



Perry Hall Multi-Academy Trust

Dignity at Work Policy

Title	Dignity at Work Policy
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Approved By Name	Trust Board
Signature of Approval	Andrew Brocklehurst – Chair of Trustees
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This policy has been fully consulted on with the following trade unions NAHT, ASCL, NASUWT, Unison, NEU and GMB and was implemented by Perry Hall Multi-Academy Trust (PHMAT) on the above date.

This document was reviewed in June 2025, and the following amendments were made:

Policy format changes with layout

Swapped layout around

Addition to Section 3.2.2 to include Maternity, Pregnancy, Marriage and Civil Partnerships

Amendment to Section 5 – Additional wording to Bullying

Addition Section 5 - to include Sexual Harassment

Additions added to Appendix A – examples of unacceptable behaviour for sexual harassment

Addition – Appendix D Prevention of Sexual Harassment – Manager's Guide

Addition – Appendix E Prevention of Sexual Harassment – Employee's Guide

PHMAT Dignity at Work Policy

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1.0 Policy Statement

- 1.1 This procedure applies to all employees of PHMAT. Where the term employee is used throughout the policy this applies to both employees and workers.
- 1.2 Perry Hall Multi Academy Trust (PHMAT) are committed to adopting policies and procedures to encourage a positive working environment and have a duty to create a safe work environment where everyone is treated with dignity and respect.
- 1.3 The Trust will ensure that employees receive appropriate training and information to help them to understand their rights and responsibilities in connection with this Policy, including equality and diversity training and training in the implementation of the relevant Trust policies and procedures.
- 1.4 PHMAT are responsible for ensuring the effective implementation of this Policy. As part of equality monitoring PHMAT will review and monitor the operation and impact of the Policy on a regular basis and in accordance with the policy review date, alongside consultation with the recognised trade unions.
- 1.5 Any documentation or evidence collected in conjunction with the application of this policy will be treated as confidential and information will only be shared with parties on a need-to-know basis.
- 1.6 Bullying, harassment, sexual harassment, discrimination and victimisation are unlawful and will not be tolerated at any level in any shape or form. All people working for or with the Trust are required to treat all people they come into contact with, with dignity and respect, and they are entitled to expect this in return.
- 1.7 This Policy aims to assist employees in preventing, recognising and stopping any behaviour which may amount to bullying, harassment, sexual harassment, discrimination or victimisation, any of which can have serious consequences for employees and for the Trust.
- 1.8 PHMAT recognise that these consequences can include a negative impact on people's health and wellbeing, on family and social relationships and their performance at work, which can in turn impact on the Trust's provision and so outcomes for children and young people.
- 1.9 PHMAT is committed to equality and values diversity. As such the Trust is committed to fulfilling its Public Sector Equality Duty (Equality Duty) obligations and expects all staff and volunteers to share this commitment.
- 1.10 The Equality Duty requires the Trust to have due regard to the need to:
- Eliminate unlawful discrimination, harassment (including sexual) and victimisation;
 - Advance equality of opportunity; and
 - Foster good relations between people who share characteristics, such as age, gender, race and faith, and people who do not share them
 - The Trust are required to publish equality information as well as equality objectives, which show how they plan to reduce or remove particular inequalities or disadvantages. The Trust will need to update the published information at least annually and publish

objectives at least once every four years

- 1.11 This Policy has been developed with due regard to:
- The Equality Act 2010
 - The Equality Duty
 - Protection from Harassment Act 1997
 - Health and Safety at Work Act 1974
 - The Equality and Human Rights Commission (EHRC) are the government's Equality "watchdog". Their Code of Practice is statutory.
 - ACAS guidance.
- 1.12 All allegations of bullying, harassment, discrimination and victimisation will be investigated, and if appropriate disciplinary action will be taken. If proven, allegations of bullying, harassment, discrimination or victimisation could constitute gross misconduct leading to dismissal without notice. They may also constitute a criminal offence. A non-exhaustive list of examples of unacceptable behaviour which may result in disciplinary action is set out in Appendix 1.
- 1.13 PHMAT are also committed to their duty to prevent sexual harassment covered under the worker protection act 2023 (Amendment of Equality Act 2010). As such the Trust is committed to fulfilling its obligations to put in place reasonable steps to prevent sexual harassment and expects all staff and volunteers to share this commitment. PHMAT has put measures in place to create a culture where sexual harassment is not tolerated.
- 1.14 The prevention of sexual harassment under the worker protection act 2023 requires the Trust to have due regard to the need to:
- Take reasonable steps to prevent sexual harassment happening in the first place covering other people at work and third parties.
 - To assess risks and put measures in place to prevent sexual harassment.
 - If sexual harassment has already happened to take appropriate action to stop it happening again.
- 1.15 All allegations of bullying, harassment, sexual harassment, discrimination and victimisation will be investigated, and if appropriate disciplinary action will be taken. They may also constitute a criminal offence. A non-exhaustive list of examples of unacceptable behaviour which may result in disciplinary action is set out in Appendix A.
- 1.16 Bullying, harassment and sexual harassment will not be tolerated, and decisions will not be taken on the basis of whether someone submitted to or rejected a particular instance of harassment.
- 1.17 All employees and the Trust must observe their duties and responsibilities in respect of confidentiality where allegations of bullying, harassment, sexual harassment, discrimination or victimisation arise.
- 1.18 If an employee considers that any of the Trust's practices, policies or procedures may be indirectly discriminatory, they should report their concerns and the basis for them to their line manager, who will take appropriate action and ensure that the employee receives a written response in respect of the concerns that they have raised.

