



# **ILC**

## **Dignity at Work Policy**

## 1. Purpose

The School is committed to providing a workplace where all employees are treated with dignity. This policy outlines the expected behaviour of all employees and the School's approach to the management of concerns raised under this policy.

Discrimination, bullying, harassment and victimisation is not acceptable, will not be tolerated, and action will be taken. Appropriate management action may include formal action under the Disciplinary Policy.

In aspiring and striving to uphold these standards, the School is demonstrating its commitment to the pursuit of equality, inclusion and diversity.

Please note, all references to "the School" in this How to Guide and accompanying policy refer to the governors and management of the School. References to managers or management in this document may include a direct line manager, senior manager, Headteacher or Governing Body.

## 2. Scope

The policy and the how to guide apply to all employees:	<ul style="list-style-type: none"><li>• Teachers</li><li>• Support staff</li></ul>
The policy and the how to guide do not apply to:	<ul style="list-style-type: none"><li>• Volunteers</li><li>• Contractors</li><li>• Agency workers</li></ul>

Whilst volunteers, contractors and agency workers are excluded from this policy and how to guide, they should still be treated in line with the principles of this document.

Employees are actively encouraged to contact their professional association/ trade union representative at the earliest opportunity to obtain advice and support at any point during this procedure.

The School expects all parties to maintain confidentiality throughout the application of the policy.

### 3. How to use this Document

This document is not part of the formal Dignity at Work policy. It provides additional information to help with the practical day to day application of the policy.

It is expected that managers and employees will have an understanding of the Dignity at Work policy prior to using this guide.

This document provides guidance to employees and managers. Where the term 'you' is used, this refers to the manager

### 4. Check which Policy to use:

Type of Concern	Which policy to use
Treatment which falls below the expected standards of behaviour	Grievance Procedure if this has been reported to you.  Capability Policy or Disciplinary Policy dependent on the nature of the issue.
Workplace practices or the services provided by the School, such as alleged dishonest or illegal activities	Procedure for protected disclosures ("Whistleblowing")

### 5. Equality and Dignity at work

The School has a talented and diverse workforce and everyone has the right to expect to be treated with dignity and respect.

Discrimination, harassment, bullying and victimisation can have very serious consequences for individuals and the School. Such actions can make individuals feel unhappy, cause them stress and affect their health, family and social relationships. It may also affect their work performance and could cause them to leave their job. The effects on the School can include loss of morale, poor work performance, an increase in the turnover of staff and damage to the School's reputation.

The School will not tolerate discrimination, bullying, harassment or victimisation of any kind. All allegations of this nature will be investigated and, if appropriate, disciplinary action will be taken.

Employees who believe they have been subject to discrimination, or who believe they have witnessed discrimination in the workplace, should be able to feel confident in raising the matter with their manager or another appropriate manager and be assured it will be taken seriously.

Everyone is expected to challenge inappropriate behaviour.

All adults and children are expected to be treated with respect.

## 6. Policy Outcomes

The aims of the Dignity at Work policy are to:

- ensure the dignity at work of all employees
- ensure that standards of practice and behaviour are clearly defined
- prevent acts of discrimination, bullying, harassment, victimisation or any other negative or demeaning behavior
- manage issues of this nature promptly and effectively.

## 7. Key Definitions

**Associative discrimination** is direct discrimination against an individual because they associate with another individual who has a protected characteristic.

Associative discrimination does not apply to all protected characteristics. Marriage and civil partnership, and pregnancy and maternity are not covered by the legislation. Nor does it apply to instances of indirect discrimination (see below for definition).

**Bullying** is characterised as:

- persistent, offensive, intimidating, malicious or insulting behaviour
- an abuse or misuse of power through means intended to undermine, humiliate, degrade or injure the recipient.

**Cyberbullying** is the use of information and communication technologies (ICT), particularly mobile phones and the internet, to deliberately or repeatedly threaten, harass, humiliate, defame or impersonate (to assume the character or appearance of another individual fraudulently).

**Dignity at work** is a term used to describe how all employees are expected to be treated within the workplace. It includes expected behaviours of the organisation and the expectations of how individuals will behave towards each other. Dignity at work means valuing and respecting others, including their qualities and their differences. Dignity will mean different things to different people.

**Direct discrimination** is treating an individual less favourably than another individual because of a protected characteristic they have or are thought to have (see perceptive discrimination) or because they associate with someone who has a protected characteristic (see associative discrimination).

**Harassment** is unwanted conduct relating to a protected characteristic that has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the individual.

**Indirect discrimination** occurs when a condition, rule, policy or practice is applied to everyone but particularly disadvantages individuals who share a protected characteristic.

