



DIGNITY AT WORK POLICY

Responsibility of (<i>see policy tracking sheet</i>):	Trust Board
Approved by:	Trust Board
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1. Aims, scope and principles

The ethos of Saracens Multi-Academy Trust (SMAT) is based upon our values of Discipline, Hard Work, Honesty, and Humility. This creates feelings of trust, knowledge, reciprocity, and shared behavioural norms leading to a quality of life for staff and pupils that is both enjoyable and productive. Fundamental to this is the way everyone in the Trust community treats each other with respect, dignity and fairness. Harassment, bullying and victimisation has no place in this environment and isn't tolerated.

SMAT believe that everyone has the right to work in an environment that promotes mutual respect, encourages collaboration, diversity of ideas, backgrounds and perspectives.

Workplace harassment, bullying and victimisation are totally unacceptable. No member of the Trust should have to tolerate harassment, bullying or victimisation from colleagues, pupils, members of the public, or other individuals they may encounter at work, or on Trust trips.

SMAT recognises that anyone can be subjected to these forms of behaviour and will assess whether harassment, bullying or victimisation has occurred based on the impact of the action(s) on the victim rather than the intent of the alleged perpetrator.

SMAT strives for a workplace that is free of harassment, bullying and victimisation through:

- Raising awareness of the issues of harassment, bullying and victimisation, and refusing to tolerate these behaviours
- Supporting any member of the SMAT who is harassed, bullied or victimised
- Dealing with any issues through agreed processes when they are raised
- Ensuring that senior leaders demonstrate and uphold high standards of conduct.

Please note that this policy is not exhaustive. If situations arise that are not covered in this policy, staff will use their professional judgement and act in the best interests of staff and pupils.

2. Legislation and guidance

This policy follows the principles of relevant legislation and statutory guidance.

This policy is designed to protect all current and former members of the Trust community.

For the purposes of this policy, the term 'Trust community' includes:

- Employees
- Agency workers
- Consultants
- Casual workers
- Interns
- Apprentices
- Volunteers, including Governors, Trustees and Members
- Job seekers and job applicants
- Multi Agency Safeguarding Hub (MASH) Teams
- Visitors, including neighbours.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

3. Expectations of the Trust community

All members of the Trust community:

- Live the core values of SMAT - Discipline, Hard Work, Honesty and Humility
- Treat colleagues with dignity and respect
- Contribute to maintaining an environment free from harassment, bullying and victimisation
- Support colleagues who experience unacceptable behaviour and who are considering making a complaint, or have made a complaint
- Report any occurrence of unacceptable behaviour and offer supporting evidence in any investigation where appropriate.

Unacceptable behaviour in this Trust may include:

- Insulting someone verbally or through offensive behaviour
- Physical or psychological threats
- Spreading malicious rumours
- Sharing information about an individual with others who do not need to know
- Ridiculing or demeaning someone
- Picking on someone or setting them up to fail
- Exclusion and cancelling.

This list is not exhaustive.

More serious incidents may amount to harassment, bullying or victimisation.

All forms of harassment, bullying or victimisation may consist of either a single act or a continuous pattern of behaviour. The individual making the complaint usually defines what they mean by harassment, bullying or victimisation in a given context, where something has happened to them that is unwelcome, unwarranted and causes a detrimental effect.

4. Harassment

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.

This includes, but is not limited to:

- Unwelcome sexual advances or requests for sexual favours
- Inappropriate or suggestive questions, comments, jokes or gestures
- Display or circulation of sexually explicit material
- Unwanted physical contact of a sexual nature, including hugging, kissing, massaging or touching
- Stalking, intimidation, or threats of a sexual nature
- Sexual posts on social media
- Sending sexually explicit emails or text messages
- Deliberately and repeatedly misgendering someone.

Further examples of harassment are detailed in Appendix A.

The unwanted conduct may be physical, verbal or non-verbal. A single incident can amount to harassment.

The relevant protected characteristics defined in the Equality Act 2010 are:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership (in employment only)
- Pregnancy and maternity
- Race, including color, nationality, ethnic or national origin
- Religion or belief
- Sex
- Sexual orientation.

The individual making the complaint does not need to be the intended target or possess the relevant characteristic themselves - they may report an incident or pattern of behaviour that they have witnessed.

An individual may find the behaviour offensive even if it is not directed at them, or they may be:

- Associated with a person who has a protected characteristic
- Wrongly perceived to have a protected characteristic
- Treated as if they have a protected characteristic.

