

Oxford Diocesan Bucks Schools Trust (ODBST)

“Empowering our unique schools to excel”



DIGNITY AT WORK POLICY

ODBST Level 1 Statutory Policy:	ALL Schools require this policy with no changes allowed to core text. No changes are necessary to personalise this with school name and branding, as this is a Trust level policy for use, without change, by all schools, except where a school contact is required as identified in the content of the policy. LGBs will note adoption in LGB meetings. Review will take place at Trust level, and schools will be notified of updates and review dates as necessary.
Other related ODBST policies and procedures:	Grievance Policy Conduct and Discipline Policy Equality and Diversity Policy Code of Conduct for Adults Working with Children in Schools Anti-Sexual Harassment Policy
Committee responsible:	FRAPP
Approved by:	FRAPP
Date Approved:	28th November 2024
Review Date:	Autumn Term 2026

In reviewing this policy the Trust Board has had regards to the Equality Act 2010 and carried out an equality impact assessment. It is satisfied that no group with a protected characteristic will be unfairly disadvantaged.

1. Policy Statement

- 1.1 We are committed to providing a working environment free from harassment, bullying and victimisation and ensuring that all staff are treated, and treat others, with dignity and respect.
- 1.2 Workplace harassment, bullying and victimisation are totally unacceptable. No member of the Trust workforce should have to tolerate harassment, bullying or victimisation from colleagues, pupils, members of the public, or other individuals they may encounter at work, or on school trips. The school recognises that any member of the school workforce can be subjected to these forms of behaviour. The school will assess whether harassment, bullying or victimisation has occurred based on the impact of the action(s) on the victim rather than the intent of the alleged perpetrator.
- 1.3 The Trust recognises the damage that harassment and bullying can cause to the health and welfare of staff and the duty of care the Trust has toward those staff.
- 1.4 The Trust seeks to foster good relations and promote a culture of fairness, ensuring that all employees respect each other and work in harmony to achieve the aims and goals of the organisation.

2. About this policy

- 2.1 The purpose of this policy is to set out a framework for line managers to deal with any bullying, harassment or victimisation that occurs by staff (which may include consultants, contractors and agency workers) and also by third parties such as parents, pupils, suppliers or visitors to our premises.
- 2.2 This policy does not form part of any contract of employment or contract to provide services, and we may amend it at any time.

3. Who does this policy apply to?

- 3.1 This policy applies to all employees, officers, consultants, self-employed contractors, casual workers, agency workers, volunteers and interns.
- 3.2 All Governors are expected to conduct themselves in a way consistent with both the provisions of their Code of Conduct and, where applicable, the contents of this Policy.

4. Roles and Responsibilities

All employees have a responsibility within this procedure.

- 4.1 The Trustees have overall responsibility for the effective operation of this policy but has delegated responsibility for overseeing its implementation to the Headteachers (for schools) and the Trust Officers (for the Shared Services Team). Suggestions for change should be reported to the Director of HR.
- 4.2 Line managers have day-to-day responsibility for this policy and employees should refer any questions about this policy to their manager or Headteacher in the first instance.

5. Legislation and Guidance

- 5.1 This policy is based on the ACAS guidance on discrimination, bullying and harassment at work.
- 5.2 This policy follows the principles of the:
 - Equality Act 2010

- Protection from Harassment Act 1997
- Employment Rights Act 1996

5.3 Employment Relations Act 1999

5.4 Where it becomes necessary to bar an individual from school premises, we will refer to the guidance on controlling access to school premises from the Department for Education (DfE).

6. Definitions

All forms of harassment, bullying or victimisation may consist of either a single act or a continuous pattern of behaviour. The individual making the complaint usually defines what they mean by harassment, bullying or victimisation in a given context, where something has happened to them that is unwelcome, unwarranted and causes a detrimental effect.

If a member of the school workforce reports that they are being bullied, harassed or victimised, then they have a complaint which must be dealt with, regardless of whether or not it accords with a standard definition.

If any bullying, harassment or victimisation of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. These may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.

