



Committee Approver	<i>Ops Committee</i>
Stakeholder Consultation	<i>Executive Team</i>
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Title	Dignity @ Work Policy
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Related Documents	Disciplinary Policy & Procedure Grievance Policy & Procedure Code of Conduct
Location of Electronic Copy	F:\Live Policies\HR

1. VIEWPOINT'S VALUES

1.1 Viewpoint is here to help people enjoy their later years. Everything we do is about realising this vision, which is supported by the following straightforward set of values:

- Inspire with positive smiles and words;
- Say 'yes I can, and I will;'
- Celebrate age, experience, and wisdom;
- Do according to our customers' wishes and ambitions;
- Treat people (everyone is a VIP) as we would a "loved one;"
- Work hard, have fun and laugh;
- Stay courageous, creative, and ahead of the game; and
- Work with those that share our values.

1.2 These promises shape us. They are a commitment to our tenants, residents, staff, and suppliers. They are fundamental to every single plan, decision, and project we embark on.

1.3 Ensuring that we have systems and processes in place will support us to deliver those plans, decisions, and projects, in accordance with our vision and values. This policy outlines our approach to Dignity at Work

2. POLICY STATEMENT

2.1 VHA will not condone, tolerate or ignore any form of discrimination (including discrimination by way of association) or unacceptable behaviour in our recruitment or employment practices. Decisions will be made on merit and in line with the Association's business needs and objectives.

2.1 The specific objectives of this policy and the associated procedure are to:

- Promote a climate in which employees are treated with dignity at work and all employees understand the standards and expectations of them in their behaviour;
- Ensure all employees are aware of the types of behaviour which may constitute harassment or bullying and their responsibilities for preventing such behaviour;
- Ensure that all employees understand that behaviour constituting harassment or bullying is unacceptable and that appropriate measures, including disciplinary action, may be taken against those responsible;

- Promote a climate in which employees feel confident in bringing forward complaints of harassment or bullying without fear of victimisation;
- Ensure that all allegations of harassment or bullying are responded to quickly, fairly and in confidence;
- Provide arrangements whereby complaints can be investigated in a manner which recognises the sensitivity of the issues raised and respects the rights and confidentiality of all those involved.

3.0 AIM

3.1 The aim of this policy is to:

- Develop and encourage a working environment where all employees are treated with dignity;
- Assist in establishing an environment in which harassment, bullying and victimisation are regarded as unacceptable across the Association; and
- Confirm VHA's commitment to responding appropriately and quickly to any allegations of discrimination.

3.2 The principles of this policy apply to all VHA staff, contractors, agency workers, Board Members and other stakeholders. They also apply to the way in which everyone working for VHA treats visitors, clients, suppliers and former staff members.

3.3 Discrimination is unlawful and allegations will be responded to appropriately in line with the associated procedure.

3.4 Any instances involving mischievous or malicious complaints of bullying or harassment, which are unfounded or unsubstantiated, will be treated seriously and may result in disciplinary action being taken.

4.0 WHAT IS BULLYING OR HARASSMENT?

4.1 Harassment as defined in the Equality Act 2010 is:

- 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 relevant protected characteristics are age, disability, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, marital or civil partner status, pregnancy or maternity, sex and sexual orientation.

- A complainant need not possess a relevant protected characteristic themselves. They may associate with a person who has a one, or be wrongly perceived to have one or treated as if they do.

4.2 Bullying may be characterised as:

- Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

4.3 The impact of bullying on the individual can be the same as harassment and the words bullying and harassment are often used interchangeably in the workplace.

4.4 Bullying or harassment may be by an individual against an individual or involve groups of people. It may be obvious or it may be insidious. Whatever form it takes it is unwarranted and unwelcome to the individual.

4.5 Examples of bullying/harassing behaviour include:

- Spreading malicious rumours, or insulting someone by word or behaviour
- Exclusion or victimisation
- Unfair treatment
- Overbearing supervision or other misuse of power or position
- Unwelcome sexual advances – touching, standing too close, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.
- Unwarranted complaints/comments to third parties.

4.6 Sexual harassment is a form of sexual misconduct, an umbrella term that

describes all types of unwanted and unpermitted behaviour of a sexual nature including sexual abuse. The intention or reasonably perceived effect of this type of harassment is to violate the recipient's dignity or create an environment that is intimidating, hostile, degrading, humiliating or offensive for the recipient. It can happen to and be demonstrated by women, men and people of any gender or sexual orientation. Sexual harassment includes serious sexual misconduct, such as sexual assault or rape.

4.7 Other examples of sexual harassment and misconduct could include:

- Emailing, texting or messaging sexual content or making sexually offensive jokes to your team;
- Unwanted flirting or making sexual remarks about a colleague's body, clothing or appearance;
- Touching a colleague without their permission, such as hugging them.

4.8 **Unlawful discrimination** under the Equality Act 2010 is when the recipient is treated unfairly because of any of the following characteristics: **age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation**. Discrimination can be **direct** (when someone is treated less favourably than another person in the same situation - but without the protected characteristic - is or would be treated) or **indirect** (where rules or arrangements apply to a group of employees or job applicants, but in practice are less fair to a certain protected characteristic).

