

**POLICY ON DIGNITY AND RESPECT IN THE WORKPLACE**

**INFORMATION AND GUIDANCE  
FOR  
LINE MANAGERS AND EMPLOYEES**

<b>Version control table</b>	
Original version published:	November 2013
Current version number:	Revised Version 1
Current Date	2nd August 2017
Date current version published:	August 2017
Due date for next review:	April 2019
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Equality and Diversity Impact Assessment date:	13 <sup>th</sup> July 2017
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## POLICY ON DIGNITY AND RESPECT IN THE WORKPLACE

### 1. INTRODUCTION

1.1 The purpose of this policy is to:

- Give a clear statement of the Council's policy on dignity and respect in the workplace which applies to all employees.
- Give examples of the type of behaviour which can constitute as bullying and harassment.
- Give guidance on the responsibilities of employees and managers
- Advise employees on the procedure they should follow if they wish to complain about bullying or harassment.

1.2 Many people have misgivings about the introduction of a policy and procedure on dignity and respect in the work place which stem from a concern that it is intended to outlaw fun and jokes at work. It is important to be quite clear about both the importance of the issue and the distinction between bullying and harassment and actions or behaviour which are mutually agreeable.

### 2. POLICY STATEMENT

2.1 Scottish Borders Council (the Council) is committed to encouraging and maintaining good employee relations within a working environment which fosters team working and encourages employees to give of their best. **Everyone in the Council and those who have dealings with the Council has a responsibility to maintain good working relationships and not use words or deeds that may harm the wellbeing of others.** In addition to the obligations placed upon both employers and employees by the Equality and Human Rights legislation, **everyone has the right to be treated with consideration, fairness, dignity and respect.** This contributes to a workplace environment in which individuals feel safe and can work effectively, competently and confidently.

2.1.1 The Council has a "zero tolerance" policy and will investigate vigorously any allegations of bullying, harassment, discrimination, victimisation or unacceptable (referred to from this point forward as bullying and harassment) behaviour towards an individual or group, regardless of whether the matter has been raised formally or informally.

2.1.2 The Council fully recognises that bullying and harassment is a serious offence which may cause fear, stress and anxiety and be detrimental to the health, safety and well-being of employees and interfere with work effectiveness. It is also recognised that some employees may be unaware of the effect their behaviour has on others and that the most productive way to resolve such issues is to facilitate mediation between the parties involved.

2.1.3 The Council is also aware that cases of bullying and harassment can involve difficult and sensitive circumstances e.g. where the bully or harasser is an

employee's line manager or a very senior officer. Consequently, it undertakes to deal with cases involving harassment promptly, sensitively and confidentially. At all stages the wishes of the employee(s) involved will be taken into account.

- 2.1.4 Some cases of harassment may be unlawful and require the involvement of external authorities (e.g. the police). A balance will therefore require to be struck between the need to preserve confidentiality and the need for investigation and effective action.

### 3. POLICY SCOPE

3.1 The Council's policy applies to all staff working within the organisation and to all employees working off the premises. It also applies to elected members. It extends to include non-permanent workers such as secondees, contractors, agency, temporary staff, consultants and any other workers. The policy, in addition, covers the behaviour of staff outside working hours which may impact upon work or working relationships.

3.2 This policy applies particularly in issues of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation. These are referred to as '**protected characteristics**' which are outlined in the Equality Act 2010.

3.3 This policy is associated to the following key policies/guidelines and where applicable should be crossed referenced to gain further detail:

- Code of Conduct
- Disciplinary Procedure
- Equality Diversity & Human Rights Policy
- Family Friendly Policies
- Grievance Procedure
- Managing employees with a disability guidance (see appendix 1 Attendance Management Policy)
- Managing Gender Re-assignment guidance (under Attendance Management Policy).

3.4 This policy and procedure has been agreed in consultation with the Council's recognised Trade Unions: Educational Institute for Scotland (EIS), GMB, Scottish Secondary Teachers Association (SSTA), Unison and Unite.

