

Dignity and Mutual Respect Policy



ST CLARE

Catholic Multi Academy Trust

Adopted by St Clare Trust Board:

June 2024

Next review by St Clare Trust Board:

Dignity and Mutual Respect Policy

1. Policy statement

- 1.1 The aims of this policy are to ensure that all staff are treated and treat others, with dignity and respect and enable employees who believe that they have been subject to bullying harassment to act, obtain support and to ensure that all employees understand their responsibilities under this policy.
- 1.2 Inappropriate behaviour can impact the receiver in many ways including, absence, poor morale, and self-esteem, decline in mental and physical health and performance caused by a hostile working environment. It can also, lead to resignations and reputational damage.
- 1.3 All employees should take the time to ensure that they understand what types of behaviour are unacceptable under this policy. Bullying or harassing conduct can range from unintentional misunderstanding and lack of awareness through to deliberate and malicious acts.
- 1.4 This policy covers harassment or bullying that occurs both in and outside of the workplace such as visits to other school sites, training, school events or work-related social events. It covers bullying and harassment by staff and, by third parties such as parents, suppliers, or visitors to Trust premises.
- 1.5 Where references are made to other policies within this policy document, they can be found on the Trust's intranet, here: [Policies – St Clare Catholic Multi Academy Trust \(stclarecma.org.uk\)](http://stclarecma.org.uk).
- 1.6 Employees must treat colleagues and others with dignity and respect and should always consider whether their words or conduct could be offensive. Even unintentional harassment or bullying is unacceptable, and it is the way the recipient receives the behaviour and not the intention that is key.
- 1.7 The Trust will not tolerate any behaviour that an investigation concludes it constitutes bullying, harassment, victimisation and or discrimination.
- 1.8 The Trust will take allegations of harassment or bullying seriously and challenge/manage incidents promptly and confidentially.
- 1.9 Following investigation, where harassment or bullying by an employee, identifies that there is a case to answer, this will be treated as misconduct within the Trust 's Disciplinary Policy and procedure. This may in some cases be deemed as gross misconduct leading to summary dismissal.
- 1.10 This policy does not form part of an employee's contract of employment, and it may be amended at any time in consultation with the recognised unions. The Trust, may also, vary the content, time limits as appropriate in the application of this policy in consultation with all those involved.

2. Equality and Inclusion

2.1 The Trust has a legal responsibility under the Equality Act 2010 and the Public sector duty under this Act and the Worker Protection Act 2023 to ensure it does not discriminate either directly or indirectly in any of its schools or central teams in its treatment of employee's and visitors in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants', employees, and students.

3. Scope of this Policy

3.1 This policy applies to all employees, workers and agency workers, volunteers, those on work experience or placement.

3.2 The Trust also requires any contracts with self-employed consultants or contractors that they comply with this policy and that they are given access to this policy.

3.3 Everyone covered in sections 21 and 22 are referred to as 'employee' in this policy.

3.4 This policy should be read in conjunction with the Trust's grievance, whistle blowing and disciplinary policy.

3.5 Bullying is not about the management of conduct, change or performance, if this is conducted in accordance with agreed policies and procedures, although it is recognised that employees may find these processes daunting. Other aspects of management for example, the allocation of work, holding employees accountable or the non-approval of specific requests like time off, do not usually constitute bullying, where these follow agreed procedures.

4. Who is responsible this policy?

4.3 All managers have a responsibility to lead by example to ensure that employees understand the standards of behaviour expected of them and to act when behaviour doesn't meet this.

4.4 Employees are expected to treat each other with dignity and mutual respect, must not bully or harass anyone or collude with others to bully, harass, or victimise. Employees have a responsibility to report any inappropriate behaviour through the line management structure and to challenge colleague inappropriate behaviour.

4.5 Some employees may, in some cases, be legally liable for harassment of colleagues or third parties including parents, students, visitors and may be ordered to pay compensation by a court.

5. What is harassment?

5.1 Harassment is any unwanted physical, verbal, or non-verbal conduct which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment to a person or group of people.

5.2 A single incident can amount to harassment. It also, includes pursuing conduct that you know or ought to have known would be harassment, which includes causing someone alarm or distress.

5.3 It also, includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

5.4 Unlawful harassment may involve conduct of a sexual nature (sexual harassment) or may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable in any context.

5.5 Harassment may include:

- a) Unwanted physical conduct or 'horseplay', including touching, pinching, pushing, grabbing, purposely brushing past someone, invading their personal space and more serious forms of physical or sexual assault.
- b) Unwelcome sexual advances or suggestive behaviour (which the perpetrator may perceive as harmless), and suggestions that sexual favours may further a career or that a refusal may hinder it.
- c) Continued suggestions for social activity after it has been made clear that such suggestions are unwelcome.
- d) Sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on social media/internet).
- e) Offensive or intimidating comments or gestures, or insensitive jokes (banter) or pranks.
- f) Ridiculing, impersonating, or belittling a person's physical appearance or disability.
- g) Racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender.
- h) Outing or threatening to out someone due to their sexual orientation.
- i) Ignoring or shunning someone, for example, deliberately excluding them from a conversation or a workplace activity or social event.

j) Offensive emails, texts, or social media content.

6. What is bullying?

6.1 Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined, or threatened. Power doesn't always mean being in a position of authority but can include both personal strength and the power to coerce through fear of intimidation.

