

Respect Policy



1. Purpose of this policy

- 1.1 This policy sets out our approach to equal opportunities, our commitment to providing a working environment free from harassment, bullying and violence, and ensuring all staff are treated, and treat others, with dignity and respect.
- 1.2 This policy covers all employees, including consultants, contractors, casual workers, agency workers, volunteers and governors, and applies to all aspects of employment with us in the workplace, outside the workplace, and work-related trips or events including social events.
- 1.3 Questions about this policy and requests for training or information on dealing with bullying or harassment should be directed to the HR Manager.

2. People responsible for this policy

- 2.1 The Governing Body has overall responsibility for the effective implementation of this policy and the Governing Body's Personnel Committee has overall responsibility for monitoring its effectiveness. The Senior Leadership Team have overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility for this policy, including regular review of this policy, has been delegated to the HR Manager.
- 2.2 All employees play a huge role in creating a safe and inclusive working environment and are personally responsible for ensuring that they adhere to the policy and promote our aims and objectives. In certain circumstances the Governing Body could be held to be vicariously liable for actions of their staff. Staff should be aware that they may be personally liable if they are found to have bullied, harassed or discriminated against another person whilst in School or on School-related business.

3. What the Law says

- 3.1 Under the Equality Act 2010, there are nine protected characteristics; age, disability, sex, sexual orientation, gender reassignment, race, religion or belief, pregnancy and maternity, and marriage and civil partnership. Nobody can unlawfully discriminate against or harass other people because they hold one of these characteristics, and this applies to current and former employees, job applicants, students, parents/carers, contractors, suppliers and visitors.

3.2 The Protection from Harassment Act 1997 also makes it unlawful to pursue a course of conduct which you know or ought to know would be harassment, which included causing someone alarm or distress.

3.3 Under the Health and Safety at Work Act 1974 staff are entitled to a safe place and system of work.

4. Bullying and Harassment

4.1 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 conduct.
- 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.

4.2 What is harassment?

- 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.
- It also includes 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.

4.3 Examples of bullying and harassment may include:

- Shouting at, being sarcastic towards, ridiculing or demeaning others;
- Physical or psychological threats;
- Ridiculing, demeaning and threatening behaviour on digital platforms

- Unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing, brushing past someone, invading their personal space, and more serious forms of physical or sexual assault;
- Unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless) and suggestions that sexual favours may further a career or that a refusal may hinder it;
- offensive or intimidating comments or gestures, or insensitive jokes or pranks;

4.4 If you are being harassed or bullied, consider whether you feel able to raise the problem informally with the person responsible. The objective of an informal approach is to resolve the difficulty with the minimum of conflict. Every member of the School community has personal rights and this includes making them aware that their attention or behaviour is being perceived as bullying or harassing. It is possible that the "perpetrator" simply does not realise the effect of their behaviour on the recipient. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, or if you are not certain whether an incident or series of incidents amounts to bullying or harassment, you should speak to your line manager OR Human Resources, who can provide confidential advice and assistance in resolving the issue formally or informally.

4.5 One common example of the misperception of bullying or harassment is workplace 'banter', which is described as friendly or playful exchanges, remarks or conversation, which are meant to tease or make fun. We want our colleagues to enjoy their time at work, but all employees should reflect for a moment how the recipient might feel, as they may not share in the amusement. While there may not have been an intention to upset, this is unacceptable as a defence against any allegations of bullying or harassment.

4.6 If informal steps are not appropriate, or have been unsuccessful, you should follow the formal procedure set out in Paragraph 12 below.

5. Discrimination

5.1 The following forms of discrimination are prohibited under this policy and are unlawful:

- Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.
- Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected

Characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men do. Such a requirement would be discriminatory unless it can be justified.

- Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
- Harassment: is considered a type of discrimination.
- Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

5.2 Protection also extends to those who are discriminated against by perception (i.e. a perceived Protected Characteristic the individual does not actually have) and by association (i.e. a Protected Characteristic of the individual's associates including, but not limited to, their spouse or partner and their child or children).