### 4. KEY PRINCIPLES

4.1 **The Council will provide and sustain a safe working environment in which everyone is treated fairly and with respect.** Those working or dealing with the Council must not encounter bullying and harassment, or unacceptable behaviour on the basis of the associated protected characteristics.

4.2 Everyone carries a personal responsibility for their own behaviour and for ensuring that their conduct is in accordance with the principles set out in this policy. In addition, each person has a responsibility to report any instance of bullying or harassment which they witness or which comes to their attention. Employees have a responsibility to act as role models, pro-actively addressing instances of bullying and harassment. Managers should also make themselves aware of their responsibility. It is emphasised that any acts of bullying or harassment by employees will be viewed as serious offences and will be subject to the Council's Disciplinary Policy.

4.3 Any employee who wishes to make a complaint under this policy is encouraged to first discuss matters informally with their line manager or with Human Resources, provided that they feel able to do so. Should the issues not be resolved at this stage, or the employee feels unable to raise the issue informally, then a formal resolution will be entered into.

Employees can discuss any issue with a member of the Human Resources staff on a completely confidential basis. If they wish to do this an employee should contact the HR Business Partners or contact Human Resources on 01835 825052/3 or at [askhr@scotborders.gov.uk](mailto:askhr@scotborders.gov.uk),

All enquiries will be dealt with sensitively and be kept entirely confidential.

It is appreciated that employees may find it stressful to raise such matters, particularly when it concerns colleagues and/ or line managers.

There is a confidential **Employee Assistance Programme** run by P.A.M which employees can access.

This service is available 24 hours a day every day of the year. Employees can obtain advice and support on any work or personal issue.

P.A.M. can be contacted via (Freephone 0800 882 4102) or by visiting the P.A.M. Assist Website [www.pamassist.co.uk](http://www.pamassist.co.uk). The log in details are:

**Username: Borders**

**Password: Council**

4.4 When a complaint of bullying or harassment is brought to the attention of a manager at any level, whether informally or formally, **prompt action will be taken to investigate the matter.** Corrective action must be taken where appropriate and this may require an investigation under the Council's Disciplinary Policy and Procedure.

4.5 If it is considered that one of the parties concerned in a bullying or harassment case should be moved from their current workplace, then as a matter of principle the Council will normally remove the alleged perpetrator rather than the complainant. However, the final decision on who should be moved should reflect the particular circumstances of the case and advice from Human Resources to the relevant manager. It should be noted and explained to those concerned that the moving of

either party is not an implication of guilt or blame and no detriment to either party will be construed as a consequence.

- 4.6 All matters relating to the investigation of complaints of bullying or harassment will be treated in strict confidence. Any breach of confidentiality in this regard may render those responsible liable to disciplinary actions. However, it will be necessary that any alleged perpetrator is made aware of the allegations against them and the name(s) of those making the allegations together with the name(s) of any witnesses.
- 4.7 No employee will be victimised or suffer detriment for making a complaint of bullying or harassment and no manager shall threaten either explicitly or implicitly that an employee's complaint will be used as the basis for decisions affecting that employee. Such conduct will be treated as a very serious disciplinary offence. Similarly, managers are required to act on any complaint of bullying or harassment. Failure to do so will be regarded as misconduct which if proven, will result in disciplinary action.
- 4.8 All formal complaints of bullying or harassment must be notified by the recipient of the complaint to Human Resources for recording in accordance with our data collection requirements. We are required to maintain such records to monitor the incidences of bullying and harassment.
- 4.9 As a valued employee the Council will ensure that you will:
- Be treated fairly and know what is expected of you.
  - Receive the training and development you need to do your work.
  - Discuss your work with the person you report to and raise any issues that you need support with.
  - Be consulted about issues that affect you and be valued and recognised for your contribution.
  - Be encouraged to develop and achieve your full potential.
  - Be able to be yourself and not what others may think you should be.
  - Be taken seriously if you make an allegation and have your complaint dealt with speedily and confidentially.
  - Receive confidential advice and support on the operation of this policy from your manager and where that is not appropriate, Human Resources. This is the case whether you are the complainant or the subject of a complaint.
  - Have your complaint resolved informally, and if this is not possible or appropriate, through a formal investigation.
  - Be supported in any investigation by your Trade Union representative or a work colleague.
- 4.10 This policy and procedure will be reviewed periodically giving due consideration to legislative changes.

