



# Chiltern Way Academy Trust

Turning Futures Around

## **Anti-Harassment and Anti-Bullying Policy (Staff)**

**Responsibility for this policy (job title): CEO**

**Responsibility for its review: FGB**

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## **Policy Statement**

Chiltern Way Academy is committed to ensure that all employees feel welcome and that they belong here. We will ensure that all employees feel safe and happy in the Academy and are able to work in a supportive, caring environment without the fear of harassment. Bullying is an anti-social behaviour, it is unacceptable and will not be tolerated by the Academy.

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### **1. INTRODUCTION**

- 1.1 This document sets out the Anti-Harassment and Anti-Bullying at Work policy and provides a structured mechanism for employees to raise any concerns.
- 1.2 The Academy/Trust Board recognises the damage that harassment and bullying can cause to the health and welfare of staff in schools and the duty of care the Academy/Trust Board has toward those staff.
- 1.3 The Academy/Trust Board seeks to foster good relations and promote a culture of fairness, ensuring that all employees respect each other and work in harmony to achieve the aims and goals of the organisation.

### **2. SCOPE**

- 2.1 This policy applies to:
  - All Teachers on Teachers pay and conditions and Academy employees employed under the terms of Bucks Pay Employment Conditions.
  - All agency staff, consultants, contractors and volunteers working with or for the Academy.
  - All Trustees are expected to conduct themselves in a way consistent with both the provisions of their Code of Conduct and, where applicable, the contents of this Policy.

### **3. ROLES AND RESPONSIBILITIES**

3.1 CEO / DoS / Heads of Campus / Line Managers and employees have a responsibility within this procedure.

CEO / DoS / Heads of Campus / Line Managers will:

- Ensure the Anti-Harassment and Anti-Bullying procedures are followed correctly, seeking advice from HR where they are unsure.
- Treat any grievances arising from this policy seriously, dealing with each complaint fairly, consistently and sensitively.
- Support employees who raise concerns under this procedure to ensure that they do not suffer detriment as a result of their action e.g. loss of status/income/ conditions of employment.
- Protect the identity of an employee who raises concerns and does not want their name revealed, by only telling those who need to know and asking them to respect the confidentiality of this information.
- Take action when they become aware of any harassment within their team, whether or not a particular individual raises a complaint.

3.2 Employees will:

- Comply with all reasonable management instructions during any investigation/ grievance that may arise from the complaint.
- Work with the CEO / DoS / Head of Campus / Line Manager to genuinely seek resolution.
- Act in good faith and not instigate a complaint of harassment or bullying for personal gain or with malicious intent.

### **4. PRINCIPLES**

4.1 The policy and procedure contained within this document is founded on the following principles:

- To support the Academy/Trust Board to maintain a working environment where employees are treated with respect and dignity.

- To enable cases of harassment and/or bullying, whether from trustees, parents/carers, students or colleagues, to be resolved quickly and consistently across the Academy in order to maintain good working relationships. If the Chair of Trustees feels they are being subjected to bullying or harassing behaviour, they should inform the Divisional Manager School Improvement.
- To ensure that all managers know how to deal with situations where employees believe they are suffering harassment and/or bullying.
- To reassure employees that they are able to raise allegations of harassment and bullying in the confidence that they will be dealt with promptly, effectively and with understanding.
- To provide the support needed for individuals to decide the most appropriate course of action if they feel they are being bullied or harassed.
- To provide support for those who have allegations of harassment or bullying made against them.
- Not to discriminate against any individual in the application of this policy and procedure on protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or other grounds protected in law (e.g. part-time worker status, trade union membership or HIV positive status).
- If employees have any misgivings about either the process or the managers leading it, they should tell us openly so that we can address their concerns. Any meeting recorded without the consent of all those present (covert recordings) will be treated as a conduct matter.

