



HOLSWORTHY

C OF E PRIMARY SCHOOL

Working together, growing together, all to flourish

Acceptable Behaviour Policy

2025

Approved by:	Full Governing Body
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Acceptable Behaviour Policy. Version date: December 2024

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1. THE FUNDAMENTALS OF ACCEPTABLE BEHAVIOUR

The Governors of Holsworthy CofE Primary School ('We') believe that having a culture that is diverse, equitable and inclusive is core to delivering efficient and effective services that improve lives for all, and creating an organisation where people want to work

We are committed to creating an environment where everyone is treated fairly, with dignity and respect and where our duty to advance equality and foster good relations, and to eliminate discrimination, harassment, sexual harassment bullying and victimisation is upheld.

By outlining our expectations and the law regarding what is and what is not acceptable behaviour our aim is to create a safe, respectful, and inclusive environment for everyone and to ensure the smooth functioning of our operations. We encourage the highest possible standards of conduct from all those who represent Holsworthy CofE Primary School. Unacceptable behaviour will not be tolerated, and we will take complaints of this nature seriously.

Unacceptable behaviour can occur at any level within an organisation. Individuals should not be afraid to speak out. Holsworthy CofE Primary School has in place ways to ensure that people can express themselves openly and in confidence.

Who do these Standards apply to?

These Acceptable Behaviour Standards ('the Standards') set out our policy and expected standards of behaviour and apply to all employees of Holsworthy CofE Primary School as well as Governors, volunteers, workers and contractors undertaking work on behalf of the school which we refer to as 'individuals' in our communications.

Employees are encouraged to seek advice/support at the earliest opportunity if they experience unacceptable behaviour.

Reference can also be made Holsworthy CofE Primary School's Employee Code of Conduct.

What we expect from you

You are expected to take personal responsibility for observing, upholding, promoting and applying acceptable behaviour.

Any dealings you have with third parties, including parents/carers, visitors, suppliers, contractors, agency staff and consultants, must be free from unacceptable behaviour

Dealing with unacceptable behaviour from service users or members of the public

In the event that you experience unacceptable behaviour by a member of the public you must refer this to the Headteacher.

2. WHAT IS ACCEPTABLE AND UNACCEPTABLE BEHAVIOUR?

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Unacceptable behaviour includes:

- All forms of harassment, and sexual harassment (whether or not it is associated with a Protected Characteristic under the Equality Act 2010). See Appendix 1 for more information.
- Unlawful discrimination (as defined in the Equality Act 2010).
- Bullying, which can include: persistent actions or personal abuse in public or private which humiliate, intimidate, frighten, undermine or demean an individual. People affected by bullying often feel the matter appears trivial or that they have difficulty describing it because it may happen subtly over a long period of time. Bullying can be defined in many ways but is generally behaviour that is identified as a misuse of power.
- Using aggressive or extreme (offensive) language, threatening people, or repeatedly shouting.
- Telephoning people when off duty (for example, demanding work when the person is absent due to sickness or ill health).
- Focusing only on weaknesses.
- Bringing up details of someone's private life inappropriately.
- Making unreasonable demands.
- Maliciously gossiping or criticising about someone in their absence.
- Ridiculing, mimicking or demeaning someone, or a group such as an ethnic group or disabled people.
- Setting someone up to fail.
- Frequent negative comments about aspects of physical appearance or using forms of address that are demeaning.
- Threatening or implying someone (without justified reason and authority) will lose their job, fail to get a promotion, or suffer some other form of career difficulty or disadvantage.
- Coercing someone to join the harassment/bullying of another person.
- Excluding or marginalising someone; refusing to engage with them appropriately.

This list is not exhaustive. See Appendix 1 for definitions and examples of discrimination and harassment within the Equality Act - 2010

What are examples of acceptable behaviour?

People behave acceptably when they:

- Treat everyone fairly, with dignity and respect and according to their needs.
- Try not to make assumptions about others and guard their prejudices.