## 5. DEFINITIONS

### 5.1 Dignity and respect in the workplace

5.1.2 Dignity and respect at work is about how we treat people. It is about our behaviour as an organisation and as individuals towards fellow employees and all those with whom we work. It is about respecting yourself and others as individuals, valuing their qualities and their differences.

5.1.3 When we don't value and respect people, our behaviour can undermine the dignity and respect to which we are all entitled. It can result in:

- Poor morale
- A loss of respect
- Poor performance
- Lost productivity
- Illness
- Absences and
- Resignations.

5.1.4 Behaviour that undermines someone's dignity and respect is unacceptable and can be a problem in any organisation if it is allowed to continue.

5.1.5 We will mainstream dignity and respect into the workplace by:

- Ensuring all employees know what is expected of them and are aware of the policy and associated procedures and the implications of certain behaviours
- Taking any allegations made by employees seriously and, so far as possible, will manage complaints speedily and confidentially.
- Making every effort to resolve complaints informally, however, where this is not appropriate or possible, we will hold a formal investigation.
- Supporting employees who are experiencing difficulties in a range of ways by offering:-
  - Codes of behaviour and conduct
  - Access to family friendly policies
  - Advice from Human Resource professionals
  - Support of independent counsellors
  - Use of informal or formal Mediation
  - Instigation of a formal complaint under the grievance and disciplinary procedures.
- Not accepting people as being victimised because they have made a complaint about bullying and harassment.
- Treating and dealing with all complaints appropriately and this may result in disciplinary action for misconduct. If however a complaint turns out to be without foundation, following investigation, or is found to be malicious or vexatious, then disciplinary action may be considered against the complainant. This policy is intended to deal with real allegations of behaviour that undermine someone's dignity and respect, which is unacceptable behaviour in the workplace.



- Monitoring any incidents to identify potential problems and areas for improvement.
- Reviewing this policy regularly in consultation with staff and trade unions to ensure that it reflects up to date Employment and Anti-discrimination Law, Government policy and European directives and regulations.

## 5.2 Unacceptable behaviour

5.2.1 We describe in detail what standards we expect from our staff, and what their rights and responsibilities are in respect of working together and for the organisation, in our Code of Conduct Policy.

5.2.2 Unacceptable behaviour towards an individual or a group can take the form of:

**Bullying;** which is persistent, unwelcome, offensive and intimidating behaviour or misuse of power which makes someone feel upset, threatened, humiliated or vulnerable and undermines their self-confidence.

Bullying is unlikely to be a single or isolated instance. It is usually, but not exclusively repeated and persistent behaviour which is offensive, abusive, intimidating, malicious or insulting. Bullying includes but is not limited to:

- Conduct which is intimidating, physically abusive or threatening.
- Conduct that degrades, ridicules or humiliates an individual, especially in front of colleagues.
- Picking on one person when there is a common problem.
- Shouting at an individual to get things done.
- Consistently undermining someone and their ability to do the job.
- Setting unrealistic targets or excessive workloads.
- “Cyber bullying” i.e. bullying via e-mail. (This should be borne in mind where employees are working remotely and are managed by e-mail. Care and sensitivity should be practised with regard to the choice of context and language).
- Setting an individual up to fail e.g. by giving inadequate instructions or unreasonable deadlines.

5.2.3 **Harassment;** which is unwanted conduct that, violates someone’s dignity and creates an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may be defined as any conduct which is:-

- Unwanted by the recipient
- Is considered objectionable
- Causes humiliation, offence, distress or other detrimental effect.