## 5. DEFINITION OF HARASSMENT AND BULLYING

### 5.1 Harassment is defined as:

- Behaviour that subjects a person to unwanted conduct, which has the purpose (intentionally), or effect (unintentionally), of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. **This reflects the statutory definition of harassment as outlined in the recent Race and Employment Directive. It should be noted that racial harassment and harassment relating to disability are now considered to be examples of direct discrimination.**

- Harassment takes many forms, occurs on a variety of grounds and may be directed at one person or many people. It may be related to sex, race, disability, sexual orientation, nationality, socio-economic status, age, religion, part-time status or any personal characteristic of the individual. It can be an isolated incident or repeated unacceptable behaviour. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.
- Harassment on the basis of age, disability, gender reassignment, race, religion or belief, sex and sexual orientation is covered by the Equality Act 2010. Under the Act employees can complain of harassment even if they do not possess the protected characteristic or the harassment is not directed at them.

## 5.2 Bullying is defined as:

- A form of harassment.
- It can be defined as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power which has the effect of making the recipient feel upset, threatened, humiliated or vulnerable, undermining their self-confidence and in some cases causing them to suffer stress.
- Bullying is most commonly associated with an abuse of power or authority. It most typically involves someone in a position of authority bullying someone in a subordinate position, but bullying of people in a more senior role by people in a subordinate position and between people in an equal position can also occur.

Examples of unacceptable behaviour can be found in Appendix 1.

## 5.3 Bullying is not:

- Constructive and fair criticism of a person's performance or behaviour at work or an occasional raised voice, as in heated debate or argument.

It can sometimes be difficult to differentiate between bullying and a strong or firm management style, particularly where capability issues are being addressed. However, it is unacceptable to condone bullying behaviour under the guise of a particular management style. Effective management obtains results whilst ensuring employees are treated with dignity and respect.

## **6. A POSITIVE APPROACH TO DIGNITY AND RESPECT**

6.1 In seeking to develop a culture of dignity and respect for employees, CEO / DoS / Heads of Campus / Line Managers must give attention to promoting positive behaviours in the way they manage the employees for whom they are responsible and setting appropriate standards of behaviour.

At Chiltern Way Academy, all leaders at all levels should lead by example in the way they manage, including:

- Treating employees as individuals
- Recognising the contribution individuals make in the work place
- Ensuring employees have equality of opportunity, including access to development opportunities
- Respecting peoples' differences
- Allocating work fairly and with recognition of the pressures that can exist in meeting challenging timescales
- Listening to any concerns expressed by employees and responding to them in a reasoned way
- Ensuring that performance management is undertaken equitably and that standards are set fairly, are realistic and are challenging but achievable
- Feedback is given promptly and any required improvements are communicated clearly

## **7. THE IMPACT OF HARASSMENT AND BULLYING**

7.1 Harassment and bullying:

- Can have a serious effect on an individual including anxiety, loss of concentration, illness and absence from work;
- Can cause an individual to feel isolated and threatened, with possible implications for physical and mental health.

7.2 Harassment and bullying of any nature is unacceptable and may also, if unchecked or badly handled, create serious operational problems for the Academy, including:

- Poor morale and poor employee relations;

- Loss of respect for managers and supervisors;
- Poor performance;
- Lost productivity;
- Higher turnover of staff;
- Absence from work;
- Damage to the Academy's reputation.

## **8. MALICIOUS ALLEGATIONS**

- 8.1 The Academy/Trust Board will take seriously any allegations that are subsequently proven to have been made maliciously. Any employee who is found to have made malicious allegations may be subject to disciplinary action.
- 8.2 If, however, an employee makes an allegation of harassment or bullying in good faith that is not later confirmed by investigations, no action will be taken against that employee.

