

Bridgewater Housing Association

Dignity at Work Policy

Purpose

- 1 The purpose of this policy is to ensure that behaviour that could be construed as harassment or bullying in the workplace is prevented. Where this does occur, the policy aims to ensure that appropriate and effective action is taken to prevent any recurrence.
- 2 The policy also outlines the responsibilities of all staff, managers and board members and sets out how grievances under the policy are managed.

Scope

- 3 This policy covers all Board members, (in their role as employer), employees, contractors, temporary workers and prospective employees. The policy applies to all aspects of employment, from recruitment and selection through to termination of employment.

Background

- 4 Bridgewater Housing Association values diversity and has made a commitment to processes and procedures that are fair, objective, transparent and free from unlawful discrimination.
- 5 We are committed to creating a work environment free from unlawful discrimination, harassment and bullying, where everyone is treated with dignity and respect.
- 6 Under the Equality Act 2010 no employee or potential employee may receive less favourable treatment or consideration on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These categories are known in the act as 'protected characteristics'.
- 7 We will not tolerate bullying and harassment of any kind. Harassment and bullying can have very serious consequences for individuals. It may affect their work performance and could cause them to leave their jobs. It may also make people unhappy, affect their self-esteem, may cause them stress and affect their health and family and social relationships.

- 8 Harassment, bullying and victimisation are, in the eyes of the law, forms of discrimination and as such unlawful. Serious harassment may be a criminal offence.
- 9 Breaches of the Association's dignity at work policy will be dealt with under the Association's disciplinary procedures and could lead to dismissal in serious or repeated cases.

Procedure

Employer's responsibility

- 10 The Association is committed to creating a work environment free from unlawful discrimination, harassment and bullying, where everyone is treated with dignity and respect.

Manager's responsibility

- 11 Managers have responsibility for ensuring that staff reporting to them are aware of the Association's policy and that any violation of the policy which comes to their attention is treated seriously.
- 12 They are also responsible for ensuring that their staff attend equality and diversity training which, from time to time, the Association will organise.

Employee's responsibility

- 13 Employees have personal responsibility for the practical application of the Association's dignity at work policy.
- 14 Any issues which contravene the dignity at work policy should be raised with the relevant manager, the Corporate Services Manager or the Chief Executive.

What is harassment?

- 15 Any form of harassment will interfere with an individual's performance and approach to work and may affect their attendance at work.
- 16 Harassment can be any unwanted attention or behaviour that a person finds objectionable or offensive and which makes them feel threatened or uncomfortable, leading to a loss of dignity or self-respect.
- 17 Harassment can take many forms and may include the following;
 - Unnecessary and unwanted physical contact ranging from touching to serious sexual or physical assault.
 - Derogatory or degrading comments relating to a person's equality characteristic.

- Unwanted non-verbal conduct, including sexually suggestive gestures, staring and leering.
- Unwelcome sexual advances, propositions or pressure for sexual activity including offensive suggestive remarks, innuendos or lewd comments and suggestions that sexual favours may result in employment benefit (or that refusal of such suggestions may result in some form of detriment).
- Continued suggestions for social activity outside the work place after it has been made clear that such suggestions are unwelcome.
- Display, storage or circulation of offensive material (including pictures, objects, written materials or information held on computer).
- Unfair treatment, which might include deliberate exclusion from conversations or events at work, for reasons based on a person's equality characteristic.
- Comments which have the effect of isolating or humiliating a member of staff, including by reason of their equality characteristic.
- Making gestures that mock a person's equality characteristic.
- Offensive, hostile, intimidating, malicious or insulting behaviour, an abuse or misuse of power which is meant to undermine, humiliate or injure the person on the receiving end.
- Spreading malicious gossip about an individual
- Singling someone out for unwarranted criticism about e.g. appearance, work performance, speech, language, lifestyle etc.

18 This list is not exhaustive. It contains illustrative examples of harassing behaviour which may take a wide variety of forms. Annex A explores in more detail the main forms of harassment.

What is bullying?

