

**Policy/Procedure Name:** Dignity at Work Policy

**Policy/Procedure Number:** HR011

**Date of Approval:** June 2025

**Review Date:** June 2028

**Role Responsible:** People, Performance and Development

**Approved By:** Executive Team

# Policy Version Control & Worksheet

Please ensure you complete the below table once you have checked this policy, to log acknowledgement of the sign off process.

Name	Date	Comments Made (Y/N)
Christine Ricketts	15/06/2025	Yes
Sarah Clancey	19/06/2025	Yes
Allan Tyrer	19/06/2025	No
Lorne Richardson	19/06/2025	No

[illegible]

## **1.0 Scope and Purpose of the Policy**

This policy relates to all staff and volunteers of Brooklands Technical College, regardless of their employment status. The purpose of this policy is to assist in developing a working environment in which harassment and bullying are known to be unacceptable and where individuals have the confidence to complain about harassment and bullying should it arise, in the knowledge that their concerns will be dealt with appropriately and fairly. It is the responsibility of all staff and volunteers to comply with this procedure and the particular responsibility of supervisors and line managers to ensure it is carried out, with a view to developing and maintaining a working environment in which harassment and bullying are understood by all to be unacceptable.

The procedure outlines steps to be followed if a member of staff feels they are being harassed or bullied in the course of their work or as a result of their employment.

## **2.0 The College's Commitment**

The College has a firm commitment to equality of opportunity and believes that every member of staff has a right to work in an environment that encourages harmonious relationships. The College is committed to preventing harassment and bullying and will not tolerate the harassment or bullying of any member of its community by another. It is the responsibility of all managers to ensure that their staff are aware of and understand the context of the College's Dignity at Work Policy. This policy aims to create an inspiring and positive workplace where every member of staff feels valued and respected. The College strives to inspire a culture of inclusivity and respect, where all individuals can thrive.

The Equality Act 2010 provides the legislative framework to protect individuals from direct and indirect discrimination and from harassment and victimisation at work. Under this legislation, an employee may be held individually liable for an act of harassment, as well as the College being held vicariously liable for that employee's act. If a court or a tribunal finds that a member of staff has bullied or harassed another employee, he or she could be liable to compensate the victim. In some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

The College will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whatever the seniority of the perpetrator and whether the conduct is a one-off act or a repeated course of conduct, and whether done purposefully or not.

Allegations of harassment or bullying will be treated very seriously by the College and may result in disciplinary action being taken against the perpetrator. The College will ensure that any member of staff raising a concern under this policy is not victimised as a result.

As allegations of harassment and bullying are very serious, the College will also treat very seriously any such allegations proven to be malicious and these may also be subject to disciplinary action.

## **3.0 Definition of Harassment and Bullying**

### **3.1 Harassment**

Harassment occurs when an individual is subjected to unwanted conduct which has the purpose (intentional) or effect (unintentional) of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Moreover, harassment is unlawful when it is on the grounds of sex, gender reassignment, race, ethnic or national origin, sexual orientation, age, religion/belief, or for a reason relating to a person's disability. It is also unlawful to subject an individual to sexual harassment, or

to harassment on the grounds of that individual's membership or non-membership of a trade union; it may be persistent or an isolated incident.

### **3.2 Third Party Harassment**

Where a member of staff is harassed in the course of their employment by a third party, such as a supplier, customer, student or visitor and has officially reported this to management, the College will take reasonable steps to prevent the third party acting in this way. The College may be liable for this if it has happened on two or more occasions, the manager knows that it has happened but has taken no action to stop it. The College will also champion the member of staff that has been harassed by the third party, and take all reasonable actions to ensure that the harassment stops.

### **3.3 Bullying**

Bullying can be defined as persistent, offensive, abusive, malicious or insulting behaviour that amounts to an abuse of power and makes the recipient feel upset, threatened, humiliated or vulnerable. Bullying undermines a target's self-confidence and may cause them to suffer stress or injury. It can place inappropriate pressure on the recipient and may isolate or exclude them. It can take the form of shouting, sarcasm, derogatory remarks concerning job performance or constant unwarranted criticism.

The key point is that the actions or comments are viewed as demeaning and unacceptable to the recipient, whether intentional or not.

Bullying does not include appropriate criticism of an employee's behaviour or where there are performance management issues, that the manager needs to communicate to the staff member and discuss how that staff member can be supported to reach the required level of performance for the job.

