

## United Learning Dignity and Respect Policy

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## 1. Scope

The guidance set out in this document applies to all United Church Schools Trust (“UCST”) and United Learning Trust (“ULT”) employees, including teaching, non-teaching, fixed-term, part-time, full-time, permanent and temporary staff. The Policy also applies to workers, consultants, and contractors. The two companies (UCST and ULT) are referred to in this policy by their trading name, ‘United Learning’.

Where this policy refers to ‘School’ or ‘Head Teacher’, within Central Office this should be interpreted to refer to the department where a member of staff works and their Head of Department.

As a values-led organisation our values of ambition, confidence, creativity, respect, enthusiasm and determination are key to our purpose and underpin all that we do.

This policy does not form part of any contract of employment or contract to provide services, and United Learning may amend it at any time.

## 2. Our Commitment

- 2.1 United Learning is committed to creating an environment that is an inclusive, supportive place to work, that promotes a positive culture which celebrates difference, challenges prejudice and ensures fairness. We understand and value what diversity brings, and we will ensure that our practices are inclusive and make people feel valued and are able to reach their full potential.
- 2.2 Everyone employed by and associated with United Learning is expected to treat others with dignity and respect, and to be committed to creating a culture where individuals feel confident about raising concerns about behaviour that is unacceptable.
- 2.3 United Learning is fully committed to equality of opportunity and to sustaining a positive and mutually supportive work environment free from harassment, discrimination, bullying and victimisation (see Appendix 1 for further explanations), where employees can work collaboratively and productively together, and where everyone is equally valued and treated with dignity and respect.
- 2.4 Employees should be aware of their behaviour towards others, ensure that they understand what is reasonable and acceptable behaviour, and what is not, see ([United Learnings Guidelines for Professional Conduct](#)). If anyone feels that there are being subjected to bullying, harassment or discrimination they should report it to their manager who will take appropriate action.
- 2.5 Harassment, bullying or victimisation of any member of staff, or anyone they come into contact with during the course of their work, can be unlawful and will not be tolerated. We will take active steps to help prevent the harassment, bullying and victimisation of all staff by providing training, through our Speak UP process and by ensuring that any incidents or matters are appropriately investigated. Anyone who is a victim of, or witness to, harassment, bullying or victimisation is

encouraged to report it in accordance with this policy. This will enable United Learning to take appropriate action and provide support. Harassment, bullying and victimisation can result in legal liability for both the employer and the perpetrator. Harassment, bullying and victimisation may result in disciplinary action up to and including dismissal.

### **3. Purpose**

#### **3.1 The purpose of the policy is to:**

- a) Foster a positive culture for working and learning which supports freedom of thought and expression within the law, and within a framework of respect for the rights of other people.
- b) Promote an enabling and inclusive environment where all individuals are treated with dignity and respect, free from bullying, harassment and discrimination.
- c) Ensure that occurrences of bullying, harassment and discrimination are taken seriously, and dealt with promptly and with due sensitivity.
- d) Set out the framework for raising, addressing and resolving concerns about individual and/or organisational behaviour.
- e) Set out the framework for line managers to deal with any harassment, bullying or victimisation that occurs by staff and third parties.

### **4. Responsibilities**

#### **4.1 Individuals**

All employees, workers and contractors (as defined in the scope) of United Learning have a responsibility to:

- a) Assist United Learning to meet its commitment to provide equality in employment and avoid unlawful discrimination.
- b) Demonstrate respect and integrity in our interactions with individuals and groups.
- c) Work and study collaboratively, collegially and effectively in teams within and across organisational units.
- d) Identify and challenge unacceptable behaviour when it occurs, even if it is not directed at ourselves.
- e) Address and resolve matters, where reasonably possible, in a positive and constructive way.
- f) Raise more serious concerns with relevant management and participate positively in approaches to resolve them.
- g) Modify our behaviour should we become aware that we have behaved unacceptably in relation to this policy, even if no complaint has been made.

