

Dignity at Work Policy

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DIGNITY AT WORK POLICY

INTRODUCTION

1. St Paul's recognises that staff and volunteers have the right to dignity and respect at work in an environment which is free from any form of bullying and harassment.
2. St Paul's will show zero tolerance to any form of bullying or harassment and anyone found to be in breach of this policy will be liable to disciplinary action which could result in their dismissal.
3. Service Managers have the additional responsibility to set the highest example through their own behaviour, to be vigilant and pro-active in preventing bullying and harassment and to ensure that staff for whom they are responsible are aware of, understand and adhere to this policy.
4. This policy is not contractual and does not form part of an employee's contract of employment. St Paul's reserves the right to make amendments to this policy from time to time at its sole discretion.

SCOPE

5. This policy applies to all employees of St Paul's including volunteers and relief staff. It should be used to deal with incidents of bullying and harassment, or intimidation, happens between members of staff. This policy should also be used when a client makes an allegation they have been bullied or harassed by a member of staff.
6. St Paul's will resolve such issues as quickly as possible and recommends where possible an informal approach should be adopted. If the behaviour concerned continues, or is of a serious nature in the first instance, formal proceedings should be pursued. Cases will be investigated maintaining the confidentiality of both parties as far as possible, although witnesses may need to be interviewed to collect evidence. In serious cases, the St Paul's may need to take immediate action, which could involve a reference to the police in cases of criminal behaviour.

PRINCIPLES

7. For dignity and respect to be embedded in the culture of St Pauls it will develop an environment in which every individual is valued and respected. It is the impact on the recipient of a particular form of behaviour, and not the intention of the perpetrator, that will define whether this policy is relevant in dealing with the impact.
8. In line with this policy, St Paul's will:
 - treat all allegations seriously and in good faith
 - investigate all allegations in a timely manner

- ensure that any allegations made maliciously will be dealt with in line with St Paul's disciplinary procedures.
9. All staff and volunteers of St Paul's are responsible for their own behaviour and it is expected that all individuals will comply with the standards of behaviour laid out in this policy.

RIGHTS AND RESPONSIBILITIES

10. All staff and volunteers have a responsibility to foster and to contribute towards the creation and maintenance of a culture of dignity and respect. Inappropriate behaviour should be challenged. Managers and others in a position of authority should lead by example and take prompt action to prevent and stop harassment and bullying when it occurs.

- All employees can expect to:
 - Be treated with dignity, respect and courtesy
 - Be able to work, study or visit free from unfair treatment, bullying, harassment or victimisation
 - Be valued for their skills, abilities and experiences.

and, reciprocally, all employees are expected to:

- Familiarise themselves with the content of this policy
- Treat all staff and volunteers of St Paul's with dignity, respect and courtesy
- Contribute towards a positive learning and working culture within St Paul's
- Challenge or report unacceptable behaviour
- Be mindful of others when expressing views
- Cooperate with investigations into harassment and bullying.

LEADERSHIP AND MANAGEMENT

11. Leadership is about setting the right example. Management is about addressing poor performance effectively and in ways that do not lead to a misinterpretation of their actions as bullying or harassment. If you are supervising anyone then you must treat staff fairly, to communicate effectively and to use appropriate measures to help colleagues to improve performance where necessary.

12. The key points are to:

- Remember that managing performance is a legitimate part of a managerial/supervisory role. There will be occasions when it is necessary to take difficult or unpopular courses of action.
- Be aware that it is stressful for an employee to be informed that they are not performing well.

- Be a good listener. Make sure colleagues understand and agree what has been discussed.
- Praise and recognise achievements.
- Keep communication channels open – check that staff feel able to communicate with management.
- Establish an inclusive work environment for all members of the team.

DEFINITIONS OF BULLYING AND HARRASSMENT

13. Bullying' is defined as *offensive, intimidating, malicious or insulting behaviour, an abuse of power through means that undermine, humiliate, denigrate or injure the recipient.*

14. 'Harassment' is defined as *unwanted conduct related to a relevant protected characteristic (*see below), which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.* Harassment is unlawful in many cases and individuals may be legally liable for their actions; in some cases their behaviour may also amount to a criminal offence.

a. *The 9 Protected Characteristics (as defined in the Equality Act 2010) are*

- *age*
- *disability*
- *gender reassignment*
- *pregnancy and maternity*
- *race*
- *religion*
- *sex*
- *sexual orientation*
- *marriage and civil partnership status*

15. Conduct usually becomes harassment if it continues once it has been made clear that it is regarded by the recipient as offensive or unwanted, although a single incident may amount to harassment if sufficiently serious. It is the unwanted nature of the conduct that distinguishes harassment from friendly behaviour which is welcome and mutual.

16. Harassment can occur whether or not it is intended to be offensive, as it is the effect on the recipient (or complainant) which is important, not whether or not the perpetrator (or alleged harasser) intended to cause offence.

17. Examples of bullying and harassment may include (but are not limited to):

- unwelcome sexual advances or attention, or environmental harassment such as the open display of pornographic material¹;
- spreading malicious rumours or gossip (including by use of e-mail, texts and/or social media);
- jokes (including stereotypes) and offensive language;
- insulting someone on grounds of their protected characteristic;
- exclusion from social or group activities (or conversely coercing them into taking part against their wishes for fear of being ostracised or belittled);
- victimisation;
- unfair treatment;
- ridiculing or demeaning someone, for example making fun of the way they look or speak;
- overbearing supervision or other misuse of power or position;
- deliberate undermining by constant criticism.

