



Green Spring
Academy
SHOREDITCH

Dignity at Work Policy

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Staff Dignity at Work Policy and Procedure

1.0 Introduction

This is an employment policy, however it is expected that all workers on Academy premises, or carrying out the business of the Academy off site and all visitors to the Academy will adhere to the principles set out below.

This policy applies to Green Spring Education Trust (GSET) and Green Spring Academy Shoreditch (GSAS) and references to 'the Trust' and 'the Academy' shall be taken to mean GSET and GSAS.

2.0 Aims of Policy

The Academy is committed to creating a positive working environment, free from harassment and bullying, where all people are treated with dignity and respect. The Academy will not tolerate bullying and harassment of any kind. All allegations of bullying and harassment will be promptly and thoroughly investigated and, if appropriate, disciplinary action will be taken.

3.0 Scope and Application of Policy

- 3.1 This policy applies to all employees and workers (whether directly employed or otherwise contracted or engaged by the Academy, and whether on a paid or voluntary basis) who are working at academy premises or carrying out the business of the Academy at off-site locations, such as school trips, training courses and conferences.
- 3.2 Complaints under this policy may be brought by employees who believe they are victims of discrimination, bullying or harassment, whether by managers, other employees, contractors or anyone else engaged to work by the Academy. Complaints may also be brought by employees who believe they may have observed another person being discriminated against, harassed or bullied. Complaints will be dealt with under the Academy's grievance policy, but recorded as being made under this policy.
- 3.3 This policy must always be applied fairly and in accordance with employment law and Green Spring Academy's Equal Opportunities Policies. The Academy is subject to the Public Sector Equality Duty in accordance with the Equality Act 2010. The Academy must have due regard to the need to eliminate discrimination, harassment and victimisation as well as advancing equality of opportunity. The Academy proactively implements this duty by embedding this policy into all aspects of the Academy's service delivery and by implementing a zero tolerance approach to discrimination, harassment and victimisation.

4.0 Key Principles

- 4.1 Green Spring Academy believes that all workers and visitors are entitled to be treated by others in a way that respects their rights and feelings, and values them as individuals.
- 4.2 Green Spring Academy has a firm commitment to advancing equality of opportunity and as such will not tolerate any form of discrimination, bullying or harassment, by or against its workers or visitors.

- 4.3 Employees found to be engaging in alleged discriminatory or bullying behaviour or harassment may be subject to disciplinary action, up to and including dismissal. Other workers or visitors to the Academy engaging in this behaviour may be asked to leave the premises and/or otherwise discontinue their engagement or association with the Academy.
- 4.4 It is the responsibility of each employee, worker or visitor to be sensitive towards their impact on others and not to discriminate against, bully or harass others or condone discrimination, bullying or harassment by others.

5.0 Harassment

5.1 Harassment can be defined as unwanted conduct which:

- has the purpose or effect of violating the dignity of a person; or
- creating an intimidating, hostile, degrading, humiliating, or offensive environment; and
- is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this was not intended by the person responsible for the conduct.

5.2 A single incident can be harassment if it is sufficiently serious.

5.3 Harassment can occur on a variety of grounds which may include, but are not limited to:

- race, ethnic origin, nationality or skin colour
- sex
- sexual orientation
- religion or belief
- gender reassignment status
- membership (or non-membership) of a trade union
- disability, AIDS or HIV status
- age
- marital or civil partnership status
- status as an ex-offender
- health, physical characteristics or personal beliefs.
- perception of having one the above characteristics
- association with someone who is protected, e.g. the primary carer of someone with AIDS

5.4 It may include:

- remarks or innuendoes which ridicule, embarrass or insult
- jokes of a derogatory nature
- displaying offensive or negative material, such as graffiti, posters or web-sites
- threatening, abusive, obscene or racist language or gesture
- violence, threats or intimidation
- provocative suggestions or sexual advances
- actions that cause discomfort or embarrass
- isolation and exclusion from work or work related activities.

5.5 Bullying or harassment constitutes discrimination where it relates to one of the protected characteristics specified in the Equality Act 2010.

5.6 Serious bullying or harassment may amount to other civil or criminal offences, e.g. a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.

5.7 Detailed examples of actions or behaviours which may constitute harassment are set out below. These examples are not intended to be exhaustive but to illustrate the types of behaviours which many will find unacceptable.

5.7.1 Examples of sexual harassment

- *physical conduct*: unwanted physical contact ranging from unnecessary touching, pinching and brushing against another's body to sexual assault and rape
- *verbal conduct*: unwelcome sexual advances, propositions or pressure for sexual activity; suggestive remarks, innuendoes or lewd comments;
- *non-verbal conduct*: the display of pornographic or sexually suggestive pictures, objects, leering, whistling, offensive e-mails, etc.

