



Dignity and Respect at Work Policy

This procedure was approved by the Trust Board of Directors on 20 March 2018 and will be reviewed annually.

1. Introduction

- 1.1 Consilium Academies are committed to ensuring that all their employees are treated with dignity and respect. Bullying and Harassment of staff are completely unacceptable and the Trust is committed to ensuring that such matters are being dealt with in a timely manner. Our vision statement 'Surrounding them with things Noble' is as important for our staff as it is for our pupils and we will strive to provide the best possible environment for everyone.
- 1.2 The trust is committed to treating seriously any allegations relating to potential discrimination on the grounds of race, gender, disability, sexual orientation, age, religion, trade union membership and family care responsibilities, and ensuring a full and thorough investigation where such allegations are made
- 1.3 This procedure is intended to follow best practice in line with the ACAS Code of Practice on Bullying and Harassment and to comply with the Equality Act 2010 and the Public Sector Equality duty.
- 1.4 This procedure is applicable to all staff employed by Consilium Academies and is designed to deal with either individual or collective dignity at work complaints.
- 1.5 This policy deals with all dignity at work issues involving alleged incidents of harassment, bullying or victimisation.

For the purpose of this policy the definition of Harassment is unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may be on the grounds of the protected characteristics (sex, marital status, race, disability, religion or beliefs, sexual orientation, age or gender reassignment). For the purpose of this policy, this list should be considered non-exhaustive, and harassment or bullying on any grounds will not be tolerated.

Examples of bullying / harassing behaviour could include:

- Spreading malicious rumours
 - Professional or social exclusion
 - Insulting behaviour
 - Unwelcome sexual advances or physical contact
 - Unfounded threats relating to job security
 - Calculated undermining of an employee's competence, for example through a consistently unreasonable or unfair workload, overbearing supervision or unnecessary circulation of critical memoranda
 - Verbal abuse, threats, derogatory name calling, ridicule, insults and offensive or embarrassing jokes
 - Offensive emails, texts or visual images
 - Offensive conduct through social media sites both inside and outside of the workplace
 - Derogatory graffiti/insignia or display of derogatory or offensive material
 - Inciting others to commit any of the above
- 1.6 Reasonable adjustments to this policy will be made upon request where this is required to accommodate an individual's needs in relation to a disability.

- 1.7 Employees who believe that they are being subjected to harassment and/or bullying, should raise any concern as soon as practicably possible and no later than three months after the last alleged incident. It must be recognised however, that it sometimes takes a significant period of time for the alleged victim to feel sufficiently empowered to raise the matter. The circumstances and context will be considered as appropriate to the allegation being made.
- 1.8 Except in cases of serious bullying and harassment or where the complainant believes that matters have gone too far, the option of achieving an informal solution to a complaint relating to bullying or harassment should be considered.

If the case is serious or the matter remains unresolved or the complainant wants more formal action taken the formal stage will be invoked. This will involve a grievance being raised and/or an investigation being carried out. NB – Even if the complainant declines to raise a formal complaint the manager of the person being complaint about may elect to institute an investigation in order to fulfil their duty of care to staff. This is particularly the case where the allegations are serious and there is a concern that there may be a wider problem.

2. Informal Process – Stage 1

If the employee feels able, they should speak up at the time when they feel harassed or bullied. It is important to be direct and for the employee to state explicitly that they feel they are being harassed or bullied and that the behaviour is unacceptable to them. The employee can also discuss the matter with another colleague or their Line Manager and ask them to speak to the perpetrator on their behalf. It is advisable that the employee keep an 'incident diary' of any offending behaviour. Employees are also encouraged to consider the role of mediation prior to making the decision to move to the formal procedure. Where the informal procedure or mediation has not resolved an employee's complaint, a formal allegation can be raised by the employee.

Equally the manager considering the case can elect to move straight to the formal stage of the process if the concerns are sufficiently serious. Advice will be sought as to how the concern should be investigated formally. Where there is a clear safeguarding concern the employer has a legal obligation to report through the safeguarding procedures or to the appropriate authorities.

- 2.1 The aim of the informal stage is to establish the nature of the issue, be clear about the employee's desired outcome and share information in an attempt to resolve the matter by mutual agreement with all parties involved.
- 2.2 Where an employee has a bullying and/or harassment complaint which involves another employee, manager or Headteacher of the employee should first of all try to resolve the matter by mutual agreement with the person involved. This may be with the support of their line manager or with an appropriate senior manager.
- 2.3 Where there are bullying and/or harassment concerns about the Headteacher it should be raised initially with the chair of governors, who will nominate an appropriate governor to address the complaint at the informal stage.
- 2.4 Mediation may be used to resolve the matter at the informal stage. However, this process does require the agreement of both parties.

3. Formal process – Stage 2

3.1 Where the employee believes the matter has not been resolved at the informal stage, they must set out the allegation in writing using the form at appendix 1, indicating why they feel it has not been resolved, and send a copy to the Headteacher (for school based employees), the Chair of Governors (for Headteachers or if the allegation concerns the Headteacher) or a senior manager from the trust (for central trust employees). This should be completed within 10 working days of the outcome of the informal stage.

3.3 A thorough, impartial and objective investigation will be carried out as quickly as possible by an investigator who has no prior involvement in the case. The investigation will be carried out with sensitivity and due regard for the rights of both of the complainant and the alleged bully/harasser, who will both be allowed Trade Union representation at all stages.

The Chair of Governors may nominate a governor to investigate the formal allegation or they may undertake the investigation themselves depending on the circumstances. Consilium Academies reserve the right to appoint an employee from within the wider trust to carry out the formal investigation if this is deemed appropriate.

3.4 Both the complainant and the employee accused of harassment have the right of Trade Union representation or to be accompanied by a workplace colleague throughout the procedure.

3.5 If the investigation indicates that the allegation is vexatious and malicious, the matter will be referred for action in accordance to Consilium Academies Disciplinary Procedure.

3.6 On completion of the investigation both parties will be separately informed in writing of the outcome and any action that will be taken.

3.7 Complainants who feel dissatisfied with the outcome of this procedure have the right to a single appeal. This must be forwarded in writing to the Headteacher or Chair of Governors, if appropriate, within ten days of the letter confirming the outcome.

4. Appeal Procedure

4.1 The employee must complete the appeal form (see appendix 3) within 10 days of receiving the outcome from the formal meeting. This must clearly set out the grounds for appeal, the elements of the original allegation the employee remains aggrieved with and the remedy sought. The appeal can only be considered on the basis of either the procedure; the facts or the final decision.

4.2 Following the meeting, the appeals panel/senior manager will write to the employee within 10 working days with their findings and recommendations, including any action to be taken.

4.4 The decision of the appeals panel/senior manager hearing the appeal is final.

4.5 Where a specific allegation has been dealt with under the formal procedure the same allegation cannot be raised again at a later date unless new evidence comes to light which constitutes an escalation or continuation of the issue. This provision applies even where an employee feels the allegation has not been resolved to their satisfaction, following appeal.

Following consultation, the appropriate support will be provided to all parties. The appeal will be heard by a panel with no prior involvement in the case and appropriate training will be provided to investigation officers and staff more generally as part of the trust process. Consilium Academies reserve the right to appoint a senior manager from within the wider trust, who has the appropriate training and experience, to hear the appeal if this is deemed appropriate.