2.0 Scope

- 2.1 This procedure applies to all employees of PHMAT. Where the term employee is used throughout the policy this applies to both employees and workers.
- 2.2 Where an employee has concerns in relation to bullying, harassment , sexual harassment , discrimination or victimisation that they may have witnessed at work, which does not amount to an individual grievance that is within the scope of the Grievance Policy and Procedure to address, it may be appropriate for them to consider raising their concerns under the Trust's Whistleblowing Policy and Procedure.
- 2.3 It should be noted that all of the Trust's policies and procedures for dealing with concerns or complaints are similar, and regardless of which policy a concern is raised under, the Trust will ensure that the most appropriate procedure is followed with advice from their external HR provider. If this policy leads into procedures under another policy at any stage, it will not prejudice the outcome of any procedure in this policy.
- 2.4 Whilst many of the principles in this Policy are transferable, this Policy is not intended to apply to the treatment of children and young people by employees of the Trust; the required standards of behaviour and conduct in relation to children and young people are set out in the applicable professional standards, and various policies and procedures including the Safeguarding Policy, Behaviour Policy and Staff Code of Conduct.
- 2.5 All Trust staff have a duty to immediately report any concerns that they may have in relation to the safeguarding of children and young people and must follow the Trust's Safeguarding Policy and Statement in respect of Managing Safeguarding Allegations against Staff and Volunteers who work with Children and Young People
- 2.6 The application of this Policy and the standards of behaviour set also extend to any work-related setting outside of the workplace, for example work related social gatherings, and any setting where an employee can be considered representative of the Trust. This includes social networking / online contact with / about colleagues external to the work context.
- 2.7 This Policy provides information which underpins the Trust's Grievance Policy and Procedure, Code of Conduct, Whistleblowing Policy and Disciplinary Procedures. Copies of these policies and procedures can be accessed via Share Point.
- 2.8 Contravention of the policy may be dealt with according to the terms of the Disciplinary Procedure. If this policy leads into procedures under another policy at any stage, it will not prejudice the outcome of any procedure in that policy.

3.0 Procedure

3.1 Raising a concern or complaint

- 3.1.1 Employees may be able to resolve matters informally. The person may not know that their behaviour is unwelcome or upsetting.

- 3.1.2 An informal discussion may help them to understand the effects of their behaviour and agree to change it. Employees may feel able to approach the person themselves; in instances where they feel unable to do so they should discuss this with their line manager (except where the line manager is the subject of the concern), trade union representative or the Trust's HR provider.
- 3.1.3 Employees should tell the person what behaviour they find offensive and unwelcome and say that they would like it to stop immediately. **Employees may want to add that, if the behaviour continues, they may consider raising the issue formally using the relevant procedure.** Notes taken during any meeting and/or discussion, as well a note of any actions taken during the application of the procedure should be kept. This will be useful if the unacceptable behaviour continues, and an employee wishes to make a formal complaint.
- 3.1.4 There will be instances where an informal approach does not resolve matters, or the situation is deemed too serious to be dealt with informally such as sexual harassment. In these cases, any concerns about alleged bullying, harassment, sexual harassment, discrimination or victimisation, should be raised formally **following the process set out in the Grievance Policy and Procedure.**

4.0 Roles and Responsibilities

4.1 Employees

All employees have a responsibility to help create and maintain a work environment free of bullying, harassment, sexual harassment, discrimination and victimisation by:

- Treating colleagues with dignity and respect
- Being aware of their behaviour, and that their behaviour and that of other people may affect others
- Making it clear that bullying, harassment, sexual harassment discrimination and victimisation are unacceptable
- Making it clear to others when their behaviour is unacceptable
- Intervening to stop bullying, harassment, discrimination or victimisation and to give support to victims
- Reporting these behaviours to a manager or the Head of School/Headteacher/Executive Headteacher/CEO/Chair of the Trust Board, and supporting the Trust in the investigation of complaints
- Where a complaint is made, not prejudicing or victimising the complainant or alleged perpetrator
- Not knowingly making a malicious or vexatious allegation against another employee or person/s working for or with the Trust

4.2 Managers

Managers have a particular responsibility to:

- Set a good example by their own behaviour
- Ensure that there is a supportive working environment
- Make sure employees and those working with or for the Trust know what standards of behaviour are expected of them
- Intervene to stop bullying, harassment, sexual harassment, discrimination or victimisation and to give support to victims
- Report promptly to the Head of School/Headteacher/Executive Headteacher any complaint concerning these behaviours, or any incident witnessed (where the

complaint relates to the Head of School/Headteacher/Executive Headteacher should be reported to the CEO/Chair of the Trust Board)

- Manage any allegations in accordance with the requirements of the Trust's Grievance or Disciplinary Procedures.

