



Dignity and Respect at Work for School based Staff

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1.0 Overview

- 1.1 It is recognised that discrimination, harassment, bullying and victimisation of any type can create a negative work environment, which can adversely affect the job performance, health and well-being of employees.
- 1.2 This school is committed to a positive workplace environment in which all employees are treated with dignity and respect. Discrimination, bullying and harassment is unlawful and will not be tolerated.
- 1.3 Any form of harassment, discrimination or bullying will be regarded as a serious breach of conduct which may result in disciplinary action.

2.0 Scope

- 2.1 This policy applies to all employees of the school and applies to the workplace and any work related setting including 'off site' trips, training events and work related social events. This list is not exhaustive.
- 2.2 Professional standards of behaviour are expected from employees towards their colleagues, this includes anyone carrying out activities within the school, and members of the public. All types of interaction are part of this policy including face to face, e-mail, telephone and social media.
- 2.3 Information relating to standards of expected behaviour in connection with social media/networking can be found in the Social Networking Policy.

3.0 Accountabilities and Responsibilities

- 3.1 All employees are required to treat colleagues with dignity and respect at work and each person has a personal responsibility to treat others in the way we would wish to be treated ourselves. How we interact with work colleagues will affect the day to day working environment.
- 3.2 All employees should familiarise themselves with the contents of this Policy and ensure their conduct is in line with the professional standards for their role and the standards set out in this Policy and the Code of Conduct .
- 3.3 The School supports the promotion of a culture in which employees feel confident reporting complaints of harassment or bullying without fear of victimisation. However, disciplinary action may be taken if a complaint is found to have been made maliciously or in bad faith.

4.0 Aim

- 4.1 All complaints of harassment, discrimination, victimisation or bullying will be treated seriously and will be investigated promptly, efficiently and, as far as is possible, in confidence.

5.0 Policy

5.1 Creating a Positive Workplace

5.1.1 Commitment to create a positive workplace is demonstrated by:

- Having a policy that provides a mechanism for action to be taken, either informally or formally, to stop the harassment, discrimination or bullying
- Having a policy that aims to prevent workplace conflict and effectively resolve conflicts that do arise
- Having a policy which describes unacceptable behaviour and defines workplace harassment, discrimination and bullying
- Creating an environment where problems and issues are discussed openly between employees and managers
- Managing effectively and fairly both job performance and behaviour
- Managing absences consistently and in line with the Managing Attendance Policy
- Managing leave requests to ensure the needs of the school are met

5.2 Characteristics of a Positive Workplace

5.2.1 The following are examples of the behaviours and characteristics all employees are expected to display:

- Polite behaviour – courteous and considerate behaviour towards each other
- Valuing people with different backgrounds, cultures, strengths and opinions
- Welcoming people with diverse backgrounds into the workplace and working to understand cultural differences
- Freedom from disrespectful, discriminating, bullying and harassing behaviour
- Working constructively with each other
- An environment where holding difficult and open conversations takes place

5.3 Definition of Terms

5.3.1 **Bullying** may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the person on the receiving end.

5.3.2 Bullying can take many forms including:

- Physical assault
- Teasing
- Making threats
- Name calling
- Cyber bullying

5.3.3 **Harassment** can be any unwanted and inappropriate conduct which worries or torments an individual. This may also be related to a relevant protected characteristic (age, disability, gender reassignment, race, religion or belief, sex and sexual orientation).

5.3.4 Harassment is conduct which:

- Has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- Is reasonably considered by that person to have the effect of violating his or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct.

5.3.5 An employee can complain of behaviour that they find offensive even if it is not directed at them.

5.3.6 Particular conduct may on occasions be harassment even if the person behaving in that way does not intend to offend. Something intended as a "joke" rather than as harassment may still offend another person. Everyone has the right to decide, within the bounds of reasonableness and usual standards of behaviour, the type of behaviour that is acceptable/unacceptable to him/her and have his/her feelings respected by others. In cases where it may not be clear in advance that certain behaviour is unwelcome or could offend it will not be classed as harassment the first time the conduct causes offence but will become harassment if it continues after the recipient has made it clear that such behaviour is unacceptable to him/her.

5.3.7 Examples of what may / may not constitute harassment are contained in **Appendix A**.

5.3.8 **Victimisation** is treating a person less favourably because of action they have taken, for example making a formal complaint about someone or giving evidence against a colleague. Victimisation does not apply if a person has maliciously made or supported an untrue complaint.