## **9. INFORMAL STAGES**

- 9.1 The Academy/Trust Board encourages employees to approach allegations of Harassment and Bullying informally in the first instance.
- 9.2 Initial informal stages involve the individual or their representative making the other person aware that his/her behaviour is causing offense. This may result in a quicker and more satisfactory resolution.
- 9.3 The employee may choose and is encouraged to discuss the issue with the CEO / DoS / Heads of Campus / Line Manager, or another manager, to see if the matter can be resolved informally.
- 9.4 It is recognised that raising a concern of harassment and/or bullying can be stressful and as such an individual may choose to be accompanied to any informal meetings by a work colleague or Trade Union representative.
- 9.5 If the individual concerned recognises the issues raised and agrees to modify their behaviour the matter may be resolved at this stage. The required changes in behaviour should be clearly identified and recorded and this should help form the basis of an action plan.



- 9.6 The CEO / DoS / Heads of Campus / Line Manager may consider that future relationships could be assisted by offering counselling to either or both of the parties concerned. HR can help to facilitate this.
- 9.7 If an employee reports their concern but does not want the issue taken up with the individual concerned, the CEO / DoS / Heads of Campus / Line Manager should raise awareness of harassment issues within the work team without naming names. This can be done through training initiatives, raising awareness within the team giving examples of unacceptable behaviour when appropriate, publicising the harassment and bullying policy.
- 9.8 The team approach should also be taken when a manager identifies a possible problem even without a specific complaint or concern being raised.
- 9.9 A CEO / DoS / Heads of Campus / Line Manager who becomes aware of any harassment within their team must take appropriate action to deal with it, whether or not a particular individual makes a complaint. Any CEO / DoS / Heads of Campus / Line Manager found to be in breach of this policy may be subject to action through the Academy's Conduct and Discipline Procedures.
- 9.10 Should the situation reach a point where a constructive conversation will be difficult, it may still be possible to resolve the issues without following the formal stages. This can be done through mediation, provided that both parties recognise there is an issue and are prepared to seek a "win-win" resolution.
- 9.11 If an individual is unhappy with the resolution of a case informally, they should discuss this with the relevant CEO / DoS / Heads of Campus / Line Manager/Trade Union representative/HR contact and if they remain dissatisfied progress their concerns through the Academy's Grievance Procedure which constitute the formal stages of this policy. (See Section 10).

## **10. FORMAL STAGES**

- 10.1 Formal action as a result of harassment and/or bullying will be dealt with under the Grievance Procedures in place within the Academy.
- 10.2 In recognition of the serious nature of the formal procedures the person charged with dealing with the written grievance should, in the first instance, explore with the parties concerned whether in fact all informal avenues have been exhausted.

- 10.3 If any allegations of harassment and/or bullying or any other inappropriate behaviour are substantiated through the Academy's Grievance Procedure, the Academy's Conduct and Discipline Policy and Procedure will be used to deal with any alleged misconduct.
- 10.4 If the employee is not satisfied with the outcome of the first formal stage they are entitled to appeal under Stage 2 of the Academy's Grievance Policy and Procedure.
- 10.5 In cases where police allegations have arisen, e.g. resulting from the Protection from Harassment Act, the case will be dealt with under the Academy's Conduct and Discipline Policy.
- 10.6 It is recognised that in certain circumstances employees may feel harassed as a result of raising a concern under this or any other Academy policy. The Academy/Trust Board recognises its duty to protect employees from possible reprisals, retaliation or victimisation when they have made a disclosure in good faith. If an employee feels they are being subjected to any detrimental treatment as a result of raising a concern under this policy, they must notify an appropriate manager immediately.
- 10.7 Informal and formal complaints will be dealt with as quickly as possible. If a complaint is raised as a formal Grievance, the timescales specified in the Academy's Grievance policy should be adhered to.

## **11. COLLECTIVE/GROUP COMPLAINTS**

- 11.1 If several people are experiencing bullying or harassment from the same source, and wish to lodge a complaint as a group, they should nevertheless submit individual statements about their experience of the behaviour that is complained about.
- 11.2 If each of the complaints is raised as a formal grievance, as long as the issue is of a similar nature in each case, it can be dealt with in one hearing through the grievance procedure.
- 11.3 Outcomes of collective complaints will be advised to each individual on a personal basis.