4.3 Trade Unions

Employees with trade union membership will be able to be accompanied to any meetings by their union for advice and support in circumstances where they witness, are the victim of, or are accused of bullying, harassment, sexual harassment, discrimination or victimisation.

5.0 Definitions

5.1 Bullying

There is no legal definition of bullying. ACAS define as; it can be described as unwanted behaviour from a person or group that is either: offensive, intimidating, malicious or insulting. an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone.

5.1.1 The impact of bullying on a person can be the same as harassment, and as such the words bullying and harassment are often used interchangeably, although the term harassment specifically refers to behaviour which relates to the protected characteristics referenced in section 6.

5.1.2 It is possible that someone may be unaware that their behaviour is bullying. However, such behaviour may still constitute bullying and can still warrant the invoking of the disciplinary procedures.

5.2 Harassment

5.2.1 Harassment is defined by the effect that it has on the individual, not by the intention of the person responsible for the harassment and is related to certain protected characteristics, sexual harassment, or less favourable treatment as a result of harassment.

Harassment is defined by the Equality Act 2010 as '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'

5.2.2 Although pregnancy, maternity, marriage and civil partnership are not specifically protected under the legal provisions on harassment (which are covered by direct discrimination provisions in the Equality Act 2010), the School/Academy considers harassment on any ground to be unacceptable.

5.3 Harassment Based on Perception

Harassment can occur where a person does not have a protected characteristic but is harassed based on a perception that they do, for example on the basis of perceptions regarding their sexual orientation or faith, or that someone is transgender even if they are not.

5.4 Harassment Based on Association

Harassment can also occur where a person does not have a protected characteristic but is associated with or connected to someone that does, for example they may be the parent or carer of a child or adult who has a disability.

5.5 Third Party Harassment

Harassment can also include circumstances where an individual is subjected to harassment by a third party, such as a customer (this could be a parent) or a contractor providing services. In the event that an employee considers that they have been bullied, harassed, discriminated against or victimised by a third party, they should immediately report this to their manager who will take appropriate action.

5.6 Sexual Harassment

Sexual harassment is defined as conduct of a sexual nature that has the purpose of or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and

- Less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

5.6.1 It can still be sexual harassment if the behaviour has one of these effects even if it was not intended or intended to have one of these effects even if it did not have that effect.

5.6.2 Sexual harassment can be a one-off incident or an ongoing pattern of behaviour. The law (Equality Act 2010) protects employees and workers contractors hired to do the work and job applicants from sexual harassment.

5.6.3 In the event that an employee considers that they have been sexual harassed, they should immediately report this to their manager who will take appropriate action.

5.6.4 PHMAT Trust and all employees have a duty to prevent sexual harassment. Page 5 section, 1.13 outlines PHMAT responsibilities in preventing sexual harassment. Appendix D outlines the managers guide to prevent sexual harassment. Appendix E outlines the employees responsibilities for preventing sexual harassment.

5.6.5 Victimisation or retaliation against a complainant of sexual harassment will not be tolerated.

5.6.6 A non-exhaustive list of examples of sexual harassment which may result in disciplinary action is set out in Appendix A.

5.6.7 There may be some circumstances where employees can raise issues of sexual harassment in workplace as a whistleblowing concern. Whistleblowing requires there to be a public interest element to concerns. Generally, this means that the concerns do not just impact the employee. Employees may wish to consider whistleblowing as an option if:

- they believe they are not the only person impacted by or at risk of the harassment
- there are a number of other people who have also been sexually harassed
- they are not directly impacted by the sexual harassment but are a witness to it
- there is a culture or environment where sexual harassment occurs and is permitted in the workplace
- if the harassment is very serious, criminal, or the harasser is a senior, powerful or very influential person.

5.6.8 When a concern is raised through this route, a decision will be taken as to the most appropriate way in which the concern can be investigated, dependent upon how serious and urgent the risk is. For example, a grievance investigation, other internal investigation, referral to the police or other external organisation.

3.7 Discrimination

3.7.1 There is the potential for direct and indirect discrimination to arise in relation to many aspects of employment, including but not limited to, recruitment and selection, pay, promotion, leave of absence, training, flexible working and dismissal. Being mindful of this will help recognise and prevent unfair and unlawful discrimination.

3.8 Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with or are connected to someone who has a protected characteristic.

3.9 Direct Discrimination Based on Perception

3.9.1 Direct discrimination may occur where a person does not have a protected characteristic but is treated less favourably than another person on the basis of a perception that do, for example in relation to their sexual orientation or faith.

3.10 Direct Discrimination by Association

3.10.1 Direct discrimination may occur where a person does not have a protected characteristic but is treated less favourably than another person on the basis that they are associated with or connected to someone that does, for example they may be the parent or carer of a child or adult who has a disability.

