

Academies Trust

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# Dignity at Work Policy

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## 1. Purpose

1.1 Co-op Academies Trust ("our Trust") aims to provide a safe and supportive working environment where all its colleagues are treated with dignity and respect and are valued for their skills and abilities. By embedding the Co-op's ethical values and Ways of Being Co-op we are committed to developing a culture to ensure that diversity and difference are actively celebrated. This policy is a positive mechanism that supports all groups by promoting equality of opportunity and eliminating discrimination. We believe that colleagues are responsible for their actions and firmly oppose all forms of harassment and bullying at work. Our Trust promotes every colleague's entitlement to carry out their duties without fear of being subjected to unreasonable behaviour.

1.2 Unreasonable behaviour can take many forms and can range from physical attack to a subtle comment. It can include actions, jokes or suggestions that might create a stressful working environment or the production, distribution, display or communication / discussion of material, including via social media, which may give rise to offence. It can also include behaviour which deliberately or inadvertently excludes individuals from normal activities in the workplace. Examples of unreasonable behaviour can be seen in Appendix 1, although this is not an exhaustive list.

1.3 Incidents of harassment and discrimination are often based on sex or race but are not exclusively so. No individual or group of people should fear unfair treatment arising from their gender, race, religion or belief, culture, age, impairment or sexuality.

1.4 This Policy will be applied with due consideration to our Trust's Equality, Diversity & Inclusion Policy, our Trans Equality Policy, and our co-operative values.

## 2. Applicability

2.1 This policy applies to everyone employed by our Trust, whether permanent, full time, part time or on a temporary / fixed term contract and all colleagues are required to comply with this policy, whether working at their normal place of work or off site. It applies to harassment and bullying that takes place during normal working hours and also outside normal working hours, where an individual's actions affect our Trust or has a bearing on any workplace relationship.

2.2 Disciplinary action (subject to investigation), including dismissal for serious offences, may be taken against colleagues who violate this policy and/or who make what can clearly be seen as malicious claims.

2.3 Colleagues not directly employed by our Trust such as volunteers, agency/supply staff, contractors and members of our Trust Board or Academy Governing Councils are expected to conduct themselves in accordance with the principles and spirit of the policy. In the event of a Dignity at Work complaint being raised against such persons, appropriate support will be provided and appropriate alternative procedures followed.

Any complaints regarding Governors, Trustees or Members should be referred to the Head of Governance & Data Protection.

2.4 Our Trust will not tolerate incidents of harassment, bullying or discrimination by third parties (including governors, partners, clients, contractors, visitors, pupils/students or parents/carers) towards any colleague in the course of their employment. Any examples of such behaviour should be managed through existing procedures and/or brought to the attention of a senior leader or line manager so that appropriate support can be provided and action taken, as appropriate.

### 3. Effects of Harassment/Bullying

3.1 Harassment/bullying is a severe problem which can often be dismissed as individuals being over sensitive. The sufferer may feel humiliated and unable to face the harasser. Typical reactions include embarrassment and a misplaced sense of personal guilt. An individual may find it difficult to tackle the harasser/bully themselves, for fear of not being believed. The resultant pressure can affect a person's health, work performance, promotion and job prospects.

3.2 For the employer, harassment/bullying can result in increased levels of absence, lost productivity, resignations, damage to our Trust's reputation and potential tribunal/court cases.

### 4. Counselling

4.1 In addition to the procedures set out in this document, an individual may wish to seek counselling where their health or feeling of well-being is being affected by a situation at work.

4.2 Co-op Academies Trust has made arrangements to ensure that all colleagues can access a free 24 hour, 7 day per week telephone counselling service via its Employee Assistance Programme which can be contacted on 0800 028 0199.

Any discussion with a counsellor is in total confidence and completely separate from the procedures set out in this document. A counsellor has no formal role in the procedures and in the investigation of complaints. All discussions between counsellor and colleague are confidential.

### 5. Aims

5.1 Our Trust has both a moral and legal duty to provide a working environment where dignity is preserved and is free from all forms of harassment and bullying (see Appendix 2).

5.2 The aim of this procedure is to ensure that our Trust meets its moral and legal responsibilities by providing a supportive and accessible way for colleagues to raise and

resolve problems relating to personal bullying, harassment or victimisation by another member of staff. This applies to all forms of offensive and unfair behaviour, whether such behaviour is unlawful, and provides for colleagues to seek redress through either an informal or formal process, as the individual prefers. In appropriate cases, management will initiate a formal disciplinary investigation.