- 19** Bullying is a more general form of harassment that is not based on race, sex or any other equality characteristic. As with harassment it can be defined as words, actions or other conduct which ridicules, intimidates or threatens and affects individual dignity and well-being. It is generally behaviour that can be identified as a misuse of power.
- 20** People affected by bullying often feel the matter appears trivial or that they may have difficulty in describing it. Bullying behaviour is largely identified not so much by what has actually been done, but rather by the effect that it has on the recipient.

21 Examples of bullying include:

- persistently criticising unnecessarily
- shouting at colleagues in public or private
- deliberate isolation by ignoring or excluding a person
- withholding information or removing areas of responsibility without justification
- spreading malicious rumours
- blocking leave or training requests without reason
- deliberately setting objectives with impossible deadlines
- undermining a person's self-respect by treatment that denigrates, ridicules, intimidates, demeans or is physically abusive.

22 Legitimate, constructive and fair criticism of an employee's performance or behaviour at work is not bullying.

23 It is unacceptable to condone bullying behaviour under the guise of a particular management style. Effective management obtains results whilst ensuring that employees are treated with dignity and respect.

24 Harassment or bullying is not dependent on an intention to cause distress or hurt but is assessed by the impact the behaviour has on the recipient. As a result, it is possible that behaviour that is acceptable to some employees may cause embarrassment, distress or anxiety to others. Therefore, harassment or bullying relates essentially to the perceptions and feelings of the recipient.

Victimisation

25 Victimisation, that is treating colleagues less favourably because of action they have taken, for example making a formal complaint about someone, given evidence against a colleague or rejected advances is not permitted.

Harassment from members of the public

26 Employees dealing with the public may be subjected to racist, sexist or other offensive treatment. This will not be tolerated and appropriate action will be taken against the perpetrator, including action against a tenancy, where the perpetrator is a tenant and the action is a breach of a tenancy condition.

27 Where behaviour against our employees constitutes a criminal offence Police Scotland

will be informed and the Association will fully co-operate in any investigation leading to charges and conviction.

Raising a grievance

Informal Action

28 Where possible, breaches of this policy should be dealt with informally in the first instance. In many cases inappropriate behaviours are unintentional and can easily be resolved once the behaviour has been highlighted. This is often the most efficient way to maintain positive working relations.

In managing the issue informally, employees should in the first instance alert their line manager to the behaviour. This will be treated in confidence. Managers will liaise with the Corporate Services Manager for advice and support. The employee should be encouraged by the relevant manager and with their support to approach the individual and highlight what behaviour has been offensive. Should the employee be uncomfortable with this then the manager should approach the individual and have the same discussion? A note should then be put on file of the person who has displayed the inappropriate behaviour and the individual who raised the issue.

Formal Action

29 If an informal approach does not resolve matters, or the situation is too serious to be dealt with informally, an employee can make a formal complaint by using the Association's grievance procedure. This should normally be done within four weeks of the event (or if it is a series of events, from the most recent episode) which is the subject of the complaint. If the grievance relates to the manager or a board member, they should address the grievance to the Chief Executive. If they are uncertain as to whom they should raise the grievance, they should consult a Trade Union Representative.

30 Formal complaints under the Dignity at Work Policy will be fully investigated in accordance with the Associations grievance policy.

31 If the investigation reveals that the complaint is valid, appropriate action will be taken to deal with the matter.

32 Employees shall be protected from intimidation, victimisation or discrimination for making, in good faith, a complaint under the dignity at work policy or for assisting in an investigation. Retaliating against a member of staff for taking, or assisting in, a grievance under the dignity at work policy is a disciplinary offence which may result in dismissal.