#### 5.2.4 Specific to the equality act 2010 this can include:

##### **Sexual harassment:**

- Unwanted physical contact including unnecessary touching or brushing against another employee's body.
- Unwelcome sexual advances; intrusive questions about a person's private life; suggestive or offensive remarks, innuendoes or lewd comments.
- Display of pornographic or sexually suggestive pictures, objects or written materials; sexually suggestive gestures.
- Any hostile or offensive expression by a person towards another - or encouraging others to commit such an act - on the grounds of their sexual orientation.

##### **Racial harassment**

- Any hostile or offensive expression by a person towards another - or encouraging others to commit such an act - on the grounds of their colour race, nationality, religion or ethnic or national origins.
- Ranges from violent physical assault to jokes, remarks, threats or abuse.

##### **Harassment of disabled people**

- Hostile or offensive action directed towards the abilities of disabled people.
- Includes jokes, remarks or abuse.

##### **Gender specific harassment**

- Any hostile or offensive expression by a person towards another - or encouraging others to commit such an act - on the grounds of their sex.
- Includes jokes, remarks or abuse.

##### **Harassment due to religion or belief**

- Any hostile or offensive expression by a person towards another - or encouraging others to commit such an act - on the grounds of their religion or belief.
- Includes jokes, remarks or abuse.

#### 5.2.5 Harassment may be an isolated occurrence or repetitive: it may occur against one or more individuals. Harassment may be, but is not limited to:

- Physical contact – ranging from touching to serious assault, gestures, intimidation, aggressive behaviour.
- Verbal – unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language.
- Non-verbal – offensive literature or pictures, graffiti and computer imagery, ignoring someone at work for example isolation or non-co-operation and exclusion or isolation from social activities.

**5.2.6 Discrimination** is about treating a person or group less favourably than another person or group because of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation.

**5.2.7 Victimisation** occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

### **5.3 Recognising unacceptable behaviour**

5.3.1 Most people will agree on extreme cases of bullying, harassment, discrimination and victimisation, but it is sometimes the 'grey' areas that cause problems.

5.3.2 Behaviour that is considered unacceptable by one person may be considered firm management by another.

5.3.3 Legitimate management action within agreed procedures to deal with staff whose ability or behaviour is in question is not bullying or harassment. However, it is if that manager's behaviour is outside what we would consider to be 'legitimate and reasonable management action' such as:

- Deliberately undermining a competent worker by giving them more work than they can cope with, or
- Withholding information, or supplying incorrect information;

Then we could consider them as having harassed or bullied the employee concerned.

5.3.4 Examples of unacceptable behaviour include the following, particularly when they apply to one or more of the protected characteristics:

- Spreading malicious rumours, or insulting someone.
- Copying memos or e mails that criticise someone to others who do not need to know.
- Getting involved in other people's issues without being given their permission.
- Ridiculing or demeaning someone by picking on them, setting them up to fail, embarrassing remarks or jokes, or comments about such things as a person's dress, appearance, faith or sexual orientation.
- Deliberately excluding someone.
- Verbal abuse including comments related to race, gender, sexual orientation, age, disability or religious belief (these do not have to be directed or related to a specific individual).
- Asking someone to carry out inappropriate tasks.
- Displaying offensive materials including pornography, racist or homophobic material.
- Overbearing supervision or misusing power or position.

- Unwelcome sexual advances such as leering, touching, standing too close, demands for sexual favours.
- Physical assault including touching or other unwanted physical advances such as poking.
- Making threats or comments about job security without good reasons.
- Constant criticism.
- Preventing career progression by intentionally blocking promotion or training opportunities.

5.3.5 Unacceptable behaviour is sometimes hard to recognise because:

- It may not be obvious to others.
- We may feel it is normal behaviour that is culturally acceptable.
- We often ignore it for fear of showing weakness.
- We often ignore it for fear of colleague's perceptions of us, i.e that we cannot do our job.
- We worry about overreacting and not being believed.
- It may happen outside of work or it is not face to face.

5.3.6 Unacceptable behaviour does not always happen face to face. It may be by:

- Written communications
- E-mail
- Gossip in or out of work time
- Social networking sites, or
- Phone calls or texts.