3.11 Indirect Discrimination

Indirect discrimination can occur where an organisation's practices, policies or procedures are applied to everyone but have the effect of disadvantaging people who share certain protected characteristics.

- 3.11.1 In circumstances where an employer can show that there is an objective justification for indirect discrimination, and that it is a proportionate means of achieving a legitimate aim, it may not be unlawful. In order to demonstrate this the employer must be able to show that they have been fair and reasonable, and that they have considered less discriminatory alternatives.

3.12 Victimisation

Victimisation occurs when an employee is treated less favourably than others for:

- **making an allegation of discrimination, and/or**
- **supporting a complaint of discrimination, and/or**
- **giving evidence relating to a complaint about discrimination, and/or**
- **raising a grievance concerning equality or discrimination, and/or**
- **doing anything else for the purposes of (or in connection to) the Equality Act 2010**

Victimisation may also occur because an employee is suspected of doing one or more of these things.

- 3.12.1 Employees who do any of the above in good faith will be protected from victimisation. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint, and in this event may be subject to disciplinary action.

3.13 Detriment connected to trade union membership / activities

It is unlawful to subject an employee to detriment due to their membership or non-membership of a trade union, taking part in lawful trade union activities, or making or proposing to make use of trade union services. No employee will be subjected to detriment on this basis.

6.0 Protected characteristics under the Equality Act 2010

Bullying or harassment will constitute unlawful discrimination where it relates to one of the nine protected characteristics defined in the Equality Act 2010. They are:

- | | |
|----------------------------------|--|
| ➤ Age | ➤ Race (which includes colour, nationality and ethnic or national origins) |
| ➤ Disability | ➤ Religion and belief (or lack of) |
| ➤ Gender reassignment | ➤ Sex |
| ➤ Marriage and civil partnership | ➤ Sexual orientation |
| ➤ Pregnancy and maternity | |

Bullying behaviour does not have to be related to one of the protected characteristics in order to be considered as such.

Examples of unacceptable behaviour

Appendix A

(This list is not exhaustive)

Bullying, harassment, sexual harassment, discrimination and victimisation can occur during face to face to interactions, but can also take place via written communication, visual images (for example pictures of a sexual nature or embarrassing photographs), e-mail and telephone. Examples of unacceptable behaviour which may result in disciplinary action include:

- verbal or physical threats and intimidation
- persistent negative comments
- humiliating / ridiculing someone in front of others
- unjustified, persistent criticism / picking on one person for criticism when there is a common problem
- offensive or abusive personal remarks
- setting unattainable, unreasonable targets
- constantly changing work targets or overloading in order to cause someone to fail
- reducing someone's effectiveness by withholding information
- intentionally blocking promotion or training opportunities
- ostracism / exclusion
- not giving credit where it is due / claiming credit for someone else's work
- belittling someone's opinion
- making false allegations
- monitoring work unnecessarily and intrusively / overbearing supervision or other misuse of power or position
- undervaluing work done
- removing areas of responsibility without justification
- imposing unfair sanctions
- making threats or comments about job security without foundation
- spreading malicious rumours or insulting someone, using words or behaviour
- sharing information that is confidential about someone to others

Examples of sexual harassment could be:

- unwelcome sexual advances – touching, standing too close, displaying offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making sexual remarks about someone's body, clothing or appearance.
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- telling sexually offensive jokes
- making sexual comments or jokes about someone's sexual orientation or gender reassignment.
- displaying or sharing pornographic or sexual images, or other sexual content (eg by text, video clip, email or by posting on the internet or social media)
- touching someone against their will, for example hugging them
- sexual assault or rape
- persistent suggestions to meet up socially after a person has made clear that they do not welcome such suggestions
- gossip and speculation about someone's sexual orientation or transgender status, including spreading malicious rumours
- leering, whistling or making sexually suggestive gestures

Employee Rights and Responsibilities

It is the responsibility of every employee to:

- Make themselves aware of the contents of the Dignity at Work policy
- Respect the personal dignity of all colleagues
- Behave in a way that is not offensive to others
- Support the Trust in its efforts to eradicate any such behaviour that may threaten the Trust's commitment to ensuring the dignity at work of all its employees.

It is the right of every employee to:

- Be treated with respect and dignity in the workplace.
- Challenge inappropriate behaviour and raise complaints under this procedure without fear of reprisal

What can you do to prevent harassment and bullying

All employees have a personal responsibility to prevent complaints of personal harassment or bullying by:

- Ensuring at all times their own behaviour cannot be construed as harassment or bullying
- Making their work colleagues aware that certain conduct or behaviour is causing concern or offence to either themselves or others
- Providing support to the person who is being harassed or bullied
- Encouraging colleagues to report any incidents that cause them personal distress

Employees who feel they are being harassed or bullied should:

- Make it clear to the harasser/bully that their behaviour is unacceptable and unwelcome. (In many cases this action may be sufficient enough to stop the harassment.)
- Report the harassment/bullying to their line manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board

Could you be a workplace harasser/bully?