## **12. FURTHER GUIDANCE**

- 12.1 Formal advice and guidance is available from the Academy HR Manager and HR provider.

## **APPENDIX 1 - Examples of Harassing & Bullying Behaviours**

Some examples of harassment and bullying are set out below. These lists are not exhaustive but are designed to give an idea of the range of conduct that can be included within the terms bullying and harassment. It should also be remembered that more than one behaviour may be exhibited, and similar behaviours occur under different headings.

### **Examples of bullying behaviours**

- Ignoring or sending others to 'Coventry'
- Making insulting or offensive comments about others
- Shouting and getting abusive with others
- Pointing your finger, invading personal space, shoving, blocking or barring the way
- Withholding information that affects other people's jobs
- Humiliating or ridiculing others about their work
- Ordering others to work below their level of competence for no reason
- Removing areas of responsibility without consultation
- Spreading rumours or gossip
- Suggesting that others should resign
- Highlighting errors or mistakes made by others in the presence of others
- Being hostile to others
- Constantly criticising others' work and efforts
- Ignoring the views of others
- Playing practical jokes on people
- Setting unreasonable tasks or deadlines
- Creating an unmanageable workload
- Making false allegations against others
- Engaging in unjustified and/or overzealous monitoring of the work of others
- Removing the rights of others
- Threatening violence to others
- Physically attacking others
- Using malicious or insulting language.
- The use of online/social media methods with respect to any of the above behaviours

### **Examples of Racial Harassment/Discrimination/Victimisation**

- Abusive language and racist "jokes".
- Racist name-calling.
- Display of racially offensive written or visual material including graffiti, badges, etc.
- Physical threats, assault and insulting or abusive behaviour or gestures.
- Open hostility to ethnic minority workers, including organised hostility in the work place.
- Unfair allocation of work and responsibilities.
- Exclusion from normal workplace conversation or social events i.e. being "frozen out".
- Ridicule of an individual for cultural differences e.g. food, music, dress, appearance.
- Derogatory use of stereotypes.
- Exclusion from training/promotion or career advantage on race grounds.

- Any of the above examples of harassment in relation to ethnic or national origin.

### **Harassment on grounds of Religion and Belief**

- Ridicule of an individual for religious and cultural differences.
- Inappropriate or intrusive questioning regarding religious background, beliefs or culture.
- Verbal or other abuse in relation to the prayer, dietary or other requirements of the religion concerned.
- Unfair treatment, ridicule or hostility towards employees wearing traditional and/or religiously prescribed dress or hairstyle.

### **Examples of Sexual Harassment/Discrimination/Victimisation**

- Unwanted, unreciprocated and degrading sexual comments, looks, "jokes", gestures, suggestions etc.
- Issuing compromising invitations.
- Demands for sexual favours i.e. pestering.
- Sexual assault and rape.
- Display of sexually offensive written or visual material e.g. pin ups, graffiti, magazines etc.
- Intrusive questioning or comments about a person's sexual activity or preferences.
- Unwanted physical contact of a sexual nature e.g. unnecessary touching, patting, pinching or brushing against another employee's body.
- Open hostility, including organised hostility in the work place.
- Unfair allocation of work and responsibility.
- Exclusion from normal work place conversation and social activity.
- Ridicule or the use of derogatory stereotypes.
- Exclusion from training/promotion or career advantage on gender grounds.

### **Examples of Harassment/Discrimination/Victimisation on the grounds of Transgender**

- Laughing at someone because they look different, or do not fit within an accepted gender look
- Unwanted, unreciprocated and degrading sexual comments, looks, jokes, gestures, suggestions etc.
- Inappropriate touching
- Denying someone the right to express their gender identity openly

### **Examples of Harassment/Discrimination/Victimisation on the grounds of disability**

- Abusive language, name-calling and "jokes" about disability.
- Unwanted and degrading comments, looks, gestures.
- Intrusive questioning or comments concerning an individual's disability.
- Denial of assistance when required.
- Displays of offensive written or visual material.
- Physical threats and abuse.
- Unfair allocation of work and responsibilities.
- Exclusion from normal workplace conversation or social events.
- Open hostility, including organised hostility in the work place.
- Ridicule of an individual e.g. appearance.
- Use of derogatory stereotypes.

