



Extend Learning
Academies Network

Dignity at Work including Anti-Harassment Policy and Procedure

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1. Introduction

1.1 The Extend Learning Academies Network (ELAN) aims to provide a safe, supportive and positive working environment which is free from harassment and bullying, ensuring that all its employees are treated and treat others with dignity and respect and are valued for their skills and abilities. Creating this culture is an integral part of our ELAN values and the behaviours we expect from ourselves and our teams.

1.2 ELAN believes that employees are entitled to be treated by other employees, pupils, students, parents and other individuals in a way which respects their rights and feelings, and values them as individuals. All employees are entitled to be treated fairly.

1.3 ELAN will not tolerate any form of discrimination, victimisation, bullying or harassment, by or against staff which takes place within and outside of the workplace including work-related social functions and events. Employees found to be engaging in this behaviour may be subject to disciplinary action, up to and including dismissal.

1.4 It is the responsibility of each individual to be sensitive towards the impact that he/she has on others and not to discriminate against, bully or harass colleagues or condone discrimination, bullying or harassment by others.

1.5 The Worker Protection (Amendment of Equality Act) Act 2023 and Equality Act 2010 prohibits discrimination, harassment and victimisation on the grounds of:

- race (including ethnic and national origins, colour and nationality)
- sex
- gender reassignment
- disability
- religion or belief (including lack of religion or belief)
- sexual orientation
- age
- pregnancy and maternity
- marriage and civil partnership

1.6 There are many definitions of bullying and harassment.

Bullying can be described in many ways but can, according to ACAS, be characterised as: Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying can be physical, verbal or non-verbal. See appendix 1 for examples of bullying.

Harassment is defined in the Worker Protection (Amendment of Equality Act) Act 2023 and 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. Unlawful harassment may involve conduct of a sexual nature. Please see appendix 2 for examples of harassment.

Victimisation occurs where an employee is subject to detrimental treatment because they have, in good faith, made an allegation of harassment, or has indicated an intention an intention to make such as allegation or has assisted or supported another person in bringing forward such a claim or participated in an investigation of a complaint, or participated in a disciplinary hearing arising from an investigation.

2. Purpose

2.1 This policy aims to:

- ensure the dignity at work of all employees and confirm ELAN's stance that any form of sexual harassment, harassment and/or victimisation will NOT be tolerated
- respect and value differences
- ensure that high standards of behaviour are consistently maintained and demonstrated by all employees
- provide a working environment in which employees feel confident to raise complaints of harassment or bullying without fear of victimisation
- identify individual responsibilities in preventing such behaviour
- provide procedures to ensure that reported harassment or bullying is dealt with as a serious matter and tackled quickly, fairly and sensitively
- enhance ELAN's compliance with its proactive legal obligations and policy commitments in relation to equal opportunities
- ensure that the risk of harassment is minimised by considering factors like; power imbalances, lone working, the presence of alcohol etc.

3. Scope

3.1 This policy applies to all employees, regardless of role, including those working full-time, part-time or on a temporary basis and all employees are required to comply with this policy, whether working at their normal place of work or off site.

3.2 Individuals not directly engaged by the Trust such as volunteers, agency/supply staff, contractors and members of the trust board or Local Governing Bodies (LGB) are expected to conduct themselves in accordance with the principle and spirit of the policy.

3.3 ELAN will not tolerate incidents of harassment, bullying or discrimination by third parties (including governors, parents, contractors, visitors, pupils, or parents/carers) towards any employee during the course of their employment.

4. Equal opportunities

4.1 The dignity at work procedure must always be applied fairly and in accordance with employment law and ELAN Equality and Equal Opportunities policy.