#### **4.2 Managers**

In addition, managers of staff and others with responsibility for areas of work or study have:

- a) A responsibility to lead in promoting a culture of dignity and respect, and
- b) A duty to take timely, relevant action to resolve concerns.

#### 4.3 United Learning

- a) Expectations of United Learning as an employer will be to ensure that: It fosters a positive culture for working and treats employees with openness, respect and dignity at all times.
- b) Complaints of harassment, bullying or discrimination are treated seriously and with discretion.
- c) Employees feel safe and are listened to when raising concerns about behaviour.

### 5. Unacceptable Behaviour

5.1 United Learning expects all its members to treat others with dignity and respect and regards bullying, harassment or discrimination as unacceptable behaviour. United Learning will respond promptly and sensitively to formal complaints, and where appropriate take disciplinary action.

5.2 Further detail regarding bullying, harassment and victimisation is set out in Appendix 1. Examples of unacceptable behaviours in the workplace can include, but are not limited to:

- a) Unwelcome physical contact ranging from unnecessary touching to serious assault
- b) Intimidating or threatening behaviour, or language
- c) Unwelcome attention or advances of a sexual nature
- d) Disparaging, ridiculing or insulting behaviour, language or gestures
- e) Inappropriate communication or visual display of offensive material
- f) Isolation, non-cooperation, or deliberate exclusion of an individual from a work situation (including work-related social events)
- g) Undermining of an individual through unfair work allocation or persistent unjustified behaviour.

### 6. Awareness

6.1 All employees will have access to these guidelines via the United Hub. Your school or Central Office department is responsible for ensuring you are aware of your responsibilities in accordance with these guidelines.

6.2 United Learning is committed to making training opportunities accessible to all its employees and will encourage schools to provide training opportunities to staff, line managers and where possible to governors.

### 7. Resolution

7.1 Staff are encouraged, where possible, to resolve concerns informally. Staff may wish to seek advice and support from a manager, HR colleague or a Trade Union representative

7.2 Individual action

- a) Where an employee believes they are being subjected to treatment which is in breach of this policy, they should seek to address this at the earliest possible stage.
- b) Where they feel able to, the employee should make clear to the person causing the offence that such behaviour is unacceptable to them. In many instances, this can be sufficient to bring an end to that behaviour.

## **8. Informal Assistance**

- 8.1 If the employee does not feel able to resolve the matter themselves at an early stage, they should informally speak to a manager or HR.
- 8.2 If a member of staff is not certain whether an incident or series of incidents amounts to bullying or harassment, they should initially contact their line manager or HR informally for confidential advice.

## **9. Raising a Formal Complaint**

- 9.1 If the problem has not been resolved by informal means, or the employee feels it cannot be resolved through informal means, then they may submit a formal complaint. This can be done using [United Learning's Grievance Procedure](#).
- 9.2 The 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.
- 9.3 As a general principle the decision whether to progress a complaint is up to the employee. However, United Learning has a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.
- 9.4 United Learning will take any complaint seriously and will seek to resolve any grievance that it upholds. Staff members will not be penalised for raising a grievance, even if their grievance is not upheld, unless their complaint is both untrue and made in bad faith.

## **10. If you witness harassment or victimisation**

- 10.1 Staff who witness harassment or victimisation are encouraged to take appropriate steps to address it.
- 10.2 Depending on the circumstances, this could include, intervening where they feel able to do so including:
  - a) Supporting the victim to report it or reporting it on their behalf.
  - b) Reporting the incident where you feel there may be a continuing risk if they do not report it.
  - c) Cooperating in any investigation into the incident.
- 10.3 All witnesses will be provided with appropriate support and will be protected from victimisation.

## **11. Formal Investigations**

- 11.1 We will investigate any complaints in a timely, respectful and confidential manner. Individuals not involved in the complaint, or the investigation should not be told about it.