Harassment may also involve unwanted conduct of a sexual nature, which has the same purpose or effect on the individual as described at the beginning of this section.

Harassment may also occur where there is unwanted conduct of a sexual nature or that relates to gender reassignment or sex. This conduct has the same purpose or effect described at the beginning of this section and the individual is treated less favourably because they rejected or submitted to it.

Harassment is unacceptable, and may still be considered and addressed under this policy even if it does not fall within any of the defined categories above.

5. Bullying

There is no legal definition of bullying, but in this policy, it is defined as:

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

Bullying can take the form of physical, verbal and non-verbal conduct.

6. Victimization

Victimization is defined in the Equality Act 2010 as:

Subjecting an individual to a detriment because they do a protected act, or it is believed

they have done or may do a protected act.

A 'protected act' is:

- Bringing proceedings under the Equality Act 2010
- Giving evidence or information in connection with proceedings under the Act
- Doing any other thing for the purposes of or in connection with the Act
- Alleging that someone has breached the Act
- Misuse of power, such as overbearing supervision or deliberately undermining a colleague
- Unwelcome sexual advances, such as touching, standing too close, displaying offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- Making unfounded threats or comments about job security
- Preventing an individual from progressing by intentionally blocking promotion or training opportunities
- Putting humiliating, offensive or threatening comments or photos on social media.

Victimisation may also occur in relation to other protected acts, including Whistleblowing, reporting Health and Safety concerns, enforcing employment rights and trade union activities.

This list is not exhaustive.

Harassment, bullying or victimisation may occur:

- Face to face
- Through written communication
- Using visual images (for example, pictures of a sexual nature or embarrassing photographs of colleagues)
- Via email
- Via phone or communication platforms
- Via social media
- Via automatic supervision methods, such as computer recording of downtime from work, or recording of telephone conversations, if these are not universally applied to all workers in similar roles.

This list is not exhaustive.

7. Roles and responsibilities

7.1 The Trust

The Trust:

- Conducts risk assessments to identify areas where harassment is likely to occur and takes steps to mitigate those risks
- Ensures that policies and procedures are communicated to all staff clearly and regularly
- Provides relevant training to all employees, including leadership on what constitutes harassment, how to prevent it and how to report it
- Ensure that managers understand their responsibility to foster a culture of respect and dignity and are equipped to handle complaints effectively and sensitively
- Ensures complaints and allegations are handled according to agreed Trust policies and procedures
- Holds the Chief Executive Officer (CEO), Principals and the Chief Financial and Operating Officer (CFOO) to account for the implementation of this policy
- Ensures that this policy is periodically reviewed and kept up to date

- Deals with complaints raised by or about the CEO, Principals and CFOO.

7.2 The CEO, Principals and CFOO

The CEO, Principals and CFOO:

- Work to ensure that the Trust and school environments are free from harassment, bullying and victimisation
- Work to check that complaints and allegations are handled according to agreed policies and procedures
- Ensure that up to date risk assessments are in place to reduce the risk of harassment, bullying and victimisation.
- Ensure relevant and up to date training is provided to staff.

In cases which are unclear the CEO will determine if a formal complaint will be dealt with under the Dignity at Work Policy or under the SMAT's Staff Grievance Procedures.

7.3 Line managers

Line managers, and those fulfilling this role when a complaint is about a line manager, will listen to and take seriously any member of the Trust community who comes to them with a concern or complaint regarding unacceptable behaviour, harassment, bullying or victimisation.

8. Reasonable management

SMAT differentiates between reasonable management, which is firm and fair, and behaviours associated with harassment, bullying or victimisation.

Legitimate, justifiable, appropriately conducted monitoring of a member of the Trust community's behaviour or job performance does not therefore constitute bullying, harassment or victimisation.

9. What to do if someone is being harassed, bullied or victimised

If an employee is being harassed, bullied or victimised by an employee, third party or pupil, they should promptly speak to their line manager. The line manager can provide confidential advice and assistance in resolving the issue.

If the line manager is the subject of the complaint, the employee should speak to their line manager. If the complaint relates to a member of the Local Governing Body or a Trustee, the employee should speak to the CEO.

For job applicants, job seekers and former members of the Trust community, 'line manager' in this policy means the Principal of the school or the CFOO.

Employees are asked to consider whether they feel able to raise the issue informally with the person responsible. Their line manager can support them with this. Support is also available from the Trust's People Manager and the staff counsellor, Emma Greensted (07736064921, emma-jane@greensted.com).