18. It should be noted that legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not usually amount to bullying on their own. However, supervisors and managers are expected to set a good example in treating staff courteously, without victimisation and in setting reasonable tasks and achievable objectives in line with the individual's role.

19. Third party harassment occurs when the perpetrator is not an employee (or volunteer) of the organisation, but someone else the recipient comes into contact with as a result of carrying out their duties at work, eg a supplier, sub-contractor, service user or other stakeholder or partner. It remains the responsibility of the organisation to deal with such incidents and to protect their staff from third party harassment.

20. Malicious complaints of bullying or harassment can have a serious and detrimental effect upon those accused and the workplace generally. Any unwarranted allegation of bullying or harassment made in bad faith will be dealt with via the St Paul's Disciplinary Procedures in order to protect the integrity of this policy.

¹ The licence agreement forbids the display of pornographic material in bedrooms.

PROCEDURE

21. Stage 1. Informal stage

- a. In some cases, it may be possible to rectify matters informally and wherever possible the recipient should let the perpetrator know that they have caused offence and request that they stop immediately. In many cases, the perpetrator may be unaware of the other party's distress or discomfort and this may be all that is needed to get them to stop.
- b. Alternatively, the recipient may prefer to request assistance from a colleague who may be able to offer another perspective on the matter or provide reassurance and support. External confidential and impartial advice can be obtained from the Citizens Advice Bureau or the ACAS Helpline (0300 123 1100).
- c. Where the recipient is still unsure as to whether an incident or series of incidents which have occurred constitute bullying or harassment, advice can be sought from a member of management on an informal confidential basis.
- d. In the event that the bullying or harassment is more serious, or if after asking the perpetrator to stop they continue, the recipient will wish to consider making a formal allegation.

22. Stage 2. Formal stage

- a. To initiate a formal complaint, in the first instance, the recipient (the complainant) should advise their manager that they consider that they have been subjected to bullying or harassment at work. Where the complaint is against their manager, they should refer to another senior person.
- b. Consideration will be given to the separation of the parties, whilst at work, taking into account the views of the complainant and any other practical considerations. Where it is necessary to facilitate ongoing professional relations between the parties, other possibilities such as an embargo on meetings without a third party present should be considered and facilitated by management. In the most serious cases, the alleged harasser may be suspended (on full pay) in order for the complaint to be investigated; in these circumstances, suspension is a neutral act and does not suggest that the complaint is more likely to be substantiated than not.

- c. The complainant will be interviewed by their manager or an alternative person appointed by management to establish the full details of what happened; they have the right to be accompanied by a work colleague. Notes should be taken and a thorough investigation will then be carried out as quickly as possible. The investigation will be carried out sensitively and with due respect for the rights of both parties.
- d. The investigation will involve interviews with the alleged harasser and any other relevant witnesses. The alleged harasser will have the right to be accompanied by a work colleague at any interviews/meetings. The alleged harasser will be given full details of the allegations and given the opportunity to respond and provide any contradictory evidence or details of other witnesses who can support their evidence.
- e. The investigation may also require an examination of relevant documents including e-mails.
- f. Confidentiality will be maintained throughout the investigation. Where it is necessary to interview witnesses, the importance of confidentiality will be emphasised to them.
- g. When the investigation has been completed, a report will be compiled and a management assessment will be made as to whether the allegations are substantiated. Both parties will be advised and informed of the next steps.
- h. If the allegation is substantiated, disciplinary action may be taken against the alleged harasser in line with St Paul's disciplinary procedures and in serious cases may result in the individual's dismissal.
- i. In some cases management may consider that mediation between the parties would be beneficial and both parties will be encouraged to partake². However, this will not be enforced if either or both parties are unwilling.
- j. Alternately, if the allegation is without merit or unsubstantiated, consideration may be given to whether it is necessary to transfer or reschedule the work or working patterns of both or either party, temporarily or permanently, where it would not be appropriate for the parties to continue to work in close proximity to each other.

² Reasonable costs of mediation services will be met by St Paul's.

- k. Management will ensure that relationships between the parties and with others are monitored and will act quickly in the event of any further breaches or retaliatory behaviour.

RECORDING OF COMPLAINTS

23. If a complaint is found to have no substance no records will be held on individual files, but a note of action taken will be kept confidentially and held by the senior management team.
24. Correspondence relating to the action and the outcome will be held for two years where the manager finds that there is substance to a complaint, or where it is accepted by the person against whom the complaint has been made that there is substance to the complaint. Provided no further accusations of bullying or harassment have been made, and found to have substance, during this period, the record will then be destroyed.
25. Where formal disciplinary action is taken, records will be held in accordance with the timescales in the relevant disciplinary procedures.

MONITORING AND REVIEW

26. In order to review the effectiveness of this policy and the related procedures, St Pauls will monitor the level and nature of incidents of bullying and harassment. The responsible manager involved in the case will keep records to be reported to the trustees of St Pauls on an annual basis. All personal details will be anonymised.