The Policy aims to:

- Ensure the dignity at work of all colleagues
- Respect and value differences
- Ensure that all colleagues are aware of the types of behaviour which may constitute harassment and bullying
- Identify individual responsibilities in preventing such behaviour
- Provide procedures which enable complaints to be investigated promptly and appropriately, within agreed time limits, and ensure that effective action is taken to prevent a recurrence
- Provide procedures which recognise the sensitivity of the issues raised
- Provide a working environment in which colleagues feel confident to bring forward complaints of harassment and bullying without fear of victimisation
- Enhance our Trust's compliance with its legal obligations and policy commitments in relation to equal opportunities
- Provide access to mediation in appropriate circumstances
- Give access to counselling where sought
- Provide appropriate training and guidance for all individuals involved in the handling of harassment and bullying complaints
- Contribute to our Trust's overall Wellbeing Strategy in supporting its colleagues to successfully manage their working relationships and recognising the subsequent impact this can have on their overall health, wellbeing and success of our Trust

## 6. Individual Responsibilities

### 6.1 Our Trust's Commitment

- To accept its legal and moral responsibility to deal with harassment at work and to provide an environment free from all forms of harassment and bullying
- To ensure that all colleagues are aware of the Policy and Procedure with regard to harassment and bullying, including providing training to help colleagues to understand the nature and seriousness of all forms of harassment and bullying
- To provide guidance and training to those responsible for dealing with complaints of harassment and bullying
- To incorporate the Dignity at Work Policy within any appropriate training programmes, e.g. induction

### 6.2 Senior Leaders / Line Managers (see also appendix 4)

All managers are responsible for promoting a positive working environment and for preventing harassment at work by:

- Ensuring that through their own actions or inactions, remarks or other behaviours, they do not conduct themselves in a manner which may reasonably be perceived by other colleagues as bullying or harassment
- Ensuring that workplace arrangements and practices foster good working relations and behaviours and do not allow scope for harassment or bullying

- Dealing promptly with any behaviour shown by colleagues which might be considered as bullying or harassment by other colleagues
- Implementing the procedure and ensuring that all colleagues are made aware of our Trust's policy with respect to Dignity at Work

### 6.3 Colleagues (see also appendix 3)

- To treat their colleagues and other stakeholders with dignity and respect and take responsibility for their behaviour, in accordance with this policy and other policies such as our Trust's Code of Conduct
- Not to harass/bully any other colleague and to discourage any forms of harassment/bullying
- To support colleagues who are being harassed or bullied and maintain confidentiality where applicable, ensuring that any bullying or harassment is reported to the relevant manager or HR
- To cooperate fully with procedures and attend meetings when applicable under this policy

## 7. Monitoring

7.1 Records of complaints and where, why and how they occurred will be monitored by our Trust's Human Resources team to identify problem areas, possible corrective action and to ensure that they are promptly and effectively resolved and that no victimisation or retaliation occurs.

## 8. Victimisation

8.1 All colleagues shall be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Individuals who retaliate against a colleague for complaining about harassment or bullying, or for assisting in any investigation or being a witness, will be investigated in accordance with our Trust's Disciplinary Procedure. Such conduct will be regarded as a serious disciplinary matter which may result in action being taken, up to and including dismissal.

## 9. Confidentiality

9.1 All parties concerned will treat complaints of harassment or bullying in confidence. Disciplinary action may be taken against any person revealing the nature of any disciplinary action taken against a bully/harasser.

## 10. Procedure for dealing with harassment/bullying

10.1 Allegations of harassment and bullying need to be dealt with in a sensitive and timely manner, ensuring minimal stress for both the complainant and the alleged perpetrator, and also allowing a degree of flexibility appropriate to the individual circumstances of each case.

10.2 Individuals who consider that they are being subjected to bullying or harassment should keep a note of any incident, including the date, time, place, witnesses and details of what happened on each occasion. They are encouraged to seek support from their line manager, trade union representative and/or Employee Assistance Programme.

10.3 Colleagues should try to resolve issues informally wherever possible at the lowest level of concern. Examples of informal resolution can be found in section 12 in this policy. However, where a more formal course of action is deemed appropriate or necessary the complaint should be submitted in writing.