- Inaccessible work places, equipment and accommodation.
- Exclusion from training/promotion or career advantage on grounds of disability.
- Assumptions that any sickness absence is a result of an individual's disability.

### **Examples of Harassment/Discrimination/Victimisation on the grounds of sexual orientation**

- Unwanted and degrading comments, looks, gestures etc.
- Intrusive questioning of comments concerning an individual's sexual or social activity or sexual preferences.
- Displays of offensive written or visual material.
- Physical threats and abuse.
- Unfair allocation of work and responsibilities.
- Exclusion from normal work place conversation and social events.
- Open hostility, including organised hostility in the work place.
- Ridicule of an individual.
- Ignoring an individual's sexual orientation, when it is clearly known, requiring the individual to have to restate their sexual orientation
- Use of derogatory stereotypes and language e.g. phrases such as "you're ok but most gay men are....."
- Unwanted assumptions or speculation about an individual's sexual orientation.
- Exclusion from training provision or career advantage on grounds of sexual orientation.
- Abusive language, name-calling and "jokes" regarding an individuals' sexual orientation (real or perceived)
- Abusive language, name-calling and "jokes" regarding the sexual orientation (real or perceived) of those an individual associates with
- Denying someone the right to express their sexual orientation openly
- The above applies equally to the harassment of heterosexual people as they do to lesbians, gay men or bisexuals

### **Age harassment**

- Derogatory age-related remarks
- Unjustifiable dismissal of suggestions on the grounds of the age (or youth) of the person.
- Age-based jokes or comments, offensive cartoons, drawing, symbols, or gestures
- Exclusion from informal groups such as social events
- Making and acting on assumptions about what a person of a particular age can/cannot do
- Excluding from consideration for training and development, promotion, etc.
- Constantly referring to a person's age in a manner that directly states or implies this as reason they are (allegedly) not competent

### **Personal harassment**

- Lack of tolerance of personal difference includes making fun of personal circumstances or appearance.

## **Detriment Relating to Union Membership**

### **Legal reference: Trade Union and Labour Relations (Consolidation) Act 192 s.146**

A worker shall have the right not to be subjected to any detriment or harassment by his employer, or any individual, on union recognition related grounds. Such grounds may include the worker seeking to obtain recognition of a union, indicating support for recognition or voting via a ballot.

Any detriment incurred on these grounds entitles a worker to bring a complaint to an Employment Tribunal. It will be for the employer to show that the ground on which he acted or failed to act was not union related. If the Tribunal finds the complaint well-founded it may award compensation. There will also be a new right for an employee to claim that his or her dismissal was unfair if it was on union recognition related grounds.

## **Harassment on the grounds of Part-Time Working**

### **Legal reference: The Part-time Workers (Prevention of Less Favourable Treatment) Regulations (2000)**

Workers should not be subjected to detriment on the grounds of their working hours e.g. part-time or fixed-term status.

It is important to note that because most part-time workers are women, if they are treated less favourably than full-time workers, this could amount to indirect discrimination under the Sex Discrimination Act.

## **Methods**

It is important to note that all of the above apply in face-to-face situations, use of e-mail, visual images (e.g. circulating pictures of a sexual nature or embarrassing photos of colleagues), phone (including mobiles and texting) and automatic supervision methods such as computer recording of downtime from work, or recording telephone conversations – if these are not universally applied to all workers.

The Equality Act 2010 allows for protection from discrimination by association. This is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although this does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

## APPENDIX 2 – Language Guide

Language has an important role to play in promoting equality because of its power to shape thought and social interaction.