5.3.9 **Legitimate and constructive criticism of an employee's behaviour or performance at work by the Headteacher/line manager is not bullying or harassment.**

5.4 Types of Discrimination

5.4.1 Equalities legislation describes the types of discrimination, harassment, bullying or victimisation that someone might be subject to because they have a protected characteristic as follows:

- Direct – when someone is treated less favourably than another person because of a protected characteristic
- Associative – direct discrimination against someone because they associate with another person who possesses or is perceived to possess a protected characteristic
- Perceptive – direct discrimination against an individual because others think they possess a particular protected characteristic even if the person doesn't
- Indirect – may occur when an organisation has a condition, rule, policy or practice that applies to everyone but which particularly disadvantages people who share a protected characteristic

5.5 Examples of Unacceptable Behaviour

5.5.1 This list is not exhaustive and is included simply to indicate some examples of harassment, discrimination and bullying:

- Spreading malicious rumours, or insulting someone by word or behaviour (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
- Unnecessary and unwelcome physical contact or intimidation eg touching, standing too close, assault, physical threats, abusive behaviour or gestures
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing progression unfairly by intentionally blocking promotion or training opportunities
- Display of offensive materials
- Derogatory or degrading comments relating to a person's 'protected characteristic'

5.6 Possible Signs

5.6.1 Harassment, discrimination and bullying can often be hard to recognise as it may not be obvious to colleagues or the Headteacher that an individual is being harassed, discriminated against or bullied. This may be because:

- It is being done in subtle ways
- Employees think it is part of the “culture” of the school; or
- An individual may be too frightened to report an incident

5.6.2 The Headteacher and senior managers will look out for possible signs, which may include:

- More frequent or longer periods of absence than is usual;
- High staff turnover – especially if it is within a particular area of the school;
- Stress symptoms (including fatigue, anxiety, depression, aches, pains and panic attacks); or
- A change in behaviour or performance at work

5.6.3 If an employee makes an allegation in good faith, but is not confirmed by the investigation, no action will be taken against that employee. If, however, an employee makes an allegation which is subsequently proven to be malicious, disciplinary action may be taken against that employee.

5.6.4 Headteachers should remind employees of the support mechanisms available (Occupational Health Service, Counselling, Contact Officers). In some cases, mediation for the two parties may be deemed appropriate.

6.0 Procedure

6.1 Informal Process

6.1.1 Employees are encouraged to resolve conflict informally where possible. The Dignity and Respect at Work Scenarios at **Appendix B** have been created to assist employees in considering a proactive course of action that can be taken to ensure that the situation does not continue or escalate.

6.1.2 Before raising a formal grievance, employees are encouraged to speak informally to the person in which they believe is displaying the unwanted behaviour. If the employee feels unable to do this they can ask the Headteacher or a senior member of staff to raise it on their behalf. It may be that the person is genuinely unaware that the behaviour is unwelcome.

- 6.1.3 If the employee's concern relates to their line manager (and a direct approach is not possible), they should inform a more senior manager or Headteacher. If the employee's complaint is against the Headteacher (and a direct approach is not possible), they should inform the Chair of Governors.
- 6.1.4 An employee who observes an incident should report concerns to the Headteacher or a senior member of staff in the first instance.
- 6.1.5 Employees are advised to keep a record of any incidents, as this will help the Investigating Officer should the matter become 'formal'. The record should include the following:
- Name of person whose behaviour he/she believes amounts to harassment, discrimination or bullying;
 - Date(s) of the incident(s);
 - Location(s);
 - Time(s);
 - Nature of incident(s)/behaviour with example(s);
 - The employee's response or any other action taken;
 - The employee's feelings at the time; and
 - The names of any witnesses.
- 6.1.6 If an informal approach is taken it is advised to keep a written record of what was said/what happened, as this may be needed if the matter becomes formal at any time.
- 6.1.7 If the employee feels unable to take this course of action, or an informal approach has failed, or the situation is too serious to be dealt with informally, he/she may use the formal grievance procedure.

6.2 Formal process

- 6.2.1 Any complaint should be raised under the formal grievance procedure. For further details see Grievance Policy.
- 6.2.2 Some complaints may be resolved through conciliation, but, where appropriate, formal disciplinary action may be taken against the perpetrator of the harassment, discrimination or bullying.

7.0 Advice and Support

- 7.1 It is recognised that being the subject of discrimination, harassment or bullying and making a complaint can be a distressing experience. All employees who feel that they are suffering from unwanted behaviour are urged to seek support/advice from either a senior manager, Headteacher or trade union representative, where appropriate.
- 7.2 Employees can also speak to one of the Council's Contact Officers for advice/support at any stage of the process. Contact Officers are

impartial and their role is to provide information and guidance to both the victims and those who may be accused of not meeting the relevant standards of behaviour.