If the employee does raise the issue with the individual concerned, they should explain clearly

that their behaviour was not welcome and made them feel uncomfortable. It may be that they are not aware of the effect of their actions. Raising the matter informally will involve a discussion of the events, with the intention of reaching an agreement that the behaviour will cease with immediate effect.

If the employee feels uncomfortable raising the matter with the individual informally, or they have tried to do so without a successful resolution, the employee should write their line manager with details of their concerns. Support is available from the Trust's People Manager.

If the complaint is dealt with under this Dignity at Work Policy, The Trust will follow the procedure set out below in Section 10.

10. Formal procedure for managing complaints

How complaints will be dealt with will depend, in part, on whether the alleged perpetrator is an employee, a third party or a pupil. Each option, and who it relates to, is set out below.

For all allegations of members of the Trust community being harassed, bullied or victimised, consideration will be given to involving other agencies.

Where a complaint has been raised and is being investigated under this procedure, within operational constraints, the Trust will consider requests from the complainant to change their working arrangements, duties or hours in order to avoid or minimise contact with the alleged perpetrator until a successful resolution and an agreed outcome are reached.

10.1 Alleged harassment, bullying or victimisation by employees

The Trust will take the following steps if the complaint relates to someone employed directly by the Trust, and where the Trust has determined that a complaint will be dealt with under this policy.

10.1.1 Submitting a formal complaint

Where the decision has been reached for the complaint to be dealt with under this Dignity at Work Policy, the complainant should submit their complaint in writing to their line manager.

For an employee working in a school and their complaint relates to their line manager, it should be sent to the Principal or where the employee works in central services and their complaint relates to their line manager, the employee should submit their complaint to the CFOO.

Where the complaint relates to the Principal or CFOO, the complaint should be addressed to the CEO of the Trust.

Where the grievance relates to the CEO, the complaint should be addressed to the Chair of the Trust

The written complaint should set out the nature of the complaint with reference to specific incidents, where possible including times, dates and witnesses. It is important that it contains sufficient detail to enable the nature of the complaint to be understood.

10.1.2 Formal investigation

Once a written complaint is received The Chair of the Trust, Principal, CFOO or CEO (as appropriate) will select an 'Appointed Person' (who may be the Chair of the Trust, Principal, CFOO, CEO [or chosen delegate]) and who has no prior knowledge of the complaint to conduct a meeting with the employee and consider their complaint. Where possible the meeting will be held within 5 working days.

The employee raising the complaint has the right to be accompanied to the meeting by a work colleague, trade union official, or trade union representative who has certified as being competent to attend such a meeting. Legal representation is not normally allowed.

The employer and their companion are required to take all reasonable steps to attend meetings. If the employer (or their companion) fails to attend or gives notice that they cannot attend through circumstances beyond their control, the employee should put forward a new date and time not more than 5 working days after the original date. If the employee fails to attend a second occasion and the employee is persistently unable or unwilling to attend, the meeting may proceed in their absence based upon the original written complaint, any accompanying documents and evidence available. Time limits may be extended by mutual agreement.

Meetings will take place during normal working hours (8am-4pm, term time) but may in exceptional circumstances take place up to 6pm, but no later. For staff who work year-round, such meetings may take place during school holiday periods, provided that staff are available at such times. It is the responsibility of employees to make the necessary arrangements if they wish to have a colleague or trade union representative accompany them to meetings.

At the meeting the employee will be able to explain their concerns and the impact on them and suggest how the issue may be resolved. Their companion should be allowed to address the meeting, to put and sum up the employees concerns, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the meeting. The companion does not however, have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it, nor prevent the employee from asking questions.

The meeting is an occasion when discussion and dialogue may lead to an amicable solution. It is recommended that the Appointed Person considers the following:

- Inviting the employee to restate their concerns and how they would like to see them resolved
- Adjourning the meeting if it is necessary to make further enquiries and/or seek advice
- Summing up the main points
- Telling the employee when they might reasonably expect a response if one cannot be provided at the time.

10.1.3 Action following the investigation

If the Appointed Person upholds the complaint against the employee, possible outcomes may be one or more of the following:

- Disciplinary action
- Mediation
- Mandatory training.

If the Appointed Person does not uphold the complaint, possible outcomes may be:

- No action
- Mediation.

These lists are not intended to be exhaustive.

10.2 Alleged harassment, bullying or victimisation by third parties

SMAT will use this process if the complaint relates to someone not employed directly by SMAT, or when SMAT doesn't have the ability to take any professional or disciplinary action against the person in question. The Trust will encourage third parties to cooperate but may have no authority to enforce this.

