

Draft Dignity at Work Policy

1.Introduction

The Council, together with the Trade Unions are committed to working towards creating a working environment in which all employees are treated fairly, with dignity and respect, and where a zero tolerance approach to harassment, discrimination, bullying or victimisation is taken.

The aims of this policy are to ensure the following:

- All employees understand their Roles and Responsibilities
- All employees are aware and can follow the Key Principles of Dignity at Work
- All employees have an understanding of what constitutes harassment, discrimination, bullying or victimisation
- All employees have an understanding of how to tackle Dignity at Work issues informally
- All employees know where they can go to seek support for Dignity at Work related issues, and feel confident that the organisation will treat them fairly and equally.

This policy should be read in conjunction with the following policies:

- Code of Conduct
- Equalities Strategy
- Whistleblowing Policy
- Disciplinary Policy
- Social Media Policy
- Grievance Policy
- Safeguarding Policy
- Equal Opportunities Policy

Please contact your manager if you do not have access to these policies.

2. Key Principles of Dignity at Work

1. The Council expects all employees to recognise their responsibilities in relation to Dignity at Work and:
 - behave in a way that respects the rights and dignity of others
 - treat others fairly
 - value differences in others and the contribution they make
 - be open and constructive in our communications
 - demonstrate a commitment to upholding the Council policies on equality and diversity
2. The Council will not tolerate bullying, harassment, discrimination or victimisation and complaints will be handled, confidentially as far as possible.
3. The Council will promote an environment in which people who are subject to inappropriate behaviour or witness it feel able to raise complaints without fear of victimisation.
4. All staff are encouraged to bring to the attention of managers any examples of any unfair treatment they have witnessed or strongly suspect is taking place.
5. The Council encourage staff to deal with any harassment, discrimination, bullying or victimisation through informal resolution where appropriate. Seeking to address the situation informally can lead to a quicker resolution that causes minimal disruption to relationships.
6. On occasion, individual perceptions of behaviour may differ, perhaps due to differences in attitude, values, experience or culture, and what one person would consider acceptable behaviour may be unacceptable to another. The defining factor in determining if behaviour amounts to harassment is that the behaviour is unacceptable to the recipient and could 'reasonably be considered' to amount to harassment.
7. If, at any time, there is evidence that allegations of harassment, discrimination, bullying or victimisation have been made vexatiously* or maliciously, or that false information has been provided or that the complainant has otherwise acted in bad faith then disciplinary action may be taken.
8. Any allegation of harassment, discrimination, bullying or victimisation will be treated seriously and will be investigated and anyone found to have behaved unacceptably may be the subject of disciplinary action.
9. The Council will support all parties involved in the process, including those who have had allegations made against them.

* Vexatiously – an accusation made without sufficient grounds and serving only to cause annoyance to someone

3. Dignity at Work – Definitions

The Council ultimately wish to see all harassment, bullying, discrimination and victimisation removed from the organisation. In addition to this the organisation has a specific legal responsibility to safeguard the protected characteristics of individuals from harassment, bullying and discrimination and victimisation relating to those said characteristics. Our procedures set out the process by which all of those unwanted behaviours are addressed for the benefit of all our staff and contractors.

3.1 Definition of Harassment

Harassment is unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Harassment can be between two individuals or it may involve groups of people. It might be obvious or it might be insidious. It may be persistent or an isolated incident. Harassment is not necessarily face to face, it may occur through written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), email and telephone.

Examples of harassment may include spreading rumours, ridiculing or demeaning, undermining a competent worker, making unwelcome sexual advances, touching, standing too close, display of offensive materials, making decisions on the basis of sexual advances being accepted or rejected.

3.2 Definition of Bullying

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power to undermine, humiliate, denigrate or injure the recipient.

In addition the Council recognises that bullying does not need to be deliberate; someone may demonstrate bullying behaviour, without intending to. Bullying may be obvious or it may be more covert. Whichever form it takes, it is unwarranted and unwelcome to the individual and will often cause embarrassment, fear, humiliation or distress to an individual or group of individuals.