5.3.7 When writing e-mails, bold, red and capital letters as well as offensive language can be seen to be aggressive and are not appropriate. We should not send anything by e-mail that we would not say in person.

5.3.8 When engaging in discussion or making comment, on social networking sites (eg Facebook), even in your own time, you should be aware of the potential impact that comments may have on relationships with colleagues in the workplace. Unacceptable incidents of this nature may be regarded as bullying and harassment and may lead to disciplinary action.

5.3.9 Inappropriate behaviour can lead to complaints of bullying and harassment, whether they occur at the workplace or at other venues during work related events. Recent tribunal cases have made it clear that work related events are considered under the law as a continuation of the workplace and that inappropriate behaviour which occurs at training courses or social events such as Christmas parties, or in the pub after work, can constitute unlawful discrimination in the same way as if it had occurred in the workplace.

## **6. ACTION BY THE COUNCIL**

- 6.1 The Council recognises that a characteristic of harassment is that employees subjected to it are very vulnerable and are often reluctant to complain. They may be embarrassed and not want attention focused on the situation, or be concerned that it will be trivialised. It may be that the harasser is the employee's manager or supervisor. There will also be cases in which the alleged bully or harasser is unaware of the effect of their actions. In many cases, the most appropriate way of resolving issues is to arrange mediation between the parties.
- 6.2 Acknowledging these sensitivities the Council undertakes to:
- Provide employees with appropriate help quickly and confidentially.
  - In appropriate cases, facilitate mediation between the relevant parties. Where mediation has not succeeded or is inappropriate, thoroughly investigate any alleged incidents.
  - Use the appropriate disciplinary procedure where necessary; and
  - Protect employees against victimisation for making or being involved in a complaint.
- 6.3. HR is responsible for operating an advisory service to provide guidance to departmental management and employees on all aspects of bullying or harassment and also to provide a prompt and fully confidential service to investigate or advise on cases of complaint and to assist in the mediation process. All cases will be treated as a priority and be dealt with under this policy. Where warranted, disciplinary action will be taken against the perpetrator, in accordance with the Council's Disciplinary Procedure.
- 6.4 Harassment by non-employees. It is recognised that employees can be subjected to harassment by individuals who are not employees of the Council. The Council regards harassment by non employees equally seriously and will take appropriate action to investigate alleged incidents and protect employees. See the Unacceptable Behaviours policy for further information.

## **7. ROLES AND RESPONSIBILITIES**

### **7.1 All staff are expected to:**

- Treat colleagues politely, fairly and with dignity and respect and in accordance with the Council's Code of Conduct.
- Value differences in others and the contribution they make.
- Be aware of how your behaviour impacts on others and change it if it is likely to cause offence.
- Challenge inappropriate behaviour constructively and bring unfair treatment you have witnessed, or if you suspect, to the attention of managers.
- Co-operate with investigations into allegations made under this policy and maintain confidentiality as agreed.

- Ensure that training is attended and be aware of your responsibilities to your colleagues in relation to this policy.
- Be aware that disciplinary action may be considered if you make false or malicious allegations.
- Support others where possible as the lodging of a complaint and any associated investigation can be extremely difficult and distressing for both the complainant and the subject of the complaint.

## 7.2 All managers are expected to:

- Manage people effectively and in a fair and consistent way and refer to what is required by the Council's policies and procedures, and material available from your line manager or Human Resources.
- Ensure all their staff are aware and understand this policy, follow it and realise the implications of unacceptable behaviour, making it clear that unacceptable behaviour will be treated as a disciplinary matter.
- Lead by example, set high standards and be open to feedback.
- Be available to staff to discuss their problems or concerns and to provide appropriate support.
- Take allegations seriously and manage any investigation speedily and confidentially.
- Pass any investigation to Human Resources staff only when it is inappropriate for the manager to deal with it themselves because they may be implicated in some way.
- Ensure that employees, who have raised concerns are not victimised as a result of their actions.
- Be aware that any failure to act on a complaint will be treated as misconduct in itself.
- Complete the monitoring information as and when required to facilitate corporate reporting.
- Take prompt action to stop harassment as soon as it is identified. In some cases, by pointing out that the behaviour is unacceptable, managers will be able to effectively stop the problem without further action.
- Discourage the display and/or circulation of potentially offensive material in the workplace.