4.9 Examples of discrimination could include:

- Not offering a promotion to an individual because of their sex
- Excluding a colleague from team social events because they are close friends with a LGBT person
- Drawing inferences about an applicant's religion because of their name and rejecting that individual for that reason
- Advertising a role and specifying a minimum number of years' experience.

These are by no means exhaustive lists and bullying/harassment may come in another form not shown here.

4.10 Bullying and harassment are not necessarily face-to-face. They may also occur in written communications, visual images, email, phone, social networking sites and instant messaging.

4.10 An employee may make a complaint to their employer where they are harassed by someone who doesn't work for that employer, such as a customer, client, contractor, Board Member or Stakeholder.

4.11 Bullying and harassment can make someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and de-motivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation.

Almost always job performance is affected and relations in the workplace suffer.

- 4.12 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. It is recognised, therefore, that harassment or bullying relates essentially to the perceptions and feelings of the recipient.
- 4.13 The essential characteristics of harassment are that it is unwanted by the recipient and that it is for each individual to determine what behaviour is acceptable to them and what they regard as offensive. It is the unwanted nature of the conduct that distinguishes harassment from behaviour between employees that is welcome, mutual and appropriate in a working environment.
- 4.14 Whilst harassment often involves repeated acts of offensive behaviour, a single incident may constitute harassment under this Policy.

5.0 FIRM MANAGEMENT OR BULLYING/HARASSMENT?

- 5.1 It is important to distinguish between fair and effective management, and bullying and harassment. A Manager has a right to point out to staff that the standards expected in a job are not being achieved. Legitimate, constructive and fair criticism of an employee's performance or behaviour at work is not bullying.

6.0 LEGISLATION/RELATED POLICIES

- 6.1 Harassment is the only term relating to this policy that is covered under legislation in the Equality Act 2010, however there are a number of legal principles contained in the following legal documents that will apply as follows:

- Equality Act 2010
- Health and Safety Act 1974
- Protection from Harassment Act 1997
- Management of Health and Safety at work Regulations 1999
- Trade Union and Labour Relations (consolidation) Act 1992 dealing with specific types of intimidation
- Protection for Whistle blowers under the Public Interest Disclosure Act 1998

- 6.2 Related Viewpoint policies include the Disciplinary Policy and Procedure, Grievance Policy and Procedure and the Code of Conduct. All documents

should be read in conjunction with each other.

6 ACTIONS

6.1 VHA will support any employee who feels they are a victim of bullying or harassment.

6.2 Any employee who feels they are a victim of bullying or harassment should seek further guidance from the Dignity at Work Procedure and/or Human Resources.

7.0 VICTIMISATION

7.1 Victimisation occurs when a person is treated less favourably because they have made a complaint of discrimination (which may be a complaint of harassment or bullying), or have helped another person to make or bring a complaint. Victimisation can constitute unlawful discrimination, and result in disciplinary action, regardless of the outcome of the original complaint.

8.0 SCOPE

8.1 This policy applies to all employees, governing body members, agency workers, contractors, and consultants of Viewpoint and therefore all mentioned parties, have a responsibility to abide by the principles outlined in this policy and also to alert their line manager should any behaviours be witnessed which breach this policy.

8.2 Viewpoint is committed to providing equality and fairness for all of our people and we will not discriminate on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation, or any other protected characteristic.

9.0 COMPLIANCE & SUPPORT

9.1 Employees Responsibility

Employees have a clear role in helping create a climate at work in which bullying and harassment are unacceptable. Therefore have specific responsibilities as follows:

- Treat all colleagues and service users with respect and dignity and contribute positively to effective working relationships;
- Not discriminate against other employees;
- Not intimidate, threaten or bully other employees or otherwise behave in a manner inconsistent with fair and dignified treatment of employees at work;

- Not victimise any individuals who have raised concerns or acted as a witness in relation to any breach of this policy;
- Bring to the attention of management any breach of this policy witnessed, providing evidence where possible;
- Support any proceedings to consider allegations under this policy and not misuse the provisions of this policy by making malicious or groundless complaints.

9.2 Line Managers

Line Managers have a particular duty to set a proper example by treating everyone with dignity and respect and must be committed to the elimination of harassment. Line Managers are expected to be vigilant in preventing acts of harassment and victimisation where possible.

This responsibility should be passed down through all levels of management and to all employees. Line Managers are responsible for ensuring that the policy is drawn to the attention of employees. You will ensure appropriate guidance and support is given in the implementation and application of the policy.

Viewpoint requires managers to behave in a professional manner at all times and to be aware of how their own behaviour can adversely impact on staff and potentially be perceived as harassment or bullying depending on the circumstance

10.0 EQUALITY IMPACT ASSESSMENT (EIA)

10.1 Viewpoint will treat all employees with fairness and respect in line with its Diversity Strategy. Viewpoint recognises that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

10.2 Where any group has difficulty in understanding this process staff will assist to ensure that the policy is available in other formats, if required, and that groups are supported through the process. This policy is available in other formats, including large print, if required

11.0 PRIVACY IMPACT ASSESSMENT (PIA)

11.1 Risks associated with data retention will be assessed and mitigated by Viewpoint's HR / Data Protection Officer, through ongoing data protection audits.

12.0 REVIEW

- 12.1 This Policy will be reviewed in 3 years after implementation or earlier if legislative or other changes require it.