5.7.2 Examples of racial harassment

- racially derogatory remarks or jokes, banter, ridicule or taunts
- graffiti or slogans
- using a disparaging or offensive tone when communicating with people from certain racial groups
- avoiding people because of their racial group
- having unrealistic expectations of performance or imposing excessive workloads on people, based on their racial group

5.7.3 Examples of harassment on the grounds of disability

- jokes about disability or disabled people
- mimicking the effect of a disability or speech impairment
- deliberate or malicious exclusion from conversations or social activity
- use of inappropriate terms
- excluding individuals with disabilities from professional and social events.
- excluding persons from professional and social events because they are associated with someone disabled (e.g. disabled child, etc.)

5.7.4 Examples of harassment on the grounds of age

- use of ageist stereotypes
- making assumptions about abilities or fitness on grounds of age
- teasing on grounds of age e.g. “jokey” birthday cards
- basing selection for training or development on the grounds of age e.g. excluding those approaching retirement
- correlating career progression with age - e.g. the assumption that someone should have reached a certain career point by age 40.

5.7.5 Examples of other common forms of harassment

- jokes or comments in respect of physical characteristics or personal beliefs
- jokes or comments in respect of a person’s sexual orientation, whether or not this person has the perceived sexual orientation
- practical jokes, invasions of privacy e.g. invasions of personal space in a shared office

6.0 **Bullying**

6.1 Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power which is meant to undermine, humiliate or injure the other party. Unlike harassment it is not based on membership of any legally protected minority group.

6.2 Examples of bullying behaviour include:

- spreading malicious rumours, or insulting someone
- sending e-mails or hard copy documents that are critical of 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
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

7.0 Proactive management (i.e., the use of reasonable measures to improve the quality of work) is not bullying. Examples of reasonable management practices include:

- setting realistic work objectives, targets and deadlines, monitoring output and supporting staff to enable them to develop;
- setting reasonable standards for work and conduct and monitoring for compliance under performance management or appraisal procedures.

8.0 Victimisation

8.1 Victimisation occurs when a person is put at a disadvantage or suffers reprisal or detriment for making, in good faith, a complaint of discrimination, bullying, or harassment (or for supporting someone else who has or given evidence in relation to a complaint). This would include isolating someone for example, or allocating them extra duties or a heavier workload.

Provided that you act in good faith (i.e., you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint and the Academy will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

9.0 Responsibilities

9.1 The Trust Board is responsible for monitoring and reviewing implementation of this policy.

9.2 Green Spring Academy is responsible for maintaining fair, consistent and objective procedures for matters relating to dignity at work and for preventing discriminatory, harassing, victimising and bullying behaviour.

9.3 The Principal has overall responsibility for the internal organisation, control, management and effective implementation of the policy across the Academy.

9.4 The Senior Leadership Team (SLT) is responsible for the internal organisation, control, management and effective implementation of the policy in their area of responsibility. The Senior Leadership Team is also responsible for consulting staff and updating and reviewing this policy.

9.5 All staff have a responsibility to help create an environment free from harassment and bullying by treating their colleagues with dignity and respect. The Academy will provide training to employees and others engaged to work at the Academy to help them understand what they can do to help create an environment that allows dignity at work.

10.0 Informal Action

- 10.1 If an employee feels that they are being discriminated against, harassed or bullied, or witnesses discrimination, harassment or bullying of another person they should consider having an informal discussion with the person or persons concerned directly. They should describe the behaviour which they find offensive, explain how the behaviour makes them or the other person feel, and most importantly, ask for the behaviour to stop. They could also inform the person concerned that, if their behaviour continues, they intend to make a formal complaint. They should also keep a note of the date and the content of the informal discussion, in the event that they subsequently make a formal complaint.
- 10.2 If the employee does not feel able to approach the person in question, they should speak to their line manager who will take advice from HR.
- 10.3 In certain circumstances it may, with mutual agreement, be helpful to seek external advice and assistance. For instance, where relationships have broken down, an external facilitator/mediator might be able to help resolve the problem. This intervention should be initiated in consultation with HR.
- 10.4 Practice has shown that most complaints can be informally resolved and mediation at this stage may be appropriate. However in situations where the matter remains unresolved, or where the behaviour complained of continues, or is of a very serious nature, then formal procedures may need to be invoked.

11.0 Formal Action

Formal complaints should be raised by employees through the Academy's Grievance procedure but will be recorded as being raised under this policy.

All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the person alleged to be in breach of this policy.

The Academy will treat complaints under this policy sensitively and maintain confidentiality to the maximum extent possible. Investigation of complaints will normally only require disclosure of information on a 'need to know' basis. Wherever possible, the Academy will try to ensure that the complainant and the person under investigation are not required to work together for the duration of the investigation. Such steps might involve the option of special leave or potentially considering suspension of the person under investigation, depending on the specific factual circumstances.

All bullying and harassment is misconduct and is potentially a disciplinary matter which will be managed in accordance with the Academy's Disciplinary procedure. Bullying or harassment will often be misconduct which can lead to the dismissal of an employee without notice.

12.0 Review

This policy will be reviewed on the date specified on the front cover, or earlier, if there is reasonable justification, e.g. material changes to legislation.