33 This policy will be reviewed as and when it is necessary but at least every three years.

Forms of harassment

Form of harassment	Definition	Example: verbal	Example: non verbal	Example: physical
<p>Sexual harassment or harassment on the grounds of gender reassignment</p>	<p>Any unwanted conduct based on the gender, gender identity or sexual orientation of the recipient, which is offensive to the recipient and affects the dignity or wellbeing of men or women.</p> <p>People undergoing gender reassignment may also experience sexual harassment based on perceptions or assumptions about them in relation to their appearance or gender.</p>	<p>Inappropriate use of affectionate names</p> <p>Personal questions / comments</p> <p>Innuendos or teasing</p> <p>Comments which exclude because of gender</p> <p>Sexual / explicit jokes</p> <p>Demands for sexual favours</p> <p>Suggestive, explicit language</p> <p>Stereotyping such as about the ability to work by one or other gender</p>	<p>Display of pin- ups or pornographic pictures</p> <p>Offensive publications or objects</p> <p>Offensive letters / memos / emails</p> <p>Unsolicited / unwanted gifts</p> <p>Gestures</p> <p>Staring / leering</p> <p>Invasion of personal space</p> <p>Unwelcome remarks about a person's dress or appearance</p> <p>Worsening of conditions after a rejection</p> <p>Worsening of conditions after a rejection of sexual advances</p>	<p>Unnecessary touching</p> <p>Indecent exposure</p> <p>Deliberate body contact</p>

Form of harassment	Definition	Example: verbal	Example: non verbal	Example: physical
Racial harassment	Derogatory remarks, racist statements, graffiti, jokes, or any other action of a racist nature which is directed at any individual or group from a particular ethnic background which results in the individual(s) feeling threatened or compromised.	Stereotyping Verbal threats Derogatory nicknames Racist language or racist jokes / ridicule	Offensive gestures Facial expressions Offensive publications Racist graffiti or the display of racially offensive material. Racist email messages. Threatening behaviour Isolating, excluding	Physical attack on individuals or their property Jostling
Harassment on the grounds of disability	Words, actions or other conduct which ridicules, intimidates or threatens an individual because of their disability and which affects the dignity or wellbeing of the individual.	Making fun of or verbally mimicking impairment Using inappropriate terms, e.g. cripple, spastic, handicapped Questions and comments of a personal nature Belittling or patronising comments or nicknames	Making assumptions based on the individual's disability. Mimicking the individual's disability. Ignoring wishes and feelings Exclusion from conversation or social activities Staring Blatant excluding behaviour Holding events at non accessible venues Offensive written messages e.g. emails	Inappropriate practical jokes Hiding or moving an impairment aid Unsolicited touching of a visually impaired person
Harassment on the basis of age	Ridiculing or demanding behaviour focused towards people because of their age, regarding them as 'too old' or 'too young'; or making assumptions about lifestyle based on perceived age	Making fun of someone based on their age Questioning ability due to age Patronising comments	Excluding from social functions / information Mimicking Being written off Making assumptions about life style / interests Not providing training/development opportunities Setting unrealistic objectives	

Form of harassment	Definition	Example: verbal	Example: non verbal	Example: physical
Harassment on the grounds of religion and belief	Words, actions or other conduct which ridicules, intimidates or threatens individuals because of their religion or belief, and which affects the dignity or wellbeing of the individual.	Derogatory comments or nicknames Stereotyping a particular religion or belief. Verbal threats Jokes based on religious or belief based stereotypes Invasive and / or inappropriate questions about religion or belief	Arranging meetings that may exclude people on religious observance grounds Arranging team lunches during periods of fasting or religious occasions Displaying religious artefacts in the workplace which may be offensive to others Isolating, excluding behaviour Inappropriately enforcing a dress code which may not accommodate religious dress Judgements about a person's ability or attitude based on their religion or belief Making assumptions about lifestyle / interests	Physical attacks Inappropriate touching of religious garments or wear Not respecting personal space as it relates to religion or belief
Harassment on the grounds of sexual orientation	Words, actions or other conduct which ridicules, intimidates or threatens individuals because of their sexual orientation, and which affects the dignity or wellbeing of the individual.	Verbal abuse or threats Making rude jokes or comments Inappropriate practical jokes Stereotyping Derogatory nicknames	Offensive letters / memos / emails Gestures Inadvertently or deliberately avoiding or excluding e.g. inviting their 'partner / spouse' to an event Ostracising / excluding behaviour Making assumptions based on sexuality Making assumptions about life style / interests	Deliberate body contact Inappropriate touching