10.4 Following receipt of a formal complaint, the matter will be considered in accordance with our Trust's Grievance Procedure if it relates to another colleague or, if it relates to someone who isn't a colleague, under an alternative procedure as appropriate e.g. Complaints Procedure.

## 11. Informal Action

Minor issues, for example those which may have arisen as a result of perception or misunderstanding, are best dealt with informally either directly between colleagues or with someone else to provide support. The initial, informal approach should be made as soon as possible after the events have occurred.

As going through a formal process can lead to strained relationships and additional stress it is recommended that every effort is made to try and resolve issues informally as soon as possible, and for advice and support from workplace representatives to be sought.

It is recommended that sufficient time is allowed at the informal stage for all parties to reflect on the matter and to try to reach an agreeable way forward.

### 11.1 Raising the matter directly

Wherever possible, ask the person to stop the behaviour that is upsetting or offending you. Try to choose an appropriate time and use a non-confrontational manner. It may be helpful to outline the particular action which is causing concern, and the impact it is having on you. It is important to allow the other party to have the opportunity to respond from their point of view. You may find that sharing information with the other person will throw a new light onto the situation and allow both parties to reflect on things differently. There is often an agreed way of moving forward at the end of this process.

If you feel it would be helpful, ask someone you trust to be there to support you when you have this conversation.

### 11.2 Involve a line manager

As an alternative to raising the matter directly, you could raise your concerns with that person's line manager (or your own line manager), who may then be able to help facilitate an informal resolution.

It may be appropriate to ask the Regional HR Manager to facilitate a meeting (or series of meetings) between the colleague raising the concern and the individual against whom the complaint is raised. This should take place by mutual agreement, and at a time & place suitable to both parties. The meeting will enable both parties to explain 'their side of the story' and to agree on a way of moving forward together. It is important that this sort of process is carefully organised and facilitated, so the Regional HR Manager should be involved.

In situations where a matter has been raised informally and a meeting happens with 'the perpetrator' as a result, the manager should document that these informal meetings have taken place and, briefly, what was discussed. Copies should be provided to the relevant person, and be placed on their HR file.

### 11.3 Mediation

This is a meeting where a trained independent mediator can help both parties raise issues of concern, assist with understanding the issues and help both parties plan a way of working together effectively in the future. This can only happen if both parties agree and is most likely to be used if other informal methods haven't been successful. The timescale and number of sessions required will be dependent upon many factors which may include the complexity of the case, the commitment from the parties involved, the nature of the process used and external events or circumstances.

11.4 These are examples of informal resolution and the list is not exhaustive. Other informal courses of action might be appropriate depending on the individual circumstances.

11.5 The complainant may exercise their right to move to formal procedures where matters at this stage are not being addressed in a timely manner, or fail to resolve the situation.

11.6 Where informal action has been taken to resolve the complaint, any records maintained should merely record the action taken and should not contain any implied decision that harassment had or had not taken place.

## 12. Formal Action

12.1 The nature of the harassment/bullying will influence whether an attempt at informal resolution is appropriate. Subject to the complainant's agreement, informal measures should be encouraged in most circumstances.

12.2 Formal action may be appropriate when:

- The harassment/bullying is too serious to be open to informal resolution
- The harassment/bullying persists after informal attempts at resolution
- The person complaining of harassment/bullying prefers to use the formal procedure.

12.3 Where formal action is deemed appropriate the complainant should submit their complaint, in writing, in accordance with our Trust's Grievance Procedure.

12.4 The complaint should give:

- The name of the alleged harasser(s)
- The nature of the problem
- The dates of any incidents
- Details of any informal action taken

12.5 In most cases, academy-based colleagues should send formal complaints to their headteacher. Central/hub colleagues should raise the matter with the relevant SLT member.

If the complaint is about the headteacher, it should be sent to the Regional Director, or to a Regional HR Manager. If the complaint is about the Regional Director or another member of our Trust's SLT, it should be sent to the CEO. If the complaint is about the CEO, it should be sent to the Chair of the Trust Board.

12.6 Following receipt of a formal complaint, the matter will be considered in accordance with our Trust's Grievance Procedure.

12.7 Regular catch-ups with any colleague raising a formal complaint under the Dignity at Work Policy will take place after the complaint is made, to ask after their welfare and ensure there are no problems occurring (victimisation, retribution or exclusion). A colleague making a formal complaint should not be transferred, suspended or kept away from work as a result of their complaint, unless they ask for such a move.

