



Ovingham C of E First School

DIGNITY AT WORK POLICY

In keeping with Ovingham C of E First School's other policies and procedures, this document is issued for guidance and is not intended to have contractual effect. Ovingham C of E First School reserves the right to vary, amend or depart from the contents of this policy and procedure from time to time in appropriate circumstances.

1.0 Policy

Ovingham C of E First School believes that all staff are entitled to be treated by other staff, pupils, students, parents and other individuals in a way which respects their rights and feelings, and values them as individuals. All staff are entitled to be treated fairly.

Ovingham C of E First School will provide a harmonious, cohesive and high-performing working environment in which all staff feel comfortable and confident that they will be treated with respect and dignity. Through this policy and the training and development of managers and staff, Ovingham C of E First School will do all it can to promote good practice in this area.

Ovingham C of E First School will not tolerate any form of discrimination, bullying or harassment, by or against staff.

This policy aims to ensure that high standards of behaviour are consistently maintained and demonstrated by all staff.

2.0 Scope

The Dignity at Work policy applies to all staff.

This policy allows for employees to raise concerns regarding other members of staff and governors. Where a member of staff believes that they are being bullied or harassed by a parent or pupil, then they should seek advice from their line manager in the first instance.



3.0 Definitions

Employee: full time, part time, permanent and temporary teachers and support staff who undertake to do work under an employment contract for Ovingham C of E First School personally. Employees are entitled to a wide range of employment rights.

Worker: full time, part time, permanent, temporary individuals who undertake to do, or perform personally, work or a service for Ovingham C of E First School, whether under a contract of employment or any other contract for a reward. 'Worker' includes agency workers, casual workers, but normally excludes those who are self-employed and work that is part of a client or customer relationship. Workers are entitled to some employment rights, including holiday pay and protection against unlawful discrimination.

Volunteer: individuals who willingly, without being required to, carry out unpaid work for Ovingham C of E First School.

Staff: employees, workers and volunteers.

Bullying: offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Harassment: 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.

An employer is usually liable for harassment between employees, and can also be liable for harassment which comes from a third party (for example a customer), but only if the harassment has occurred on at least two previous occasions, knows that it has taken place and has not taken reasonable steps to prevent it happening again.

Examples of bullying and harassment include:

- spreading malicious rumours, or insulting someone by word or behaviour;
- copying memos 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, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected;
- 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.

Bullying and harassment may occur face to face or through written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), email, phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all staff.

Discrimination: treating someone less favorably than another person because of a protected characteristic that they have.

Direct discrimination: occurs when a provision, criterion or practice is applied to an employee who is treated less favorably due to a protected characteristic. For example, it is refusing to employ an individual because they are a Sikh.

Indirect discrimination: occurs when a provision, criterion or practice is applied to everybody, and:

- it puts a group with a protected characteristic at a disadvantage when compared with another group
- an individual with a protected characteristic is put at a disadvantage
- the employer cannot show it to be a proportionate means of achieving a legitimate aim.

For example, if a uniform policy were put in place which requires individuals to dress in exactly the same way - without modification or reasonable adjustment to accommodate, where practical, a person's declared religious belief – putting an individual at a disadvantage as a result, then it would be indirect discrimination unless the employer could show that the uniform was a proportionate means of achieving a legitimate aim.

Associative discrimination: is treating someone less favourably because they associate with an individual who has a protected characteristic. For example, a



non-disabled employee who is discriminated against because of action they need to take to care for a disabled dependent.

Perceptive discrimination: is treating someone less favourably because it is perceived that they have a protected characteristic, whether or not they do. For example, not recruiting someone because it is thought they have a certain religious belief when they do not.

Victimisation: occurs when someone is treated less favourably because they have made or supported a complaint or raised a grievance under the Equality Act 2010 or they are suspected of doing so. Post-employment victimisation can occur (for example, refusing to give a reference to someone who had made a complaint under the Equality Act 2010).