Where the decision has been reached for the complaint to be dealt with under this Dignity at Work Policy, the matter will be handled in line with the above outlined formal procedure in Section 10.1 – namely the requirement for a formal written complaint to be submitted and a formal investigation to commence. It may be appropriate to allow the third party to be accompanied as part of any investigation interview.

If the allegation is found to be justified, the response from SMAT will depend on the relationship of the perpetrator to SMAT and the nature and severity of the incident.

The Trust will take proportionate action in consultation with the individual who made the complaint. This may include:

- Mediation
- Speaking to the individual to explain what is and is not acceptable behaviour
- Writing to the individual detailing what is and is not acceptable behaviour
- Restricting access to the Trust and School premises.

If the action taken is not effective in preventing issues, or for very severe cases, SMAT will consider further action. This may involve a meeting to discuss banning an individual/s from the Trust site. If the perpetrator is a contractor, this may involve a meeting to discuss the termination of the contract between them and the Trust.

In the case of a ban, the individual will be informed in writing that they are banned from the premises, subject to review. At this stage, other agencies such as the local authority may be involved. Where appropriate, SMAT will have regard to the Department for Education's guidance on controlling access to school premises.

If the individual is a parent of a pupil at the school, where appropriate, the arrangements for pupils being delivered to and collected from the school will be clarified and communication will be via the Principals or CEO.

10.3 Alleged harassment, bullying or victimisation by pupils

Where the decision has been reached for the complaint to be dealt with under this Dignity at Work Policy, the matter will be handled in line with the above outlined formal procedure – namely the requirement for a formal written complaint to be submitted and a formal investigation to commence. It may be appropriate to allow the pupil to be accompanied by an appropriate adult as part of any investigation interview.

If the allegation is found to be justified, SMAT will then refer to the Behaviour for Learning and

Discipline Policy, and may issue a disciplinary sanction against the pupil in accordance with that policy (including permanent exclusion where appropriate), with reference to the Child Protection and Safeguarding Policy if appropriate to the pupil's circumstances.

Where the pupil remains at the Trust, the Trust will also take responsibility for educating the pupil about appropriate behaviour and will liaise with the individual who raised the allegation about alternative working arrangements (temporary or permanent) if they teach, or otherwise have regular interaction with, the pupil.

10.4 Continued working relationships

If it is decided that there is no case to answer, support will be provided for both parties and consideration given to managing their ongoing working relationship.

SMAT will also consider whether there is evidence that the complaint has been malicious. If there is evidence to suggest that the complaint was malicious, this will be investigated and dealt with under the Trust's Staff Disciplinary Procedures. Where the individual isn't covered by The Trust's Staff Disciplinary Procedures, the Trust will consider other reasonable action and involve other agencies, where appropriate.

Whatever the outcome, SMAT will consider how to support the individuals involved to maintain an ongoing working relationship.

10.5 Appeals

If the employee is not satisfied with the outcome of the complaint, they have the right to appeal the decision. The appeal must be lodged within 5 working days of receipt of the decision letter or if sent by email the date the email is sent (whichever is the sooner) giving full reasons for the appeal, together with any supporting documentation.

The employee should submit their appeal to the Principal if the employee works in a school, or to the CFOO if the employee works in central services. The Principal, CFOO or CEO will appoint one or more senior managers, governors or trustees to consider the appeal. This person/s will be independent from any previous stage of this procedure.

Appeals will be heard without unreasonable delay. Employees will be told the time and place of the appeal meeting in advance together with the procedure that will be followed. If the employee (or their companion) fails to attend the appeal meeting or gives notice that they cannot attend through circumstances beyond their control, the employee should put forward a new date and time not more than 5 working days after the original date.

Employees have the same statutory right to be accompanied to the appeal meeting by a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings. Legal representation is not normally allowed. The outcome of the appeal will be final and confirmed in writing to the employee without unreasonable delay.

11. Confidentiality

The Trust will respect confidentiality for both the person making the allegation and the subject of it. Details of the investigation and the names of the victim and alleged perpetrator will only be disclosed when necessary (for example, when it is necessary to give details to properly investigate the matters raised).

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

A complaint about a pupil may be stored on their educational record. Information will be processed in line with UK data protection law. It will be kept securely, only for as long as necessary and in line with UK data protection law, SMAT's Privacy Notices and SMAT's Data Retention Policy.

12. Links with other policies

This policy links with our policies on:

- Anti-bullying Policy (SBL and SHS)
- Behaviour for Learning and Discipline Policy (SBL and SHS)
- Child Protection and Safeguarding Policy (SMAT)
- Complaints Policy and Procedure (SMAT)
- Confidential Reporting - Whistleblowing Code (SMAT)
- Data Retention Policy (SMAT)
- Equality Information and Objectives Policy (SMAT)
- ICT Acceptable Use Agreement (SBL and SHS)
- Low-Level Concerns Policy (SMAT)
- Staff Code of Conduct (SBL and SHS)
- Staff Disciplinary Procedures (SMAT)
- Staff Grievance Procedures (SMAT)
- Trustee and Governor Code of Conduct (SMAT).

Appendix A - Examples of Harassment

1. Verbal Harassment

- **Offensive jokes, 'banter' comments, or slurs** related to race, gender, age, disability, sexual orientation, religion, etc.
- **Derogatory remarks or insults** aimed at an individual's personal characteristics.
- **Threatening, demeaning, or intimidating language** that causes distress or discomfort.
- **Unwelcome gossip** or spreading false rumours about someone's personal life or professional abilities.

2. Physical Harassment

- **Unwanted physical contact**, such as touching, patting, pinching, or brushing against someone.
- **Pushing, shoving, or hitting** in a way that causes harm or intimidation.
- **Physical gestures** that are threatening or insulting (e.g., obscene gestures, mimicking physical violence).

3. Sexual Harassment

- **Unwelcome sexual advances** (verbal or physical), propositions, or requests for sexual favours.
- **Sexually suggestive comments** or jokes that make someone feel uncomfortable or unsafe.
- **Inappropriate gestures, leering, or staring** at someone's body.
- **Displaying sexually explicit materials** (e.g., images, videos, or emails) in the workplace.
- **Unwanted physical proximity or touching**, such as hugging, kissing, or other forms of sexual touching.

4. Psychological Harassment

- **Bullying** behaviour such as belittling, undermining, or mocking an individual's efforts or work.
- **Isolation** or deliberately excluding someone from work-related conversations, meetings, or social interactions.
- **Intimidation or threats** that cause anxiety or fear, including implicit or explicit threats of harm, dismissal, or other penalties.
- **Excessive monitoring or micromanaging** that undermines a person's confidence and autonomy.

5. Discriminatory Harassment

- **Treating someone differently or unfairly** based on personal characteristics such as race, gender, age, disability, sexual orientation, or religion.
- **Offensive remarks or actions** directed at someone's cultural practices, appearance, or background.
- **Exclusion from work opportunities or promotions** based on prejudicial attitudes or bias.

6. Cyber Harassment

- **Sending threatening or insulting emails, text messages, or social media posts.**
- **Online bullying or harassment** through professional or personal social media platforms.

- **Invasive or unwelcome contact** through digital channels, such as excessive texting or inappropriate online behaviour.

7. Harassment Based on Disability

- **Making fun of or mocking someone's disability**, including mocking their appearance, behaviour, or limitations.
- **Excluding someone from activities** or opportunities because of their disability.
- **Disabling or ignoring assistive devices** needed by an employee, such as screen readers or mobility aids.

8. Harassment Based on Age

- **Offensive comments about someone's age**, such as calling someone "too old" or "too young" to do a job.
- **Excluding someone from opportunities or decision-making** based on age-related stereotypes.
- **Patronizing language** such as referring to older employees as "over the hill" or younger employees as "immature."

9. Harassment Based on Religion or Belief

- **Mocking or ridiculing someone's religious practices, clothing, or beliefs.**
- **Pressuring someone to abandon their religious practices** or beliefs, or trying to force them to participate in religious activities against their will.
- **Offensive jokes or slurs** about religion or spirituality.

10. Harassment Based on Gender or Sexual Orientation

- **Derogatory comments or jokes** about someone's gender identity or sexual orientation.
- **Discriminatory behaviour** that denies equal treatment based on gender or sexual orientation.
- **Unwanted attention** or advances toward someone based on their gender or sexual preferences.

11. Retaliation Harassment

- **Punishing or treating someone unfairly** for reporting harassment or participating in an investigation.
- **Spreading false rumours or accusations** about someone who has made a complaint.
- **Denying promotions, benefits, or work opportunities** as retaliation for asserting their rights under the Dignity at Work Policy.

12. Harassment in Work-Related Settings Outside the Office

- **Unwelcome behaviour** during work-related social events, travel, or meetings.
- **Inappropriate interactions** at conferences, team-building activities, or after-hours work events.