Do you:

- Use language which is insensitive, or which could be construed as offensive?
- Stand too close to people or make physical contact with them?
- Express personal views that may hurt or discriminate against others?
- Reveal your dissatisfaction in ways that may offend or frighten others?

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Would you:

- Say or do these things to colleagues of the same sex or ethnic background?
- Like a member of your family to be on the receiving end of similar behaviour?
- Wish to be on the receiving end of such behaviour yourself?

What to do if you witness unacceptable behaviour

If you witness behaviour which you think is unacceptable, do not ignore it.

You may witness unacceptable behaviour where the individual who has been subjected to the action feels unable to ask the perpetrator to stop. In these circumstances you should remember that everybody has a responsibility to attempt to try to prevent behaviour, which is likely to result in upset or distress.

Inaction of a witness, particularly one in a more senior role, could also be construed as silent agreement or support for the alleged harasser or bully.

If you witness unacceptable behaviour you should:

- Inform those involved that the behaviour is unacceptable and why
- Ask that the behaviour stops
- If it has personally upset or offended you, explain this to those involved

Remember harassment/bullying is not:

- An occasional raised voice or disagreement between colleagues
- Constructive criticism of an employee's behaviour/performance.

How to spot if a colleague is suffering from harassment/bullying

Harassment/bullying affects different people in different ways, but even what some may perceive to be low level problems, have the potential to make the most resilient people unhappy.

Victims of harassment/bullying may often be too embarrassed or too fearful to make a complaint. Most people do not want to draw attention to the situation; they just want the harassment or bullying to stop.

Tell-tale signs may be:

- A change in behaviour, e.g., becoming withdrawn, depressed, and/or emotional
- Physical signs such as stomach aches, headaches or sleeping difficulties
- Bingeing on food, alcohol or cigarettes.

Dignity at Work – Employee Guide

If you suspect that there may be a problem with one of your colleagues, it may be appropriate to approach the employee to establish what the problem is. The employee may welcome the opportunity to share their concerns. On the other hand, they may be reluctant to tell you exactly what the problem is. Do not force the issue - let the employee know that if there is a problem support is available either from yourself, their line manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board or their trade union representative.

What to do if you are approached by a colleague who believes they are being harassed or bullied

If you are approached by an employee who believes they are being harassed or bullied you should not ignore the situation. Whilst the information may be given in confidence the reality is that they are asking for help and support.

You should listen carefully to what it is they are complaining about and try to find out how they want you to help.

In the first instance you should encourage them to approach the alleged harasser/bully and ask them to stop whatever it is they are doing. This is often the quickest and most effective way of resolving a problem, especially when it is due to a lack of sensitivity rather than a deliberate attempt to cause discomfort.

If you are asked by the person making the complaint to speak on their behalf, and you are willing to do so, it is advisable to arrange to meet the person who is the subject of the complaint to:

- Explain your role in attempting to deal with the matter informally
- Advise them of the nature of the complaint and that their behaviour or conduct towards a fellow employee is causing distress.

It is important to keep a note of any meeting that takes place as this may be used as evidence if the situation cannot be resolved informally.

If you do not feel able to intervene, then you should encourage the complainant to raise their complaint with either their line manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board and their trade union.

What to do if your behaviour is challenged

If your behaviour/conduct is challenged, it is important not to become too defensive, or aggressive, but to reflect on what has been said.

You should ask the complainant:

- What is it about your behaviour that is causing them concern?
- Why do they feel your behaviour is unacceptable?
- What is it that they wish you to do, or stop doing, to resolve the matter?

It may be the case that you do not feel that your behaviour is unacceptable, however, bear in mind that harassment is not just about intention but also about how it is perceived by the victim. It is important, having discussed this with the person making the complaint, to try to reach a resolution to the problem and resume a normal working relationship. If you feel the accusation is justified, be ready to apologise. Support is available either from your line

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manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board or your trade union.

A harassment/bullying complaint can cause stress and anxiety for all those involved. Trade Unions and HR are available to give help and assistance to both the complainant and the alleged perpetrator,

How to deal with harassment/bullying if it's happening to you

- Admit to yourself that you're being harassed/bullied, and that the behaviour being aimed at you is unfair, unjustified and unwarranted
- Tell the harasser/bully how their behaviour is affecting you or seek support from your line manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board or your trade union to enable you to do this. In some cases, this may be all it takes to make them realise that their behaviour is unacceptable
- Do not suffer in silence - talk to someone you trust such as a colleague in your team or your trade union representative.
- Keep a written record of the harassment/bullying.

Dignity at Work – Manager's Guide

Manager Responsibilities

It is the responsibility of every Manager to:

- Implement the Dignity at Work policy and ensure that employees are aware of their responsibilities under the policy
- Ensure that the work environment is non-threatening and supportive and take steps to prevent bullying or harassment
- Behave in a way which does not harass/bully another person
- Treat complaints of harassment seriously, sensitively and confidentially.

What can you do to prevent harassment and bullying?