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- Are aware of the effects of their behaviour on others.
- Communicate clearly, honestly, inclusively, and openly and be courteous and polite.
- Are patient and helpful particularly if someone has difficulties communicating, understanding or with mobility.
- Respect property and culture particularly when visiting people in their own homes. Respect the right to private and family life.
- Only make clear, reasonable, and manageable demands on others.
- Provide, and are receptive to, honest feedback based on evidence.
- Challenge bullying, harassment, discriminatory language and behaviour in an appropriate way, and use acceptable language.
- Tell people if their behaviour has been unacceptable and advise on appropriate alternatives so they are given the opportunity to change (tackling things, however small, at an early stage so they do not get worse).

3. MANAGING BEHAVIOUR RESTORATIVELY

Taking a restorative approach to managing behaviour

Leading by example and setting appropriate standards of behaviour are key to managing behaviour in the workplace.

Restorative practice focuses on building and maintaining relationships and repairing relationships when things go wrong.

In most instances, issues can be resolved informally, taking a restorative approach. Any complaint should be handled sensitively and positively. It is important when complaints are being raised to [listen to learn](#). This helps us to understand what is being said which is especially important when we may not have lived¹ experience of what someone is raising. This also helps to identify a solution.

Our restorative practices are:

Relational - Developing and maintaining trusting, caring, and collaborative relationships and making everyone feel valued, taking steps to repair relationships, where possible, when things go wrong and providing support to everyone who has been impacted.

¹ *Lived Experience -Personal knowledge about the world gained through direct, first-hand involvement in everyday events rather than through representations constructed by other people. It may also refer to knowledge of people gained from direct face-to-face interaction rather than through a technological medium*

Respect - Being inclusive, participatory and honest. Recognising that difference is an asset.

Responsibility - Taking responsibility, enabling and trusting each other to be responsible.

Reflective - Taking time to reflect on our relationships and practices, making sure we are responsive, and solutions focussed.

Restorative practice can be applied in both informal and formal approaches to conflict resolution. Anything of a serious nature should be addressed formally through Holsworthy CofE Primary School's Complaints Policy.

How do we move towards resolution?

Restorative Responses

When unacceptable behaviour occurs, we will apply restorative practices to address the issue. Restorative responses may include:

1. Restorative Circles: Bringing affected parties together to discuss the issue, share their feelings, and collaboratively find solutions. This may be with a school leader or another appropriate person facilitating the meeting.
2. Mediation: Using a neutral third party to facilitate dialogue between conflicting parties and guide them towards resolution.
3. Education and Skill-building: Offering support and resources to help individuals develop healthier behaviours and communication skills.

Restorative Circles

Unacceptable behaviour can be as a result of not understanding individual differences and what may be acceptable and unacceptable. In these circumstances, education of what may be considered acceptable behaviour might be what is required.

Although training in specific areas can be a solution, restorative circles offer the opportunity to hear from the individual who has been affected. This can give the added benefit of hearing someone's lived experience if they wish to share, which can be a powerful way to bring about changes in behaviour, more tolerance and a better understanding.

The restorative circles approach can identify more solutions which could be specific to an individual and their team or may identify wider learning for the organisation.

Consideration will need to be given to who facilitates restorative circles meeting. It may be beneficial for the direct manager to do this as they know the parties involved and may be aware of the concerns. It also encourages ownership of tackling the concerns within the team and providing ongoing support into the future which can help repair and build a positive working environment.

Where it may not be possible or appropriate that the line manager is the facilitator e.g. in circumstances where the line manager has been identified as the perpetrator of the unacceptable

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behaviour, a designated school leader could be considered as an appropriate alternative. See resources links for more details on restorative practice (Appendix 2).

