1.07 Dignity at Work Policy

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Introduction

St Anne’s is dedicated to providing working environments that are safe, inclusive and fulfilling in which everybody feels valued and is treated with fairness, respect and dignity. To help us achieve this culture, St Anne’s has developed its Code of Practice which all employees are expected to comply with. In addition, support workers must comply with the Code of Conduct for Healthcare Support Workers and Adult Social Care Workers in England (Skills for Care) and nurses must comply with the Nursing and Midwifery Council (NMC) Code.

St Anne’s has a zero tolerance approach to bullying and harassment and employees must not behave in a way that undermines our inclusive practices.

The purpose of this policy is to ensure that we create and sustain inclusive working environments that are free from all forms of harassment and bullying. This policy applies to all St Anne’s employees and the members of the Board.

Bullying and Harassment

Bullying is defined as:

“Offensive, abusive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, provoke, frighten, intimidate, denigrate or bring discomfort to the recipient.” (ACAS)
Harassment is defined as:

“Unwanted physical, verbal or non-verbal conduct that violates the dignity of people in the workplace or creates an intimidating, hostile, degrading, humiliating or offensive environment.” (ACAS).

A person may also be bullied or harassed because of a characteristic that they have, or that the bully perceives them to have. These are known as the nine Protected Characteristics; age, disability, gender reassignment, marital status, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

The perception that behaviour is harmless fun or ‘banter’ at work is not acceptable when it is unwelcome, offensive or not returned by the person who is affected. Key to understanding whether either bullying or harassment has occurred is not whether the conduct was intended on the part of the perpetrator, but whether it was unwanted on the part of the recipient.

St Anne’s will not tolerate bullying or harassment at work or outside work if it has an impact on working relationships and any such behaviour may result in disciplinary action which could lead to dismissal.

Bullying or harassment may occur face to face, over the telephone or online. A list of examples of the types of behaviour which may constitute bullying and harassment are set out in Appendix 2.

Employees should be aware that as well as committing a disciplinary offence, an individual found by an employment tribunal to have harassed a fellow employee on the grounds of the Protected Characteristics may be personally liable to compensate the victim. Harassment for whatever reason may constitute a crime under the Protection from Harassment Act 1997.

Bullying or Harassment from Clients

Whilst it is accepted that the health conditions of some of our clients will cause them to exhibit behaviours of concern, employees can expect to be protected from abuse whilst doing their job. This includes a protection from bullying and harassment.

Employees must not be subjected to an on-going situation where they are being bullied or harassed by a client. It is also unacceptable for a client to bully or harass an employee because of their age, disability, gender reassignment, marital status, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

Employees should record their concerns and discuss them with their line manager.
Bullying or Harassment from Third Parties

The rights of St Anne’s employees to be able to carry out their day to day duties without feeling threatened, undermined or intimidated, also extends to interactions with clients, their families, carers, visitors, trades people and other workers from external agencies. Managers must take steps to ensure that the dignity of everyone concerned is preserved and that relationships are not damaged, whilst working with the individual or group affected to find a resolution in a timely manner. Where an employee feels that their dignity at work has been adversely affected by a third party they should report the matter to their line manager. The manager will decide on the appropriate course of action and report back to the member of staff accordingly.

Employee Responsibilities

Everyone has a duty to promote dignity, respect and inclusion through their work at St Anne’s, irrespective of their contract type or job role. Examples of behaviour that promote dignity at work in an inclusive environment are listed in Appendix A.

All employees have a duty to maintain and protect the inclusive working environment by acting as a positive role model and challenging problematic behaviour and attitudes wherever they arise with courage and sensitivity.

Employees should attempt to identify and challenge any behaviour that compromises dignity at work with courage and sensitivity. If this is not possible, employees should record their concerns and discuss them with their line manager.

