

Dignity at Work Policy

**All Salford Academy Trust
Staff**



1. Introduction

- 1.1 Salford Academy Trust are committed to ensuring that all their employees are treated with dignity and respect. Bullying and Harassment of staff are completely unacceptable and the Trust is committed to ensuring that such matters are being dealt with in a timely manner.
- 1.2 Salford Academy Trust are committed to treating seriously any allegations relating to potential discrimination on the grounds of race, gender, disability, sexual orientation, age, religion, trade union membership and family care responsibilities, and ensuring a full and thorough investigation where such allegations are made
- 1.3 This procedure is intended to follow best practice in line with the ACAS Code of Practice on Bullying and Harassment and to comply with the Equality Act 2010.
- 1.4 Tackling workplace bullying and harassment is a joint responsibility of the organisation and of the individuals working within it. Every employee must contribute to building an atmosphere of mutual trust and respect.
- 1.5 This procedure is applicable to all staff employed by Salford Academy Trust and is designed to deal with individual dignity at work complaints.
- 1.6 Reasonable adjustments to this policy will be made upon request where this is required to accommodate an individual's needs in relation to a disability.
- 1.7 Employees who believe that they are being subjected to harassment and/or bullying should consider making notes about how they feel and any details which will help them to recall events clearly at a later date. Such details could include dates, times, names of witnesses, memos, notes or any meetings that relate to the concerns.
- 1.8 Any concerns must be raised as soon as practical and wherever possible and no later than three months after the alleged incident. It must be recognised however, that it sometimes takes a significant period of time for the alleged victim to feel sufficiently empowered to raise the matter.
- 1.9 Except in cases of serious bullying and harassment or where the complainant believes that matters have gone too far, the option of achieving an informal solution to a complaint relating to bullying or harassment should be considered. If the case is serious or the matter remains unresolved or the complainant wants more formal action taken the formal stage will be invoked.

2. Scope and Purpose of Policy

- 2.1 The aim of this policy is to both engender a culture where all trainees are treated with fairness and respect and lays down the action that will be taken where behaviour falls short of that which is required in this regard.
- 2.2 The objectives of this policy are to ensure that Salford Academy Trust:
 - Develops a culture in which bullying and harassment are known to be unacceptable and where individuals are confident enough to raise a complaint without fear of ridicule, discrimination or victimisation.
 - Has staff safety and respect as a priority
 - Is legally compliant
 - Sets down the parameters of acceptable behaviour in relation to staff from other staff

- Provides a framework to ensure that allegations can be investigated promptly and in a manner which recognises the sensitivity of the issues raised and the rights of all parties involved.

2.3 Dignity at Work complaints will be treated seriously and dealt with in the utmost confidence. Any breaches of confidentiality will be treated seriously and may result in disciplinary action.

2.4 It is the aim of Salford Academy Trust to deal with matters relating to dignity at work complaints sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them.

2.5 This policy deals with all dignity at work issues involving alleged incidents of harassment, bullying or victimisation and also any concerns, problems or complaints relating to employment matters.

Examples of bullying / harassing behaviour could include:

- spreading malicious rumours, or insulting someone
- exclusion or victimisation
- unfair treatment
- deliberately undermining a competent worker by constant criticism

3. Stage 1 - Informal Process

3.1 If an employee raises a concern or complaint relating to harassment and/or bullying the option of achieving an informal solution should be considered by both the trainee and the manager taking responsibility for the case. Equally the manager considering the case can elect to move straight to the formal stage of the process if the concerns are sufficiently serious or if there are indications that the alleged bullying and/or harassment may be widespread or systemic within the academy.

3.2 The aim of the informal stage is to establish the nature of the issue, be clear about the employee's desired outcome and share information in an attempt to resolve the matter by mutual agreement with all parties involved.

3.3 At this stage the responsible manager dealing with the complaint, must carry out a preliminary review of the case. If the alleged bullying and harassment is not of a very serious nature and there are issues of genuine concern then both parties should be offered the opportunity to resolve the matter locally. Mediation may be used to resolve the matter at the informal stage. However, this process does require the agreement of both parties and this process may be with the support of their line manager or with an appropriate senior manager.

3.4 Where there is a bullying and/or harassment concerns about the Principal it should be raised initially with the CEO of Salford Academy Trust, who will nominate an appropriate governor or chair of governors to address the complaint at the informal stage.

4. Stage 2 – Formal Process

4.1 If the case is serious or the matter remains unresolved following the informal stage or the employee wishes the case to be handled formally from the outset the formal stage will be invoked either by the employee or by the Principal.

4.2 Where the employee believes the matter has not been resolved at the informal stage, they must set out the complaint in writing using the form at appendix 1, indicating why they feel it has not been resolved, and send a copy to the Principal (for school based employees), the CEO of Salford Academy Trust (if the complaint is against the Principal).