### **3.4 Victimisation**

Victimisation takes place when an employee is treated unfavourably as a direct result of raising a genuine complaint of discrimination or harassment. Furthermore, any employee who supports or assists another to raise a complaint is also subjected to victimisation if they are treated unfavourably.

## **4.0 Prevalent forms of harassment and bullying are set out below:**

### **4.1 Sexual Harassment**

Sexual harassment can take the form of ridicule, sexually provocative remarks or jokes, offensive comments about dress or appearance, the display or distribution of sexually explicit material, unwelcome sexual advances or physical contact, demands for sexual favours, or assault.

### **4.2 Racial Harassment**

Racial Harassment may include jokes about a person's colour, race, religion or nationality. It can also include offensive remarks about dress, culture or customs which have the effect of ridiculing or undermining an individual or encouraging hatred or prejudice towards individuals or particular groups.

### **4.3 Harassment of people with disabilities**

Harassment of people with disabilities can take the form of an individual being ignored, disparaged or ridiculed because of a mistaken assumption about capabilities. Their

disability rather than their ability can become the focus of attention. Harassment can include inappropriate personal remarks, jokes or references to an individual's appearance.

#### **4.4 Harassment on the grounds of a person's sexuality or gender identity**

Harassment on the grounds of a person's sexuality may include homophobic remarks or jokes, offensive comments relating to a person's sexuality, threats to disclose a person's sexuality, offensive remarks about the person's gender identity, trans status or trans history.

#### **4.5 Harassment on the grounds of a person's age**

Harassment on the grounds of a person's age may include jokes about the person's "advanced" years on birthday cards, or assumptions that a person would not be interested in doing something because of their age, and would therefore be excluded from an activity or event.

#### **4.6 Further examples of harassment and bullying can include:**

- shouting, abusive or intimidating language
- spreading malicious rumours, allegations or gossip
- excluding, marginalising or ignoring someone
- intrusion by pestering, spying or stalking
- copying communications that are critical about someone to others who do not need to know
- deliberately undermining a competent worker by overloading, taking credit for his/her work or constant criticism
- removing areas of responsibility and imposing menial tasks
- cyber-bullying: that is, the sending or posting of harmful, cruel or offensive text or images by email, internet, social networking sites, or other digital communication devices.

The above list is intended to give a clear impression of the types of behaviour that the College considers to be unacceptable; however, it only contains examples and is not exhaustive.

It is accepted that the occasional rigorous professional debate, raised voice or argument, of itself may not necessarily constitute harassment or bullying.

### **5.0 Responsibilities**

#### **Employer responsibilities**

The College will be responsible for ensuring all members of staff, including college managers and senior managers, understand the rules and policies relating to the prevention of harassing and bullying behaviour at work and during work related social events. We will promote a professional and positive workplace whereby managers are alert and proactively identify areas of risk and incidents of harassment, sexual harassment and bullying. Managers should also facilitate a collaborative environment where open communication is valued and encouraged.

We will also take into account aggravating factors, such as abuse of power over a more junior colleague, when deciding what disciplinary action to take.

Where an incident is witnessed, or a complaint is made under this policy, the college will take prompt action to deal with this matter. All incidents will be deemed serious and dealt with in a sensitive and confidential manner.

### **Employee responsibilities**

The College requires its employees to behave appropriately and professionally at all times during the working day, and this may extend to events outside of working hours which are classed as work related such as social events. Employees should not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time.

Any form of harassment or victimisation may lead to disciplinary action up to and including dismissal if it is committed:

- In a work situation
- during any situation related to work, such as a social event
- against a work colleague or other person connected to the employer outside of a work situation, including on social media
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

A breach of this policy will be treated as a disciplinary matter.

Every employee has a personal responsibility to ensure that they understand the nature of harassment and bullying, and to be aware of how their behaviour may affect others. The college encourages all staff to be champions of equality and respect, and to actively promote a positive workplace culture. We aim to advocate a culture where inappropriate behaviour is challenged, and all individuals are treated with fairness and dignity.

All staff should be prepared to participate in an investigation when asked by an investigating officer; where the employee has observed or has evidence that another employee is being harassed or bullied.

The People Team will ensure that this policy is widely publicised and made available to all employees on the staff intranet.

In order to support the College's aim of preventing harassment and bullying, awareness training will be provided to staff.

## **6.0 Complaints Procedure**

This procedure has been designed to deal with complaints of harassment or bullying. Such complaints need to be handled in a sensitive manner and so the procedure seeks to ensure minimal stress for the complainant, timely resolution of complaints and a degree of flexibility appropriate to individual circumstances.

