 - preventing an individual from progressing by intentionally blocking promotion or training opportunities.
- 5.6 Bullying, harassment and victimisation 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.
- 5.7 Bullying, harassment and victimisation 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.
- 5.8 Employees should be familiar with the Trust's Social Media Policy when posting messages and material that could be open to wider publication and circulation e.g. using Facebook, Instagram, Snapchat, Tiktok, Twitter or WhatsApp.
- 5.9 There may be a series of trivial acts, but another bullying action may be the "final straw". ACAS does stress that behaviour that is considered bullying by one person may merely be considered firm management by another.
- 5.10 It must be recognised that it is how the recipient perceives such behaviour, not the intent of the person accused of the bullying or harassment that is important in determining whether it has occurred. The examples should be used in communications with employees to help increase the understanding of the nature, effect and causes of harassment.
- 5.11 Other forms of harassment or bullying may include:
- practical jokes which embarrass or humiliate;
 - deliberate exclusion or isolation of others, whether professionally or socially; and
 - physical aggression or intimidation;

- 5.12 The ACAS guide on bullying and harassment is a good reference point and all Trust academies/departments are advised to have a copy available for use in management and awareness training.

The ACAS leaflet can be downloaded [here](#).

- 5.13 If an employee experiences offensive or unwelcome behaviour from a member of the public in relation to work, they should speak to their manager or HR and if they are a member of a Trade Union they may wish to seek advice from the trade union representative.

See the Trust's Grievance Policy for further details.

6. Accountability

- 6.1 All staff are responsible for treating stakeholders in line with this policy and should be aware of their duties when conducting themselves professionally.
- 6.2 Headteachers and Deputy Headteacher's hold delegated responsibility for discharging the sound application of all Trust policies within the relevant Academy. The CEO and Trust Directors have delegated responsibility for direct line management of Headteachers and day to day oversight of each Academy.

7. Procedures

- 7.1 Allegations of bullying, harassment and victimisation should be dealt with using the Trust's grievance procedure. Initially claims of harassment should, when possible, be resolved using an informal approach (**refer to section 8**). This can not only be a quicker approach, but can avoid adversarial relationships building and remaining. If the informal approach does not work, or the person raising the grievance does not want to use this route, then the formal approach will be the next step (**refer to section 9**).
- 7.2 The procedure should remain confidential and all people involved or interviewed should be asked to respect the confidential nature of a complaint of bullying or harassment.

8. Informal procedure

- 8.1 The recipient should, as a first step, tell the person who is causing the problem that the behaviour in question is unwanted and/or offensive to them and ask for it to stop. This could be done verbally or in writing. This will hopefully achieve the result that the victim wants, and the person who is accused of the harassment may not have realised that their actions were causing an issue/offence, and may stop immediately.
- 8.2 If the employee finds it difficult or embarrassing to raise the issue directly with the person creating the problem, they should, whenever possible, ask their immediate line manager, trade union representative or another colleague for help. Alternatively, they could ask another manager or member of the senior leadership team to support them at this stage, particularly if the complaint is about the alleged behaviour of their immediate line manager, or another manager.

- 8.3 The employee should keep a record of incidents, noting the date, time, nature of the incident, the names of those involved and any witnesses. Such information will be vital if there is recourse to the formal procedure.

9. Formal procedure

- 9.1 The Grievance procedure is a formal way for an employee to raise a problem or a complaint to the Trust around the bullying and harassment behaviours of a colleague(s).

- 9.2 An employee can raise a grievance if:

- they feel raising it informally has not worked;
- they do not want it dealt with informally;
- it's a very serious issue, for example sexual harassment or whistleblowing;

Please refer to the Trust's Grievance Policy and the Trust Whistleblowing Policy for further details.

10. Training, communication and awareness

- 10.1 All managers and staff should receive training in recognising and tackling harassment and bullying behaviours. This should start at induction, be reinforced through briefings on the employment policies and procedures, and re-trained if a case of bullying or harassment arises in the Academy. Accurate records should be kept of all training undertaken in relation to the operation of this policy.
- 10.2 Further support for employees experiencing harassment or bullying can be obtained from an employee's trade union or the Trust's employment assistance programme.

11. Record keeping and review

- 11.1 Accurate records should be kept of all aspects of the operation of this policy, including equality monitoring and regular policy reviews carried out in consultation with the recognised trade unions.
- 11.2 This will ensure that relevant legal obligations are fulfilled, and that a pro-active and consistent approach to tackling harassment or bullying behaviour can be demonstrated in the event of a complaint to a tribunal or court of law of harassment.

12. Related documents

- Grievance Policy and Procedure
- Disciplinary Policy and Procedure
- Equality and Diversity Policy
- Social Media Policy
- Whistleblowing Policy

13. Review of policy

- 13.1 This policy is reviewed as required by the Trust in consultation with the recognised trade unions.

13.2 We will monitor the application and outcomes of this policy to ensure it is working effectively.

POLICY HISTORY

Policy Date	Summary of change	Contact	Implementation Date	Review Date
September 2020	Trade Union consultation	All Recognised Trade Unions	N/A	N/A
October 2020	New policy implemented	HR	October 2020	September 2023