Mediation

Mediation is a voluntary and informal solution-focussed process whereby qualified and trained mediators facilitate discussion between individuals to reach their own solutions. It may be used prior to the formal Grievance Policy & Procedures and in some circumstances, the Disciplinary Procedure, which may completely prevent recourse to formal processes.

There are numerous benefits of using mediation, particularly at an early stage where it can help improve working relationships and resolve issues that can be detrimental to productivity and harmony. It could help someone understand the impact their behaviour has on others, particularly if the recipient of unacceptable behaviour is having difficulty explaining or being understood.

For mediation to be successful, all parties must agree to participate.

Education and Skill-building

Offering support and resources to help individuals develop healthier behaviours and communication skills.

Disciplinary Measures

In cases of severe or repeated violations of unacceptable behaviour disciplinary measures may be necessary. However, supporting the wellbeing of all concerned will be a focus, and the primary goal will always be to restore relationships and promote positive behavioural change rather than punitive actions. Where possible and appropriate, consideration will be given to asking 'what' led the event to occur rather than 'who' was to blame and ensuring that a more restorative approach is considered.

4. HOW TO REPORT UNACCEPTABLE BEHAVIOUR

Informal Action

This route involves bringing unacceptable behaviour to the attention of the individual(s) who you believe has behaved unacceptably, through individual action, with the intention of stopping the behaviour that is causing the problem and agreeing more acceptable ways of behaving. In many instances no further action will be required when the unacceptable behaviour and its effect is recognised by the other party who can then vary their behaviour accordingly.

Ideally challenging unacceptable behaviour would be done directly in person, but it can be done in writing to the individual(s), or through a third party such as a manager or colleague.

If you need support to challenge this behaviour, you can raise your concerns:

- Directly with the individual

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- With your line manager or a school leader

- Your manager or manager's manager will also be able to support you if you wish to seek other resolutions such as using restorative practices or 3rd party mediation.

We recognise that some situations cannot be dealt with informally, particularly if an individual is feeling discomfort arising from harassment or sexual harassment. In which case, it is reasonable to escalate straight to the formal procedure.

Formal Action

The [Insert Name of School / Federation / Academy Trust] Grievance Policy is available to employees who wish to bring a complaint against another employee where the informal procedure, including mediation, has been ineffective, or in more serious cases.

Report the incident

Whether the matter has been dealt with informally or formally we strongly recommend that individuals tell their line manager about the incident (or their senior leader if the issue relates to their manager) – even if they have resolved it directly and informally.

See Appendix 3 for support available.

Protection for complainants

On-going support should be provided to complainants throughout the process.

In a formal procedure, if an individual is accused of harassment they should not seek to contact the complainant to discuss the complaint, or, if the allegation is made anonymously, whoever they think made the complaint unless that is the agreed course of action to try and resolve matters.

Under the Equality Act 2010 people are protected from 'victimisation' (less favourable treatment because they have made a complaint about harassment or discrimination in good faith).

You are also protected under the [Insert Name of School / Federation / Academy Trust]'s Whistleblowing Policy if the concerns raised meet the criteria of a protected disclosure. Although this policy encourages you to put your name to your complaint, it also allows you to raise concerns anonymously. However, concerns expressed anonymously are much less powerful, but in any event, will be considered at the discretion of Holsworthy CofE Primary School against the following criteria:

- the seriousness of the issues raised
- the likelihood of confirming the allegation from attributable sources
- the Holsworthy CofE Primary School 's best interests
- the protection of the School's assets.

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You should also bear in mind that if you do choose to raise a concern anonymously it will be more difficult for the matter to be investigated and for you to be provided with feedback.

In a formal procedure it is not possible to take punitive action against someone without an identified 'witness'. If the complaint is of a serious nature, individuals are strongly advised to raise this formally and without anonymity so that they, and others, can be protected and the matter can be properly investigated.

