

Dignity at Work Policy

May 2019

1. Purpose

We believe that everyone who works for, or with, the Council has the right to be treated with dignity, courtesy and respect at all times.

The Council has determined to build, and sustain, a supportive working environment which fosters collaborative and productive partnerships. We will not tolerate harassment, unfair or unlawful discrimination, whether direct or indirect; victimisation or bullying.

The purpose of this policy is to set out the standards, rights and responsibilities, given to and required from, everyone involved in delivering and supporting our services.

The members of the Senior Management Team are committed to maintaining a working environment which fosters personal and professional respect, facilitating informal measures to resolve disputes and accepting personal responsibility for the investigation of any alleged breaches of the policy.

2. Scope

The policy applies to all employees of the council.

3. General Principles

3.1 Equality Act 2010

The Equality Act 2010 provides legal protection to people with certain protected characteristics, which are as follows: Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation and as a council, we have embraced the provisions of the Act and respect the diversity of our colleagues.

We must always treat each other with dignity courtesy and respect, which means that we're committed to eliminating any actions or decisions that may lead to unfair or unlawful treatment on the basis of any protected characteristics as set out above. For example this includes the following: ethnic origin, gender, transgender status, HIV status, mental health

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status, MS status, cancer status, marital status, nationality or national origins, responsibility for dependants who have a disability, or discrimination on the basis of association with someone who has a protected characteristic or discrimination if someone is perceived to have a protected characteristic such as being gay or of a particular race.

These attributes are referred to below as the protected characteristics

3.2 Harassment

Harassment is defined as unwanted conduct related to a relevant protected characteristic, 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.

The behaviour or treatment may relate to a person's gender, disability, gender reassignment or gender identity, race, religion, sexual orientation, age or any other protected characteristic.

Harassment may consist of persistent behaviour, although one single act may be considered sufficiently serious to warrant formal or informal reporting.

3.3 Discrimination

Discrimination is defined as treatment of an individual, or a group of people, which is less favourable than others based on a protected characteristic such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity (including treating a woman less favourably because she is breastfeeding or during maternity leave), race, religion or belief, sex or sexual orientation.

Direct discrimination occurs where someone is treated less favourably because of one of the protected characteristics set out above; this can include association with or a perception of a particular characteristic.

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criteria or practice that puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic.

3.4 Victimisation

Victimisation is defined as the bad treatment of an employee because they have made, or supported, a complaint or raised a grievance; or because they are suspected of doing so. An employee is not protected from such treatment, however, if they have maliciously made or supported an untrue complaint and this would not constitute victimisation.

3.5 Bullying

Bullying is defined in this policy as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power to undermine, humiliate, denigrate or injure the recipient.

The behaviour or treatment may relate to a protected characteristic but it does not need to in order to constitute bullying.

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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.

3.6 Electronic Media

Unacceptable behaviour is not confined to face-to-face settings but may be experienced through electronic media, i.e. email, instant messaging, social networking websites or text messages.

When composing emails, all members of staff should consider the content, language and appropriateness of such communications.

3.7 Managing Performance

Fair and reasonable management of staff performance or conduct will not normally be considered to be unacceptable behaviour in the context of this policy. If a member of staff considers that their management infringes their dignity at work they are encouraged to consider the options for resolution at the earliest opportunity.

3.8 Role of the Senior Management Team

All formal allegations made will be dealt with by a member of the senior management team who together with a senior member of HR will consider the allegation and determine the next steps.

Investigations involving allegations of harassment, discrimination, victimisation or bullying will be conducted as a matter of priority.

4. Steps to Resolution

4.1 Informal

Many workplace issues can be resolved quickly through informal discussion and the Council encourages informal resolution in the first instance wherever possible.

The Council encourages everyone to deal with unfair treatment in general and harassment, unlawful discrimination, victimisation and bullying through informal resolution whenever possible.

We can recognise that some staff may be apprehensive about raising an issue of unacceptable behaviour but there are sources of support available and we encourage individuals to seek advice and support from Human Resources, their trade union, the diversity networks or the Employee Assistance Programme (EAP) in order to have any concerns addressed appropriately.

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Informal approaches may include any or all of the following:

- talking to the person concerned
- writing to the person concerned
- talking to a manager
- seeking support from a diversity network
- involving a third party
- seeking advice from Human Resources
- seeking advice from your trade union
- speaking to someone from the Employee Assistance Programme (EAP)

There are some circumstances, however, where the alleged behaviour is deemed to be sufficiently serious as to warrant an immediate formal investigation such as where there has been unlawful discrimination, assault, serious misconduct under the council's Code of Conduct or a prolonged abuse of power.

4.2 Formal

Where informal resolution is not appropriate or has not been successful, the following mechanism should be used.

The complaint should be sent, in writing, to a member of the senior management team. They will, with the assistance of a senior member of the Human Resources team:

- determine the seriousness of the allegation,
- assess whether the informal steps are appropriate, or have been exhausted,
- agree the course of the investigation.

Formal allegations will always be investigated to establish the facts relating to the situation.

Investigations will be carried out sensitively and with due respect for the individuals involved. Any information communicated during the course of an investigation will be treated as confidential.

No detriment will be suffered by anyone raising a concern in good faith, however, any matter raised with malicious intent may be dealt with under the disciplinary policy.

5. Communication & Training

We will ensure that the policy is communicated to all staff and that those involved in interpreting, administering, delivering and advising on the policy are fully trained in understanding what is unacceptable behaviour in order to drive out behaviours that are contrary to Haringey's values; Human, Accountable, Ambitious and Professional.

6. Responsibilities

All staff are expected to bring to the attention of senior management any examples of unfair treatment they have witnessed or strongly suspect is taking place, however, there are specific responsibilities for members of the senior management team and Human Resources.

7. Disciplinary Measures

All allegations of harassment, unfair or unlawful discrimination, victimisation or bullying will be treated seriously and any member of staff found to have behaved unacceptably may be the subject of disciplinary action.

If, at any time, there is evidence that allegations of harassment, discrimination, victimisation or bullying have been made vexatiously or maliciously, or that false information has been provided or that the accuser has otherwise acted in bad faith then disciplinary action may be taken.

8. Further References

Dignity at Work Policy Practice Notes

Disciplinary Policy

Equality Act 2010

Protocol on Members / Officers Relations'

Employee Assistance Programme (EAP)

Document Control

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