

NEWLANDS GIRLS' SCHOOL



Dignity at Work Policy

LAST UPDATED	(by) Pastoral Deputy Headteacher	June 2015
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RESPONSIBLE	
Leadership Team	Pastoral Deputy Headteacher
Governing Committee	Resources Committee

APPROVED	
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At Newlands we create confident and responsible young women equipped with the skills they need for the twenty first century. We empower all students to realise their potential as part of a community committed to lifelong learning.

NEWLANDS GIRLS' SCHOOL

Dignity at Work Policy

Equalities Legislation

We endorse the philosophy enshrined in The Equality Act (2010) in respect of both education and employment through our inclusive practices and this policy is written in accordance with it.

The General Equality Duty

The general equality duty covers all eight protected characteristics. We also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. We must have due regard in the exercise of our functions to the three aims under the equality duty. These are to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

1. Philosophy

1.1 Newlands Girls' School is committed to creating a working environment where every employee, stakeholder (e.g. Governors and parents) and visitor is treated with dignity, respect and courtesy. All employees, stakeholders and visitors have the right not to experience any form of discrimination, harassment and victimisation or other conduct prohibited by the Act on the grounds of race, gender, disability, age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment. Harassment at Newlands Girls' School 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 School.

1.3 Complaints about breaches to the Equal Opportunities policy will be treated seriously and the School will use its disciplinary procedures or take other appropriate action, according to the nature of the complaint.

1.4 This policy will inform and guide good practice in promoting Equal Opportunities. It is, therefore, important that all employees, stakeholders and visitors are fully aware of its contents, understand their rights and responsibilities and their role in ensuring the policy is understood and acted upon.

2. Definitions

2.1 What is Harassment?

2.1.1 Harassment as defined in the Equality Act 2010 is:

Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. 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. Behaviour can constitute harassment even if the perpetrator does not intend it as such.

2.2.1 Racial Harassment

2.2.1 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.

2.2.2 Racial harassment may constitute race discrimination. The School may be liable for what their employees, stakeholders and visitors do, whether or not the School 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.

2.2.3 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 racial or ethnic group.
- 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, stakeholders or visitors.
- 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 employee's similar performance by a line manager or Governor. This would include receiving a more negative appraisal than his/her counterpart having achieved a similar level of performance.

2.3 Harassment on the grounds of Gender

2.3.1 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.

2.3.2 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.
- 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 impairment.
- Unwanted or patronising comments which draw attention to any 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 does not have a disability where their performance is similar.
- Abuse directed at a person's disability.
- Remarks concerning the sexuality of people with disabilities.

2.5 Age Harassment

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

2.5.2 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.

2.6 Harassment on the Grounds of Sexual Orientation

2.6.1 Harassment on the grounds of an individual's sexual orientation may result in offence being caused to the dignity of the recipient.

2.6.2 Harassment on the grounds of sexual orientation may take the form of:

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

2.6.3 It needs to be recognised that because of discrimination on the grounds of sexual orientation, incidents of harassment, especially sexual harassment for example, may be unreported by the victim because of their fear of their sexuality being identified.

2.7 Harassment of Individuals on Religious Grounds

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

2.7.2 Harassment 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 others.
- Innuendoes and teasing by others on the basis of religious beliefs.

2.8 Harassment on the grounds of maternity or pregnancy

2.8.1 Harassment on the grounds of maternity or pregnancy may take the form of:

- Unwanted jokes or comments about the person's condition.
- Physical threats or abuse.
- Stereotyping about commitment to a job i.e. she won't be interested in a training course, her attention will be elsewhere.
- Taking into account an employee's period of absence due to pregnancy-related illness when making a decision about her employment.
- Derogatory comments about the period of statutory maternity leave to which she is entitled.
- Treating an employee less favourably because she is pregnant, has recently had a baby or is breastfeeding.

2.9 Harassment

2.9.1 Harassment on the grounds of an individual's gender reassignment may result in offence being caused to the dignity of the recipient.

2.9.2 Harassment on the grounds of gender reassignment may take the form of:

- Jokes aimed at an individual's gender.
- Innuendoes and teasing by colleagues about of their sexual orientation.
- Unwanted jokes and comments about the process of gender reassignment.
- Threatening to publicise or actually publishing the fact that a person is trans-gender.
- Exclusion from workplace talk or activities.
- Isolation or non-co-operation at work. Gender reassignment is defined in the Equality Act as applying to anyone who is undergoing, has undergone or is proposing to undergo a process (or part of a process) of reassigning their sex by changing physiological or other attributes. This definition means that in order to be protected under the Act, a person will not necessarily have to be undertaking a medical procedure to change their sex but must be taking steps to live in the opposite gender, or proposing to do so.

2.10 Bullying

2.10.1 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 may be characterised as:

Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. 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.

2.10.2 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 deadlines.

2.10.3 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.

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

3. Procedures for Dealing with Harassment

3.1 The School wishes to create a culture in which harassment at Newlands 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, stakeholder or visitor 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, stakeholders and visitors 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, stakeholder or visitor 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, stakeholders or visitors may feel uncomfortable or unable to discuss a complaint with the designated manager. Therefore, other senior staff are available to give impartial support.

3.2.2 Formal Procedure

3.2.2.1 If the informal assistance has not resolved the situation, an employee, stakeholder or visitor has the right to raise the matter formally with the Headteacher. In the event that the employee, stakeholder or visitor is unhappy about the way that that matter has been dealt with they can pursue the matter through the School's grievance procedure.

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