## 13. Appeals Process

13.1 Where the complaint is not upheld or the outcome is viewed as unsatisfactory, the complainant has the right to appeal against the decision within 5 working days of being advised in writing of the outcome. The appeal should be in accordance with our Trust's Grievance Procedure.

## 14. Disciplinary Procedure

14.1 Where there is evidence that the colleague's complaint amounts to a serious allegation of bullying / harassment / discrimination or some other conduct matter being committed by someone other than the complainant, the Principal / Headteacher or Manager may refer the matter to be managed under our Trust's Disciplinary Procedure.

Where this occurs another Investigation Officer who has had no dealing with the initial complaint should be assigned to undertake the disciplinary investigation. A copy of any relevant evidence gathered during the grievance investigation should be passed over to the Investigating Officer of the disciplinary investigation.

In cases which appear to involve serious misconduct and there is reason to separate the parties, moving the alleged bully/harasser to another location or, if this is not possible a short period of suspension, may need to be considered while the case is being investigated.

## 16. Review

This policy will be reviewed after 3 years, or sooner if appropriate.

## Appendix 1 - Examples of unreasonable behaviour

Differences of attitude and culture and the misinterpretation of social signals can mean that what is perceived as harassment/bullying by one person may not seem so to another. However, it is the impact of the action and not just the underlying intention of the act which determines what constitutes harassment/bullying of any kind.

The following examples should be used as a guide to assist in understanding what may or may not be considered unreasonable rather than an exhaustive list of types of unacceptable behaviour.

### Harassment

The Equality Act states that a person harasses another if:

- (a) they engage in unwanted conduct related to a relevant protected characteristic, and
- (b) the conduct has the purpose or effect of:
  - Violating the other person's dignity, or
  - Creating an intimidating, hostile, degrading, humiliating offensive environment for the other person.

The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage and civil partnership
- Pregnancy and maternity

The Advisory, Conciliation and Arbitration Service (ACAS) define harassment as "unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, race, impairment, religion, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient."

It may involve action, behaviour, comment or physical contact which is found objectionable or which causes offence, and which can result in the recipient feeling threatened, humiliated or patronised. Examples include:

- Threats or insults
- Offensive or suggestive comments
- Mimicking someone's accent
- Using derogatory or informal slang about people's characteristics, e.g. their impairment, race, religion, sexual orientation, age, physical appearance, gender,
- Pressure for dates
- Offensive jokes or teasing

- Practical jokes
- Offensive gestures or looks
- Staring or leering
- Display of offensive posters, photos or graffiti
- Circulating offensive or suggestive letters or e-mails
- Offensive, suggestive or invasive telephone calls or text messages
- Sending jokes by text
- Posting offensive messages on blog sites or websites
- Filming a person using a mobile phone
- Unwelcome physical contact, even if assuming that someone needs reassurance
- Asking intrusive questions about someone's personal life
- Physical assault

Deliberate harassment is illegal under the Criminal Justice and Public Order Act 1994. This covers harassment at work on grounds of race, gender, sexuality, impairment, age or any other grounds. The offence carries a maximum prison sentence of six months.

Unintentional harassment may also amount to an offence under the Protection from Harassment Act 1997, where a person pursues a course of conduct which amounts to harassment or which causes a person to fear that violence will be used against them. The offence can be committed even where the perpetrator did not intend their actions to have that effect.

### Forms of Harassment

#### Sex

- Unwanted conduct which is offensive to the recipient(s) on the grounds of the recipient's sex or unwanted verbal, non-verbal or physical conduct of a sexual nature
- Sexual harassment can affect both men and women

#### Race

- Unwelcome and unpleasant behaviour towards an individual or group, on the grounds of their race, colour, national or ethnic origin, which is regarded as offensive by the recipient(s)

#### Disability

- Derogatory remarks, mimicking, invasive personal questions, staring, ostracising, which is directed at any individual with an impairment, or group of disabled people, which results in the individual feeling threatened or compromised
- Making assumptions about an individual's ability because of their impairment

#### Age

- Ridiculing or demeaning behaviour focused towards people because of their age, or making assumptions about lifestyle based on perceived age

#### Sexual Orientation

- Behaviour which condemns or ridicules people because of their perceived or actual sexual identity. It includes derogatory remarks, jokes or graffiti which results in the individual feeling uncomfortable, excluded or threatened.