6.2 Bullying can take the form of physical verbal and non-verbal conduct. Bullying may include:

- a) Shouting, being sarcastic towards, ridiculing or demeaning others.
- b) Physical or psychological threats.
- c) Overbearing and intimidating levels of supervision.
- d) Deliberately undermining a competent worker by overloading and constant criticism.
- e) Inappropriate and/or derogatory remarks about someone's performance.
- f) Abuse of authority or power by those in positions of seniority, or
- g) Deliberately excluding someone from meetings or communications, relevant to their role, without good reason.

6.3 Legitimate (to the employees' role), reasonable and constructive feedback of an employee's performance or behaviour or reasonable instructions given in a reasonable way, in accordance with agreed policies and procedures in the course of their employment is not bullying.

What is victimisation?

Victimisation is where an employee is subjected to less favourable treatment because they have raised, been a witness or supported a grievance, whistle blown (for example, reported poor practice, health and safety risks or safeguarding matters or potential fraud), participated in a disciplinary or suspected of doing so. However, a staff member is not protected from victimisation if they have acted maliciously or made/supported a report or evidence that is untrue.

Management Style

7.1 The difference in the way that managers carry out their duties and communicate can be different and does not necessarily mean that a manager is bullying. The table below sets out a framework to clarify the distinction between management styles and a guide to what is fair and what may be bullying or harassment.

Fair	Bullying or harassment
Consistent and fair.	Aggressive, inconsistent, favouritism and unfair.
Wanting to achieve the best results but reasonable and flexible.	Unrealistic, unreasonable, and inflexible.
Clear about objectives but willing to consult with colleagues/team before making proposals or deciding.	Believes that they are always right, has fixed views, and not prepared to listen or value other colleagues' opinions.
Holds employees accountable for quality and output.	Insists upon high standards and behaviour's that may be unrealistic and blames others if things go wrong.
Will discuss in private any perceived deterioration in performance of unacceptable behaviour and will listen before deciding and doesn't blame others when things go wrong.	Loses temper, shouts, degrades people in front of others and threatens formal warnings without listening to any explanation.
Asks for colleagues/team views and listens. Will explain the rational for decisions.	Tells colleagues or team what they have decided without explanation and does not listen.

8. If you perceive that you are being harassed or bullied

8.1 If you think you are being harassed or bullied, consider whether you feel able to raise this informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If you don't feel comfortable doing this, you can ask for support in having this conversation with them. This could be from a work colleague, manager or trade union representative.

8.2 If informal steps are not appropriate, or have not been successful, you should raise the matter formally under the Trusts Grievance policy and procedure.

8.2 The Trust will investigate complaints in a timely and confidential manner. The investigation will be conducted by a trained manager who has had no prior involvement in the complaint.

8.3 Any employee involved in an investigation can be supported and represented by a Trade Union representative or willing work colleague, who is not already involved or representing one of the parties involved. It is the responsibility of the employee to make the arrangements for their representation.

Consideration about what steps are necessary to manage any ongoing working relationship between both parties during the investigation, will take place in consultation with both parties.

8.4 A point of contact for both parties will be arranged. Both parties can also, contact Education Support, a not-for-profit organisation providing 24/7 counselling to anyone working in the education sector, telephone: 0800 562 561.

www.educationsupport.org.uk. Support can also, be sought from their Union representative.

8.5 Anyone who deliberately provides false information may be subject to a separate investigation under the Trust's disciplinary policy and procedure.

8.6 Once the investigation is completed; the trust will inform you of its decision. If the investigation concludes that there is a case to answer, the matter will be subject to the Trust's disciplinary policy and procedure and both parties will be informed. The line manager(s) will keep both parties informed.

8.7 If the perpetrator is a third party, such as a contractor, visitor, or agency worker, the Trust will make the necessary arrangements to manage the situation so that the inappropriate behaviour stops. This may include excluding the person from the Trust's premises, notifying the contractor, and requesting a substitute worker, involving the recruitment agency, ending any work experience or placement.

8.8 Regardless of the outcome of the complaint, the Trust will consider how best to manage, any ongoing working relationship between both parties.

9. Observing harassment or bullying

9.1 It is important that harassment and bullying behaviours are challenged and a culture whereby bullying, and harassment of staff, students and visitors is not ignored or accepted.

9.2 If you think you have observed inappropriate behaviour, you should act. This could be, if you feel able to, informally challenging the perpetrator, supporting the person on the receiving end of the behaviour, and encouraging them to report it or reporting the incident yourself. Advice can be sought from any member of Senior Leadership, the HR team at: hr@stclarecmat.org.uk or your union representative.

10. Protection and support for those involved

10.1 Employees that report inappropriate behaviour in good faith will not suffer any form of retaliation or victimisation as a result.

10.2 If you believe that you have been treated less favourably because you have reported in-appropriate behaviour, been a witness within an investigation, you should inform your manager, point of contact, or Trade Union representative.

10.3 Anyone found to have treated someone less favourably for reporting inappropriate behaviour or assisting an investigation under this policy, may be subject to a disciplinary investigation that results in a disciplinary sanction, up to and including dismissal.

11. Confidentiality and Data Protection

11.1 Confidentiality is an important part of the procedure for managing complaints of harassment and bullying. Everyone involved in the application of the policy and procedure is responsible for observing confidentiality. Details of the investigation and the names of the people involved must not be disclosed to anyone other than the identified points of contact and investigating manager and HR.

11.2 Information about a complaint by or about an employee may be included on the employees' record with a record of the outcome and any notes or other documents compiled during the process. These will be processed in accordance with the Trust's data protection policy.

11.3 Breach of confidentiality may lead to investigation under the disciplinary policy and procedure.