5. ADVICE TO PEOPLE ACCUSED OF UNACCEPTABLE BEHAVIOUR, BULLYING, HARASSMENT OR DISCRIMINATION

Subject to any informal or formal action taken initially to resolve unacceptable behaviour, advice and/or appropriate support may be provided to those who are accused of bullying, harassment and/or discrimination. This may include directing the individual to appropriate coaching or training.

Being accused of behaving in unacceptable ways can be equally concerning to the individual. In some cases the individuals are unaware that their behaviour is the cause of another person's distress or discomfort or that it may be unacceptable to others in the workplace.

Processes can be put in place to support all those involved in an allegation of unacceptable behaviour including anyone accused of unacceptable behaviour. These processes will ensure that careful consideration and a fair and restorative approach is taken to minimise the impact on all those concerned.

Individuals who are the subject to allegations can access support from their line manager. Also see sources of support. (Appendix 3)

6. SUPPORTING COLLEAGUES AND CHALLENGING UNACCEPTABLE BEHAVIOUR

Often people on the receiving end of unacceptable behaviour find it hard to speak out. This could be because of:

- Power relations (a belief that someone more senior cannot be challenged).
- Feeling so uncomfortable they don't want to draw attention to it again, or they don't want to 'make a fuss' because that can invite further discomfort.
- Feeling so shocked that they 'freeze' and are unable to respond.
- Conditioning – believing that something is acceptable when in fact it isn't or believing that they should ignore rather than challenge because that's what they have been told to do.
- Thinking that others won't think they have the same standards of acceptability, or they won't be believed something happened (where there are no other witnesses).
- Feeling worried that they will be victimised.

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- Trauma – in cases of serious harassment or bullying the individual may find it very hard to confront the issue. This is why some cases of abuse are not reported until many years later.

Colleagues play an important role in supporting others on the receiving end of unacceptable behaviour. This could, for example, involve male colleagues challenging sexist behaviour towards female colleagues in the office.

It's important to recognise that because there is a relatively small minority ethnic population in Devon, racism can be more common. Anyone from a minority group can feel very isolated and unable to get the support they need when they experience prejudice and hatred.

Allowing unacceptable behaviour to continue without question or challenge creates a culture that it is acceptable and makes it harder to complain about or address instances of unacceptable behaviour.

Here are some basic do's and don'ts to help you support colleagues experiencing unacceptable behaviour:

Do:

- Help create a culture where 'it is OK to say it's not OK'.
- Make individuals aware of where confidential impartial advice can be sought and a log of the concerns can be made helping individuals to identify solutions and facilitate a resolution.
- Challenge appropriately and constructively. This could mean having a 'quiet word' with someone about their behaviour and pointing out that you think it could be upsetting others. Sometimes people are unaware that what they said has made others feel uncomfortable ("I was paying a compliment" often being the reason in cases of verbal sexual harassment).
- Give people alternatives. For example, if someone is using inappropriate language, suggest a more acceptable term.
- If an individual approaches you about unacceptable behaviour, place emphasis on the recipient's experience rather than the motivation of the person complained about. It is important to believe them in the first instance.
- Signpost individuals to this and information including the sources of support including routes for reporting incidents/making a formal complaint if necessary.

Don't:

- 'Victim blaming' – telling someone that they somehow deserved the unacceptable behaviour, for example, a woman is told that she should expect sexual harassment if she wears a short skirt.
- Disregarding something because it happened a long time ago – it may be the first time someone has been able to confront the issue.

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- Telling someone they should change their behaviour to avoid unacceptable behaviour – for example, telling someone not to get in a lift with the person who has been harassing them. The unacceptable behaviour needs to be stopped by confronting the person causing it.
- Telling someone they should just ‘put up with it’ because ‘that’s life’. Making comments like “man up”.

7. A GUIDE FOR MANAGERS ON HANDLING UNACCEPTABLE BEHAVIOUR

Creating an environment of dignity, respect and trust is an expectation on everybody. It is the line managers responsibility to be available in the first instance to listen, and address concerns of staff that they manage. Managers need to consider how a restorative approach can be taken.

