



Dignity at Work Policy

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 [01908 649 977](tel:01908649977)

 [01908 649 977](mailto:01908649977)

 8 Enigma Building, Bilton Road, MK1 1HW





SOL

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Introduction

Many people in our society are harassed as a result of a protected characteristic i.e. race, religion or belief, gender, marriage or civil partnership, sexual orientation, gender reassignment, age, disability, pregnancy or maternity.

We are committed to providing a safe and respectful work environment for all staff and customers. No one should have to tolerate harassment at work for any reason, at any time. No one has the right to harass anyone else, at work or in any situation related to employment. If you are suffering harassment in the workplace, you should raise it in the first instance with your manager or with the Company's human resources advisors.

We recognise that bullying and harassment can exist in the workplace, as well as outside, and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.

Policy Statement

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

Harassment is against the law. It occurs where a person engages in unwanted conduct or language which has the purpose or effect of violating another's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for him. It may be related to age, sex, marital status, pregnancy or maternity, sexual orientation, race, disability, religion, nationality, or any other personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient. Remember that one person's joke is another person's harassment.

Harassment can be hidden in questions or remarks that seem positive. Here are some examples of racial harassment:

- "You are really pretty for a black girl."
- "Tell me what it's like to always have your head and hair covered."
- "Women from the Philippines are better at that than Canadian women."
- "Native people are so good at crafts."

Examples of what may constitute bullying or harassment:

- inappropriate and/or degrading words or pictures (like graffiti, photos, or posters);
- inappropriate physical contact
- sexual demands
- spoken or written putdowns
- gestures
- jokes
- nicknames
- insults
- overbearing or abusive behaviour towards staff with intellectual disabilities



- spreading malicious rumours, or insulting someone (particularly on the grounds of a protected characteristic)
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone — picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances — touching, standing too close, display of offensive materials
- making threats or comments about job security without foundation
- deliberately undermining a competent employee by overloading and constant criticism; and/or
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

We deplore all forms of harassment and bullying and seek to ensure that the working environment is sympathetic to all our employees.

Managers have a right to manage, and it is not bullying or harassment for them to ask employees to do their jobs according to the required standards.

We have published these procedures to inform you of the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment with a means of redress.

We recognise that we have a duty to implement this policy and all employees are expected to comply with it.

Employees Responsibilities

All employees have the responsibility to treat each other with respect and to speak up if they or someone else is being harassed.

Staff should take the following actions if they consider that bullying or harassment has taken or is taking place:

- Use appropriate behaviour and language in the workplace and not perpetrate or perpetuate acts or language which may be harassment.
- Report harassment to your manager or to the Company's human resources advisors.

You should respect the confidentiality of anyone involved in a harassment complaint.

Note that allegations of harassment which are not made in good faith will be treated as gross misconduct.

Managers must set an example for appropriate workplace behaviour and must deal with situations of harassment immediately on becoming aware of them, whether there has been a complaint or not.



Managers should:

- treat complaints seriously
- investigate each complaint
- support the parties; and
- take action to resolve the matter, based on the outcome of the investigation.

Disciplinary action will be taken where the Company considers it appropriate to do so. The Company views all incidents of harassment very seriously. All complaints will be investigated, and action taken to ensure that they are resolved quickly, confidentially, and fairly. Anyone who has harassed a person or group of people or who retaliates in any way against anyone who has complained of harassment, given evidence in harassment investigations, or been found guilty of harassment will be taken through the disciplinary process and may be summarily dismissed for gross misconduct.

Making a Complaint

Informal Complaint

We recognise that complaints of harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper. This person cannot be a director.

If you are the victim of minor harassment, you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should hand a written request to the harasser and your confidential helper can assist you in this.

Formal Complaint

Where the informal approach fails or if the harassment is more serious, you should bring the matter to the attention of a director as a formal written complaint and again your confidential helper can assist you in this. If possible, you should keep notes of the harassment so that the written complaint can include: -

- a. the name of the alleged harasser
- b. the nature of the alleged harassment
- c. the dates and times when the alleged harassment occurred
- d. the names of any witnesses; and
- e. any action already taken by you to stop the alleged harassment.

On receipt of a formal complaint, we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with pay until the matter has been resolved.

The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.



On conclusion of the investigation which will normally be within ten working days of the meeting with you, a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to you and to the alleged harasser.

If you or the alleged harasser are dissatisfied with the draft report or with the proposed decision this should be raised with the investigator within five working days of receiving the draft. Any points of concern will be considered by the investigator before a final report is sent, in writing, to you and to the alleged harasser. You have the right to appeal against the findings of the investigator in accordance with the appeal provisions of the grievance procedure.

General Notes

If the report concludes that the allegation is well founded, the harasser will be liable to disciplinary action in accordance with our disciplinary procedure. An employee who receives a formal warning or who is dismissed for harassment may appeal.

If you bring a complaint of harassment, you will not be victimised for having brought the complaint. However, if the report concludes that the complaint is both untrue and has been brought with malicious intent disciplinary action will be taken against you.

Managers have a right and a duty to manage employees to help ensure that employees meet the Company's reasonable requirements. For the avoidance of doubt, where a manager provides guidance to you about your conduct or performance it does not constitute bullying or harassment, providing that it is carried out in reasonable way.



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