**Perceptive discrimination** is direct discrimination against an individual because others think they possess a protected characteristic. It applies even if the individual does not actually possess that characteristic, e.g. treating an individual less favourably because they are believed to be of a certain religion, even when they are not.

As with associative discrimination, perceptive discrimination does not apply to marriage and civil partnership, pregnancy or maternity.

**Personal pronoun** is a word used instead of a person, place, or thing, examples include: he, she, it, they. When a pronoun is used it often signals an assumption about gender, generally based on appearance. If someone says “I’d like you to use a different pronoun” the correct response is “what pronoun would you like me to use?”. You should then ask if they would like your support in sharing this with colleagues.

**Protected characteristics** are the nine groups protected under the Equality Act 2010. They are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

**Victimisation** occurs when an individual is treated less favourably than others because the individual has made or supported a complaint or allegation of discrimination, or raised a workplace issue/grievance under the Equality Act, or because they are suspected of doing so.

## **8. How to promote dignity at work**

The Dignity at Work policy defines the standards of behaviour the School expects of all employees.

Managers are pivotal in ensuring employees are aware of the standards of practice and behaviour expected of them, and to set a good example of appropriate behaviour in the workplace at all times.

Timely and effective management of issues raised under the Dignity at Work policy will help to ensure employees feel valued and able to perform their duties to their full potential.

If concerns are allowed to worsen and remain unresolved it may lead to the employee experiencing:

- reduced motivation and job satisfaction
- reduced efficiency and effectiveness
- sickness absence
- reduced involvement within the team
- low opinions of managers
- disappointment with the organisation
- feelings of depression and anxiety.

A specific type of complaint raised under the Dignity at Work policy may relate to discrimination, bullying, harassment or victimisation. Prevention of bullying and harassment is a key management activity. To avoid issues developing which could lead to an employee experiencing discrimination, bullying, harassment or victimisation, managers should;

- create good team environments
- hold regular team meetings to ensure teams feel included and informed
- hold regular 1:1 meetings with employees to give them the opportunity to raise issues if they need to, this could be part of a performance management conversation
- get to know team members as people as well as in a professional manner
- provide training on the Dignity at Work policy to ensure employees have a clear understanding of the expected standards of behaviour and what they can do if they feel they are being bullied or harassed or witness unacceptable standards of behaviour. This training should be included in staff induction
- conduct themselves in an appropriate way during the course of their work to ensure employees are able to follow a good example
- address any issues that are identified with employees not adhering to the expected standard of behaviour as soon as possible
- address any issues that employees raise as soon as possible and manage the process effectively.

Being proactive in recognising when employees may need to discuss something that is bothering them, having an open approach to talking things through and working together to resolve issues can prevent much dignity at work concerns from escalating.

Where a manager believes that an employee may be experiencing dignity at work concerns including discrimination, bullying, harassment or victimisation, or it is evident that an employee's standards of behaviour are below what is expected, the manager must approach them to discuss it at the earliest opportunity.

An employee who believes they are not being treated in line with expected standards of behaviour should, wherever possible, talk to the person who has demonstrated the inappropriate behaviour to alert them to the fact that they feel it is in conflict with this policy and how to guide and the impact it is having to see if this resolves issues. Employees are encouraged to raise matters of concern with their line manager or Headteacher as soon as possible. If the concern relates to the Headteacher and the

person feels unable to discuss the matter with another senior member of the school's staff (e.g. Deputy Headteacher, Line Manager) it may be appropriate for an employee to raise their concern with the Chair of Governors. The Dignity at Work policy does not contain a procedure for managing concerns that are raised, instead it signposts to the correct policy to apply dependent on the circumstances. Further guidance is provided in the section below 'How to manage a dignity at work concern'.

It is important that managers handle conversations with an employee who has raised a concern sensitively as the employee may find it difficult to talk about what has happened.

## **9. How to define unacceptable behaviour**

The Dignity at Work policy provides examples of the expected standards of behaviour. Behaviour that is considered as discriminatory, bullying, harassing or victimising in nature will vary from individual to individual. An important factor in considering the concern is the offensiveness to the recipient not just the intention of colleagues.

An employee may report cases of extreme threatening or intimidating behaviour directly to the Police. In such cases the employee must also notify their line manager, or Headteacher or relevant governor so that any internal processes do not impact on the criminal investigation.

All employees should be clear that some language and phrases can cause offence even if they have been made unintentionally or as a joke. Derogatory terms are unacceptable and can be discriminatory. It is important to keep in mind that the law considers how such words are perceived by those who hear them.

## **10. How to manage a dignity at work concern**

Dependent on the nature of the concern raised, a manager in conjunction with the Headteacher will need to decide the appropriate and proportionate action to take and which policy to apply.