Managers should be creating an environment where employees feel that they can talk to them about concerns. If an employee has approached you this is a positive step. It must be realised that this may have been very hard for the individual to do. So, you should listen, not judge and provide what support you can ensuring that the individual feels safe.

Managers can feel out of their depth in not understanding the situation especially where there are complex areas of equality that they do not understand. This is OK. Support to managers can be obtained from HR where advice can be given to address staff concerns. They will also provide coaching to managers to guide them and share good practice.

Managers need to be understanding, compassionate and responsive to addressing concerns.

Points to consider when dealing with an acceptable behaviour concern

When approached by an individual who is identifying unacceptable behaviour some points to consider are:

What has happened?

What may seem a small concern to you may be perceived differently by the individual. This is how the employee feels and it is important to recognise this. What we can do is to [listen to learn](#). Sometimes just listening is all that is required. It can present the solution and what the individual feels right for them to tackle the concerns that they are raising.

Some serious concerns may be identified which need to be addressed straight away especially where there could be a risk to someone’s safety. Advice can be sought where necessary.

When did this happen?

The individual may have taken a record of the events. We want to create a culture where individuals raise concerns as and when they happen. This also helps to support a more restorative approach to addressing concerns.

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A record can be useful to understand the sequence of events and the issues that have happened. However, it is also important to ask why they have not raised this earlier as this may also identify a concern. i.e., they felt that they could not speak to their manager. The consequence of this could be that this behaviour has gone unaddressed and can have a negative impact on those involved.

How often has this occurred?

As above, the individual may have kept a log of the incidents. They may have tried to ignore the behaviour before or seen it as usual for that individual and felt they could not challenge especially where this may have gone unchallenged by others. We want to strengthen a culture where people are not afraid to speak out so the question becomes when did this occur focusing on one event rather than how often.

What have you done about this?

The individual may have taken their own action to address it with the individual concerned. They may have spoken to their line manager, a colleague or to a trade union representative. The reason why we ask this is to understand what has been tried, how successful this was and to identify what other action may need to happen. For example, what happened when it was raised? Was the concerns addressed? How did they feel when they raised this? Did they feel listened to? Are they now more fearful due to what they have raised? Was support put in place and if so what was this? If no support was offered why do they think this was.

Support that is available should also be offered at this point such as the Employee Assistance Programme. (remove if no EAP)

How has this made you feel?

This may naturally come up as part of the conversation. How someone feels is very personal to them and how they are able to cope with unacceptable behaviour can differ. Just because someone can be resistant or strong does not mean that they do not need support. Emotions can vary which could include anger, upset, anxiety, fear and tearfulness and can lead to tragic outcomes such as self-harm or attempted suicide.

The emotions that can be raised by an event can be as complex as we are individuals. Something may not seem rational to you or be seen as someone overreacting but how they feel can include other factors such as lived experiences, personal challenges and work challenges. Managers are not expected to take on a role of a counsellor but should listen without judgement and provide a safe environment to have an open and honest conversation where the individual is treated with dignity and respect is critical.

Just being there, listening and showing you care can make a real difference.

What would you like to see as an outcome?

Everyone's experience differs. Whilst we should not tolerate unacceptable behaviour individuals may have a way that they would prefer their concerns are dealt with and could resolve the situation for all parties. Individuals may not know the options available to them. The manager may also not

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now. Therefore, once more information has been gathered the manager can contact HR who can provide advice on the options available.

Usually, a good approach is to ask this question so that you can understand. Everyone is different and how they may want something actioned may be different to another person. i.e. sharing information about someone's protected characteristic. Someone may be happy to share this with a team so they understand the challenges and how they may be feeling whereas others may not want others to know or wish to limit the information shared.