6.1 Harassment

- 6.1.1 Harassment is defined as: in the Equality Act 2010, 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.
- 6.1.2 The unwanted conduct may be physical, verbal or non-verbal. A single incident can amount to harassment.
- 6.1.3 The relevant protected characteristics defined in the Equality Act 2010 are age; disability; gender reassignment; race; religion or belief; sex; and sexual orientation.
- 6.1.4 The individual making the complaint does not need to be the intended target or possess the relevant characteristic themselves.
- 6.1.5 An individual may find the behaviour offensive even if it is not directed at them, or they may be:
 - 6.1.5.1 Associated with a person who has a protected characteristic
 - 6.1.5.2 Wrongly perceived to have a protected characteristic
 - 6.1.5.3 Treated as if they have a protected characteristic
- 6.1.6 Harassment may also involve unwanted conduct of a sexual nature, which has the same purpose or effect on the individual as described above. Please refer to the ODBST Anti-Sexual Harassment Policy for further information.
- 6.1.7 Harassment may also occur where there is unwanted conduct of a sexual nature or that relates to gender reassignment or sex. This conduct has the same purpose or effect described above and the individual is treated less favourably because they rejected or submitted to it.

6.1.8 Harassment is unacceptable, and may still be considered and addressed under this policy even if it does not fall within any of the defined categories above.

6.2 Bullying

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

6.2.2 Bullying can take the form of physical, verbal and non-verbal conduct.

6.2.3 Harassment is when bullying or unwanted behaviour is about any of the protected characteristics defined in the Equality Act 2010 (as defined in section 3.1).

6.3 Victimisation

6.3.1 Victimisation is defined in the Equality Act 2010 as subjecting an individual to a detriment because he/she does a protected act, or it is believed he/she has done or may do a protected act.

6.3.2 A 'protected act' is:

- Bringing proceedings under the Equality Act 2010
- Giving evidence or information in connection with proceedings under the Act
 - Doing any other thing for the purposes of or in connection with the Act or making an allegation that someone has breached the Act

7. Examples of Unacceptable Behaviour

7.1 Unacceptable behaviour in the Trust may include:

- Insulting someone verbally or through offensive behaviour
- Physical or psychological threats
- Spreading malicious rumours
- Sharing information about an individual with others who do not need to know
- Ridiculing or demeaning someone
- Picking on someone or setting them up to fail
- Exclusion
- Misuse of power, such as overbearing supervision or deliberately undermining a competent worker
- Unwelcome sexual advances, such as touching, standing too close, displaying offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- Making unfounded threats or comments about job security
- Preventing an individual from progressing by intentionally blocking promotion or training opportunities
- Putting humiliating, offensive or threatening comments or photos on social media

This list is not intended to be exhaustive.

7.2 Harassment, bullying or victimisation may occur:

- Face to face
- Through written communication

- Using visual images (for example, pictures of a sexual nature or embarrassing photographs of colleagues)
- Via email
- Via phone or communication platforms
- Via social media
- Via automatic supervision methods, such as computer recording of downtime from work, or recording of telephone conversations, if these are not universally applied to all workers in similar roles

This list is not intended to be exhaustive.

8. Reasonable Management

The school differentiates between reasonable management, which is firm and fair, and behaviours associated with harassment, bullying or victimisation.

Legitimate, justifiable, appropriately conducted monitoring of a member of the school workforce's behaviour or job performance does not therefore constitute bullying, harassment or victimisation.

9. A Positive Approach to Dignity and Respect

In seeking to develop a culture of dignity and respect for employees, Line Managers must give attention to promoting positive behaviours in the way they manage the employees for whom they are responsible and setting appropriate standards of behaviour.

- Line Managers should lead by example in the way they manage, including:
 - Treating employees as individuals
 - Recognising the contribution individuals make in the work place
 - Ensuring employees have equality of opportunity, including access to development opportunities
 - Respecting people's differences
 - Allocating work fairly and with recognition of the pressures that can exist in meeting challenging timescales
 - Listening to any concerns expressed by employees and responding to them in a reasoned way
 - Ensuring that performance management is undertaken equitably and that standards are set fairly, are realistic and are achievable
 - Feedback is given promptly and any required improvements are communicated clearly.

10. If you are being bullied, harassed or victimised: informal steps

10.1 If you are being bullied, harassed or victimised, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult, you should speak to your line manager, who can provide confidential advice and assistance in resolving the issue formally or informally. If you feel unable to speak to your line manager because the complaint concerns them, you should speak informally to their line manager or your Headteacher. If this does not resolve the issue, you should follow the formal procedure below.

10.2 If you are not certain whether an incident or series of incidents amounts to bullying, harassment, or victimisation you should initially contact your line manager (or their line

manager or Headteacher if it relates to your own line manager) informally for confidential advice.

10.3 If informal steps are not appropriate, or have been unsuccessful, you should follow the formal procedure set out below.

11. Raising a formal complaint

11.1 If you wish to make a formal complaint about bullying, harassment, or victimisation you should submit it in writing to your line manager. If the matter concerns your line manager, you should submit it to their line manager or your Headteacher.