All of us, regardless of our position in our organisation or in society, communicate with other people. The way we do this will influence the way we and the organisation for which we work are viewed.

Key points to note:

- The language we use as an employer or service provider can shape the attitudes of our employees toward themselves, one another, their employer and the community they serve.
- Society tends to put people into categories: disabled people, women, black and ethnic minority groups, etc. But these should not be seen as separate groupings of people of the same kind. What is acceptable to some members of a group may not be to others.
- Language often carries baggage that reflects the stereotypes that people have about those who are different from themselves, and it is important to look beneath the actual words to ensure the assumptions we hold about people are based on fact and not misinformation or prejudice.
- Language is naturally dynamic, constantly evolving and changing. Words can go in or out of fashion, leaving people unsure about what is 'right'.
- The label 'political correctness' is often used as an excuse, a criticism or accusation by people unwilling or unable to take responsibility for their actions.
- Negative images about people or groups are often conveyed through humour. While poking fun at a particular group may not be intended to be offensive, it does little to help promote a positive image.

### Race and Language

Communication with employees and service users takes many forms. The language we use should give employees, and the communities we serve, a clear message that we value diversity and respect individual difference.

#### **Minority Ethnic community/communities:**

The idea of 'minority ethnic communities' can lead to misunderstanding if it leads to thinking that the needs of the group are all the same. There are, of course, cultural similarities between some groups of people, but there are likely to be as many, if not more, cultural differences. Even within groups of people of generally homogeneous ethnic background, for example Bangladeshi or Caribbean, there will be many cultural and other differences.

Making assumptions about an individual's or family's needs and requirements on the basis of their ethnic and cultural background may cause problems.

**Black:**

This term is not acceptable to all people from ethnic minority backgrounds. For some, 'black' has a positive political connotation, used to define themselves within a particular group, regardless of their apparent skin colour. Others take 'black' more literally to mean someone with very dark skin. Some people of Asian background find the term offensive when applied to them, while other people will not wish to be called 'black' because of its political connotations.

**“Black and Minority Ethnic” (BME):**

This term covers the whole spectrum of minority ethnic communities whether “visible” or not.

**British:**

Care should be taken that the term British is used in an inclusive way and not as a synonym for White European. Black and Asian people are British and may want to define themselves positively as such, or indeed as English, Welsh or Scottish.

**White European:**

It should be remembered that Irish people are not the only minority ethnic group who would categorise themselves as White European, and in particular parts of the country there are national and cultural communities with particular needs who would see themselves as White European minority groups.

**Asylum seekers and Refugees:**

While race is not strictly a factor in the terminology in this area, the ethnic background of asylum seekers and refugees is often an area where controversy arises.

Refugees are people who have fled from their usual place of abode to avoid persecution. Asylum seekers are people who have no established right to stay in this country but are seeking the right to remain by claiming asylum on the grounds of their fear of persecution in their home country. Refugees are likely to seek asylum, but not all asylum seekers are refugees. This term has acquired negative connotations in part because of the number of economic migrants who have claimed asylum and have not succeeded.

**Unacceptable Terms:**

It is generally inappropriate for the Academy or its staff to dictate how people refer to themselves. Some of the terms which are recognised today as unacceptable may still be used by some people of minority ethnic backgrounds for example, coloured. By being sensitive to people's preferences it should be possible to avoid offence to individuals.

**Gender and Language**

The central issue here is the use of terms, which exclude or denigrate women. To be able to promote gender equality effectively, and to make the best use of the skills and abilities of our female employees we should promote positive images of women both internally and externally. This is very difficult if the language an organisation uses excludes women.

Language must make women visible both as employees and as service users to ensure that their contribution is recognised and their needs identified. This will give women more confidence in their roles. It is important to



remember that women are a very varied group. The needs, concerns and perspectives of ethnic minority women, disabled women, older women and lesbians or gay women, for example, may be different.