Where can they go for help

Individuals may need immediate support which may be provided by you as the manager. However, they may require professional support such as counselling through the Employee Assistance Programme. See sources of support pages (Appendix 3) (Remove if no EAP)

Management style, team dynamics and performance management

Unacceptable behaviour must not be condoned as a particular management style. Whilst recognising that effective management may call for a firm and assertive style to achieve desired outcomes, it should be ensured that individuals are treated with dignity and respect at all times.

Individuals' experiences and perceptions may differ. Open and honest conversations should be encouraged through day-to-day management and supervision sessions to ensure that there is effective two-way communications in teams so that unacceptable behaviour can be prevented.

Legitimate, constructive, fair and evidenced criticism of an individual's performance or behaviour at work is not bullying or harassment. It must be recognised that those in positions of management have both a contractual right and responsibility to discharge managerial duties. However, it is important to consider where, how, and when conversations are had about performance or behaviour at work.

Well established teams who are familiar with working with each other need be aware that behaviour regarded as acceptable to them may cause embarrassment, offence, or anxiety to others.

An occasional raised voice or heated debate regarding work-related issues in itself may not be unacceptable behaviour but is communication between colleagues, usually over issues that individuals feel passionate about, and can be a driver in the workplace for developing new ideas and better practices. However, if an individual believes that the boundary between 'heated debate' and unacceptable behaviour has been crossed, their request for calm should be respected.

Appendix 1

DEFINITIONS AND EXAMPLES OF DISCRIMINATION AND HARASSMENT WITHIN THE EQUALITY ACT 2010 & OTHER RELEVANT LEGISLATION

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Definitions of discrimination, harassment and sexual harassment within the Equality Act - 2010

Protected characteristics

The Equality Act offers protection to people from discrimination by a service, association or at work because of a protected characteristic. The protected characteristics are:

Age; disability; gender reassignment; marriage and civil partnership*; pregnancy and maternity; race; religion and belief; sex and sexual orientation. (*only applies in relation to work).

It is also unlawful to discriminate against someone because they are perceived to have a protected characteristic or are associated with someone who has that characteristic.

Discrimination – definitions

Direct Discrimination is to treat someone less favourably because of a protected characteristic.

Indirect discrimination is where a provision, criteria or practice is applied which unfairly disadvantages a group who share a particular protected characteristic and cannot be justified as a way of achieving a legitimate aim.

Harassment is a form of unlawful discrimination and is unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Such behaviour does not have to happen at work for action to be taken. Employers also have a responsibility to protect workers and employees from third-party harassment when they feel offended by someone from outside their workplace. This is anyone who is not employed by the same employer as the victim. Employees can experience harassment even when they are socialising after work at a work-related event or via social media.

Harassment is both a criminal offence and the basis for bringing a civil action under the Protection from Harassment Act 1997; harassment is behaviour experienced on at least two incidents by the same person or group of people, which causes you distress or alarm.

If the harassment amounts to a criminal act as defined by the Protection from Harassment Act or a hate crime/incident the police should be contacted. They can do this even if an internal investigation is taking place.

Although the Human Rights Act provides for 'freedom of expression' this is a 'qualified right' in that it can be limited for necessary, legitimate and proportionate reasons or if in conflict with law, therefore there is no right to express something if it will cause harassment of others, spread lies or incite hatred towards a group.

Victimisation is a form of unlawful discrimination where someone is treated less favourably because they made a complaint (in good faith) about discrimination or harassment. People are protected from victimisation under the Equality Act.

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Sexual Harassment

Sexual Harassment is defined in the Equality Act 2010 as: 'unwanted conduct [related to a person's sex] which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment'.

From 26 October 2024, employers have a legal duty to take proactive steps to prevent sexual harassment, including by third parties, under the Worker Protection (Amendment to the Equality Act 2010) Act 2023'

It does not have to be directed at an individual. Anyone can experience sexual harassment.

It does not have to happen at work for action to be taken, this includes social media contact.

It doesn't have to occur over a period of time. One incident may be enough if it is particularly serious.

