



"Excellent Learning, Teaching and Leadership for All"

Dignity at Work Policy

1. Introduction

1.1 Windsor Learning Partnership is committed to creating a working environment where every employee is treated with dignity, respect and courtesy. All employees have the right not to experience any form of harassment or discrimination on the grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity. Harassment at work is not acceptable and will not be permitted or condoned.

1.2 Individuals who are harassed, discriminated against, bullied or victimised are often made to feel vulnerable and powerless. Work, personal and family life can be affected, with resulting illness, accidents, absenteeism and poor performance. This can have an impact on the effectiveness of the work of the organisation.

1.3 This policy has been written within the context of Windsor Learning Partnership's Diversity and Equalities strategy, which sets out to ensure that all employees are treated with justice and equality. Equal opportunities promote best practice in employment, increase morale, and are good for employer-employee relations.

1.4 Complaints about breaches to the Dignity at Work policy will be treated seriously and Windsor Learning Partnership will use its disciplinary procedures or take other appropriate action, according to the nature of the complaint.

1.5 This policy will inform and guide good practice in promoting Dignity at Work. It is, therefore, important that all employees are fully aware of its contents, understand their rights and responsibilities and their role in ensuring the policy is understood and acted upon.

1.6 This policy should not be seen to be in conflict with the rights and requirement of managers to manage their staff and to address poor or inadequate performance, whilst maintaining trust within the organisation's agreed procedures such as capability, performance management, disciplinary procedure etc.

2. Definitions

2.1 What is Harassment?

2.1.1 Harassment includes any verbal or physical abuse, unwanted behaviour or advances. Harassment may be behaviour an employee finds offensive and which causes them to feel humiliated, threatened, distressed or patronised. This action may also be considered harassment if it adversely affects an individual's job performance or creates an intimidating work environment.

2.1.2 Harassment may be deliberate or unconscious, repeated action or an isolated incident. Such behaviour can constitute harassment even if the perpetrator does not intend it as such.

2.2 Sexual Harassment

2.2.1 Sexual harassment means unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at work. This can include unwanted physical, verbal or non-verbal conduct.

2.2.2 Sexual harassment can include the following:

- Unwelcome sexual advances whether of a verbal or physical nature up to and including demands for sexual favours.
- Unnecessary touching, patting, pinching or brushing against an employee's body.
- The worsening of working conditions after the refusal of sexual advances.
- Isolation, non co-operation at work, or exclusion from workplace activities.
- Personal body space. It is important to recognise that close proximity which falls short of actual physical touch can also be unwelcome or uncomfortable.
- Verbal and written harassment through jokes, offensive language, gossip, slander, letters and e-mail messages.
- Visual display of posters, graffiti, obscene gestures and emblems.
- Comments about the ability at work of one or other gender.

2.3 Racial Harassment

2.3.1 Racial harassment can be defined as unwanted conduct of a discriminatory nature where a person is treated less favourably than another based on racial group, colour, ethnicity or culture which is offensive to the dignity of the recipient. This can include physical, verbal and non verbal conduct.

2.3.2 Racial harassment may constitute race discrimination. The Trust may be liable for what their employees do, whether or not the employer knows about those actions. Whilst much of what has been previously stated about sexual harassment applies, there is an additional offence of inducing or instructing another to discriminate.

2.3.3 Racial Harassment can include the following:

- Racist language or abuse directed towards or in the hearing of any member of staff.
- Racist jokes including those made about any group e.g. Irish and Jewish people and those from other racial/ethnic groups
- Racial stereotyping in the workplace which results in employment opportunities not being afforded to that individual.
- An offensive manner in communication which is not used with other employees.
- Isolation, non co-operation at work, or exclusion from workplace talk or activities.
- The judging of an employee's work performance more harshly than any other employees similar performance by a manager. This would include receiving a

more negative appraisal than his/her counterpart having achieved a similar level of performance.

- Visual display of posters, graffiti, obscene gestures and emblems.

2.4 Harassment of People with a Disability/People with Specific Health Conditions

2.4.1 Harassment of people with a disability can be defined as any behaviour, which discriminates and treats a person less favourably because of a person's disability/health status.

2.4.2 The forms of harassment which people with a disability are commonly subjected to are as follows:

- Jokes about a person's disability, including jokes, not only in relation to those who have any form of physical impairment, but those whose disability takes the form of any kind of mental illness.
- Unwanted or patronising comments which draw attention to the employee's impairment.
- Unwanted or patronising comments which draw attention to any employment aids or equipment they may use.
- Stereotyped comments in relation to the capability of a person with a disability.
- Isolation, refusal to assist or non co-operation at work, exclusion from workplace talk or activities.
- Judging a person with a disability more harshly than a person who has not got a disability where their performance is similar
- Abuse directed at a person's disability.
- Remarks concerning the sexuality of people with disabilities.

2.5 Harassment on the Grounds of Sexual Orientation or gender re-assignment

2.5.1 Harassment on the grounds of an individual's sexual orientation or gender re-assignment status may result in offence being caused to the dignity of the recipient.

2.5.2 Harassment on the grounds of sexual orientation or gender re-assignment may take the form of:

- Jokes aimed at an individual's sexual orientation or gender re-assignment status.
- Innuendoes and teasing by colleagues because of their sexual orientation or gender re-assignment status.
- Unwanted jokes and comments implying that the lesbian or gay member of staff should find a partner of the opposite sex.
- Threatening to publicise or actually publishing the fact that a colleague is lesbian or gay.
- An individual's sexual orientation or gender re-assignment status being brought to the attention of other staff.
- Exclusion from workplace talk or activities.
- Isolation or non co-operation at work.