Managers must make every effort to ensure that harassment and bullying do not occur, particularly in work areas for which they are responsible by:

- Leading by good example
- Creating a non-offensive working environment
- Being alert to, and correcting, unacceptable behaviour
- Reviewing and amending workplace practices
- Giving employees access to training on diversity/dignity issues
- Ensuring employees know how to raise harassment and bullying complaints
- Dealing with any complaints sensitively and fairly, and in accordance with the Trust policy.

Could you be a workplace harasser/bully?

Do you:

- Use language which is insensitive or insulting?
- Single out employees for unwarranted or public criticism?
- Use aggression behaviour or threats to get your point across?
- Stand too close to people or make physical contact with them?
- Place constant excessive demands on employees?
- Set employees unrealistic work targets?
- Withhold access to appropriate development opportunities for employees?

Managers have a right to discharge managerial duties. In doing so you may need to adopt an assertive management style. This is acceptable providing that employees are not demeaned, devalued or intimidated in the process. Harassment/bullying is not reasonable management behaviour.

What to do if you witness unacceptable behaviour

If you witness behaviour which you think is unacceptable, do not ignore it.

You should:

- Inform those involved that the behaviour is unacceptable and why
- Insist that the behaviour stops.

You should remember that the inaction of a witness, particularly one in a more senior role, could be construed as silent agreement or support for the alleged bully or harasser.

How to spot if an employee is suffering from harassment/bullying

Do not assume that harassment or bullying is not a problem just because there have not been any complaints. Victims of harassment/bullying may often be too embarrassed or too fearful to make a complaint. Most people do not want to draw attention to the situation; they just want the harassment or bullying to stop.

It may be that employees who are being harassed or bullied feel that there is no point in making a complaint as:

- It would not be taken seriously
- They do not want the harasser or bully to get into serious trouble
- They are afraid of reprisals.

Harassment/bullying affects different people in different ways, but even low level problems have the potential to make the most resilient people unhappy and unproductive.

Tell-tale signs may be:

- A change in behaviour, e.g., a lack of concentration, becoming withdrawn, depressed, and/or emotional
- Physical signs such as stomach aches, headaches or sleeping difficulties.
- Bingeing on food, alcohol or cigarettes.

If you suspect that there may be a problem, it may be appropriate to approach the employee to establish what the problem is. The employee may welcome the opportunity to share their concerns. On the other hand, they may be reluctant to tell their manager what has happened, especially where the harasser/bully is a more senior member of staff.

Let the employee know that if there is a problem you are there to support them. It is important not to question victims intently or ask anything that might make them feel that they've done something wrong.

How to deal with a complaint

If you are approached by an employee who believes they are being harassed or bullied, or someone approaches you on their behalf, you should not ignore the situation.

You should try to establish:

- The nature of the complaint?
- If this is the first incident or have there been others?
- If there are any witnesses to the incident(s)?
- If they have kept a record of what has been happening to them?
- Whether or not they have asked the individual they are complaining about to stop whatever it is that they are doing?

Where appropriate you should talk the employee through the Dignity at Work policy and advise them of the options open to them. It is important that the employee feels that their complaint has been taken seriously.

If you decide to speak to the alleged harasser/bully informally you should:

- Explain your role in attempting to deal with the matter informally
- Advise them of the nature of the complaint and that their behaviour or conduct towards a fellow employee is causing distress
- Advise them that if they wish to have support from a colleague or trade union representative at this stage then it will be allowed.
- Try to facilitate a resolution to the problem regarding future working arrangements.

At this initial stage witnesses should not be called.

A record of the incident, the discussions that have taken place and the desired outcome should be kept as this may be used as evidence if the situation cannot be resolved informally.

It is important that the situation is monitored carefully in order to ensure that there is no subsequent harassment/bullying, and that neither the complainant nor the person complained about is ostracised.

Where it has not been possible to resolve the matter in this way, or if you feel that the allegations are of a serious nature (e.g., sustained malicious or calculated behaviour) the complainant should be supported in making a formal written complaint.

What to do if your behaviour is challenged

If your behaviour/conduct is challenged, it is important not to become too defensive, or aggressive, but to reflect on what has been said.

You should ask the complainant:

- What is it about your behaviour that is causing them concern?
- Why do they feel your behaviour is unacceptable?
- What is it that they wish you to do, or stop doing, to resolve the matter?

It may be the case that you do not feel that your behaviour is unacceptable. However, it is important, having discussed this with the person making the complaint, to try to reach a resolution to the problem and resume a normal working relationship. If you feel the accusation is justified, be ready to apologise.

A harassment/bullying complaint can cause stress and anxiety for all those involved. HR Support is available to give help and assistance to both the complainant and the person being complained about.

Prevention of Sexual Harassment – Manager's Guide

Manager Responsibilities

It is the responsibility of every Manager to:

- Implement the Dignity at Work policy and ensure that employees are aware of their responsibilities under the policy
- Ensure that the work environment is not an intimidating, hostile, degrading, humiliating or offensive environment for employees.
- To take steps to prevent sexual harassment
- Behave in a way which does not sexually harass / or harass another person.
- Treat complaints of sexual harassment seriously, sensitively and confidentially.
- To make it clear that sexual harassment is not tolerated.

What can you do to prevent sexual harassment?

Managers must make every effort to ensure that sexual harassment do not occur within PHMAT Trust.

- Leading by good example
- Being alert to, and correcting, unacceptable behaviour that may be considered sexual harassment.
- making it clear to employees that trust will not tolerate sexual harassment.
- encouraging employees to report any incidents of sexual harassment
- Ensuring employees know how to raise a sexual harassment complaint.
- encouraging employees to report situations where they felt at risk, even if nothing happened.
- Dealing with any complaints sensitively and fairly, and in accordance with the Trust policy.
- Giving employees access to training on sexual harassment issues

What would be considered as sexual harassment?

- making sexual remarks about someone's body, clothing or appearance.
- asking questions about someone's sex life.
- telling sexually offensive jokes
- making sexual comments or jokes about someone's sexual orientation or gender reassignment.
- displaying or sharing pornographic or sexual images, or other sexual content
- touching someone against their will, for example hugging them
- sexual assault

What to do if you witness unacceptable behaviour

If you witness behaviour which you think is unacceptable and could be sexual harassment, do not ignore it. You could step in and try to stop it happening, if you feel it's safe to do so.

When it is witnessed:

- Inform those involved that the behaviour is unacceptable and why.
- Insist that the behaviour stops and that will be reported.

What to do after it has happened?

- support a complaint made by the person who experienced the sexual harassment.
- report what you've seen or experienced.
- give evidence as a witness, for example as part of a grievance procedure.
- make a sexual harassment complaint yourself.

How to spot if an employee is suffering from sexual harassment?

Do not assume that sexual harassment is not a problem just because there have not been any complaints. Victims of sexual harassment may often be too embarrassed or too fearful to make a complaint. Most people do not want to draw attention to the situation; they just want the sexual harassment to stop.

It may be that employees who are being sexually harassed that there is no point in making a complaint as:

- It would not be taken seriously.
- They do not want the harasser to get into serious trouble.
- They are afraid of reprisals.

Harassment of a sexual nature affects different people in different ways, but even low-level problems have the potential to make the most resilient people unhappy and unproductive.

Tell-tale signs may be:

- A change in behaviour, e.g., a lack of concentration, becoming withdrawn, depressed, and/or emotional.
- Physical signs such as stomach aches, headaches or sleeping difficulties.
- Bingeing on food, alcohol or cigarettes.

If you suspect that there may be a problem, it may be appropriate to approach the employee to establish what the problem is. The employee may welcome the opportunity to share their concerns. On the other hand, they may be reluctant to tell their manager what has happened, especially where the harasser is a more senior member of staff.

Let the employee know that if there is a problem you are there to support them. It is important not to question victims intently or ask anything that might make them feel that they've done something wrong.

How to deal with a complaint

If you are approached by an employee who believes they are being sexually harassed or bullied, or someone approaches you on their behalf, you should not ignore the situation.

You should try to establish:

- The nature of the complaint?
- If this is the first incident or have there been others?
- If there are any witnesses to the incident(s)?
- If they have kept a record of what has been happening to them?
- Whether or not they have asked the individual they are complaining about to stop whatever it is that they are doing?

Where appropriate you should talk the employee through the Dignity at Work policy and advise them of the options open to them. It is important that the employee feels that their complaint has been taken seriously.

If you decide to speak to the alleged harasser informally you should:

- Explain your role in attempting to deal with the matter informally.
- Advise them of the nature of the complaint and that their behaviour or conduct towards a fellow employee is causing distress.
- Advise them that if they wish to have support from a colleague or trade union representative at this stage then it will be allowed.
- Try to facilitate a resolution to the problem regarding future working arrangements.

At this initial stage witnesses should not be called.

A record of the incident, the discussions that have taken place and the desired outcome should be kept as this may be used as evidence if the situation cannot be resolved informally.

It is important that the situation is monitored carefully in order to ensure that there is no subsequent sexual harassment, and that neither the complainant nor the person complained about is ostracised.

Where it has not been possible to resolve the matter in this way, or if you feel that the allegations are of a serious nature (e.g., sustained malicious or calculated behaviour) the complainant should be supported in making a formal written complaint.

Prevention of Sexual Harassment – Employees Guide

Employee Rights and Responsibilities

It is the responsibility of every employee to:

- Make themselves aware of the contents of the Dignity at Work policy and understand what sexual harassment is.
- Do not violate someone's dignity and respect the personal dignity of all colleagues.
- To create a working environment that is intimidating, hostile, degrading, humiliating or offensive environment for someone.
- Behave in a way that is not offensive to others.
- Support the Trust in its efforts to eradicate any behaviour that may be seen as sexual harassment and may threaten the Trust's commitment to ensuring the dignity at work of all its employees.

It is the right of every employee to:

- Be treated with respect and dignity in the workplace.
- Challenge inappropriate behaviour and raise complaints under this procedure without fear of reprisal.

What can you do to prevent sexual harassment?

