

DIGNITY AT WORK POLICY

PURPOSE

This policy describes our clear commitment to having a workplace where people are supported to thrive and perform at their best, are treated with courtesy, dignity and respect, and are free to go about their work without harassment or bullying.

POLICY

It's useful to start by explaining what we mean by bullying and harassment.

Harassment is unwelcome and offensive attention, which is unacceptable whether it's intended or not. The legal definition in the 2010 Equality Act 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.' At UoNSU, we widen this to include any personal attribute or characteristic which makes the person different from the majority or from the individual harassing them.

Bullying is the abuse of power or position to undermine a person so that their confidence and self-esteem is weakened or destroyed. Although there's no legal definition, it may be described as 'Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power in ways that undermine, humiliate, denigrate or injure the recipient'.

The words are often used interchangeably and bullying is sometimes seen as a form of harassment. But whatever words are used, bullying and harassment are destructive and undermining for both the individual and the organisation, and we won't tolerate them at UoNSU.

This policy explains what bullying and harassment could look like, and outlines how we will go about providing a workplace built on dignity and respect for all. If any issues do arise, we will address matters informally if possible, with the aim of improving understanding between people and building constructive working relationships. However, where this isn't possible or the issue is more severe, we will take a strict approach to any breaches of the policy. Anyone who is found to have bullied or harassed someone will be subject to disciplinary proceedings. In some cases, this behaviour could potentially constitute gross misconduct and may result in dismissal. In extreme cases, harassment is a criminal offence.

Anyone who feels they have been bullied or harassed and makes an allegation about it in good faith will be supported throughout. False allegations which are found to have been made maliciously will, however, be dealt with under our Disciplinary Policy.

Bullying and Harassing Behaviour

Bullying and harassment can take place between people directly or via electronic media, such as by social media, telephone, text or email. It can take place in the workplace or outside of work, for example, at an external meeting or a work social event. Additionally, incidents may be isolated, or repeated and sustained over a period of time.

Bullying may include shouting, threatening, abusing, intimidating, insulting, ridiculing, criticising harshly, overloading or withholding work, ostracising or ignoring, humiliating and undermining a person so that their confidence and self-esteem is destroyed.

Examples of bullying behaviours include:

- Setting unrealistic timescales for work
- Withholding relevant information making it hard for people to do their job
- Making it difficult for individuals to take annual leave without good reason
- Consistently giving them inconvenient shifts or the least popular work
- Leaving people out of social invitations or other group activities
- Failing to offer help when someone is struggling
- Overly harsh assessment, criticism or ridiculing of work
- Using power and position to cause embarrassment, discomfort or fear.

Harassment refers to unwanted, insulting or aggressive behaviour. It may or may not be intentional. Example of harassing behaviours around the protected characteristics include the following:

- Sexual - Unwelcome sexual advances, touching or comments, sexually provocative looks, remarks or jokes, displaying offensive images or material, inappropriate texting or emailing.
- Race - name-calling, insults, unnecessary reference to skin colour, racist jokes, ridiculing around cultural difference, verbal abuse or assault.
- Disability - drawing attention to the disability or personal appearance, jokes, ignoring or focussing on a person because of their disability.
- Age - denigrating skill or experience, patronising, marginalising, leaving people out of activities.
- Sexual Orientation - homophobic jokes or remarks, comments using religious belief to justify a homophobic attitude, intrusive questioning about people's private life or threatening to disclose sexual orientation.
- Religion or Belief - offering inappropriate catering to minority groups, offensive remarks and jokes, ridiculing religious requirements in dress.
- Gender Reassignment - ridiculing dress or personal appearance, offensive jokes and remarks.

The above list is not exhaustive - harassment can occur on the basis of any personal attribute that makes the individual different from the majority, or from the person who harasses that person. Additional examples beyond the 'protected characteristics' could include style of dress, personal interests, physical characteristics or regional accent.

Note that staff can make a complaint about bullying or harassment even where they themselves aren't the victim of it. They have a right and a duty to complain, for example, if they see or hear it happening to someone else, or where the treatment shown to others creates a wider climate of unease or fear at work.

Responsibilities

We all need to be mindful of our behaviour towards others and, potentially, the need to change it at times. For example, what one person thinks of as a joke or 'banter' could be unwelcome and upsetting for the person experiencing it, particularly if it's repeated. People don't have to put up with this - they have a right to raise the issue and they will be supported in doing so.

Managers should ensure there are appropriate standards of behaviour in the workplace. They should deal with unacceptable attitudes and behaviour quickly to prevent them developing or being seen as 'normal'. They should also be aware of their legal responsibilities in this area and their personal duty to act as a role model. Managers are responsible for preventing bullying/harassment at work and for taking action to stop it if it occurs. They must ensure that all incidents are dealt with promptly and fairly.