Manager Responsibilities

Managers have a duty of care toward staff that they line manage and must challenge bullying and harassment, using a zero tolerance approach. Managers must be able to identify and challenge the kind of behaviour that could be considered as bullying or harassment as soon as they become aware of it. If managers fail to deal with behaviours of concern effectively, the trust and respect of their working relationships are undermined and the inclusive workplace is compromised. If managers see or hear unacceptable behaviour and do nothing about it, they are condoning the behaviour and allowing a destructive and dangerous culture to develop.

Managers must work with the person who is being targeted by a bully or harasser to find an appropriate solution and prevent the situation from recurring. If formal action is required, this should be pursued in line with the Grievance and Disciplinary Policy with guidance being sought from the Human Resources department.
Support

Employees can access confidential support and guidance from St Anne’s Employee Assistance Programme provider should they wish to talk about their experience of bullying or harassment. Representatives from recognised Trade Unions may also be called upon for support by their members who experience bullying or harassment.
Appendix 1 - Examples of acceptable behaviour that promote dignity at work

All employees of St Anne’s are expected to conduct themselves in a way that is professional and contributes to an inclusive working environment, in line with the Code of Practice. Some examples include:

- Do your job to the best of your ability
- Be kind and helpful to others
- Be welcoming and friendly to new employees
- Collaborate and share ideas so that we can learn together
- Address your colleagues using the names and gender pronouns that they prefer
- Acknowledge and celebrate difference by respecting the diversity of cultures, backgrounds, lifestyles and beliefs that people bring to the workplace
- Include everybody in work-related social events and conversation
- Give helpful and honest feedback which is based on evidence
- Build productive working relationships that are built on trust and respect
- Avoid making assumptions about a person’s identity (their gender identity, sexual orientation, age, marital or civil partnership status, disability, ethnic background, nationality, religion or belief)
- Give people encouragement, help and support when they need and want it
- Be sensitive to the needs of others
- Respect the privacy, confidentiality and personal space of others
- Be aware of the effect your behaviour has on others
- Challenge inappropriate or unacceptable behaviour by calmly speaking with the person involved
Appendix 2 – Types of behaviour that constitute bullying and harassment

Bullying

Bullying is also a form of harassment and the overlap between the two is significant. Bullying and harassment both involve an abuse of power and can cause profound emotional distress for the person who is targeted. Broadly speaking it is the recipient’s perception that determines what harassing behaviour is to them. It is the effect of the behaviour and not the motives of the perpetrator that is the determining factor. The intention of the harasser or bully is not relevant.

Bullying can occur at any level within the organisation both up and down the management structure, as well as between peers. It can occur face to face, over the telephone or online.

Some examples of bullying behaviour which St Anne’s considers to be unacceptable:

Undermining a person's professional ability in front of other colleagues, for example;

- Spreading malicious rumours or gossip
- Persistent negative and untruthful attacks on a person’s professional performance
- Inaccurate accusations about a person’s quality of work
- Hurtful verbal comments and name calling
- Aggressive behaviour
- Uncooperative attitude
- Insensitive jokes and pranks
- Unreasonable refusal of annual leave requests
- Claiming credit for another person’s work

Isolating staff including:

- Ignoring somebody
- Excluding somebody from workplace socialising
- Treating somebody as they are non-existent
- Intentionally leaving somebody out of conversation or group emails
- Preventing somebody from accessing training or special work events
- Physically isolating a staff member from others

Creating extra work or disrupting an employee’s ability to work including:

- Excessive and unhelpful scrutiny of a person’s work
- Setting objectives that are unreasonable with impossible deadlines
- Undervaluing a person’s contribution
- Withholding information from an employee so they cannot do their jo
Harassment

Harassment can be carried out by individuals or groups and can take place as an isolated incident or repeated actions that targets another person or group of people. It may be deliberate and conscious, but it can also be unintentional. It is possible that someone may not be aware that their behaviour is inappropriate or offensive.