Obvious Signs	Less Obvious Signs
Open aggression, threats, abuse and obscenities, shouting and uncontrolled anger triggered by trivial situations.	Excessive supervision and monitoring and being excessively critical about minor things with malicious intent.
Humiliating, ridiculing or belittling in front of others, persistent criticism or sarcasm.	Taking the credit for the other person's work but never the blame when things go wrong.
Personal insults and name-calling, spreading malicious rumours.	Overruling an individual's authority without warning or proper discussion.
Freezing out, ignoring, excluding to isolate victim.	Setting impossible objectives or changing targets without telling person.
Never listening to other's point of view, always cutting across people.	

3.3 Definition of Victimisation

Victimisation is where a person is treated less favourably than other people because, for example, that person has brought proceedings, given evidence, or complained about the behaviour of someone who has been bullying, harassing or discriminating against them.

3.4 Electronic Bullying/ Harassment and the Use of Social Networking Sites

Electronic bullying/harassment can take place through electronic media, for example, email, instant messaging, social networking websites (e.g. Facebook, Twitter, blogs), or text messages. When sending emails, all members of staff should consider the content, language and appropriateness of such communications

If instances of what might be online harassment or bullying are reported they will be dealt with in the same way as if they had taken place in a face-to-face setting.

3.5 Definition of Unlawful Discrimination and the Law

Unlawful discrimination, as legally set out by the Equality Act 2010, means treating a person or group of people less favourably based on a protected characteristic. The protected characteristics are; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It can be either direct or indirect.

- Direct discrimination is treating someone less favourably because of one or more of the attributes above and is determined through comparisons with how others have been treated in similar circumstances.
- Indirect discrimination happens when there is a policy or a rule or a way of doing things that might appear on the surface to be fair or neutral, but which has an unequal effect on certain groups of people.

The legal position in terms to bullying is more complex and there is no separate legislation which deals with workplace bullying in isolation. Bullying might be part of discriminatory behaviour or related to different legal principles. Employees who bully or harass a colleague may find, where a claim is proven, that their actions break criminal as well as civil/ employment law and become personally liable to pay compensation.

4. Roles and Responsibilities

It is the responsibility of all staff and contractors to:-

- Report to an appropriate person* any issues relating to Dignity at Work
- Report any incidents relating to dignity at work they may have witnessed, and participate in any further investigation
- Understand the Key Principles of Dignity at Work and work with the Council to promote zero tolerance of harassment, discrimination, bullying or victimisation.
- Attend training related to Dignity at Work and any other relevant training

It is the responsibility of anyone in a supervisory role to:-

- Ensure that all employees understand the Key Principles of Dignity at Work, and work with the Council to promote zero tolerance of harassment, discrimination, bullying or victimisation
- Ensure the fair and consistent application of the Dignity at Work Policy
- Work with employees to resolve issues fairly, quickly and consistently when raised, and seek support from Human Resources if and when required

It is the responsibility of the Human Resources Department to:-

- Advise and support line managers and those in supervisory roles in a consistent and timely way, in cases where further action may be required.
- Provide specialist advice and training to those in supervisory roles to assist them to manage Dignity at Work.
- Advise line managers and employees on the policy, procedure and relevant legislation and how it should be applied.

It is the responsibility of Directors/ Heads of Service /Elected Members to:

- Attend training related to Dignity at Work and any other relevant training
- Ensure the fair and consistent application of the Dignity at Work Policy/ Guidance.
- Support and communicate the Key Principles and policy/guidance to the organisation.
- Ensure that all employees understand the Key Principles of Dignity at Work, and work with the Council to promote zero tolerance of bullying and harassment.

*See list of appropriate internal contacts on page 6

5. Tackling Dignity at Work Issues Informally

Raising a complaint of harassment, discrimination, bullying or victimisation whether on an informal or formal basis can be difficult. The sooner issues are raised the easier they are to tackle.

In most cases it is beneficial to begin by tackling the situation informally. Below are some options available for you to follow if you feel you can tackle the issue informally. If you feel you need support in going through these options then please go to the next section 'Reaching out for support'.

Tackling Dignity at Work issues informally

Option 1
Try talking to the person?