The English language appears to have evolved on the assumption that the world is male. We say ‘the man in the street’, or ‘manning the phones’, and talk about the tax man, lay man etc. ‘She’ is apparently implicit in ‘he’. Our laws refer to the male gender only, as much of our public language has done until recently. This approach can make women and their contribution to society seem invisible.

In addition, for many professions with non-gender-specific titles, there is a strong male stereotype in operation. How often do we visualise women when we talk of a judge, a solicitor, or an accountant? How often do we visualise men when we refer to a nursery nurse, a secretary or a cleaner?

With a little thought and imagination it is easy to ensure that women are ‘visible’, and seen in a positive light:

- Ensure that the female gender is clearly identified in any reference to people in general.
- Say the ‘man and woman in the street’ or ‘person in the street’ for example, and ‘his or her’ or ‘he or she’ when no particular person is being referred to.
- Try to use non-gender-specific terms when referring to general action by people. For example ‘manning the phones’ can be replaced by ‘answering the phones’, and ‘manpower planning’ by ‘staffing’ or ‘human resource planning’.
- Ensure the female gender is not excluded in written material. One option is to use he or she or s/he in writing, although this is not always easy, and repetition can make written material clumsy. In most cases it is possible to rephrase the text so that it avoids reference to either gender and still remains clear. (Using the plural means the use of “they” and “their” is grammatically correct, although there are those who would also use this formulation in the singular.)
- Many job titles or roles which are traditionally identified in male terms have non-gender-specific alternatives. What is required is the will to make the change. Once the change is made; the new terms will become accepted as natural and stop seeming awkward to remember. For example:

Chairman	=	Chair <b>person</b> or Chair
Fireman	=	Fire <b>fighter</b>
Foreman	=	<b>Supervisor</b>
Workmen	=	<b>Workers</b>
Spokesman	=	Spokes <b>person</b>

### Disability and Language

The language and terminology generally used around disability and to describe disabled people communicates an overwhelmingly negative message.

If a disabled person ‘breaks the mould’, this is often portrayed as a near miracle, achieved only because of the tremendous ‘bravery’ and ‘determination’ of the individual, or because of the kindness of others. This reinforces the idea that the ordinary disabled person’s lot is a naturally unhappy one.

It is important that all employees and service providers use language to communicate a more positive image of disability. Disabled employees and potential employees need to know that their skills and abilities are valued. For service providers, the language used should convey a respect for disabled people's rights. It is important to inspire confidence, that needs are properly understood and will be met in a way which affords independence and dignity.

Many of the words and phrases commonly used in relation to disability create a view of disabled people as helpless, dependent and limited, e.g. confined to a wheelchair or wheelchair-bound.

A wheelchair, like a car or bicycle, is simply a mobility aid which enables people to get around. We do not refer to motorists as confined to a car or cyclists as bicycle-bound. If wheelchairs are restricted, it is likely to be by an environment which has been built for the non-disabled. An effective and accurate alternative is wheelchair-user.

It is also common for words and phrases to be used to refer to disabling conditions which imply that a great deal of pain and suffering is involved, for example:

- crippled by polio
- afflicted with epilepsy
- suffering from spina bifida
- a victim of blindness

These emotive terms again emphasise the supposedly tragic nature of disability and locate the problem with the individual's condition or impairment. While some disabled people will suffer as a consequence of their disability, this is not necessarily always the case.

If you have to refer to a person's condition at all, it is far better to use neutral terms such as 'had', 'has', or 'with'. For example: She had polio, he has epilepsy and she is a person with spina bifida.

### **Age and Language**

British culture does not value older people highly and this is reflected in language. 'Old' carries connotations of being worn out and of little further use. It is even used as a term of abuse. For example:

- old woman (applied to a supposedly fussy man)
- old fool
- old codger

or there are patronising terms such as: old dear or old biddy.

The media also tends to portray young people as beautiful, glamorous and capable, while older people are more often portrayed as funny or ridiculous, conservative and crotchety, helpless and vulnerable, or even dirty and unkempt. These stereotypes inevitably affect attitudes, including perhaps older people's expectations.