All stages of the procedure will be dealt with in strictest confidence and all information circulated will be kept to a minimum to ensure a fair investigation and hearing.

This procedure is separate from the Disciplinary Procedure which may be used following the outcome of the investigation under this policy.

A flow chart of the informal and formal stages of this procedure is attached at Appendix 1.

## **7.0 Keeping a record**

It is important that anyone who believes that they are suffering from harassment or bullying should act quickly and not delay until working conditions become intolerable.

They should make a note of any incidents immediately, or as soon as possible after the event; these notes to include:

- date
- time
- place
- name of person harassing or bullying them
- what actually happened
- names of any witnesses
- any action taken (i.e. reported to manager, discussed with a colleague)
- any evidence, e.g. memos, e-mails, etc.

## **8.0 Stage 1 - Informal Resolution**

Some people are unaware that their behaviour may be offensive and could be unlawful.

If it is clearly pointed out to the perpetrator that their behaviour is unacceptable, contrary to this policy and must stop, the problem can sometimes be resolved informally.

This can be done personally, in writing or by asking a colleague or line manager to do it for you. A note should be made of any action taken.

If the individual feels unable to take personal action, they are advised to contact their Line Manager or, if the line manager is implicated in the complaint, the People Team for advice.

The College encourages a collaborative approach to resolving conflict, and promotes mediation as a means to restore professional working relationships.. Mediation is a voluntary process where an impartial mediator facilitates structured communication between two parties to help them to express their feelings and to come up with a mutually agreed way forward. It is particularly helpful in re-establishing professional and respectful working relationships. If the individual feels that mediation may be of benefit, at any stage of the process, they should contact the People Team and ask to be put in touch with a mediator.

Mediation and any discussions will be confidential and no action will be taken without the consent of the employee concerned.

If, in spite of attempts to resolve the situation informally, the harassment or bullying continues, it may then be necessary to make a formal complaint.

## **9.0 Third Person Complaints**

Sometimes, an employee does not wish to make a complaint of harassment or bullying or, even if they make a complaint, they might not want to take any formal action. Whilst the wishes of the individual should be respected, it has to be left to the judgement of any third party observer or witness whether to bring the alleged harasser's behaviour to the attention of their manager, or another person in a position of authority.

It may be possible for third parties to use the Informal Resolution stage to prevent any repetition of the behaviour.

## **10.0 Stage 2 - Formal Complaint**

Formal action may be necessary if informal action proves ineffective, where an employee feels that an informal approach is not appropriate, or it is considered that the behaviour might constitute a disciplinary offence. A formal complaint must be put in writing by the employee to their manager (or more senior manager if appropriate). Alternatively, if their manager is implicated, the complaint should be registered with the People Team.

A formal complaint of harassment or bullying should specify the nature of the complaint, with reference to dates, times and places in relation to specific incident(s). The names of any witnesses should also be included.

## **11.0 Timescales**

The complaint will be acknowledged within 5 working days and a detailed response will be given in writing to both the complainant and the accused within 20 working days of the formal complaints procedure being invoked. These deadlines may be extended with the agreement of both parties.

## **12.0 Investigating a formal complaint**

The manager (or more senior manager if appropriate) will nominate an independent manager at an appropriate level to carry out an investigation, or if the manager is implicated, the People Team will nominate another senior manager to carry out the investigation. Notes for Guidance on Conducting a Harassment or Bullying Investigation are attached in Appendix 2.

The alleged harasser or bully will be informed, in writing, of the nature of the complaint and sent a copy of this procedure.

The Investigating Manager will interview the complainant, the alleged harasser or bully, witnesses and any other relevant people, to establish the facts of the case. Both the complainant and the alleged harasser may be accompanied, at any interview, by a work colleague or trade union representative.

The Investigating Manager will produce a report of the full investigation, including witness statements and any documentary evidence, and make recommendations for action, resulting from the findings. The report will be sent to the Manager who commissioned the investigation.

- Where the investigation reveals that the complaint is valid and serious, the Disciplinary Procedure will be implemented.
- Where, although the investigation reveals that the complaint is valid but that disciplinary action would be inappropriate at this stage, action designed to stop the harassment or bullying and prevent its recurrence will be taken. Training may be offered to the member of staff to assist them in understanding how to avoid repeating the offending behaviour. A transfer of one or both parties to another area of work may be appropriate in some cases. The transfer of the complainant will only take place with their agreement
- Where the investigation reveals that the allegations are unfounded, the Manager who commissioned the report will consider whether the allegations were malicious and, if so, what action to take.