### Religion or Belief

- Behaviour that is offensive, frightening or in any way distressing. It may be intentional bullying which is obvious or violent, but it can also be unintentional or subtle and insidious. It may involve nicknames, teasing, name calling or other behaviour which may not be intended to be malicious but nevertheless is upsetting. It may be about the individual's religion or belief or it may be about the religion or belief of those with whom the individual associates. It may not be targeted at an individual(s) but consist of a general culture which, for instance, appears to tolerate the telling of religious jokes

### Bullying

Bullying can be described as the use of oppressive behaviour or the abuse of power, which makes the recipient feel threatened, humiliated or vulnerable, and which may undermine their self-confidence. Examples include:

- Verbal or practical jokes
- Shouting at, being sarcastic towards, ridiculing or demeaning others
- Making homophobic insults and threats
- Physical or psychological threats
- Outing an individual as LGBT without their permission
- Overbearing and intimidating levels of supervision
- Inappropriate and/or derogatory remarks about someone's performance
- Abuse of authority or power by those in positions of seniority
- Deliberately excluding someone from meetings or communications without good reason
- Making someone's working life unreasonably difficult, for example, setting of impossible deadlines, objectives and deliberately imposing an intolerable workload
- Malicious rumours and allegations, including fabricating complaints from stakeholders and other colleagues
- Open aggression, threats, shouting, abuse and obscenities, persistent negative attacks
- Sending aggressive emails (avoid CAPITALS it makes you look like you are shouting!).
- Humiliation, criticism and ridicule, belittling efforts and undervaluing contribution
- Withholding information or training with the intent of deliberately affecting a colleague's performance
- Picking on one person when there is a common problem
- Ostracising, isolating and marginalising an individual, excluding the person from any discussion or decision making
- Removing areas of responsibility, reducing work to menial, routine tasks
- Insulting or offensive remarks made about your appearance, lifestyle, habits or attitudes
- Imposing inappropriate tasks

- Interrupting someone else because you feel what you have to say is more important
- Using appraisals or peer reviews to take out the frustration you feel about someone who irritates you
- Making jokes about someone in front of others with intent to isolate them from the group, or excluding them from social gatherings
- Incitement of others to do any of the above

## Appendix 2 - Legislation Relating to Harassment and Bullying

Most forms of harassment and bullying are covered by legislation and case law.

The provisions of The Equality Act 2010 legally protect an individual from harassment and/or discrimination in the workplace, where the unwanted conduct is related to a protected characteristic. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening the protection in some situations.

## Appendix 3 - Dignity at Work - Colleague Guidance

### Colleague Rights and Responsibilities

It is the responsibility of every colleague to:

- Make themselves aware of the contents of the Dignity at Work Policy
- Respect the personal dignity of all colleagues
- Behave in a way that is not offensive to others
- Support our Trust in its efforts to eradicate any such behaviour that may threaten our Trust's commitment to ensuring the dignity at work of all its colleagues

It is the right of every colleague to:

- Be treated with respect and dignity in the workplace
- Challenge inappropriate behaviour and raise complaints under this procedure without fear of reprisal

### What you can do to prevent harassment and bullying

All colleagues have a personal responsibility to prevent complaints of personal harassment or bullying by:

- Ensuring at all times their own behaviour cannot be construed as harassment or bullying
- Making their work colleagues aware that certain conduct or behaviour is causing concern or offence to either themselves or others
- Providing support to the person who is being harassed or bullied
- Encouraging colleagues to report any incidents that cause them personal distress

Colleagues who feel they are being harassed or bullied should:

- Make it clear to the harasser/bully that their behaviour is unacceptable and unwelcome. (In many cases this action may be sufficient enough to stop the harassment.)
- Seek to address the issue informally in the first instance, if appropriate
- Report the harassment/bullying to their line manager

### Could you be a workplace harasser/bully?

Do you:

- Use language which is insensitive or which could be construed as offensive?
- Stand too close to people or make physical contact with them?
- Express personal views that may hurt or discriminate against others?
- Reveal your dissatisfaction in ways that may offend or frighten others?

Would you:

- Say or do these things to colleagues of the same sex or ethnic background?
- Like a member of your family to be on the receiving end of similar behaviour?
- Wish to be on the receiving end of such behaviour yourself?

### What to do if you witness unacceptable behaviour

If you witness behaviour which you think is unacceptable, do not ignore it.

You may witness unacceptable behaviour where the individual who has been subjected to the action feels unable to ask the perpetrator to stop. In these circumstances you should remember that everybody has a responsibility to attempt to try to prevent behaviour, which is likely to result in upset or distress.