Behaviour may be brushed off as banter, harmless flirting or fun, paying a compliment and not intending to cause offence. However, it is important to remember that it is the impact on others that matters most. Even if someone didn't mean to harass an individual, their behaviour or conduct is unacceptable if the recipient thinks it is unwanted, inappropriate or offensive (meeting the definition of harassment above). Some things may fall short of being considered 'harassment' but may be regarded as sexist such as patronising comments directed towards women. These are still unacceptable, but informal action would be most appropriate.

Examples of sexual harassment include:

- Unwelcome advances – physical, written and verbal.
- Inappropriate, lewd or suggestive remarks.
- Indecent comments, sexist or lewd jokes or innuendos relating to a person's physical appearance or private life.
- Unwanted physical contact such as hugging, kissing or touching.
- Requests for sexual favours.
- Pestering someone for a relationship (for example, repeatedly asking a person to socialise outside work when the person has said no or indicated they are not interested) or following them around (stalking).
- Sharing personal information about your sex life.
- Giving gifts or leaving objects that are sexually suggestive.
- Sharing sexually inappropriate images or videos, such as pornography with colleagues.
- Making or displaying inappropriate sexual images or posters in the workplace.
- Making inappropriate sexual gestures.
- Leering or staring in a sexually suggestive or offensive manner, or 'wolf whistling'.
- Making sexual or suggestive comments about appearance, clothing, or body parts.
- Inappropriate touching including pinching, patting, rubbing, or purposefully brushing up against another person.
- Asking sexual questions, such as questions about someone's sexual history or their sexual orientation.
- Making offensive comments about someone's gender identity.
- Asking someone on a date' in a reasonable manner is not harassment (as long as refusal

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- is accepted without persistence or changing behaviour towards that individual). However,
- care should be taken not to make someone feel uncomfortable or breach the trust and
- confidence in the working relationship.

Third party sexual harassment can also affect individuals and as an employer we take reasonable steps to prevent third party sexual harassment. An example of third party harassment could be a customer making inappropriate comments about the appearance of a young employee. This could be considered as third party harassment. In this instance the employer would be legally responsible for preventing this from happening as it makes their staff uncomfortable.

We will support employees who are experiencing domestic abuse or stalking and take appropriate action where there are concerns that an employee may be the perpetrator of domestic abuse or stalking.

Other relevant legislation

The Racial and Religious Hatred Act 2006 creates an offence in England and Wales of inciting hatred against a person on the grounds of their religion or race. Under the 2006 Act “a person who uses threatening words or behaviour, or displays any written material which is threatening, is guilty of an offence if they intend thereby to stir up religious/racial hatred”. The Criminal Justice and Immigration Act 2008 also makes hatred towards group of persons defined by reference to sexual orientation an offence.

Sex Discrimination (non harassment)

Includes using sex (or gender) as a deciding factor to treat someone less favourably such as not providing a service or employment opportunity where this cannot be justified on grounds of a genuine occupational requirement.

Racism

Race is defined as skin colour, ethnic origin, nationality or national origin. It includes Gypsies, Roma and Travellers.

Racism does not have to be directed at an individual and a person doesn't have to be Black, Asian or another minority ethnically diverse background to regard something as racist. The same would apply to other protected characteristics.

Racism can include:

- Using recognised offensive terms
- Negative stereotyping, for example “all Black people are like that...”, “Gypsies are thieves” or that there is a ‘problem’ within a whole racial group because of the actions of a few.
- Making nasty, stereotypical or offensive jokes (visual, verbal or otherwise). This includes references to apes, or imitating apes, in relation to Black/Asian people.

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- Excluding people based on an assumption that they can't or won't want to get involved because of their ethnicity or nationality. Displaying racist insignia such as those used by far right groups, including the number 18, swastikas, white fist etc.
<https://www.trafford.gov.uk/residents/community/communitysafety/docs/extreme-right-wing-symbols.pdf>
- Expressing that White people are a superior group (White Supremacy).
- Telling people to “go back home” (implying they do not belong in the UK). Asking people “where are you really from?” (it is acceptable to ask “what is your ethnic origin?”)
- Avoiding people because of their ethnicity or nationality.