It is important to be aware of potential bias and challenge yourself to mitigate the risk of any bias affecting decision making.

Consider if the issue has arisen or become more difficult to resolve due to cultural differences. Cultural differences can impact how people work, and how they interact at work as habits or behaviours can be different. It may be helpful to learn about some of the main cultural differences of employees in your team. It is also important to be clear on policies and procedures so everyone understands what behaviours are acceptable and what are unacceptable in the workplace.

If the concern relates to a general issue raised by an employee about the standards of behaviour they have witnessed or experienced, the manager must:

- use the Grievance procedure to manage the concern in the initial stages and to complete any further enquiries
- where it becomes clear that another policy needs to be used to manage the complaint, move to using that policy and explain this to the parties involved

Where a concern relates specifically to discrimination, bullying, harassment or victimisation, the manager must take the following actions:

- seek advice from Education Personnel Services as appropriate
- advise the employee who has raised the concern to keep/ provide record(s) of any incidents that have occurred or occur in the future, noting dates, times, circumstances and witnesses (if any)
- advise the employee to ask the individual(s) involved to stop whatever they are doing which is upsetting or unpleasant, as they may be unaware of their actions. Employees may want to do this with the support of a companion or can ask an appropriate manager to do this on their behalf
- ensure the employee advises their line manager (or Headteacher or Chair of Governors if their concerns are about their line manager) if the unacceptable behaviour continues
- signpost the employee to the Employee Support Service (if a contract is in place)
- if required, determine the most appropriate policy to apply to manage the issue effectively
- advise the employee to seek advice from their professional association/trade union.

If the concern relates specifically to cyberbullying, the manager must take the following actions;

- obtain evidence such as text, video messages, emails or screen prints of web pages as soon as possible. This may require the involvement of the employee who reported the concern
- once evidence has been obtained, contact the relevant internet site or social networking site to request immediate removal of the material. This must include ensuring the relevant pages are 'uncached' to ensure they do not continue to be visible and are not stored by search engines
- use the further enquiries or investigation process contained within the relevant procedure to establish the facts.

## **11. How to recognise bullying behaviour**

Bullying is characterised as persistent, offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, degrade or injure the recipient.

Bullying behaviour can include;



- shouting or screaming, either in public or in private
- instantaneous rages, often over trivial matters
- causing embarrassment in front of colleagues or public humiliation
- persistent unfounded criticism
- spreading of malicious rumours or insulting someone
- deliberately talking to a third party with the intention of isolating another
- freezing out, ignoring or excluding
- persecution through threats and the inspiration of fear
- groundless withdrawal of an office or work facility
- constantly undermining effort
- intentionally not listening to another point of view
- making wild accusations
- abuse of authority or power
- inappropriate and/or derogatory remarks about someone's performance
- making someone's working life unreasonably difficult, for example setting impossible targets or objectives
- incitement of others to do any of above.

The unseen features of bullying behaviour can include;

- unreasonable removal of areas of responsibility, inflicting menial tasks instead
- deliberately sabotaging or impeding the performance of work
- unreasonable refusal to delegate
- constantly changing targets or work guidelines
- unreasonable withholding of work related information or supplying incorrect information
- over monitoring of the employee without his or her knowledge
- deliberately interfering with mail and other communications
- setting an individual up to fail
- unreasonably blocking applications for leave, training or promotion
- unreasonable amendments to performance management reports
- attempts to instigate complaints to make an employee appear unreliable or incompetent
- knowingly destroying a relationship between other people.

## **12.How to recognise harassing behaviour**

Harassment is unwanted conduct relating to a protected characteristic that has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the individual.

Harassment can take many forms and may, for example, occur in a face-to-face setting, by telephone, or in written or electronic communications.

Harassment can be a single action or a series of incidents. It can be obvious or direct action, such as sexual or racial assault, or hidden behaviour such as ignoring or deliberately excluding someone.

Harassing behaviour can include;

- unwanted physical contact
- physical attacks or threats
- remarks about an individual's appearance
- telling offensive jokes (ageist, racist, sexist etc.)
- displaying offensive posters, graffiti, emblems
- isolation and non-cooperation, exclusion from social activities
- pressure for sexual or other favours or coercion to participate in political or religious groups
- intrusive behaviour such as staring, pestering or spying
- insults, name-calling and offensive language and gestures
- ridiculing and undermining behavior
- intimidating, coercive or threatening actions and behavior
- isolation, non-cooperation or deliberate exclusion
- perceived unnecessary or degrading references about an individual
- spreading rumours or gossip
- inciting others to commit harassment.