- 11.2 Where the 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 the member of staff and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.
- 11.3 We will also seriously consider any request that the member of staff makes for changes to their own working arrangements during the investigation. For example, they may ask for changes to their duties or working hours to avoid or minimise contact with the alleged harasser or bully.
- 11.4 Whether or not the complaint is upheld, we will consider how best to manage the ongoing working relationship between the person raising the complaint and the alleged harasser or bully. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties.
- 11.5 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.
- 11.6 Staff who make complaints, report that they have witnessed wrongdoing, 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 action under our Disciplinary Procedure.
- 11.7 United Learning offers access to confidential counselling, which is available on request for anyone affected by, or accused of, bullying or harassment. This is available through Health Assured either via the 24-hour advice and information line: 0800 092 0987 or via the My Healthy Advantage App which can be downloaded from the app on your App Store. Further details can be found on the Wellbeing page [here](#).
- 11.8 We have a Speak UP process which is a confidential service that provides access to a confidential phone line where staff can raise concerns and issues, you can contact that line in complete confidence either via phone call on: 01832 864498 or email: [Speak.up@unitedlearning.org.uk](mailto:Speak.up@unitedlearning.org.uk).

## **12. Reporting outcomes, confidentiality and record-keeping**

- 12.1 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.
- 12.2 Where appropriate and possible, where a complaint is upheld, United Learning will advise the complainant of the action that has been taken to address their specific complaint and any measures put in place to prevent a similar event happening again.
- 12.3 Information about a complaint by or about a staff member may be placed on their personnel file, along with a record of the outcome and of any notes or other documents compiled during the process, in accordance with our Data Protection Policy.

## **13. Monitoring and review**

- 13.1 This policy will be reviewed on a regular basis to ensure consistency, fairness and effectiveness, and in light of any changes in employment legislation.

## **Appendix 1 – Definitions**

### **1. What is harassment?**

- 1.1 Harassment is any unwanted physical, verbal or non-verbal conduct that 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.
- 1.2 It also includes treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex, in the past.

- 1.3 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.
- 1.4 Harassment may include, for example:
- a) unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing.
  - b) continued suggestions for social activity after it has been made clear that such suggestions are unwelcome.
  - c) sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet).
  - d) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless).
  - e) racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender.
  - f) disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes.
  - g) offensive emails, text messages or social media content; or
  - h) mocking, mimicking or belittling a person's disability.
- 1.5 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.
- 1.6 Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:
- a) Bringing proceedings under the Equality Act 2010.
  - b) Giving evidence or information in connection with proceedings under the Equality Act 2010.
  - c) Doing any other thing for the purposes of or in connection with the Equality Act 2010.
  - d) Alleging that a person has contravened the Equality Act 2010.
- 1.7 Victimisation may include, for example:



- a) Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment.
  - b) Excluding someone because they have raised a grievance about harassment.
  - c) Failing to promote someone because they accompanied another staff member to a grievance meeting.
  - d) Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.
- 1.8 Harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal if they are committed:
- a) In a work situation.
  - b) During any situation related to work, such as at a social event with colleagues.
  - c) Against a colleague or other person connected to us outside of a work situation, including on social media.
  - d) Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.
- 1.9 We will consider any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.
- 1.10 If any harassment or victimisation of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include, updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.
- 1.11 Third-party harassment occurs where a person is harassed or sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, unwelcome sexual advances from a supplier or contractor visiting any of our premises, or where a staff member is visiting a supplier's premises or other location in the course of their employment.
- 1.12 Third-party harassment can result in legal liability and will not be tolerated. All staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy.
- 1.13 Any harassment by a member of staff against a third-party may lead to disciplinary action up to and including dismissal.
- 1.14 We will take active steps to try to prevent third-party harassment of staff.
- 1.15 If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include, warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police, and sharing information with other schools.

## 2. What is bullying?

- 2.1 Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power 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.
- 2.2 Bullying may include overbearing and intimidating levels of supervision or inappropriate derogatory remarks about someone's performance. However, legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.