Harassment is unwanted, unreasonable and offensive to the recipient and not reciprocated. Although it can take many forms, some examples are:

- Physical contact, ranging from touching to assault
- Verbal and written language
- Slanderous songs, letters, poems or other communication
- The visual display of posters or promotional material that are offensive
- Coercion and pressure to participate in political, religious or social groups
- Exclusion or isolation from workplace socialising and conversation
- Obscene gestures, including hang signals

Sexual Harassment

Harassment may be sexual in nature and can affect people of all genders and sexual orientations. Examples of sexual harassment include:

- Unwanted and non-accidental physical contact of any kind such as pinching, patting or brushing up against a person’s body
- Suggestive hand signals and obscene gestures
- Conversation about sexual acts
- Sexual advances, propositions and suggestions of sexual activity
- Requests for hugs, kisses or dates
- Comments on a person’s appearance
- Suggestions that sexual activity will advance a person’s career
- The display of pornographic material
- Consuming pornographic material in the workplace (on a phone or laptop)
- Leering and whistling
- Speculation about a person’s relationships outside of work
- Stalking
- Using ‘pet names’ or nicknames as an unwanted term of endearment
- Asking inappropriate questions about a person’s relationships or their body
- Sexual assault and rape
Racial and Religiously-motivated Harassment

Harassment may be motivated by ignorance and racial prejudice toward a person or group because of their ethnic background, nation of origin, cultural heritage or religious beliefs. Examples of racial and religiously-motivated harassment include;

- Making no effort to pronounce a person’s name correctly
- Shunning or isolating a person because of their ethnic background
- Assuming that somebody is untrustworthy or ‘different’
- Making racist jokes
- Making jokes about any religion or belief system
- Mocking a person for their language or accent
- Voicing preconceived ideas and stereotypes about a person or group because of their ethnic background, cultural practices or religion
- Being antagonistic or provocative in discussion about religious belief
- Making racist insinuations about a person’s character
- The visual display of posters or promotional material that incite racial hatred
- Use of derogatory nicknames or name-calling
- Repeated use of old-fashioned racist phrases or rhymes
- Uninvited touching of a person’s clothing or hair
- Being condescending about the way a person dresses or practices their cultural beliefs

Anti-LGBT Harassment (Lesbian, Gay, Bisexual and Transgender)

Harassment may be motivated by ignorance and prejudice toward a person or group because of their sexual orientation. Examples of anti-LGBT harassment include;

- Asking a personal question about a person’s sexual life
- Assuming what a person’s sexual orientation is
- Assuming that everybody is heterosexual
- Assuming that nobody is transgender
- Denying that bisexuality exists
- Asking a transgender person if they have undergone surgery
- Ignoring a transgender person’s request to be referred to by their name, using the correct gender pronouns (she, he or they)
- Assuming that most LGBT people have HIV/AIDS
- ‘Outing’ somebody by disclosing their sexual orientation or gender identity to another person without their permission
- Gossiping about a person’s perceived sexual orientation or gender identity
- Threats of violence and physical attack
- Voicing preconceived ideas and stereotypes about a person or group because of their sexual orientation or gender identity
- Using religious texts, quotes or teachings to ‘justify’ anti-LGBT views at work
Disability related Harassment

Harassment may be motivated by ignorance and prejudice toward a person or group because of their disability. Examples of disability related harassment include;

- Unwanted touching
- Touching or using a person’s disability equipment
- Making assumptions about a person’s disability
- Blocking a disabled person’s access to their facilities (toilets, parking spaces)
- Questioning a disabled colleague’s ability to do their job
- Purposefully excluding disabled colleagues from workplace socialising
- Voicing preconceived ideas and stereotypes about mental ill health at work.
- Using language that stigmatises or trivialises people will mental ill health, such as ‘crazy’, ‘mad’ or ‘I’m very OCD’
- Assuming a person cannot or will not do something because of their disability
- Trivialising anxiety and depression