6. Recruitment and Selection

6.1 Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on merit, against objective criteria that avoid discrimination. Shortlisting will be done by more than one person and with the involvement of Human Resources. Our recruitment procedures should be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. All Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Director of Finance and Operations has overall responsibility for equal opportunities training.

6.2 Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

6.3 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of Human Resources. For example:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- Positive action to recruit disabled persons.
- Equal opportunities monitoring (which will not form part of the selection or decision-making process).

6.4 We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation and the requirements of the DfE's statutory guidance 'Keeping Children Safe in Education'.

6.5 The School may take positive action to identify groups that may be underrepresented or disadvantaged in our organisation, as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

7. Termination of employment

7.1 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

7.2 We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

8. Disabilities

8.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

- 8.2 If you experience difficulties at work because of your disability, you may wish to contact Human Resources to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Human Resources may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason.
- 8.3 We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

9. Workplace violence

- 9.1 The protection of employees from the risk of violence and aggression at work is important to the School, with violence and violent behaviour considered unacceptable, whether from employees, volunteers, parents, students or visitors to the School.
- 9.2 Violence and aggression may occur at work or are work-related, and the School aims to minimise the risk of violence and ensure that where violence and aggression does occur the response is both appropriate and effective.
- 9.3 Violence is defined as any incident in which an employee is verbally or physically abused, threatened or assaulted in circumstances arising out of the course of his/her employment i.e. where during the course of work an employee feels threatened, whether or not an actual assault has occurred. Examples of violence include:
- intimidating behaviour, swearing, shouting
 - personal insults
 - verbal threats, gestures, stances
 - possession of a weapon or item intended to be used as a weapon
 - assault from grasping, poking, punching etc.
 - assault causing actual bodily harm
- 9.4 Risk assessments will be carried out for employees who may be at risk and potential problem areas and will be reviewed on a regular basis or if new procedures, working practices or particular circumstances are introduced which may lead to a new and significant risk of violence
- 9.5 Suitable and sufficient training will be provided to identify and manage risks of violence and aggression. This training will take account of the findings of all risk assessments carried out by the School.

- 9.6 Violent, aggressive, threatening or intimidating behaviour towards staff, whether verbal, written, electronic or physical, will not be tolerated.
- 9.7 Following a violent incident at work, action must be taken to ensure the wellbeing of employees and anyone involved. Whenever an employee experiences an incident of abuse, threat or violence, a Violent Incident Report Form must be completed with the designated Responsible Manager in line with the School's Health and Safety Policy. The Responsible Manager should provide help and guidance in filling out this form that must then be copied to the Headteacher, after which the Responsible Manager will review the report and consider the appropriate action. After the Violent Incident Report Form, and if appropriate an investigation, has been completed, this will be passed on to the First Aid team to record on Evolve.
- 9.8 Where appropriate, the Police should be informed as soon as possible. It is School policy for assaults on staff to be reported to the Police when it is reasonable to do so. The Police should be informed if the employee wishes them to prosecute on their behalf. Whether they will or not will depend upon the circumstances and the extent of any injuries sustained. If the Police are not prepared to prosecute on the employee's behalf they may still instigate proceedings through a private summons. The HR Advisers to the School, as well as the employee's professional association or trade union, can provide advice on how to go about this.
- 9.9 Where an incident occurs between two employees, the duties outlined above apply but the the Headteacher must be informed immediately and be given a copy of the Incident/Accident form. If an employee has committed an act of violence or aggression against a colleague, all parties involved will receive an impartial hearing and fair treatment in line with our Disciplinary Policy, with the dignity and privacy of all protected. Furthermore, the Senior Leader of the 'offending' employee must undertake a risk assessment prior to the employee returning to work.

10. Breaches of this Policy

- 10.1 We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Policy. Serious cases of violence, bullying, harassment or deliberate or reckless discrimination may amount to gross misconduct and result in dismissal.
- 10.2 If you believe that you or another employee have suffered from bullying, harassment, discrimination or victimisation you can raise the matter through our Grievance Policy. Complaints will be treated in confidence and investigated as appropriate.

10.3 Victimization or retaliation against an employee who complains about bullying, harassment or discrimination is not tolerated and will be dealt with in accordance with our Disciplinary Procedure.

10.4 Making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Policy.