

DIGNITY AT WORK

Rooted in Christ and Catholic tradition and under the guidance of its patron, St Edmund's aims to realise the God-given potential, in body, mind and spirit, of all members of its community through service and leadership.

Avita Pro Fide

St Edmund's is committed to ensuring the welfare and protection of children in its care and this commitment is a fundamental part of the role of every person employed by St Edmund's.

1 Policy

St Edmund's considers harassment and/or bullying of any kind to be unacceptable and detrimental to St Edmund's. Harassment and/or bullying lowers morale and interferes with the effectiveness of people at work. It has no place in a culture where all staff members, students and visitors to St Edmund's are treated with dignity and respect.

All staff should take the time to ensure they understand what types of behaviour are unacceptable under this policy, and they must ensure they comply with this policy. This policy does not form part of any employee's contract of employment and we may amend it at any time or depart from it where we consider appropriate.

- This policy covers bullying and harassment by staff (which may include consultants, contractors and agency staff) and also by third parties (such as parents, students, service providers and visitors).
- Staff and third parties are expected not to engage in any behaviour or conduct which may amount to harassment and/or bullying of another person at work.
- Harassment and/or bullying of any kind are regarded as disciplinary offences and in serious instances, such as gross misconduct, may lead to summary dismissal.
- This policy covers harassment and/or bullying which occurs within St. Edmund's and out of St Edmund's.
- All members of staff are expected to behave properly outside work and not to act in any way which may risk the reputation of St Edmund's.

All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with it and act in accordance with its aims and objectives. If an employee is involved in management or recruitment, or if any employee has any questions about the content or application of this policy, they should contact the HR Director to request training.

2 What is Harassment?

- Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.
- Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or

it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories.

- Harassment can take many forms. It can range from extreme forms such as violence, to less obvious actions such as persistently ignoring a colleague. The following, though not an exhaustive list, may constitute harassment:
 - Unwanted physical conduct or “horseplay”, including touching, pinching, pushing and grabbing;
 - Unwelcome sexual advances or suggestive remarks or gestures (even when the harasser may perceive these as harmless);
 - Offensive emails, text messages or social media content;
 - Mocking, mimicking or belittling a person’s disability;
 - Verbal or written harassment through jokes, offensive language, comments, gossip, slander, letters;
 - Isolation or non-cooperation at work;
 - Intrusion by pestering, spying, filming or following;
 - Treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

A person may be harassed even if they were not the intended “target”. For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment for them.

Legitimate record keeping and investigation in the course of any disciplinary or capability procedure, does not constitute harassment. A manager, supervisor or SLT member properly monitoring an individual’s work and actions does not constitute intrusion or harassment.

3 What is Bullying?

- Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.
- Bullying can take the form of physical, verbal and non-verbal (for example, written) conduct. Bullying may include, by way of example:
 - Verbal threats and intimidation;
 - Physical or psychological threats;
 - Overbearing and intimidating levels of supervision;
 - Inappropriate derogatory remarks about someone’s performance;
 - Social exclusion;
 - Stalking;
 - Making nuisance telephone calls;
 - Campaign of rudeness or unfriendliness;
 - Humiliating someone in front of others;
 - Unjustified, persistent criticism;
 - Belittling someone’s opinion;
 - Making false allegations;
 - Offensive or abusive personal remarks;

- Setting unobtainable or constantly changing targets in order to cause failure;
- Unnecessary, excessive or unreasonable intrusive monitoring of an individual or their work.
- The following does not constitute bullying:
 - Legitimate record keeping and investigation in the course of any disciplinary or capability procedure, including informal stages;
 - A manager, supervisor or SLT member properly monitoring an individual's work and actions;
 - Legitimate, reasonable and constructive criticism of a person's performance or behaviour, or reasonable instructions given to staff in the course of their employment.

4 Employees' Responsibilities

- All employees have a responsibility to help create and maintain a working environment that respects the dignity of employees. Employees should be aware of the serious and genuine problems that harassment and bullying can cause and ensure their behaviour is beyond question and could not be considered in any way to be harassment or bullying. Employees should discourage such behaviour by making it clear that they find it unacceptable and by supporting colleagues if they are experiencing harassment or bullying and are considering making a complaint. Employees should alert their line manager or the HR Director to any incidents that they believe may constitute harassment or bullying, to enable the appropriate person at St Edmund's to deal with the matter.

5 Managerial Responsibility

- The SLT, managers and supervisors have a responsibility to ensure that harassment and/or bullying does not occur in work areas for which they are responsible. They should fully understand this policy and feel confident to offer advice on the procedure when required to do so. They should also ensure that all of their staff are aware of and understand this policy and positively promote it. Failure to deal with harassment or bullying, of which they become aware, whether or not it has been formally brought to their attention, will be regarded as a failure to fulfil the responsibilities of their position.
- The SLT, managers and supervisors will be responsive and supportive to any member of staff who makes a complaint, provide full and clear advice on the procedure to be adopted, maintain confidentiality where appropriate and ensure that there is no further problem or any victimisation after a complaint has been resolved.
- St Edmund's will ensure the SLT, managers, supervisors and other staff are fully aware of this policy and the procedures for dealing with harassment and bullying.

6 If you are being bullied or harassed: Informal Steps

- If you believe that you have been, or are, the recipient of conduct amounting to harassment or bullying, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, you should speak to your line manager or the HR Director who can provide confidential advice and assistance in resolving the issue formally or informally.

- If you are not certain whether an incident or series of incidents amounts to bullying or harassment, you should initially contact your line manager or the HR Director informally for confidential advice

7 If you are being bullied or harassed: Formal Steps

- If an informal approach is too difficult or embarrassing, or an initial attempt to resolve the matter has not been successful, or if you are not comfortable confronting the individual, you should raise the matter formally under the College's Grievance Procedure. This is available in hard copy in the Staff Handbook in both staff common rooms and electronically on the College Shared drive.
- As outlined in the College's Grievance Procedure:
 1. If you wish to make a formal complaint, you should submit it in writing to the HR Director, whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned. If the matter concerns that person, you should refer it to the Bursar or Headmaster.
 2. Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.
 3. At that stage, it would be helpful, if you feel able to, to state the resolution you are seeking to achieve and share any thoughts you may have regarding resolution.
- As a general principle, the decision whether to progress a formal complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so. We may also adopt a modified procedure, if appropriate.

8 Formal Investigations

- Investigations will be in line with the College's Grievance Procedure.
- We will investigate complaints in a timely and confidential manner. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. The investigation should be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned.
- Usually, we will arrange a meeting with you, so that you can give your account of events. You have the right to be accompanied by a colleague or a trade union representative of your choice, who must respect the confidentiality of the investigation.
- Where your complaint is about an employee, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. The investigator will also meet

with the alleged harasser or bully to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.

- Where your complaint is about someone other than an employee, such as a customer, supplier or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the College as a business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.
- We will also seriously consider any request that you make for changes to your own working arrangements during the investigation. For example you may ask for changes to your duties or working hours so as to avoid or minimise contact with the alleged harasser or bully.
- It may be necessary to interview witnesses, in particular witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.
- At the end of the investigation, the investigator will submit a report to a senior individual (for example, a manager, member of the SLT or a governor) nominated to consider the complaint.

9 Grievance Meeting

As soon as reasonably practicable following receipt of the report, the senior individual will arrange a meeting with you. The meeting will be conducted in line with the College's Grievance Policy. You have the right to bring a colleague or a trade union representative to the meeting.

A copy of the report and the senior individual's findings will be given to you and to the alleged harasser. If you consider that receiving a copy of the report and findings will cause you upset, you may request not to receive copies.

10 Action Following

If the senior individual considers that harassment or bullying has occurred, prompt action will be taken to address it.

Where the harasser or bully is an employee the matter will be reviewed and appropriate action will be taken in relation to that employee, for example, suitable discussions; training needs or the instigation of the College's formal Disciplinary Procedure as a case of alleged misconduct or gross misconduct. If the harasser or bully is a third party, we will consider what action would be appropriate to deal with the problem.

Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation and/or counselling, or to change duties, working location or reporting lines of one or both parties.

Any staff member who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under our Disciplinary Procedure.

11 Appeals

If you are not satisfied with the outcome you may appeal in writing as set out in the College's

Grievance Procedure.

12 Protection and Support

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary proceedings under our Disciplinary Policy.

If you believe you have suffered any such treatment you should inform the HR Director. If the matter is not remedied you should raise it formally using our Grievance Procedure or this procedure if appropriate.

We offer access to confidential counselling, which is available on request for anyone affected by, or accused of, bullying or harassment. The details are available from HR Director.

13 Confidentiality and Record Keeping

Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a “need to know” basis. Breach of confidentiality may give rise to disciplinary action under our Disciplinary Procedure.

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.

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