5. Responsibilities

5.1 ELAN has a proactive legal responsibility to ensure the health and safety of staff and a working environment which is free from unlawful discrimination, specifically by:

- maintaining fair, consistent and objective procedures for matters relating to dignity at work
- providing an inclusive working environment free from harassing and bullying behaviour across the ELAN network
- ensuring that employees are made aware of the policy and procedure in relation to harassment and bullying and are provided with adequate training and information in relation to this
- ensuring employees know how to raise a complaint and trust that their complaint will be dealt with appropriately and with empathy

5.2 The headteacher/central location leader has overall responsibility for:

- the internal organisation, control, management and effective implementation of the policy in their school or central location
- making employees aware of the policy
- ensuring that through their own actions or inactions, remarks or other behaviours, they do not conduct themselves in a way which may reasonably be perceived by other employees as bullying or harassment
- ensuring that workplace arrangements and practices foster good working relations and behaviours, and do not allow scope for bullying and harassment
- ensure that the risk of harassment is minimised by considering factors like; power imbalances, lone working, the presence of alcohol etc

5.3 employees have a responsibility to;

- treat other employees and stakeholders with dignity and respect and take responsibility for their behaviour, in accordance with this policy and other policies such as the Staff code of conduct
- not harass/bully any other employee and to discourage any forms of harassment and bullying by others
- to cooperate fully with procedures and attend meetings when applicable under this policy

6. Timing

6.1 Dignity at work matters should normally be conducted within the timescales laid down in the procedure. However, if there is a valid reason to do so, timescales may be varied. In this circumstance, the employee should be given an explanation and informed when a response or meeting can be expected.

6.2 All efforts should be made by employees to attend meetings that constitute part of this procedure. When there are valid reasons to reschedule meetings then these should be rearranged within five working days.

7. Informal procedure

7.1 If an employee feels that they are being harassed or bullied, they should wherever possible raise the matter with the alleged harasser or bully themselves. They should describe the behaviour, which they find offensive, explain how the behaviour makes them feel, and most importantly, ask for the behaviour to stop (see appendix 4 for flow chart of dignity at work procedure process).

7.2 If the complainant does not feel able to tackle this on their own, they may choose to speak to a colleague, or their line manager, either of whom may accompany them or make the approach on their behalf. Should this be the case, the complainant or their representative must also approach the headteacher to inform them as to the circumstances prior to the meeting.

7.3 An individual wishing to lodge a formal written complaint under the Dignity at work policy should do so as soon as possible after the event and without unreasonable delay. This should normally be within three months of the event.

7.3 Practice has shown that most complaints can be informally resolved and mediation at this stage may be appropriate. However, in situations where the matter remains unresolved due to non-acceptance of the allegation made, or because the behaviour continues, then the formal procedures should be invoked.

7.4 If the complainant does not feel able to use the informal procedure, or the seriousness of the incident(s) makes it inappropriate, the informal stage can be omitted and the formal stage started.

8. Formal procedure (refer to Appendix 4)

8.1 Raising a complaint

8.1.1 If not already done so, the complainant (accompanied as above if they wish) should write to their line manager or alternative senior manager if appropriate, setting out the details of the harassment or bullying in writing.

8.2 Investigation

8.2.1 The line manager or senior manager is responsible for appointing an investigating officer to cases. The investigating officer should be impartial and should have had no previous substantial involvement with the grievance. HR must be consulted prior to the initiation of any investigation.

8.2.2 Care should be taken to ensure that the investigating officer will not be a disciplinary procedure decision-maker, in case the complaint is serious and becomes subject to the disciplinary procedure.

8.2.3 The investigating officer must investigate the complaint as soon as possible. If they cannot investigate it personally within such a timescale, it should be assigned to another senior member of staff who is competent and able to do so. During their investigation the investigating officer should ensure that strict confidentiality protects the rights of all parties involved.

8.2.4 The investigation process must be completed as quickly as possible, and should usually take no more than 10 days, ensuring that all sides have the opportunity to present their side.

8.2.5 The complainant and the subject of any allegation may be accompanied by a work colleague or trade union representative during the investigation stage. Witnesses may not be accompanied.

8.2.6 In some cases, after the initial investigation, the investigating officer may decide that the complaint may be resolved informally. Alternatively, mediation with the two members of staff and a third party may be appropriate. Mediation is often most successful when those actually in conflict work directly with the mediator to resolve it, especially if they will need to work together in the future. The employee(s) may choose to bring a companion to the mediation, who must be either a work colleague or trade union representative. If the employee(s) choose to be accompanied they must discuss this with the mediator before the mediation takes place as all those involved in the mediation must know who will be attending. During the mediation, a record must be made of any actions agreed.

8.2.7 If the complaint appears more serious, further action will be taken in accordance with the disciplinary procedure.

8.2.8 Following the investigation the complainant will be informed in writing as to whether or not their complaint has been upheld and / or of any actions agreed.

8.2.9 Regardless of whether a complaint is upheld, the headteacher / ELAN will consider how best to manager any ongoing working relationship between the complainant and alleged harasser.

8.2.10 If the alleged harasser is the CEO, the complaint will be referred to the trust board to investigate.

9. Appeal

9.1 The complainant can use the Grievance procedure if they believe the Dignity at work procedure has not been conducted thoroughly or concluded adequately and, as a result, the original complaint has not been responded to properly. In these circumstances, it is likely that the grievance will start at the appeal stage.

9.2 The alleged harasser can appeal against any disciplinary action or decision taken under the appeals procedure of the Disciplinary procedure. They could also appeal under the Grievance procedure if they feel that the complaint may have been made maliciously or there were flaws in the investigative process.

10. Record keeping

10.1 Investigating officers must keep written records of meetings and discussions relating to the formal dignity at work procedure. These must be written during or as soon after the event as possible to ensure the accuracy of the record. Written records must be signed and dated by all parties. Copies of all final meeting records must be given to employees and their representatives. Written confirmation of the outcome of any meetings will be sent to the employee and their representatives for their information and a copy kept on the employee's personnel file in accordance with the Data Protection Act 1998.

10.2 Records should include

- the nature of the grievance
- what was decided and actions taken
- the reason for the actions

- whether an appeal was lodged
- the outcome of the appeal
- any subsequent developments.

10.3 Employees may also wish to keep records of events to support their case.

11. Special situations

11.1 Malicious complaints

11.1.1 It is recognised that on occasions, complaints are made maliciously with no basis in fact, and are purely attempts to damage the alleged harasser in some way. If this is the conclusion of the investigating officer, he/she will need to consider whether it is appropriate for formal disciplinary action to be taken against the person making the complaint.

11.1.2 Malicious complaints may be regarded as gross misconduct and disciplinary action may be taken.

11.2 Handling dignity at work cases from former employees

11.2.1 Wherever possible a dignity at work case should be dealt with before an employee leaves employment. Ex-employee complaints will be determined on a case-by-case basis.

11.3 External sources of help

11.3.1 In certain circumstances it may, with mutual agreement, be helpful to seek external advice and assistance during the dignity at work procedure. For instance, where relationships have broken down, an external facilitator might be able to help resolve the problem through mediation. This intervention should be initiated in consultation with HR.

12. Review

This policy will be reviewed annually

13. Training

All existing employees will receive relevant training in the 2024 academic year in relation to this policy. This policy will also be included in the induction pack for all new employees and from September 2025, this policy will be part of the annual mandatory policies to read for all staff.

ELAN Volunteers i.e. Governors and Trustees are also expected to complete the relevant training.

14. Preventative Measures

ELAN will ensure that preventative measures are put into place to minimise potential risks and will:

- provide anti-harassment posters to be displayed within ELAN schools and central team locations
- ensure all employees are aware of the Dignity at work including Anti-Harassment Policy and Procedure
- provide safe, supportive, inclusive and open working environments for all employees
- encourage all employees to make a complaint if they feel they have been subject to harassment or bullying

- take all complaints seriously and believe victims of sexual harassment and offer or help victims to access support
- encourage all employees to seek help if they see warning signs of sexual harassment and to report bullying and harassment they witness or experience
- investigate all formal complaints in relation to harassment and bullying and take prompt action
- not tolerate victim blaming and will treat everyone with respect
- undertake staff surveys to determine staff feedback and as a result ELAN will make changes to policies and procedures as deemed necessary to ensure improvements are made
- have workplace champions in place to advocate for employees and positive workplace culture around harassment and bullying

Appendix 1 – Examples of Bullying (include but not limited to):

1. Unfair treatment
2. Inappropriate or derogatory remarks about a person's performance.
3. Physical or psychological threats.
4. Overbearing or intimidating levels of supervision
5. Abuse of authority or power by those in positions of seniority.
6. Constantly changing targets in order for someone to fail.
7. Making false allegations.
8. Deliberately excluding someone from meetings or communications without good reason.

Please note:

On their own, any reasonable, legitimate or constructive criticism or comments of a person's performance or behaviour, or reasonable instructions given in the course of employment, will not amount to bullying.

Appendix 2 – Examples of Harassment (include but not limited to):

1. Use insults or slurs based on a protected characteristic or of a sexual nature or other verbal abuse or derogatory, offensive or stereotyping jokes or remarks.
2. Physical or verbal abuse, threatening or intimidating behaviour because of a protected characteristic or behaviour of a sexual nature.
3. Unwelcome/uninvited/unwanted physical contact including touching, hugging, kissing, pinching, patting, brushing past, invading personal space, pushing, grabbing or other assaults.
4. Mocking, mimicking or belittling a person's disability, appearance, accent or personal characteristics.
5. Offensive or intimidating gestures or comments (including, in person, text messages, emails or social media content)
6. Unwelcome/uninvited/unwanted requests for sexual acts or favours, verbal sexual advances, vulgar, sexual, suggestive or explicit comments or behaviour.
7. Repeated requests either explicitly or implicitly for dates.
8. Repeated requests for social contact or after it has been made clear that requests are unwelcome.
9. Comments about body parts or sexual preference
10. Displaying or distributing offensive or explicit pictures, items or materials relating to a protected characteristic or of a sexual nature.
11. Shunning or ostracising someone for example, for example, by purposely excluding them from conversations or activities.
12. 'Outing' or threatening to 'out' someone's sexual orientation.
13. Explicit or implicit suggestions that employment status or progression is related to tolerance of, or acquiescence to sexual advances or other behaviours amounting to harassment.
14. Racist, sexist, homophobic or ageist jokes and stereotypical remarks about a particular ethnic or religious group or gender.
15. Posters, graffiti, obscene gestures flags and emblems
16. Isolation from normal work or study places, conversations or social events.

Please note:

- A single incident can amount to harassment.
- Behaviour that has continued for a long period without complaint can amount to harassment.
- It is not necessary for an individual to intent to harass someone for their behaviour to amount to harassment.
- It is not necessary for an individual to report or communicate that behaviour is unwelcome before it amounts to harassment.
- The burden is on each individual to be certain that their behaviour and conduct is appropriate and is not unwanted and in the case of doubt, the individual must refrain from such behaviours.

- A person may be subject to harassment even if they are not the intended target i.e., a person may be harassed by a sexist joke about a different gender if it creates an offensive environment for them to work in.
- Harassment can arise even though the complainant does not possess a protected characteristic but is either; perceived to do so i.e. a person is harassed because they are wrongly believed to be homosexual or because they associate with someone who does have a protected characteristic i.e., they have a spouse who is Muslim.

Appendix 3

Sexual Harassment Risk Assessment

Risk factors :	Who might be at risk and why (list all that apply):	Steps already taken to reduce those risks:	Further action necessary:	Who (typically line manager) (name) is responsible for taking action ?	Date action to be completed ?	Any remaining significant risks:
1. Lone working	Any employees who work alone e.g. Site Maintenance Operatives may face increased risks of sexual harassment due to limited supervision or support.	ELAN has adopted a robust Dignity at Work Policy which includes anti-harassment and anti-bullying and explicitly addresses sexual harassment. This policy includes clear examples of sexual harassment, and a comprehensive reporting procedure. The policy is accessible to all staff via the intranet. ELAN also has a Lone working policy in place.	Conduct regular check-ins with lone workers to ensure their wellbeing and help identify any potential issues. Consider the implementation of safety measures, such as panic buttons or CCTV cameras, which may serve as deterrents and provide a sense of security. Make efforts to ensure that there are always two members of staff on duty whenever possible. Provide comprehensive training to staff on recognising and reporting sexual harassment, bystander intervention and the consequences of sexual harassment.			
2. Power Imbalances	Employees who are in subordinate positions, including may be at higher risk of experiencing sexual harassment. This is because the power imbalances that exist in such relationships can create	ELAN has adopted a robust Dignity at Work Policy to include anti-harassment and anti-bullying that explicitly addresses sexual	Provide comprehensive training to employees on recognising and reporting sexual harassment, bystander intervention and the consequences of sexual harassment. This training also covers power imbalances and how they can contribute			

	<p>opportunities for exploitation. It may also be more difficult for individuals in these subordinate positions to speak up due to fear of negative consequences or retaliation.</p>	<p>harassment. This policy includes clear examples of sexual harassment and a comprehensive reporting procedure. The policy contains multiple reporting channels to ensure that staff can safely report incidents of sexual harassment, even if the harasser is in a position of power. The policy is accessible to all staff via the intranet. Our ELAN Staff Code of Conduct also has a dedicated section on c Discrimination, Harassment, and Victimization.</p>	<p>to sexual harassment. Ensure managers involved in handling sexual harassment complaints are given appropriate HR support to address the complexities of cases involving power imbalances and the need to be independent and not influenced by any conflicts of interests. Employee Pulse Surveys may also be used to assess the level of any sexual harassment in the trust.</p>			
<p>3. Presence of alcohol</p>	<p>Employees attending work-related social events/conferences where alcohol is consumed may be more vulnerable to sexual harassment. Alcohol consumption can impair judgement and lower inhibitions, potentially leading individuals to behave in ways that they would not in a sober state.</p>	<p>ELAN has adopted a robust Dignity at Work policy to include anti-harassment and anti-bullying that explicitly addresses sexual harassment. This policy includes clear examples of sexual harassment, and a comprehensive reporting procedure.</p>	<p>For events that are due to take place, ensure there is appropriate supervision and adequate staffing levels to monitor and address any potential incidents of sexual harassment promptly. Reinforce relevant policies and ELAN behaviours leading up to these events to remind staff and attendees about the importance of ensuring a safe environment, free from discrimination, bullying or harassment.</p>			

<p>4. Third-party contact</p>	<p>Employees working who regularly come into contact with parents, suppliers and contractors, may be more vulnerable to sexual harassment due to a higher frequency of interactions.</p>	<p>ELAN has adopted a robust Dignity at Work policy to include anti-harassment and anti-bullying that explicitly addresses third party sexual harassment. The policy is accessible to all staff via the intranet. Zero Tolerance posters are displayed in public areas to protect employees from 3rd party harassment. posters</p>	<p>Provide comprehensive training to employees on recognising and reporting sexual harassment, bystander intervention and the consequences of sexual harassment. This training should also cover how to handle difficult interactions with third parties, setting boundaries, and empowering individuals to remove themselves from difficult situations. Provide additional support for managers to ensure that they are able to support individuals who have been subjected to harassment by a third party and their role in preventing and stopping bullying and harassment from occurring in the workplace.</p>			
<p>5. Cultural norms at the workplace</p>	<p>A workplace culture that tolerates certain attitudes, inappropriate behaviours and stereotypical views where employees are not treated with dignity and respect may make employees more vulnerable to sexual harassment.</p>	<p>ELAN has adopted a robust Dignity at Work policy to include anti-harassment and anti-bullying. This policy includes clear examples of harassment, including sexual harassment, and a comprehensive reporting procedure. The policy highlights a system of support for those affected or involved in sexual harassment, including access to an employee assistance programme,</p>	<p>Provide comprehensive training to staff on recognising and reporting sexual harassment, bystander intervention and the consequences of sexual harassment. Monitor our workplace culture through anonymous pulse surveys, exit interviews, one-to-one conversations, return-to-work meetings and the Wellbeing Network to identify and address any high risk issues. Ensure our Dignity at Work policy is reviewed and communicated to staff regularly.</p>			

		workplace mediation and/or counselling. ELAN also introduce behaviours which re-enforce the importance of a positive and inclusive culture.				
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Appendix 4 – Dignity at work Flowchart