All employees have a personal responsibility to prevent sexual harassment complaints of by:

- Ensuring at all times their own behaviour cannot be construed as sexual harassment.
- Encouraging colleagues to report any incidents that cause them personal distress.
- Making their work colleagues aware that certain conduct or behaviour is causing concern or offence to either themselves or others.
- Providing support to the person who is being sexually harassed.

Employees who feel they are sexually harassed should:

- Make it clear to the harasser that their behaviour is unacceptable and unwelcome. (In many cases this action may be sufficient enough to stop the harassment.)
- Report the harassment to their line manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board. **The PHMAT Grievance policy outlines the procedure around informal and formal complaints.**

What may sexual harassment look like?

- making sexual remarks about someone's body, clothing or appearance.
- asking questions about someone's sex life.
- telling sexually offensive jokes
- making sexual comments or jokes about someone's sexual orientation or gender reassignment.
- displaying or sharing pornographic or sexual images, or other sexual content
- touching someone against their will, for example hugging them

What to do if you witness unacceptable behaviour

If you witness behaviour which you think is unacceptable, do not ignore it.

You may witness unacceptable behaviour where the individual who has been subjected to the action feels unable to ask the perpetrator to stop. In these circumstances you should remember that everybody has a responsibility to attempt to try to prevent behaviour, which is likely to result in upset or distress.

Inaction of a witness, particularly one in a more senior role, could also be construed as silent agreement or support for the alleged harasser or bully.

If you witness unacceptable behaviour, you should:

- Inform those involved that the behaviour is unacceptable and why.
- Ask that the behaviour stops.
- If it has personally upset or offended you, explain this to those involved.

Remember harassment/bullying is not:

- An occasional raised voice or disagreement between colleagues
- Constructive criticism of an employee's behaviour/performance.

How to spot if a colleague is suffering from sexual harassment

Sexual harassment affects different people in different ways, but even what some may perceive to be low level problems, have the potential to make the most resilient people unhappy.

Victims of sexual harassment may often be too embarrassed or too fearful to make a complaint. Most people do not want to draw attention to the situation; they just want the harassment or bullying to stop.

Tell-tale signs may be:

- A change in behaviour, e.g., becoming withdrawn, depressed, and/or emotional.
- Physical signs such as stomach aches, headaches or sleeping difficulties.
- Bingeing on food, alcohol or cigarettes.

If you suspect that there may be a problem with one of your colleagues, it may be appropriate to approach the employee to establish what the problem is. The employee may welcome the opportunity to share their concerns. On the other hand, they may be reluctant to tell you exactly what the problem is. Do not force the issue - let the employee know that if there is a problem support is available either from yourself, their line manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board or their trade union representative.

What to do if you are approached by a colleague who believes they are being sexually harassed

If you are approached by an employee who believes they are being sexually harassed you should not ignore the situation. Whilst the information may be given in confidence the reality is that they are asking for help and support.

You should listen carefully to what it is they are complaining about and try to find out how they want you to help.

In the first instance you should encourage them to approach the alleged harasser and ask them to stop whatever it is they are doing. This is often the quickest and most effective way of resolving

a problem, especially when it is due to a lack of sensitivity rather than a deliberate attempt to cause discomfort.

If you are asked by the person making the complaint to speak on their behalf, and you are willing to do so, it is advisable to arrange to meet the person who is the subject of the complaint to:

- Explain your role in attempting to deal with the matter informally.
- Advise them of the nature of the complaint and that their behaviour or conduct towards a fellow employee is causing distress.

It is important to keep a note of any meeting that takes place as this may be used as evidence if the situation cannot be resolved informally.

If you do not feel able to intervene, then you should encourage the complainant to raise their complaint with either their line manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board and their trade union.

What to do if your behaviour is challenged

If your behaviour/conduct is challenged, it is important not to become too defensive, or aggressive, but to reflect on what has been said.

You should ask the complainant:

- What is it about your behaviour that is causing them concern?
- Why do they feel your behaviour is unacceptable?
- What is it that they wish you to do, or stop doing, to resolve the matter?

It may be the case that you do not feel that your behaviour is unacceptable, however, bear in mind that harassment is not just about intention but also about how it is perceived by the victim. It is important, having discussed this with the person making the complaint, to try to reach a resolution to the problem and resume a normal working relationship. If you feel the accusation is justified, be ready to apologise. Support is available either from your line manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board or your trade union.

A sexual harassment complaint can cause stress and anxiety for all those involved. Trade Unions and HR are available to give help and assistance to both the complainant and the alleged perpetrator,

How to deal with sexual harassment if it's happening to you

- Admit to yourself that you're being harassed, and that the behaviour being aimed at you is unfair, unjustified and unwarranted
- Tell the harasser how their behaviour is affecting you or seek support from your line manager, Headteacher/Executive Headteacher/CEO/Chair of the Trust Board or your trade union to enable you to do this. In some cases, this may be all it takes to make them realise that their behaviour is unacceptable.
- Do not suffer in silence - talk to someone you trust such as a colleague in your team or your trade union representative.
- Keep a written record of the harassment.