

Blochairn Housing Association

Dignity at Work Policy

Introduction

Blochairn Housing Association is committed to providing a working environment which is free from harassment, bullying and intimidation of any nature. Every employee, Management Committee Member, agency worker, contractor, and consultant has a responsibility to treat all colleagues with dignity and respect, regardless of any personal characteristic. Under legislation there are certain characteristics protected from harassment. We acknowledge these and extend this protection to everyone within the Association.

Background

Definitions have changed over the years. The Equality Act 2010 provides a legal definition of harassment but there is no legal definition of bullying. However, ACAS provides a definition which is widely recognised as being best practice.

Legal Framework

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

- The Equality Act 2010
- Breach of contract - usually breach of the implied term that an employer will provide support to employees to ensure that they can carry out their job without harassment and disruption from colleagues
- The common law position to take care of the safety of workers.
- Employment Rights Act 1996 – constructive and unfair dismissal
- Personal Injury protection including the duty to take care of workers arising out of the law of Delict
- Health & Safety at Work Act 1974
- Trade Union and Labour Relations (consolidation) Act 1992 dealing with specific types of intimidation
- Protection for Whistleblowers under the Public Interest Disclosure Act 1998
- Criminal Justice and Public Order Act 1994

Definitions

- **Harassment:** unwanted conduct related to a 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. We will extend this definition to include all and will not be restricted to protected characteristics.

- **Bullying:** Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
- **Protected Characteristics:** The legal grounds in which discrimination claims can be made; i.e. age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation.

Policy Principles

This Dignity at Work Policy aims to:

- Ensure integration of diversity into all aspects of our business
- Ensure that all employees, Management Committee Members, agency workers, contractors, and consultants are treated with respect and dignity from each other, and members of the public
- Ensure that all employees, Management Committee Members, agency workers, contractors, and consultants respect the differences within the community they serve and treat customers and members of the public accordingly
- Provide a working environment where all backgrounds, cultures, values and lifestyles are respected and treated with dignity at all times.

Implementation of Policy

- The Director is responsible for the implementation and review of this policy.
- We will ensure that all new employees, Management Committee Members, agency workers, contractors, and consultants receive an induction on this policy. The policy will be integrated into all of our policies and procedures.
- Copies of this policy will be issued to all employees, Management Committee Members, agency workers, contractors, and consultants, and will be available to all who request it.
- This policy applies to employees, Management Committee Members, agency workers, contractors, and consultants and all have a responsibility to abide by its principles and also to alert the Director should any behaviour be witnessed which breach this policy.
- Unacceptable behaviour and practices will not be tolerated. If a situation arises it will be dealt with immediately, as inaction is not an option. Behaviours found to be breaching this policy will be regarded as misconduct and will be dealt with appropriately and in accordance with the relevant policies, including Code of Conduct and Disciplinary.

Procedure in Dealing with breaches of Dignity & Respect

This procedure is complemented by our Equality & Diversity and Discipline & Grievance policies:

- **Staff**

Where an employee feels that they have not been treated with dignity & respect at work, there are a number of ways in which this can be addressed.

1) Informal stage

Where possible, breaches of this policy should be dealt with informally in the first instance. In many cases inappropriate behaviour is 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 alert the Director to the behaviour. The employee should be encouraged by the Director and with his support, to approach the individual and highlight the offensive behaviour. Should the employee be uncomfortable with this the Director should approach the individual. A note should be put on file of the person who has displayed the inappropriate behaviour and the individual who raised the issue.

2) Formal Stage

If the behaviour is more serious, or it continues after the informal approach, the issue should be dealt with by the Grievance Procedure.

The employee must put their concerns in writing to the Director. The Director will arrange a meeting with the employee who has highlighted the concerns to confirm what the concerns are and how the employee would like things resolved. The Director will conduct any necessary investigations. No investigation should take place prior to there being a meeting with the employee. When the investigation has been concluded outcomes may include:

- There is no evidence to uphold the complaint
- Evidence requires action against another member of staff
- Action is required on an organisational basis

Where action is required against another staff member this will follow our Disciplinary Procedures. Where action is taken the complainant may or may not be informed of any action taken against other individuals.

If the complaint is against the Director this should be made in writing to the Chairperson who will seek advice from Employers in Voluntary Housing.

- **Governing Body Members, Agency Workers, Contractors and Consultants or members of the public**

Where a governing body member, agency worker, contractor, consultant and/or members of the public feel that behaviour towards them have breached the principles of this policy they should inform the Director as soon as reasonably practical. The complaint will be investigated appropriately and dealt with in accordance with the relevant policies and procedures.

Individuals found to be in breach of the principles of this Policy

Where individuals are found to be in breach of this policy, whether employees, Management Committee Members, agency workers, contractors, and/or consultants this will be dealt with in accordance with our Code of Conduct and other relevant policies. This may therefore result in termination of the individual's contract, or engagement with us.

Malicious Allegations

Any person found to be making fictitious or malicious allegations will be dealt with through our Disciplinary Procedure which may result in dismissal.

General Data Protection Regulations

We will treat personal data in line with our obligations under data protection regulations. Information regarding how your data will be used and the basis for processing your data is provided in our Privacy Notice.

Review of Policy

This policy will be reviewed annually and in line with legislative updates.

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