Inaction of a witness, particularly one in a more senior role, could also be construed as silent agreement or support for the alleged harasser or bully. If you witness unacceptable behaviour you should:

- Inform those involved that the behaviour is unacceptable and why
- Ask that the behaviour stops
- If it has personally upset or offended you, explain this to those involved

Remember harassment/bullying is not:

- An occasional raised voice or disagreement between colleagues
- Constructive criticism of an colleague's behaviour/performance
- Reasonable and appropriate behaviour of a line manager or senior leader carrying out the responsibilities of their role

### How to spot if a colleague is suffering from harassment/bullying

Harassment/bullying affects different people in different ways, but even what some may perceive to be low level problems, have the potential to make the most resilient people unhappy.

Individuals subjected to harassment/bullying may often be too embarrassed or too fearful to make a complaint. Most people do not want to draw attention to the situation; they just want the harassment or bullying to stop.

Tell-tale signs may be:

- A change in behaviour, e.g. becoming withdrawn, depressed, and/or emotional
- Physical signs such as stomach aches, headaches or sleeping difficulties
- Bingeing on food, alcohol or cigarettes.

If you suspect that there may be a problem with one of your colleagues, it may be appropriate to approach them to establish what the problem is. The colleague may welcome the opportunity to share their concerns. On the other hand, they may be reluctant to tell you exactly what the problem is. Do not force the issue - let the colleague know that if there is a problem support is available either from yourself, their line manager or via the Employee Assistance Programme.

What to do if you are approached by a colleague who believes they are being harassed or bullied

If you are approached by a colleague who believes they are being harassed or bullied you should not ignore the situation. Whilst the information may be given in confidence the reality is that they are asking for help and support. You should listen carefully to what it is they are complaining about and try to find out how they want you to help.

In the first instance you should encourage them to approach the alleged harasser/bully and ask them to stop whatever it is they are doing. This is often the quickest and most effective way of resolving a problem, especially when it is due to a lack of sensitivity rather than a deliberate attempt to cause discomfort.

It is important to keep a note of any meeting that takes place as this may be used as evidence if the situation cannot be resolved informally. If you do not feel able to intervene, then you should encourage the complainant to raise their complaint with either their line manager or appropriate leader.

### What to do if your behaviour is challenged

If your behaviour/conduct is challenged, it is important not to become too defensive, or aggressive, but to reflect on what has been said.

You should ask the complainant:

- What is it about your behaviour that is causing them concern?
- Why do they feel your behaviour is unacceptable?
- What is it that they wish you to do, or stop doing, to resolve the matter?

It may be the case that you do not feel that your behaviour is unacceptable, however, bear in mind that harassment is not just about intention but also about how it is perceived by the recipient. It is important, having discussed this with the person making the complaint, to try to reach a resolution to the problem and resume a normal working relationship. If you feel the accusation is justified, be ready to apologise.

### How to deal with harassment/bullying if it's happening to you

- Admit to yourself that you're being harassed/bullied and that the behaviour being aimed at you is unfair, unjustified and unwarranted
- Tell the harasser/bully how their behaviour is affecting you. In some cases this may be all it takes to make them realise that their behaviour is unacceptable
- Don't suffer in silence - talk to someone you trust such as a colleague in your team
- Keep a written record of the harassment/bullying

## Appendix 4 - Dignity at Work - Manager Guidance

### Manager Responsibilities

It is the responsibility of every manager to:

- Implement the Dignity at Work Policy and ensure that colleagues are aware of their responsibilities under the policy
- Ensure that the work environment is non-threatening and supportive and take steps to prevent bullying or harassment
- Behave in a way which does not harass/bully another person
- Treat complaints of harassment seriously, sensitively and confidentially

### What can you do to prevent harassment and bullying

Managers must make every effort to ensure that harassment and bullying do not occur, particularly in work areas for which they are responsible by:

- Leading by good example
- Creating a non-offensive working environment
- Being alert to, and correcting, unacceptable behaviour
- Reviewing and amending workplace practices
- Giving colleagues access to training on diversity/dignity issues
- Ensuring colleagues know how to raise harassment and bullying complaints
- Dealing with any complaints sensitively and fairly, and in accordance with our Trust's policy

### Could you be a workplace harasser/bully?

Do you:

- Use language which is insensitive or insulting?
- Single out colleagues for unwarranted or public criticism?
- Use aggression behaviour or threats to get your point across?
- Stand too close to people or make physical contact with them?
- Place constant excessive demands on colleagues?
- Set colleagues unrealistic work targets?
- Withhold access to appropriate development opportunities for colleagues?