We clearly should not make assumptions about the value of people based on their age. It is better to use neutral terms such as 'elderly' or 'older' as appropriate when referring to people. For example:

- older workers

- services for elderly people
- elderly relatives

Age issues also affect younger people. It is wrong to make stereotypical assumptions about younger people's reliability, sense of responsibility and their capability on the grounds of their age.

### **Religion and Language**

It is important to be respectful of people's religious beliefs and be aware that the language we use may offend some people if it offends their religious beliefs.

The most commonly used inappropriate terms in this country tend to refer to Christianity. Use of the terms 'Jesus Christ' and 'God' as exclamations may offend and should be avoided.

It is important that all employees acquire a basic awareness of the communities within which they work and cultural awareness training should include an overview of the religious belief systems of the communities concerned

References to religious deities and their representation should be avoided and employees should be encouraged to be respectful of and sensitive in the way in which we refer to the religious beliefs and customs of all faiths.

Many people are prepared to talk about their religious beliefs to people that they know, but there is no place for intrusive questioning and if someone is not prepared to discuss such matters this should be respected.

There are some aspects of language usage which are influenced by the historical Christian heritage of the UK, but which could offend or puzzle someone of another faith. One obvious example is that when referring to a person's name, you should not use the term 'Christian Name'. Use 'forename' instead.

### **Sexuality and Language**

Language and terminology around the issue of sexuality has been largely influenced by ideas about normality. Fear and hostility is felt and expressed by society with regard to what are still perceived as unnatural lifestyles or behaviour. Not surprisingly, our language abounds with insults and derogatory terms for gay men and lesbians.

The layers of myth and misunderstanding around the issues are deep and complex. The term 'gay' is an adjective and should not be used as a noun, i.e. do not refer to "a gay". The term can be taken as referring to both men and women, as in 'the gay community', but it is more commonly used to describe men than women. It has already been mentioned that inappropriate use of language can make women less visible than men. Referring only to 'gay people' or the 'gay community' may have that effect. This can be resolved by using 'gay men and lesbians' or 'gay men and women' or just 'lesbians' if only women are being referred to.

- **Homophobia** can be defined as an irrational hatred, disapproval or fear of gay and lesbian people and their culture, and also describes the behavior that results from those feelings.
- **Heterosexism** is the assumption that heterosexuality is universal and/or superior to homosexuality, and also describes the prejudice and discrimination that arises from that perception.

There are a number of specifically homophobic terms of abuse. They are well known and understood by most people to be unacceptable and should not be used when referring to lesbians, bisexual people and gay men, avoid using the following types of phrase:

- 'gays often do those types of jobs'
- 'a woman with lesbian tendencies'
- 'a person of the other persuasion'
- 'he/she bats for the other side'

Terms usually perceived as patronising:

- 'I don't think of you as being gay'
- 'some of my friends are gay'
- 'you being gay isn't a problem for me'
- 'when did you first *decide* you were gay?' (it is better to say *realise*)

Don't assume a person's sexual orientation by clumsy use of questions such as:

- 'are you married?'
- 'what does your wife do for a living?'
- 'do you have a girlfriend?' (to a man)

**LGBT** - Is an acronym for Lesbian, Gay, Bisexual and Transgender. While members of these groups may form a "community of interest", for some purposes, it is important to remember that the needs and expectations of each group and the individuals within them will not be the same.

**Transgender, transsexualism and transvestism** are complex subjects. All transsexual and transvestite people are individuals, each with differing backgrounds, circumstances and needs. An individual's gender identity – their emotional and psychological sense of being male or female - may not necessarily be the same as their biological identity. A minority of people may be intersex, having sex chromosomes or physical characteristics, which are not standard for males or females.

#### **IF IN DOUBT – ASK!**

If you are in doubt about how to describe an individual or an issue, simply ask the individual concerned what description they would prefer.