## 7.3 In addition, if someone has complained about your behaviour you should:

- Listen carefully to the person making the complaint and to the particular concerns they tell you.
- Respect the person's point of view and apologise for any offence caused.
- Deal with any issues as soon as you can and if necessary modify your behaviour.

## 7.4 Human Resources

- Will have responsibility for monitoring/reviewing the policy.
- To give appropriate advice and guidance on implementing the policy.
- Offering a fully confidential service and assist in the mediation process.

## **8. BULLYING AND HARASSMENT COMPLAINT PROCEDURE**

### **8.1 What to do if you feel you are being bullied or harassed.**

An employee (or group of employees) who believes that he or she has been the subject of bullying or harassment should, if they feel able, in the first instance, ask the person responsible to stop their behaviour. It may be that the person did not realise that their behaviour was offensive and unwanted and will stop it once it is brought to their attention. It is important to gather as much supporting evidence of your experience as possible. Therefore it would be helpful if the employee writes down the nature of the bullying or harassment, including what was said or done, the time, date, place, and any other relevant circumstances and details of any witnesses. The note should be made as soon as possible after the event occurred. Please use the Dignity at Work Incident Log/ Complaint Form (Part A).

8.1.1 If the employee feels unable to ask the person to stop their behaviour or, having done so, the bullying or harassment continues or the employee feels that he or she has been victimised as a result of speaking to the person responsible, there are two possible routes they may follow:

- Contact their most immediate departmental manager not involved in the complaint, or, where this is not appropriate;
- They may raise the issue directly with a senior member of HR staff of their choice, who will provide confidential assistance and advice on the appropriate course of action.

8.1.2 If an employee is a member of a Trade Union they may also seek advice and representation from their Trade Union representative.

8.1.3 An individual who is made aware that their behaviour is unacceptable should:-

- Listen carefully to the complaints and the particular concerns raised.
- Respect the other person's point of view: everyone has a right to work in an environment free from harassment/intimidation.
- Understand and acknowledge that it is the other person's reaction/perception to another's behaviour that is important.
- Agree the aspects of behaviour that will change;
- Review their general conduct/behaviour at work and with workplace colleagues.

8.1.4 If there is no change in the behaviour of the perpetrator, or the employee still feels that they are still being harassed or bullied it will be necessary to complete Part B (Informal Complaint Form) of the Dignity at Work Incident Log/Complaint Form.

8.1.5 In many cases it will be possible for the line manager or member of HR to resolve the problem informally. However, if informal action fails or is not appropriate, a formal investigation of the complaint will be carried out in accordance to the Council's Grievance Policy.

- 8.1.6 If it is inappropriate for you to submit the incident log or complaint form to your immediate Manager, either because your complaint is about them or they are implicated in some way, then you should submit it to their immediate manager.
- 8.1.7 Employees can, if they wish, seek advice and representation from their Trade Union in raising a complaint and responding to a complaint made against them.

## 8.2 Informal action

- 8.2.1 The appropriate supervisor/manager or member of HR staff will arrange a confidential meeting with the employee at a location other than their immediate workplace. At this meeting the case will be discussed to establish the reason for the complaint and the circumstances. Further investigation will be undertaken as appropriate to establish the facts.
- 8.2.2 Where appropriate, a meeting will be arranged involving all relevant parties. The meeting will also be attended by a representative from HR and, if appropriate, a senior manager from the relevant department. The purpose in the meeting will be to mediate between the parties and, where possible, to restore working relationships and find a solution that allows the parties to continue working together.
- 8.2.3 In cases where a meeting has not resolved the issues or is otherwise inappropriate and the complaint is found to be justified informal action will vary according to the nature of the harassment but may include the line manager consulting HR for advice on policy, rights and procedures and subsequently.
- Counselling the perpetrator on the effect of his/her behaviour.
  - Explaining to the perpetrator that disciplinary action may follow if the behaviour continues or is repeated;
  - Ensuring that the issue is seen as a potentially serious matter.