It's important to affirm that line managers have a right and a responsibility to manage, and the Union will support them in doing so. There is a distinction between true bullying and harassment, and managing performance by giving people constructive feedback, with appropriate sensitivity, or setting reasonable performance or improvement targets and timescales where they're underperforming.

Our commitment to ensuring dignity and respect at work extends to staff, student staff, students, visitors, clients, customers and suppliers.

Dealing with Bullying and Harassment

If you feel that you are experiencing bullying or harassment, we want you to speak up in the knowledge that we will support you. You don't have to put up with it or feel anxious that it will get worse if you make a complaint. Our Values emphasise the importance of enabling everyone to make their best contribution in a welcoming and supportive workplace. Don't allow the situation to become intolerable.

If you feel you are being subjected to any form of bullying or harassment, or have seen this happening to someone else, you should keep a record of what happened, when and who else witnessed it. You are encouraged to speak to another person in confidence – this could be your line manager, a trusted colleague, a member of the HR Team or the designated 'safe confidant' below.

Safe Confidant

Employees can if they wish contact a member of the senior leadership team who will be available to anyone who would like discuss issues informally and in confidence. They will act as 'safe confidant', and will listen to the concern and to give advice on how to proceed.

Informal approach

If possible, we encourage matters to be addressed informally at first. The intention here is to build mutual understanding between people and promote positive working relationships. This could happen in a number of ways:

Speak to the person

You could consider talking to the person directly to explain the behaviour you find upsetting or offensive, to let them know the impact it has, and asking them to stop. They may be unaware that their behaviour is inappropriate and this personal approach could be enough to deal with the matter. If you do this, you should make a note of when the conversation took place and what was agreed.

If you don't feel able to do this, you could ask one of the people outlined in the section above to speak on your behalf. If so, they should also make a note of the conversation that takes place.

Write to the person

Another approach is to email or write to the person. You should explain to them that their behaviour is unacceptable, the effect it has and that you wish it to stop. Remember to keep a copy of your email or letter.

Facilitated meeting

A facilitated meeting or mediation is an informal, confidential meeting between you and the person who is causing you concern. It will be run by a line manager (or your line managers' manager, if the issue concerns your line manager) or a member of the HR team. The idea is to have a 'safe' space where the issues can be aired, and both sides can explain their views and feelings. The idea is not to apportion blame or to have a 'winner' and a 'loser', but to explore the situation and the difficulties in the relationship, and agree a way of working together in the future.

You can request this approach yourself, or your line manager or the 'safe confidant' may suggest it as a way forward. It's important that both people involved agree to the process. The line manager (or your line managers' manager, if the issue concerns your line manager) will meet each person informally to explore whether the issue is one which could be resolved this way and that both people agree to take part with positive intentions. If this can't be established, then this will not be a suitable means of resolving things. Similarly, if the meeting does take place and isn't constructive despite best intentions, it will be stopped.

More formal mediation may also be considered involving a suitable mediator from outside the organisation if appropriate. The option of mediation is available throughout the process and may also be useful to support working relations after the process is complete.

Formal approach

You may make a formal complaint at any time, either when the behaviour first occurs, if it re-occurs or after you have tried to deal with things informally by one or more of the ways outlined above. It may be that the behaviour is so offensive or aggressive that a formal complaint is the only suitable approach from the outset.

If you want to make a formal complaint, you should write to your line manager or the relevant senior leader, as appropriate, explaining what has happened and the people involved. If the complaint is about the CEO, you should write to the Union President (Chair of the Trustee Board). The CEO and President should direct their concerns to an external Trustee who will act as the investigating manager in this procedure.

A formal complaint will be dealt with under the Union's Disciplinary Policy. With this, the issue will be investigated formally with an 'investigating officer' being asked to lead the review. This will involve speaking to both people involved and any witnesses. This will usually be your line manager, but if they are the subject of the complaint or there are reasons why they may not be seen as impartial, another suitable manager will be appointed. This may be your manager's line manager. HR will support the investigating manager and the formal process.

A prompt, thorough and objective investigation will take place in line with the timescales set out in the Disciplinary Policy. The outcome will depend on the nature and seriousness of the issue being investigated, but it will result in one of the following:

- Informal action – which may include speaking to the person about their behaviour, or a facilitated meeting or mediation with the people involved.
- Disciplinary action against the person found to have bullied or harassed, as set out in the Disciplinary Policy
- No further action, if this is felt to be the most appropriate.

Support

We understand that going through this process could be difficult or upsetting for both parties. Where appropriate we will ensure that practical support mechanisms are made available. This may include occupational health services or counselling. Depending on the particular circumstances, it may also include changing working arrangements or location temporarily for either of the people involved.

We will also agree confidentiality parameters with the person making the complaint, as far as we're able. Our intended approach is that confidentiality is preserved when dealing with these issues.

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