7.3 Employees who wish to speak to a Contact Officers should telephone the confidential employee helpline on 727424. Basic contact details will be taken and then referred to a Contact Officer who will telephone the employee. This is a confidential support service internal to Middlesbrough Council.

7.4 Employees are advised to keep a record of any incidents which includes the following information:

- Name of person who is demonstrating unacceptable behaviour
- Date, time and location
- Nature of incident/behaviour with an example
- The employee's response or any other action taken
- The employee's feelings at the time
- Names of witnesses

8.0 Third Party Harassment

8.1 Employees who are not treated with respect whilst at work by someone who is not an employee should report the incident to the Health and Safety Team.

9.0 Equality Statement

9.1 This policy must be applied fairly to all employees irrespective of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age or disability.

Appendix A –Examples of Harassment

What generally constitutes Harassment	What may constitute Harassment	What does generally not constitute Harassment
1. Serious or repeated rude, degrading, or offensive remarks, such as teasing about a person's physical characteristics or appearance, put-downs or insults.	Criticising an employee in public.	Allocating work. Managing work absences. Requiring improvement in job performance.
2. Displaying sexist, racist or other offensive pictures and posters or sending offensive e-mails.		Taking warranted disciplinary measures. A single or isolated incident such as an inappropriate remark or abrupt manner.
3. Repeatedly singling out an employee for meaningless, mundane duties which is not part of their job role.	Exclusion from group activities or assignments.	Exclusion of individuals for a particular job based on specific occupational requirements necessary to accomplish the safe and efficient performance of the job.
4. Threats, intimidation or retaliation against an employee, including one who has expressed concerns about perceived unethical or illegal workplace behaviours or a Whistle-blower.	Making statements that damage a person's professional integrity or reputation.	Measures taken against someone who is careless in his or her work, such as breaking confidentiality or continually making errors.
5. Unwelcome social invitations, with sexual connotations or flirting. Unwelcome sexual advances.	Making sexual suggestive remarks. Physical contact e.g. touching, closely brushing up against somebody.	A social relationship welcomed by both individuals. Friendly gestures among co-workers such as a pat on the back.

Appendix B – Dignity and Respect at Work Scenarios

Type of Engagement	Scenario	How did this make you feel? What was the impact?	Potential Response
1. In Person	<p>Today, a colleague said something to me that made me feel uncomfortable.</p> <p>Questioning integrity</p> <p>Questioned professionalism</p> <p>Negative criticism of me</p>	<p>This made me feel unhappy, angry and undervalued.</p> <p>This made me feel devalued and unappreciated.</p>	<p>When you said “.....”, I felt uncomfortable because “.....” I thought it was a criticism of my work.</p> <p>I felt as though my integrity was being called into question and I couldn’t understand the reason.</p> <p>.... To me it sounded as though you didn’t value my contribution.</p>
2. Via E-Mail	<p>Words in capital letters or in red font for example.</p> <p>The content and tone of an email</p>	<p>This made me feel as if I was being shouted at. I felt the tone of this email was angry.</p> <p>This made me feel devalued and also incompetent.</p>	<p>When I received an e-mail like this, I feel that I’m not trusted to “.....”</p>
3. Via Telephone	<p>Shouted at by a colleague.</p> <p>Colleague put down the phone whilst I was speaking.</p> <p>Being put on hands free without being told which put me in a difficult position due to the nature of the conversation.</p>	<p>I felt upset as I did not think I had done anything wrong.</p> <p>I felt uncomfortable.</p> <p>I felt compromised.</p>	<p>I felt that you were angry because of something I hadn’t done. I didn’t feel able to express my point of view because you raised your voice.</p> <p>When you put down the phone, I felt that you wouldn’t listen to my point of view. It was frustrating because I didn’t think you were taking my issues seriously.</p> <p>I would have preferred it if you had</p>

Type of Engagement	Scenario	How did this make you feel? What was the impact?	Potential Response
			asked whether I was comfortable with my call being put on hands free at the start of the conversation. It put me in an uncomfortable position because I didn't realise that the conversation was not private.
4. Via Social Media	Derogatory comments made on any social media sites.	I felt unhappy and angry.	I didn't feel it was appropriate to post comments about me on this site, because it is linked to the project we were working on together.
5. In a formal setting	Spoken to in a way that you would not expect in a group environment e.g. professional knowledge challenged or criticised, told too junior to be there etc.	Angry, devalued and embarrassed.	<p>I was surprised that you said "....." I felt undermined because the matter was discussed in front of a group of people.</p> <p>Raising the matter in front of a group of people at the time made me feel humiliated, I understand that there may be a problem but I would have preferred to discuss this in private first</p>