### **13. How to recognise cyber bullying**

Information and communication technologies (ICT) is a key part of everyday life. Cyberbullying cases may involve email, chat rooms, social networking sites, virtual learning environments, web sites, mobile and landline telephones, digital cameras and game and virtual world sites. Cyberbullying, by its nature will often happen outside of working hours and outside of work premises.

Cyberbullying differs from other forms of bullying as, by its very nature, it can take place at any time and in places previously seen as safe and private (e.g. in an individual's home). It can take place between employees, but can also involve abuse by current or former parents, carers, students, ex-employees or their families and people who wish to remain anonymous.

The profile of the individual being bullied and the bully may not rely on traditional power imbalances. For example, a cyberbully may not be older, physically stronger or hold a position of greater authority than the individual being bullied. Audiences can be large and reached rapidly. This means that the scale, scope and effects of cyberbullying can be much greater than other forms of bullying as electronic content can also 're-surface' at any time. This can increase the anxiety for the individual being bullied and make it more difficult for them to move on.

Examples of cyberbullying include but are not limited to;

- incorrect or inappropriate material and/ or comments regarding a colleague or

employee appearing on a website, social networking site, short film or video

- sending of inappropriate, bullying and/ or harassing text messages, emails or telephone calls of a similar nature to a colleague or employee
- the use of images of a colleague or employee without their permission or creating images without permission.

Please refer to the school's Acceptable Use of ICT document for further information.

#### **14. How to recognise victimising behaviour**

Victimisation broadly refers to bad treatment directed towards someone who has made or is believed to have made or supported a complaint under the Equality Act. It includes situations where a complaint hasn't yet been made but someone is victimised because it's suspected they might make one.

Examples of workplace victimisation:

- a non-disabled worker gives evidence on behalf of a disabled colleague at an Employment Tribunal hearing where disability discrimination is claimed. If the non-disabled worker is subsequently refused a promotion because of that action, they would have suffered victimisation in contravention of the Act.
- a part-time worker is not offered a promotion solely based on the grounds that they are not a full-time worker.
- an employer threatens to dismiss an employee because he thinks she intends to support a colleague's sexual harassment claim. This threat could amount to victimisation, even though the employer has not actually taken any action to dismiss the employee and may not really intend to do so.
- a person is not successful for an application to a leadership post based on their sexual orientation.
- someone raises a grievance about comments being made in the office. The manager took action and informed all employees that these comments would not be tolerated, and as a result they stopped. However, the individual who raised the grievance noticed team members are treating them differently – they were no longer being invited to the team's social events and colleagues often stopped talking when they entered the room.
- creating a difficult or oppressive environment for an individual because they have made a complaint – whether informal or formal – about discrimination, harassment or bullying; this might involve talking negatively about the person behind their back or making disparaging, ridiculing or mocking comments

#### **15. Roles and Responsibilities**

**The manager is responsible for:**

- applying the Dignity at Work policy accurately
- ensuring employees are aware of the expected standards of behaviour at all times

- understanding some employees find it difficult to talk about problems and concerns so provide time and a safe space for any discussion
- acting as a role model and displaying acceptable standards or behaviour
- recognising when the behaviour of employees falls below the standards expected, or is discriminatory, bullying, harassing or victimising in nature and taking immediate steps to address the matter, whether or not a formal complaint has been made
- dealing with concerns in a prompt and effective way with appropriate confidentiality
- consider continuing to look into an allegation even if a formal complaint is withdrawn
- signposting employees to sources of support

**All employees are responsible for:**

- behaving in a way that respects the rights and dignity of others
- valuing the differences in others and the contributions they make
- positively challenging inappropriate behaviour informally where appropriate to gain a quicker resolution
- bringing to the attention of managers any examples of bullying, harassment or victimisation they have witnessed or strongly suspect is taking place
- cooperating with any enquiries, including where informal resolution is appropriate

**The Education Personnel Services caseworker who is supporting the manager is responsible for:**

- advising on policy application
- signposting managers to appropriate guidance and resources, including support available detailed below
- discussion of options to progress the matter further.

**The Professional Association/Trade Union representative or work colleague is responsible for:**

- supporting their member/ colleague.

## **16.Support**

Education Personnel Services on 02380 383500 or [eps.consultants@hants.gov.uk](mailto:eps.consultants@hants.gov.uk)

For schools that subscribe to IOW Occupational Health & Wellbeing Service, employees can obtain support by contacting the Employee Support Service.

Professional association/trade union members - Members of a professional association/trade union can contact their union to find out about the support available and discuss specific issues.

Further information is available on the Teachers' Liaison Panel (TLP)

For resilience guidance and resources, go to:

The national organisation such as Citizens Advice that can provide help and assistance. They can be contacted on 03444 111 444 or at <https://www.citizensadvice.org.uk/>