Managers have a right to discharge managerial duties. This is acceptable providing that colleagues are not demeaned, devalued or intimidated in the process. Harassment/bullying is not reasonable management behaviour.

### What to do if you witness unacceptable behaviour

If you witness behaviour which you think is unacceptable, do not ignore it.

You should:

- Inform those involved that the behaviour is unacceptable and why

- Insist that the behaviour stops

You should remember that the inaction of a witness, particularly one in a more senior role, could be construed as silent agreement or support for the alleged bully or harasser.

### How to spot if a colleague is suffering from harassment/bullying

Don't assume that harassment or bullying is not a problem just because there have not been any complaints. Individuals subjected to harassment/bullying may often be too embarrassed or too fearful to make a complaint. Most people do not want to draw attention to the situation; they just want the harassment or bullying to stop. It may be that colleagues who are being harassed or bullied feel that there is no point in making a complaint as:

- It would not be taken seriously
- They do not want the harasser or bully to get into serious trouble
- They are afraid of reprisals

Harassment/bullying affects different people in different ways, but even low-level problems have the potential to make the most resilient people unhappy and unproductive.

Tell-tale signs may be:

- A change in behaviour, e.g. a lack of concentration, becoming withdrawn, depressed, and/or emotional
- Physical signs such as stomach aches, headaches or sleeping difficulties
- Bingeing on food, alcohol or cigarettes

If you suspect that there may be a problem, it may be appropriate to approach the colleague to establish what the problem is. The colleague may welcome the opportunity to share their concerns. On the other hand, they may be reluctant to tell their manager what has happened, especially where the harasser/bully is a more senior colleague.

Let the colleague know that if there is a problem you are there to support them. If appropriate, remind them about the Employee Assistance Programme. It is important not to question too intently or ask anything that might make them feel that they've done something wrong.

### How to deal with a complaint

If you are approached by a colleague who believes they are being harassed or bullied, or someone approaches you on their behalf, you should not ignore the situation.

You should try to establish:

- The nature of the complaint?
- If this is the first incident or have there been others?
- If there are any witnesses to the incident(s)?
- If they have kept a record of what has been happening to them?

- Whether or not they have asked the individual they are complaining about to stop whatever it is that they are doing?

Where appropriate you should talk the colleague through the Dignity at Work Policy and advise them of the options open to them. It is important that the colleague feels that their complaint has been taken seriously.

If you decide to speak to the alleged harasser/bully informally you should:

- Explain your role in attempting to deal with the matter informally
- Advise them of the nature of the complaint and that their behaviour or conduct towards a fellow colleague is causing distress
- Try to facilitate a resolution to the problem regarding future working arrangements

At this initial stage witnesses should not be called. A record of the incident, the discussions that have taken place and the desired outcome should be kept as this may be used as evidence if the situation cannot be resolved informally.

It is important that the situation is monitored carefully in order to ensure that there is no subsequent harassment/bullying, and that neither the complainant nor the person complained about is ostracised and that both parties are given appropriate support.

Where it has not been possible to resolve the matter in this way, or if you feel that the allegations are of a serious nature (e.g. sustained malicious or calculated behaviour) the complainant should be supported in making a formal written complaint.

### What to do if your behaviour is challenged

If your behaviour/conduct is challenged, it is important not to become too defensive, or aggressive, but to reflect on what has been said.

You should ask the complainant:

- What is it about your behaviour that is causing them concern?
- Why do they feel your behaviour is unacceptable?
- What is it that they wish you to do, or stop doing, to resolve the matter?

### Further advice and support

Managers can seek further advice and support from their senior leadership team / Headteacher / Principal, or from a member of the HR team. If the complaint is about the headteacher, it should be sent to the Regional Director (see below), or to a Regional HR Manager.

- Nick Lowry (Staffordshire & Merseyside)
- Karine Hendley (West Yorkshire)
- Ian Burchett (Greater Manchester)

If the complaint is about the Regional Director or another member of our Trust's SLT, it should be sent to the CEO, Chris Tomlinson. If the complaint is about the CEO, it should be sent to the Chair of the Trust Board, Russell Gill.