This should be completed within 10 working days of the outcome of the informal stage.

4.3 An impartial and objective investigation will be carried out, as quickly, as possible by an investigator. The investigation will be carried out with sensitivity and due regard for the rights of both of the complainant and the alleged bully/harasser.

The Principal or CEO of Salford Academy Trust may nominate a senior manager to investigate the formal dignity at work complaint. Salford Academy Trust reserves the right to appoint an employee from within the wider trust to carry out the formal investigation if this is deemed appropriate.

4.4 The members of staff involved have the right of Trade Union representatives of Trade Union representation to be accompanied by a workplace colleague throughout the procedure.

4.5 If the investigation indicates that the allegation is substantiated then the matter will be referred to the matter will be referred for action in accordance to Salford Academy Trust Disciplinary Procedure. On completion of the investigation both parties will be separately will be informed in writing of the outcome and any action that will be taken.

5. Malicious Complaints

Having conducted an investigation, the investigating manager may conclude that the complaint was malicious. That is, that the complaint was entirely false and made with the deliberate intention of having action taken against another employee. In these circumstances, consideration may be given to dealing with the complainant in line with the disciplinary procedure

6. Impact of sickness

In the event that an employee is sick on the date of an arranged fact finding meeting, then the meeting will be re-arranged without undue delay. An employee on long term sick is not prevented from attending a fact finding meeting. However, if they are not well enough to do so, the meeting may take place in the employee's absence. In such cases, the employee would be given the opportunity to submit further written information for consideration.

7. Policy Review

This policy is reviewed every two years (unless there is a change in employment law of practice) by Salford Academy Trust in consultation with the recognised trade unions. Salford Academy Trust will monitor the application and outcomes of this policy to ensure it is working effectively.

DOCUMENT STATUS

<u>Version</u>	<u>Date</u>	<u>Action</u>	<u>Approved by JCC</u>		<u>Approved by</u>
			<u>Signature</u>	<u>Date</u>	<u>Signature</u>
1	February 2018		JCC	15/03/18	Board 27/03/18

This Policy has been impact assesses to ensure that it does not have an adverse effect on race, gender or disability equality

Appendix 1 – Stage 2 formal Respect at Work complaint form

Name:	Payroll number:
Job title:	School:
Signature:	Date:

Details of the Respect at Work – Please includes dates of incidents, describing the incidents, witnesses present, etc.

Informal Stage. Please describe how you have tried to resolve your complaint informally and the outcome of this stage. Alternatively, please set out why you consider that the complaint cannot be dealt with informally.

Outcome of your Complaint Please set out how you think the complaint can be resolved.

Notes on completion:

- You can extend each box or attach additional sheets to this document if you require more space, however, please ensure you have included information relating to all 3 sections.
- When complete, sign and date this form and forward it to your either; the Principal (for school based employees), the Chair of Governors (for Principal or if the grievance concerns the Principal) or a senior manager from the trust (for central trust employees).
- You should retain a copy of your statement for your information.

Appendix 2 – acknowledgement letter

Private and confidential

Name

Address

Date

Formal complaint

I would like to confirm that I have received notification from you of your wish to invoke Stage 2 of the dignity at work policy.

In accordance with the procedure, a meeting will now be arranged with yourself within the next 10 working days. You are entitled to be accompanied at this meeting by your trade union representative or a colleague.

I will contact you to arrange this meeting as soon as possible.

Yours sincerely

Name

Position

Appendix 3 – Written consent to share/store information.

Name:

Position in School/Trust:

Date:

In order to adhere to General Data Protection Regulations, organisations are required to gain written consent to share and store personal information. They should also provide a clear understanding of what the information will be used for. Much of the documentary evidence and information will be generate by the investigatory officer(s) in order to allow them to fully investigate the allegation and provide clear facts and evidence as appropriate to both you, your trade union representative and, if required, a disciplinary panel. They will also need to present key information/certain facts to any witnesses pertinent to the case but this will be limited as appropriate to the needs of the grievance investigation.

For the purpose of this consent, the information related to the dignity at work allegation and the information will be shared, as appropriate. If there is a formal action following the dignity at work allegation, the documented evidence will be placed on the relevant personal file and held until the file is destroyed within the employment regulations timeframe (7 years).

All documented evidence is deemed confidential to this allegation and will not be shared beyond what is outlined above. This will be made clear to all parties involved in the investigation and any associated hearing. Any breach of this will result in separate disciplinary action against whoever did not adhere to this requirement.

If you choose not to provide consent, no information can be shared with your trade union/employee association representative (including by you) and the investigating officer will be limited to what they can share with the investigating officer, investigating the grievance. This is likely to adversely affect the decision made and any breach will also constitute misconduct.

Please confirm that you have read the above information and consent to sharing the documented evidence with the parties outlined above.

Signed:

Date:

Witnessed:

Date: