

The Children's Workshop

Dignity and Respect at Work Policy

Aim

The Children's Workshop has adopted equality, diversity and inclusion as core values and seeks in all its policies and actions to be a genuinely inclusive organisation, and to integrate the principles of equal treatment and promotion of diversity into all aspects of day-to-day life. The setting is committed to providing a positive environment in which employees are treated with dignity, respect and courtesy and that the different experiences, abilities and skills of each individual are valued by others.

The purpose of this policy is to foster an environment in which bullying, harassment and intimidation are acknowledged as unacceptable and are not tolerated. It is important that all staff members should be able to recognise, challenge, and where necessary, complain about bullying and harassment should it arise, with confidence that their concerns will be treated in good faith, and investigated fairly and appropriately.

Scope

This policy applies to all employees of the Children's Workshop. It should be used to deal with any incidents of bullying, harassment or intimidation occurring between members of staff. This policy should also be applied to instances when a child of the setting or a member of staff's child/children has been harassed, bullied or intimidated by a member of staff.

It is the responsibility of every employee to ensure they treat colleagues with dignity and respect. They should take care not to practise encourage or incite any form of behaviour which could be viewed as harassment.

The Children's Workshop seeks to resolve such issues as quickly as possible and recommends that where possible an informal approach should be adopted. If the behaviour concerned continues, or is of a serious nature in the first instance, formal proceedings should be pursued. Cases will be investigated maintaining the confidentiality of both parties as far as possible, although witnesses may need to be interviewed to collect evidence. In serious cases the Children's Workshop may need to take immediate action, which could involve a reference to the police in cases of criminal behaviour.

Harassment

Harassment is defined by the 'Equality Act' as, 'unwanted conduct' (relating to a relative protective characteristic), which has the purpose or effect of violating an individual's dignity or creating an intimidating, degrading, humiliating or offensive environment for that individual.'

The Children's Workshop will, of course, seek to apply the letter of the Act, but it also considers harassment and / or bullying on any grounds, including those not covered as a protected characteristic to be unacceptable, and will deal with all allegations appropriately.

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Victimisation is a type of harassment. This occurs when an individual treats another individual less favourably because she or he has alleged that harassment has occurred or is helping someone else to do so.

The Equality Act protects individuals against harassment by considering whether the conduct that has taken place falls within the definition of harassment. The Act also provides additional protection as follows:

- ❖ It protects people against harassment on the grounds of a perceived protected characteristic, even if that perception is incorrect e.g. – making offensive remarks about gay people because a colleague is perceived as gay, even though they are straight.
- ❖ An individual is protected from harassment on the grounds of their association with another person who has a protected characteristic, e.g. – because they are the friend of a disabled student.

People have the right to complain about behaviour they find personally offensive even if it wasn't directed at them e.g. – a male worker can complain about sexist remarks about a female worker (whether or not she was present when the remarks were made).

Examples of harassment include (but are not limited to):

- ❖ Unwanted physical contact
- ❖ Unwelcome remarks or jokes about, for example, a person's age, appearance, marital status, their children
- ❖ Unwelcome advances, attention or propositions
- ❖ Unwelcome written or visual communication such as posters, graffiti or offensive gestures
- ❖ Intrusive questioning
- ❖ Publicising, or threatening to publicise the sexual orientation of someone without their permission
- ❖ Misuse of the internet and social networking sites to ridicule or harass
- ❖ Isolation, non-cooperation, or deliberate exclusion of an individual from a work or social situation.

Bullying

Bullying is not specifically defined by law but can be characterised as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power which has the effect of undermining, humiliate or injuring the recipient.

Bullying can be carried out by an individual or a group. It can take many forms, including someone in authority bullying an individual, peer to peer, or an individual to a line manager.

Examples of bullying may include (but are not limited to):

- ❖ Exclusion with negative consequences e.g. – essential information being purposefully withheld so a task may be delayed
- ❖ Verbal abuse / insults
- ❖ Persistently ignoring or patronising an individual
- ❖ Being treated less favourably than other colleagues
- ❖ Persistent unjustified criticism
- ❖ Being pressured into behaviours or actions against the wishes of the individual

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- ❖ Intimidation / intimidating other staff member's children
- ❖ Blame for things beyond the control of the individual

The Legal Position

Discrimination and harassment

It is not possible to make a direct complaint to an employment tribunal about bullying. However, employees might be able to bring complaints under laws covering discrimination and harassment. For example:

- ❖ Sex: the Sex Discrimination Act gives protection against discrimination and victimisation on the grounds of sex, marriage or because someone intends to undergo, is undergoing or has undergone gender reassignment.
- ❖ Race: the Race Relations Act 1976 gives protection against discrimination and victimisation on the grounds of colour or nationality. The regulations that amended the Act (Race Regulations 2003) also give a stand alone right to protection from harassment on the grounds of race and ethnic or national origin.
- ❖ Disability: the Disability Discrimination Act 1995 gives protection against discrimination and victimisation.
- ❖ Sexual orientation: the Employment Equality (Sexual Orientation) Regulations 2003 give protection against discrimination and harassment on the grounds of sexual orientation (orientation is defined as 'same sex' - lesbian/gay, 'opposite sex' - heterosexual and 'both sexes' - bisexual).
- ❖ Religion or belief: the Employment Equality (Religion or Belief) Regulations 2003 give protection against discrimination and harassment on the grounds of religion or belief.
- ❖ Age: the Employment Equality (Age) Regulations 2006 give protection against discrimination and harassment on grounds of age.

Rights and Responsibilities

All members of the Children's Workshop have a responsibility to foster and to contribute towards a culture of dignity and respect. Inappropriate behaviour should be challenged. Managers and others in a position of authority should lead by example and take prompt action to prevent and stop harassment and bullying when it occurs.

All employees can expect to:

- ❖ Be treated with dignity, respect and courtesy
- ❖ Be able to work free from unfair treatment, bullying, harassment or victimisation
- ❖ Be valued for their skills, abilities and experiences and, reciprocally; all employees are expected to:
 - ❖ Familiarise themselves with the content of this policy
 - ❖ Treat all members of the setting with dignity, respect and courtesy
 - ❖ Contribute towards a positive working culture within the setting.
 - ❖ Challenge or report unacceptable behaviour. Be mindful of others when expressing views
 - ❖ Cooperate with investigations into harassment and bullying.

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Effective staff management

Managers should address poor performance effectively and in ways that do not lead to a misinterpretation of their actions as bullying or harassment.

Managers and supervisors are expected to treat staff fairly, to communicate effectively and to use appropriate measures to help colleagues to improve performance where necessary.

This policy was adopted on	Signed on behalf of the pre-school	Date for review
<i>January 2019</i>	SA	<i>January 2020</i>