11.2 Your written complaint should set out full details of the conduct in question, including the name of the perpetrator, the nature of the conduct, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

11.3 As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

11.4 Where the alleged harassment, bullying or victimisation is by a pupil and a decision is reached that the complaint should be dealt with under this Dignity at Work Policy, the formal process outlined will be followed and the pupil should be allowed to be accompanied by an appropriate adult for any investigative interview. If the allegation is found to be justified the school should then implement their Behaviour Policy.

12. If you witness bullying, harassment or victimisation

12.1 Staff who witness bullying, harassment or victimisation are encouraged to take appropriate steps to address it. Depending on the circumstances, this could include:

- (a) Intervening where you feel able to do so.
- (b) Supporting the victim to report it or reporting it on their behalf.
- (c) Reporting the incident where you feel there may be a continuing risk if you do not report it.
- (d) Co-operating in any investigation into the incident.

12.2 All witnesses will be provided with appropriate support and will be protected from victimisation.

13. Formal investigations

13.1 We will investigate complaints in a timely, respectful and confidential manner. Individuals not involved in the complaint or the investigation should not be told about it.

13.2 We will arrange a meeting with you, usually within five working days (during term time) of receiving your complaint, so that you can give your account of events. You have the right to be accompanied by a colleague or a trade union representative of your choice, who must respect the confidentiality of the investigation.

13.3 Where your complaint is about an employee, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. The investigator will also meet with the alleged perpetrator who may also be accompanied by a colleague or trade union representative of their choice to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.

13.4 Where your complaint is about someone other than an employee, such as a parent, pupil supplier or visitor, we will consider what action may be appropriate to protect you

and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the school and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.

13.5 We will also consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the alleged perpetrator.

13.6 It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.

13.7 At the end of the investigation, the investigator will submit a report to a manager (who will be selected through consultation with HR). The manager will arrange a meeting with you, usually within five working days of receiving the report, in order to discuss the outcome and what action, if any, should be taken. You have the right to bring a colleague or a trade union representative to the meeting. A copy of the report and the manager's findings will be given to you and to the alleged perpetrator.

14. Action following the investigation

14.1 If the manager considers that there is a case to answer and the perpetrator is an employee, the matter will be dealt with as a case of possible misconduct or gross misconduct under our Conduct and Discipline Policy. Our investigation into your complaint may be put on hold pending the outcome of the Disciplinary Procedure. Where the disciplinary outcome is that bullying, harassment or victimisation occurred, prompt action will be taken to address it. If the perpetrator is a third party, such as a parent or other visitor, we will consider what action would be appropriate to deal with the problem.

14.2 Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation or counselling, or to change the duties, working location or reporting lines of one or both parties.

14.3 Any staff member who deliberately provides false information in bad faith, or who otherwise acts in bad faith as part of an investigation, may be subject to action under our Conduct and Discipline Policy. However, you will not be disciplined or treated detrimentally because your complaint has not been upheld.

15. Appeals

15.1 If you are not satisfied with the outcome you may appeal in writing to the investigating manager (copying in hr@odbst.org) stating your full grounds of appeal, within five working days of the date on which the decision was sent or given to you.

15.2 We will convene an appeal meeting promptly and will allow at least 7 working days written notice of the hearing. Where practicable, the appeal hearing will be conducted by a manager who has not been previously involved in the case. They may ask anyone previously involved to be present. You have the right to bring a colleague or trade union representative to the meeting.

15.3 We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.

16. Protection and support for those involved

16.1 Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation must not suffer any form of retaliation or

victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Conduct and Discipline Procedure.

- 16.2 If you believe you have suffered any such treatment you should inform your line manager or Headteacher. If the matter is not remedied, you should raise it formally using our Grievance Procedure or this procedure if appropriate.
- 16.3 Our Employee Assistance Programme (Schools Advisory Service) offers access to confidential counselling, which is available on request for anyone affected by, or accused of, bullying, harassment or victimisation. Their phone number is 01773 814402.
- 16.4 Support and guidance can also be obtained from your trade union and the following external services:
 - (a) The Equality Advisory and Support Service (www.equalityadvisoryservice.com).
 - (b) Protect (www.protect-advice.org.uk).
 - (c) Victim support (www.victimsupport.org.uk).

18. Reporting outcomes, confidentiality and record-keeping

- 18.1 Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to disciplinary action under our Conduct and Discipline Policy.
- 18.2 When appropriate and possible, where a complaint is upheld, we will advise the complainant of the action that has been taken to address their specific complaint and any measures put in place to prevent a similar event happening again.
- 18.3 Information about a complaint by or about a staff member may be placed on their personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.