The Manager will convey the outcome of the investigation, in writing, to the complainant, the alleged harasser and explain any action resulting from it.

Following a formal complaint, either or both parties may worry about working with each other again. Mediation may be used at this stage to help restore working relations, since the parties may need to continue to work together in a professional and respectful manner.



Records of all complaints will be kept to ensure that there is no repetition, victimisation, or retaliation, and in order to identify any problem areas. Records of investigations will be stored confidentially in the People, Performance and Development Department, unless they form part of formal disciplinary action, and will not be integrated with any individual's personal file.

### **13.0 Appeal**

If either party feels that the formal investigation has not been dealt with to their satisfaction, or they are dissatisfied with the outcome (other than the instigation of disciplinary action, for which there is a separate procedure), they have a right of appeal to the Principal. The employee concerned should notify the People Team in writing, within 10 working days of receiving the written notification of the outcome of the investigation, describing:

- the grounds of the appeal; or
- the reasons why he/she is dissatisfied with the way the investigation was handled; and
- the remedy sought.

The employee should also attach copies of any relevant documents and correspondence, and describe any particular factors that they wish to be taken into account when the appeal is heard.

The Principal will hold an Appeal Hearing without delay giving at least 5 working days' notice of the Appeal Hearing will be given in writing.

The Principal's decision, which is final, will be communicated in writing to the employee and, if appropriate, to the supporting work colleague or trade union representative within 10 working days of the hearing.

### **14.0 Support Available**

The College is committed to caring for the wellbeing of all staff and will handle all complaints with sensitivity and empathy. We will ensure that all individuals involved in a complaint are treated with care and respect throughout the process. Recognising the sensitive nature of harassment and bullying, the college understands that employees may wish to discuss their particular situation in confidence before deciding what action to take. To support this, the College encourages employees to discuss workplace problems openly and informally with their line manager. However, the College recognises that this may not always be appropriate and therefore provides the following support:

- Employees can discuss the situation with the next level manager or with a member of the People Team, in confidence.
- Employees can obtain support from their trade union representative.
- The College provides a 24 hour Employee Assistance Programme through our reward and recognition platform online.

Confidentiality will be maintained as far as possible. However, if an employee decides not to take any action to deal with the problem and the circumstances described are very serious, the College reserves the right to investigate the situation in accordance with its duty of care to ensure the safety of all employees who may be affected by the alleged behaviour.

### **15.0 Monitoring**

It is the responsibility of the Executive Team to review and monitor the progress of the harassment and bullying policy on a regular basis, using information such as the number of harassment complaints received, employee attitude surveys, training feedback and comments made in exit

interview questionnaires. The Executive Team will recommend changes where necessary.

## **16.0 Confidentiality, data protection and record keeping**

We aim to deal with complaints of bullying and harassment sensitively and with due respect for the privacy of the individuals involved. All employees must treat as confidential any information communicated to them in connection with a complaint under this procedure.

Conducting investigations and formal meetings under this procedure involves us processing the personal data of the employees concerned. We use this personal data in order to investigate and deal with complaints of bullying and harassment. Our legal grounds for doing so are that it is necessary:

- to comply with our legal obligations (e.g. to investigate and deal with bullying and harassment complaints in accordance with our duty of trust and confidence to our employees; to ensure a safe working environment under health and safety laws)
- for the performance of the employment contract (i.e. to investigate and deal with bullying and harassment complaints in accordance with our duty of trust and confidence to our employees)
- in our legitimate interest to deal effectively with bullying and harassment complaints, whether you are the subject of them or are otherwise connected to the issues raised

Special category data<sup>1</sup> and data relating to criminal convictions or offences may occasionally need to be processed under this procedure – for example, where an employee asserts that they are being bullied or harassed because of their race or sexual orientation, or where an employee requires a reasonable adjustment to the procedure to accommodate a disability. Our additional legal grounds for using such data are that this is necessary: to exercise legal rights/comply with legal obligations in relation to employment; and to establish, exercise or defend legal claims.

Where we take witness statements from employees with information about the complaint being investigated under this procedure, such statements will be treated confidentially and will only be shared with individuals who need to be involved in the process. This will ordinarily be: HR; the person/people conducting investigations; and the managers conducting any formal meeting or appeal. In addition, if in the course of the procedure it becomes apparent that misconduct has taken place which requires investigation under our disciplinary policy, witness statements taken under this procedure may be used in any subsequent disciplinary procedure and may therefore be shared with the person/people conducting investigations and hearings, as well as the employee whose conduct is the subject of disciplinary proceedings, to enable them to prepare for the hearing and respond to the allegations against them.