2.5.3 It needs to be recognised that because of discrimination on the grounds of sexual orientation or gender re-assignment status, incidents of harassment, especially sexual harassment for example, may be unreported by the victim because of their fear of their sexuality or gender re-assignment status being identified.

2.6 Harassment of Individuals on Religious Grounds

2.6.1 Harassment of individuals on the grounds of religious beliefs constitutes unacceptable behaviour and as such will not be tolerated by the council.

2.6.2 Harassment of employees on the grounds of religion may take the form of:

- References made to religious beliefs in a derogatory manner.
- Religious beliefs being brought to the attention of other staff.
- Innuendoes and teasing by colleagues on the basis of religious beliefs.

2.7 Bullying

2.7.1 Bullying is a form of harassment, which prevents people from reaching their full potential because of the inherent inequality of the workplace within which she or he works. Bullying is aimed at intimidating, undermining, coercing or humiliating the individual to whom it is directed. It includes actions, comments, physical contact or behaviour, which is found to be objectionable by the recipient.

2.7.2 Bullying may take the form of consistent, continual or persistent:

- Personal abuse either in public or private.
- Use of abusive language.
- Unjustified criticism.
- Ignoring or excluding an individual.
- Setting of targets with impossible to meet deadlines.

2.7.3 Bullying is complex and often difficult to describe by those affected and it is under-reported because of the perception that it is trivial or because of embarrassment, which the recipients of bullying may feel.

2.7.4 It is recognised that there may be one off incidents of poor behaviour, eg a loss of temper, which may not constitute bullying, but which may not be regarded as acceptable behaviour in a work environment. Such cases will be dealt with as appropriate including the use of the disciplinary procedure.

2.8 Age Harassment

2.8.1 Age Harassment is based on unjustified assumptions about a person's value and abilities because of their age.

2.8.2 Harassment can include:

- Ageist jokes or comments.
- Physical threats or abuse.
- Stereotyping about commitment to a job i.e. he won't be interested in a training course, s/he has only got two years to go until they retire.
- Suggestions that older employees have outdated ideas and do not cope well with change.

2.9 Pregnancy and maternity

2.9.1 Harassment in this context can be defined as any behaviour, which discriminates and treats a person less favourably as a result of their pregnancy or maternity leave.

2.9.2 Harassment can include:

- Unwanted or patronising comments
- Stereotyped comments in relation to ability or commitment
- Judging an employee's work performance more harshly than other employees whose performance is similar

2.10 Marriage and civil partnership

2.10.1 Harassment in this context can be defined as any behaviour, which discriminates and treats a person less favourably as a result of their marriage or civil partnership status.

3. Procedures for Dealing with Harassment

3.1 Windsor Learning Partnership wishes to create a culture in which harassment at work is not acceptable. The purpose of this procedure is to stop harassment which may be happening and to implement solutions which are speedy, efficient, minimise embarrassment and avoid the risk of breaching confidentiality. The rights of the alleged harasser and the complainant must be protected during any investigation.

3.2 The procedure for dealing with harassment is divided into two stages – informal and formal.

3.2.1 Informal Procedure

3.2.1.1 If an employee suffers harassment, s/he should try to resolve it informally without making a formal complaint. Even if formal action is not taken at this time, employees are advised to keep a written record of the incident. If, for example, there is subsequent repetition, this record will be helpful if the employee decides to raise their complaint formally. During the informal stages, employees are strongly encouraged to involve their line manager so that s/he can give advice and support and monitor the situation.

3.2.1.2 However, it is recognised that there may be circumstances where employees may feel uncomfortable or unable to discuss a complaint with their line manager. If this is the case, the employee should speak to their Headteacher.

3.2.1.3 Windsor Learning Partnership operates a confidential counselling and advice service, which staff can access by contacting Lifestyle Support, www.lifestyle-support.co.uk, Login RBWM Password RBWM. To contact them for advice call free phone 0800116 4368 and tell them you are part of the Royal Borough of Windsor and Maidenhead's scheme. Staff may also wish to discuss their case with their Trade Union representative.

3.2.2 Formal Procedure

3.2.2.1 If the informal assistance has not resolved the situation, an employee has the right to raise the matter formally with their manager. However, if an employee feels unable to raise the matter with their line manager, they are able to raise it directly with the Headteacher. In the event that the employee is unhappy about the way that that matter has been dealt with by their manager or Headteacher, the employee can pursue the matter through the grievance procedure.

3.2.2.2 Any issue, which may be a potential breach of Windsor Learning Partnership's Diversity and Equalities Framework, should be raised with the Headteacher in the first instance and reported by them to the Business Support Service (HR). The purpose of this reporting procedure to HR is two fold. First, it ensures the incident is recorded for monitoring purposes. Second, an informed discussion can take place and agreement reached between the Headteacher and HR as to who is the most appropriate person to consider the grievance. There may be circumstances where the nature of the complaint needs to be considered by someone other than the line manager.

3.3 The cases of proven harassment will be taken very seriously and will be addressed promptly through Windsor Learning Partnership's disciplinary procedure.

Signed: _____ Date: 06 October 2016

Chair of the Board of Trustees

<i>Policy Approved by Trustees</i>	06 October 2016
<i>Reviewed on</i>	
<i>New Review Date</i>	October 2017