This is useful when the working relationship is stable, and the issue is recent not when threats or violence have been involved

- Before talking to them....
- Identify the behaviours
 - Keep a record be specific
- During the meeting....
- Describe the behaviour
 - Say it is unwanted
 - Describe how it makes you feel
- Describe what appropriate behaviour looks like
- Seek agreement
- Benefits....
- Issues can be resolved quickly

Issue Resolved

- Not resolved
- Try another option
 - Grievance Policy
 - Talk to support contact page 10

Option 2
Address in writing

Useful when talking to the person hasn't resolved the issues
Or a meeting is not possible. Not appropriate when the person is not able to deal with the potential responses to the communication or not prepared to talk about the difficulties

- Before writing the communication...
- Identify the behaviours that need to change
 - Identify alternative and appropriate behaviours
- When writing the communication....
- Clearly describe the negative behaviours and why they are unwanted
 - Describe how you want the situation to change
- What shouldn't you do....
- Don't make it too long
 - Don't personalise the bad behaviours
 - Don't be too emotional
- Benefits....
- Allows preparation
 - Enables you to say what you want

Issue Resolved

Option 3
Reach out for support

If you feel unable to go through Option 1 or 2 on your own, you can reach out to the support contacts on Page 10

- Not resolved
- Try another option
 - Grievance Policy
 - Talk to support contact pg 10

5.2 The Formal Process – The Grievance Procedure

If informal resolution has been unsuccessful/inappropriate or instances raised are of a severe nature then the issue(s) will need to be resolved under the Council's Grievance Policy.

Details of the grievance procedure can be found on the Orb, or by contacting your line manager, trade union, HR or Phone a Friend. If Dignity at Work issues are dealt with under the Grievance Policy they will immediately progress to the Formal Stage One.

6. Reaching out for Support

There are a number of internal and external contacts you can talk through any issues with in the first instance.

Internal Contacts

NOTE: *Whilst it will always be the aim to maintain confidentiality during any discussion that takes place on any of these matters, it may be the view of the internal contact that you are speaking to that the issue is so serious that an immediate investigation should be instigated, this will include any safeguarding issues (please refer to the safeguarding policy). It will be the role of the contact chosen to inform you of this at the outset of any discussion.*

Phone a Friend

There are a number of trained employees who are available to talk to and give support towards working to a possible resolution. You can contact them on the phone, via email or face to face in a meeting. If the issue is about your supervisor they will make your supervisors' manager aware of the situation where necessary to ensure that any action can be supported.

The purpose of the phone a friend is to be an impartial support; they will also be expected to sign a confidentiality statement. Contact details for the Phone a Friend volunteers can be found on the Orb under Staff Support: [Phone a Friend](#)

Line Manager/ Supervisor

You can talk to your supervisor if you have experienced or observed harassment, bullying, discrimination or victimisation, or if a complaint is made against you. If the issue is about your line manager you may wish to talk to one of the other contacts in the first instance.

Colleague

Sometimes discussing the issue with a colleague will help, they may be aware of the issue, they may be subjected to the same, and they may even have witnessed the issue. You should be aware that they may not wish to discuss the issue and should not be made to do so.

Human Resources or Union Representatives

You have the right at any time to discuss the issues with a Human Resources or Union representative.

External Contacts

Employee Assistance Programme (EAP)

The EAP offer around the clock, free and confidential assistance on a number of issues including, work, family and relationships, daily living, life events, personal issues such as stress and depression. Access to support can be on line by visiting www.workplaceoptions.com or Freephone:0800 243 458. Further details can be found on the Orb.

Equality and Human Rights Commission:

The Equality and Human Rights Commission challenge discrimination, and protect and promote human rights.

Citizen Advice Bureau

The Citizen Advice Bureau provides free, independent, confidential and impartial advice to everyone on their rights and responsibilities. They value diversity, promote equality and challenge discrimination.

Stonewall

Stonewall are an organisation that are working for equality and justice for lesbians, gay men and bisexuals.

Opportunity Now

Opportunity Now is the campaign on gender diversity from Business in the Community.