We will ordinarily keep records of complaints dealt with under this procedure as detailed in the College's Employee Privacy notice, which can be accessed via the Brooklands Staff Intranet, held under Policies & Procedures; People policies or a copy can be obtained from the People, Performance and Development Department.

More general information, including details of who your personal data is shared with, your rights under data protection law and who you should contact if you have any concerns, is also contained in our main employee privacy notice.

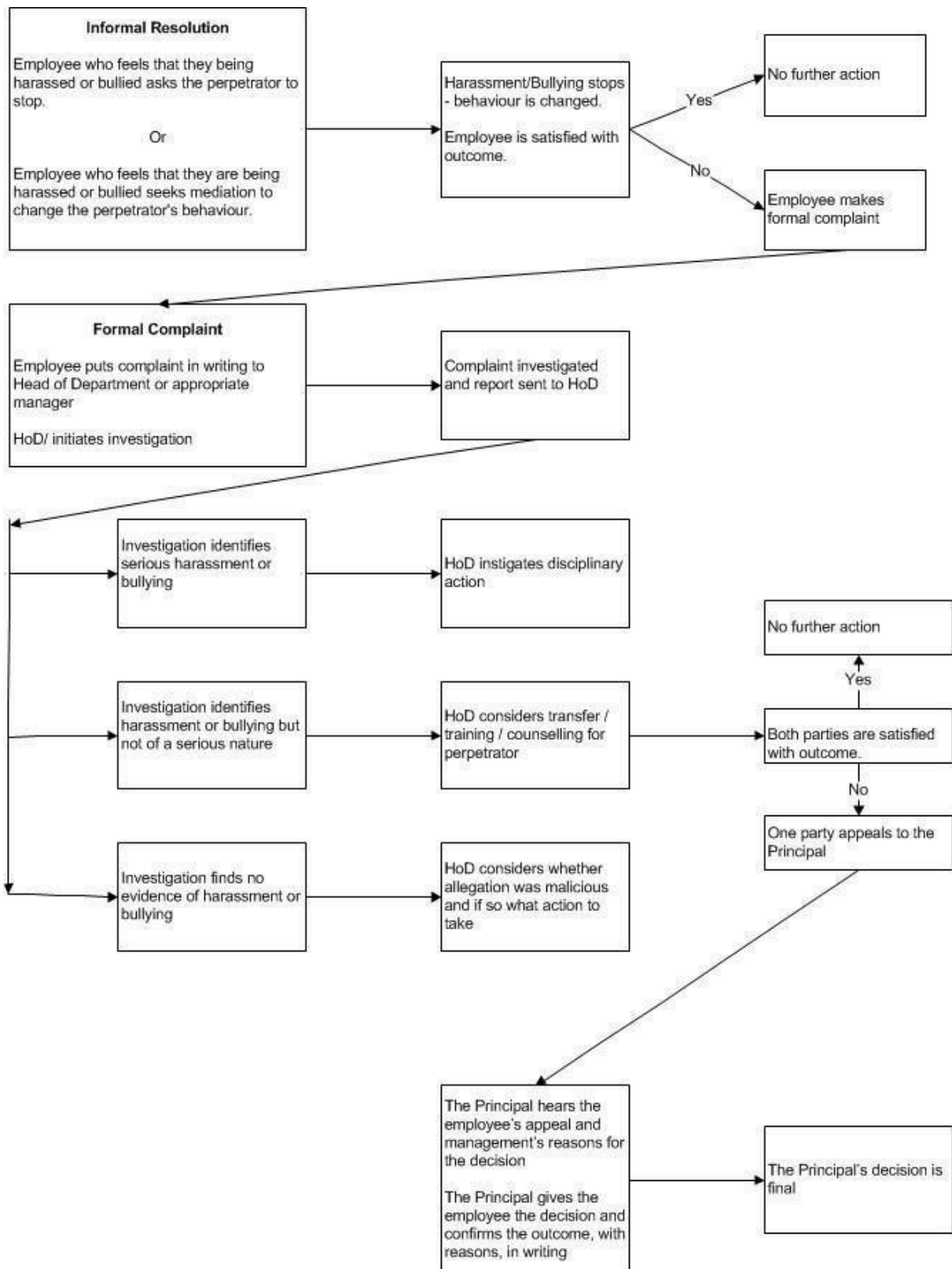
## **17.0 Status of this procedure**

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1 (i.e. personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sexual life or sexual orientation, or biometric or genetic data that is used to identify an individual)

This procedure does not give contractual rights to individual employees. The company reserves the right to alter any of its terms at any time. We will notify employees of any changes.