The Equality Act 2010 prohibits discrimination, harassment and victimisation on grounds of: respecting the Protected Characteristics (race (including ethnic and national origins, colour and nationality); sex; gender reassignment; disability; religion or belief (including lack of religion or belief); sexual orientation; age pregnancy and maternity; and marriage and civil partnership.)

4.0 Principles

Ovingham C of E First School will not tolerate any form of discrimination, bullying or harassment, by or against staff.

Employees found to be engaging in this behaviour may be subject to disciplinary action, up to and including dismissal.

All employees have a right to expect high standards of behaviour and a working environment free from discrimination; bullying and harassment.

Reported harassment or bullying will be dealt with as a serious matter and tackled quickly and fairly.

5.0 Responsibility

Ovingham C of E First School has a legal responsibility to ensure the health and safety of staff and a working environment which is free from unlawful discrimination.

5.1 Local Governing Body



The Local Governing Body has responsibility for adopting, developing and reviewing this policy and procedure and ensuring that effective monitoring systems and procedures are in place.

The Board of Trustees has delegated authority to the Headteacher, to make decisions in relation to any allegations made under this policy and procedure.

5.2 Headteacher

The Headteacher has overall responsibility for the internal organisation, control, management and effective implementation of the policy in the Ovingham C of E First School.

5.3 Line Manager

Line Managers have responsibility for the internal organisation, control, management and effective implementation of the policy in their area of responsibility.

5.4 Staff

It is the responsibility of each individual to be sensitive towards the impact that he/she has on others and not to discriminate against, bully or harass colleagues or condone discrimination, bullying or harassment by others.

6.0 **Informal Procedure**

If a member of staff feels that they are being harassed or bullied, they should wherever possible raise the matter with the alleged harasser or bully themselves. They should describe the behaviour, which they find offensive, explain how the behaviour makes them feel, and most importantly, ask for the behaviour to stop.

If the complainant does not feel able to tackle this on their own, they may choose to speak to a colleague, or their line manager, either of whom may accompany them to approach the perpetrator or make the approach on their behalf. The complainant or their representative must also approach the Headteacher to inform them as to the circumstances prior to the meeting.

Most complaints can be informally resolved and mediation at this stage may be appropriate. However in situations where the matter remains unresolved due to non-acceptance of the allegation made, or because the behaviour continues, or



the seriousness of the incidents makes it inappropriate to deal with the matter informally then the formal procedure should be invoked.

7.0 Formal Procedure

An employee wishing to lodge a formal written complaint should do so under the Ovingham C of E First School grievance procedure, as soon as possible after the event and without unreasonable delay. This should normally be within three months of the event.

Workers that are not employees may lodge a written complaint using the Ovingham C of E First School complaints procedure.

8.0 External sources of help

In certain circumstances it may, with mutual agreement, be helpful to seek external advice and assistance dealing with matters, for instance, where relationships have broken down, an external facilitator might be able to help resolve the problem through mediation or by conducting an independent investigation into the complaint.

9.0 Malicious or vexatious complaints

It is recognised that on occasions, complaints are made maliciously with no basis in fact, and are purely attempts to damage the alleged harasser in some way. If this is the conclusion it may be appropriate for formal disciplinary action to be taken against the person making the complaint.

Malicious complaints may be regarded as gross misconduct and disciplinary action may be taken.

10.0 Handling dignity at work cases from former employees

Wherever possible a Dignity at Work case should be dealt with before an employee leaves employment.

9.0 Monitoring and Review

This policy and procedure will be monitored and reviewed biannually by the Headteacher]. Where there are issues with the way the policy and/or procedure are working, these will be looked at closely with a view to identifying measures to improve their effectiveness.



Document Record

Versio n	Reason for Amendments/Update/Review	Date of Adoption by Ovingham C of E First School	Date of next review
1.0	New policy and procedure provided by educoHR.	Nov 2021	Nov 2024