



**PENK VALLEY
ACADEMY TRUST**

Dignity Policy

(Formally Harassment and Bullying Policy)

Approved by Personnel Committee June 2021

Frequency of Review: 3 years

Review date: June 2024

Policy based on LA Harassment & Bullying Policy April 2013

Amendments

Reviewed by Federation SLT 17/02/2017

2017 – TP – SJFS added

2018 – TP – amended for PVAT

2021 – DH/JA renaming of policy, victimisation elements included. Removal of Mediation Co-ordinator

CONTENTS

1.	Aims	3
2.	General principals	3
3.	Behaviour that may amount to Harassment, bullying or victimisation	3
4.	Complaints against third parties	4
5.	Procedure	4
6.	Mediation	5
7.	Effective date	5
8.	Review date	5

1. ***Aims***

The aim of this policy is to ensure that all colleagues are treated with dignity and respect and that the working environment is one free from bullying, harassment or victimisation. It provides a mechanism for colleagues to challenge any unwanted treatment, behaviour or conduct. All colleagues are expected to treat fellow colleagues, visitors, customers and suppliers with respect and to adhere to this policy. The trust recognises that any member of the school workforce can be subjected to these forms of behaviour.

This policy applies not only to treatment, behaviour or conduct in the workplace but outside the workplace e.g. business trips, training courses, work related social activities as well as comments made via social media such as facebook etc.

2. ***General Principals***

- The Penk Valley Academy Trust will not tolerate harassment, bullying or victimisation and will ensure that management at every level understands this. All allegations of harassment, bullying or victimisation will be taken seriously and dealt with promptly and confidentially. It is the responsibility of management to ensure that all colleagues understand the policy, that it is adhered to and to deal with behaviours that are in breach of this policy. Where it is found that harassment, bullying or victimisation has occurred, the appropriate action will be taken which could include dismissal for gross misconduct.
- Colleagues who make a complaint of harassment, bullying or victimisation or support a colleague in making a complaint, in good faith will not suffer any less favourable treatment, retaliation or victimisation. Any colleague who feels that they have suffered such treatment should raise this with their line manager, their line manager's manager or Human Resources. Allegations of retaliation or victimisation will be dealt with under the disciplinary procedure and may be treated as gross misconduct and may result in dismissal, whether or not the harassment, bullying or victimisation complaint was upheld.
- Even where a formal complaint has not been made by the colleague, management are required to and will investigate and deal with any treatment, behaviour or conduct which is contrary to this policy, such as inappropriate banter, aggressive attitudes or insensitive jokes.
- We are committed to equality and diversity and will make reasonable adjustments to the application of this policy in line with our equality policy.

3. ***Behaviour that may amount to Harassment, bullying or victimisation***

- Harassment, bullying or victimisation is used to describe the unwanted treatment, behaviour or conduct of one person by another or others which has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It does not have to be a series of events; a single incident may amount to harassment, bullying or victimisation.
- Harassment, bullying or victimisation may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious, or it may be insidious. Whatever format it takes, it is unwarranted and unwelcome to the individual.
- Harassment, bullying or victimisation may include conduct, which is related to sex, age, sexual orientation, race, colour, nationality, ethnic or national origin, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, religion or belief, membership of a trade unions or taking part in the activities of a trade union but conduct can

amount to harassment, bullying or victimisation without it relating to any of these categories.

- Colleagues are able to complain of behaviour, treatment or conduct that they find offensive even if it is not directed at them and they do not have the relevant characteristic themselves.

The following is a list of examples of behaviour that may be harassment, bullying or victimisation:

- Offensive, abusive or intimidating comments, insensitive jokes or pranks, derogative or stereotypical remarks.
- Displaying or distributing pornographic material, abusive literature or graffiti or other material that some people may find offensive.
- Deliberately excluding someone from conversations or work activities.
- Unwelcome sexual advances or suggestive behaviour.
- Unwanted physical conduct including touching, pinching, grabbing.
- Ridiculing, humiliating or belittling someone.
- Inappropriate remarks about someone's performance.
- 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.
- Copying memos that are critical about someone to others who do not need to know.
- Spreading malicious rumours or insulting someone by word or behaviour (particularly on the grounds of protected characteristics).
- Preventing colleagues progressing by intentionally blocking promotion or training opportunities.
- The use of social networking sites to bully or harass others.

The above list is not exhaustive. What one colleague finds acceptable, another may not and therefore all colleagues ought to ensure that they treat one another with respect. Also, it is not necessary that the treatment, behaviour or conduct in question was directed at the colleague, harassment, bullying or victimisation can include behaviour which creates an intimidating and offensive environment for the colleague and anyone else who may witness that behaviour.

Where, following an investigation, it has been determined that a colleague has been subject to legitimate, constructive and reasonable criticism of their performance or conduct, this will not amount to harassment, bullying or victimisation.

4. Complaints against third parties

Sometimes the allegation of harassment, bullying or victimisation may be against someone you come across as part of their work e.g. a customer, supplier or visitor. In this case the complaint should be made to your line manager who will then discuss with you how best to deal with the situation. Where your line manager is unavailable e.g. due to sickness or holiday, you should raise your concern with your line manager's manager.

5. Procedure

If you believe that you have been subjected to treatment, behaviour or conduct which is contrary to the Dignity at Work Policy, you can raise a complaint either informally or formally. The procedure that you need to follow to raise your complaint is set out in the Grievance Policy and Procedure.

The grievance policy and procedure also explains the mediation service which is another potential way to resolve your complaints.

If you require further help, advice or assistance about how to deal with a complaint of harassment, bullying or victimisation you should speak to your manager, trade union

representative or human resources. Where The Academy Trust is investigating harassment, bullying or victimisation complaint, The Academy Trust may suspend the alleged harasser/bully on full pay or arrange other temporary working arrangements or look at transferring the alleged harasser/bully to another work area. This will depend on the nature and potential seriousness of the allegations.

6. *Mediation Service*

As an alternative to pursuing a complaint under the grievance procedure you also have the opportunity to access the Mediation Service.

Mediation is a confidential process that seeks to help colleagues resolve disputes in the workplace. Mediation is an informal process where colleagues involved in a dispute or whose relationship is under strain, have the opportunity to air their differences in a voluntary, safe, confidential meeting with the other party, in the presence of a mediator.

Mediation is a voluntary option and it can only be used when both parties agree to take part. There is no penalty or detriment if you choose not to participate in a mediation process.

If both parties agree to engage in the mediation process as a way of resolving their issues, then the manager must contact HR as soon as possible so that a mediator can be arranged.

If you go through mediation and it is not successful, you can then go through the formal grievance procedure.

If you have raised a grievance and decide to pursue mediation, the grievance may be paused while the mediation is taking place. If the issue is resolved informally or through mediation, the formal grievance will be closed.

7. *Effective Date*

This policy has been agreed with the trade union representatives and was adopted by Penk Valley Academy Trust on conversion to Academy Status on 1st April 2018. In September 2020, following the staff and union consultation with all employees of The Rural Enterprise Academy regarding pay and terms & conditions, this policy now applies to all PVAT staff.

The Head of HR, or delegated person, will periodically review this policy with the Trade Unions following changes in employment law or at the request of the business or the Trade Union Consultative Committee.

8. *Review Date*

This policy will be reviewed every 3 years, or earlier if necessary.