## Appendix 1



## **Appendix 2 - Notes for Guidance on Conducting a Harassment or Bullying Investigation**

### **Objective**

The purpose of the investigation is to establish all the facts and remain impartial, not to build a case against the alleged harasser or bully, but to search for evidence that supports and refutes the allegations.

The investigation should be conducted as speedily as is possible while being comprehensive and thorough.

Confidentiality should be maintained at all times and the investigation conducted with discretion and sensitivity.

### **Notification**

The employee should be informed at the earliest opportunity that a complaint has been made against them and that an investigation will take place. The employee should be kept informed of the progress of the investigation.

### **The Investigating Manager**

In order to ensure thoroughness and impartiality, the Director of People will identify an independent manager of an appropriate level and experience, possibly from a different area of the College, to conduct the investigation.

### **Investigatory Interviews**

The complainant, alleged harasser or bully and any witnesses should be given advance notice of the interview.

Arrangements should be made to hold interviews away from the immediate workplace, if possible, and in a place where there will be no interruptions.

The complainant and alleged harasser or bully may be accompanied by a work colleague or trade union representative.

If the alleged harasser or bully refuses to be interviewed, they should be informed that a decision will be made on the evidence available, which may include their written evidence.

Witnesses will not normally be accompanied by another person. However, if a witness feels intimidated, they may be supported by a work colleague or trade union representative. Where there are complaints from a number of people, they should be interviewed separately. The investigator should outline the purpose of the interview and explain that a further interview may be necessary to clarify points that may arise later in the investigation.

### **Questioning Technique**

Good questioning technique is essential in order to ensure that the interview achieves its purpose of establishing the facts. The same techniques should be used when interviewing the complainant, alleged harasser or bully and witnesses.

#### **Use:**

- open questions - "Tell me what happened on ...." - as these will elicit a full answer;
- closed questions - "Were you in the room when ....?" - to check on specific facts;
- neutrally phrased questions, giving no clue as to the desired answer, so that the witness's answer will reflect what he/she knows, not what he/she thinks the investigator wants;

- simple and direct language, which the witness can understand, otherwise he/she may become confused or misunderstand the questions;
- summaries - "So you saw the incident and heard what was said." - to check understanding.

**Avoid:**

- leading questions - "don't you think that ....?" which lead the witness towards the answer the investigator may be seeking;
- multiple questions - "Were you at work then and did you see ...?" which may confuse the witness and leave the investigator unclear about which part of the question was answered;
- showing excessive reaction to answers as this will guide the witness;
- being argumentative, suspicious, fault-finding, curt or abrupt, or contradicting the witness, as this will inhibit full answers;
- making assumptions - always check and verify.

The interview should be ended with a summary of the information the witness has provided, to ensure agreement on the evidence that is being given. Finally, the witness should be asked if there is anything they would like to add, in case something important has been forgotten.

**Written Record of Evidence**

A written record of each interview should be kept.

Where possible, a signed statement should be obtained from each witness, preferably prepared by the witness. If this is not forthcoming, a statement may be drafted by the investigator and signed by the witness to confirm its accuracy.

**Other Documentary Evidence**

As part of the investigation it may be necessary to examine documents – memos, e-mails, written instructions. Copies of any documents that may be used in the case, if it proceeds, should be kept with the notes of the investigation.

**After the Investigation**

The Investigating Manager should read through the evidence collected and see if further interviews are needed to clarify or corroborate information that has been given.

When all interviews have been completed, the Investigating Manager should prepare a report of his/her findings, including the documentary evidence, a list of the witnesses interviewed and copies of their statements.

A decision, based on the evidence, may then be made by the manager who commissioned the investigation as to how to proceed.

The complainant and the alleged harasser or bully should be informed of the decision and advised of the next stage in the process.

**Policy Schedule Of Changes**

This document outlines the proposed changes to Dignity at Work and the timeline for their implementation. It serves as a centralised reference point for all stakeholders involved in the policy revision process to highlight all key changes.

This document must be completed ahead of any policy review or approval. Changes should be listed clearly, and concisely for timely review by the Policy and Standards Group.

Policy Name	Change Description	Date
Dignity at Work	Policy updated to include the college values EDI changes with Job titles, information on victimisation added and a section on employee responsibilities included.	19/06/2025