Anti-Semitism, Islamophobia and harassment on basis of religion/belief

As above, negative stereotyping, bullying behaviour, nasty jokes, telling someone they are not welcome here and avoidance on the basis of religion/belief are unacceptable, as they are for other protected characteristics listed in this section.

Hate speech attacks, threatens, or insults a person, group or their property on the basis of their identity or perceived identity. Like all forms of hate speech anti-Semitism (relating to Jews) or Islamophobia (relating to Muslims), are offensive and unacceptable. Contemporary examples of anti-Semitism can include:

- Calling for, aiding, or justifying the killing, removal or harming of Jewish people
- Making false, dehumanising, demonising, or stereotypical allegations about Jewish people
- Denying the genocide of the Jewish people during World War II (the Holocaust).
- Accusing the Jewish people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Holding Jewish people collectively or individually responsible for actions of the state of Israel.

Islamophobia is the fear of, or prejudice towards, Islam and Muslims of any race. Extremist groups may hide behind an extreme concept of Islam which is not supported by the wider Islamic societies.

Examples of Islamophobia:

- Making statements that “all Muslims are terrorists, Jihads” or associated with a known terror group, crime or violence.
- Making statements which imply or state that Muslims are not in line with British values or pose a threat to British values.
- Making inappropriate comments about clothing, such as hijabs or traditional wear.

Biphobia, Homophobia and Transphobia

Lesbian, gay, bisexual and trans (LGBT) people will find it hard to be ‘out’ in the workplace where there is hostility and ignorance. Things to be aware of include:

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- Someone who has undergone gender re-assignment has the right to be respected in their true gender. For example, an assigned male colleague who has undergone gender re-assignment and is now living as a woman should be regarded as female and relevant pronouns be used (she, her etc.).
- Negative words and phrases such as “that’s so gay”.
- Heterosexism – assuming someone is heterosexual unless forced to prove otherwise.
- ‘Outing’ someone’s sexual orientation or trans identity to another person without permission.

Disability harassment

This can include using mimicking a disability and making nasty jokes (visual, verbal or otherwise) about disabled people. Bullying could include purposefully overlooking a disabled person’s strengths and abilities.

Ageism

This can include using age as a determining factor for physical or mental performance or as the deciding factor for access to services or employment including recruitment, training and promotion opportunities. It can also include using negative descriptions about older or younger people and making nasty jokes (visual, verbal or otherwise) about people of a certain age.

Appendix 2

Find out more about Restorative Practice

- [Introduction to Restorative Approaches \(youtube.com\)](#)
- [WANT TO KNOW HOW TO HAVE RESTORATIVE CONVERSATIONS TO RESOLVE CONFLICT? HERE'S 6 STEPS! \(youtube.com\)](#)
- [Facilitating Restorative Circles Training \(youtube.com\)](#)
- [Restorative Circle Agreements \(youtube.com\)](#)
- [What are Restorative Circles and How to Conduct Them \(thewriteofyourlife.org\)](#)

Appendix 3

WHERE TO GET HELP AND SUPPORT

Employee Assistance Programme - ADD CONTACT DETAILS FOR YOUR EAP

HR Direct **DELETE WHERE SCHOOL/ACADEMY DOES NOT BUY** also provide advice to managers. HR Direct can be contacted at hrdirect@devon.gov.uk or by telephoning 01392 385555.

Further sources of support and information

[Bully Online](#)

[Equality Advisory Support Service](#)

[ACAS](#)

[The Trade Unions Congress information on bullying at work](#)

[The Workplace Bullying and Trauma Institute USA and Canada](#)

[Equality & Human Rights Commission](#)

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