## 8.3 Formal Action

- 8.3.1 Where informal action has failed to provide a solution, or is not appropriate because of the seriousness of the matter, you will be asked to complete a Dignity at Work Incident Log/ Complaint Form (Appendix 1).
- 8.3.2 Unless the matter is to be handled outwith the department, it will normally be the responsibility of the appropriate line manager, with advice from HR. In cases of sexual harassment it may be desirable to assign one male and one female investigating officer
- 8.3.3 If it is inappropriate for you to submit the Form to your immediate Manager, either because your grievance is about them or they are implicated in some way, then you should submit it to their immediate manager.
- 8.3.4 Action will be undertaken expeditiously and sensitively and every effort will be made to ensure that the process does not cause unnecessary distress to either party. Similarly, confidentiality will be maintained as far as possible, consistent with a thorough investigation.



- 8.3.5 At the conclusion of the investigation the appropriate action will be taken and may range from no action where no evidence has been found to substantiate an allegation of harassment to a formal disciplinary hearing and appropriate disciplinary action which may include dismissal in accordance with the Council's Disciplinary Policy.
- 8.3.6 Employees can, if they wish, seek advice and representation from their Trade Union in raising a grievance and responding to a grievance made against them.

#### **8.4 Harassment by non-employees**

- 8.4.1 It is recognised that employees can be subjected to harassment by individuals who are not employees of the Council. Where this occurs, employees should immediately bring it to the attention of their line manager who will provide help and support and take any immediate action necessary to protect an employee. See the Unacceptable Behaviours policy for further information.
- 8.4.2 Line managers should fully investigate alleged incidents without delay and report them to the relevant senior manager and external authorities as appropriate.

### **9. RECORDS**

- 9.1 Where the complaint is informal and resolved at this stage, no record will be kept on personal files.
- 9.2 Following formal investigation, where the complaint is not substantiated, no records will be retained.
- 9.3 Where a complaint is substantiated or partially substantiated but does not proceed to disciplinary, a letter confirming the outcome will be retained on the personal file and supporting documentation retained in a separate file for a period of 12 months.
- 9.4 Where the matter proceeds to a disciplinary hearing then the storage of records should be in accordance with the disciplinary procedure.

Guidance for managers:

Allegations, incidents or concerns may be raised through -

- Recorded incidents of bullying, harassment, victimisation or discrimination through discipline and grievance policies;
- 121/PRD sessions;
- Exit Interviews;
- Staff Survey/HSE Stress Survey; (if conducted)
- Feedback through the Trade Union representatives;
- Contents of Occupational Health Reports information gained from sickness absence procedures; and

- Equality-diversity mailbox.

## 10. RAISING AWARENESS

10.1 To support the fair and consistent application of this policy, the Council will ensure that all staff understands what this policy means for them, with regard to both rights and responsibilities. We will:

- Ensure that this policy is publicised widely using appropriate communication channels.
- Ensure that presentation on our commitment to dignity and respect in the workplace is included within the corporate induction programme.
- Require all staff to undertake mandatory training on dignity and respect in the workplace alongside training on our policy developed in line with the Equality Diversity and Human Rights Policy.
- Develop and deliver additional targeted training in response to any issues identified as part of the monitoring process; and
- Ensure all those staff with a managerial responsibility participate in additional management training (as soon as possible on becoming a manager and from time to time thereafter) on their vital role and responsibilities under the policy, particularly in relation to how to prevent bullying and harassment arising and on how to manage such situations where they do arise within the workplace.

## 11. MONITORING AND REVIEW

11.1 The Chief Officer HR has overall responsibility to ensure that this policy is implemented and adhered to.

11.2 Human Resources are responsible for supporting managers in operating the policy and for monitoring its operation.

11.3 This policy will be reviewed every two years and will reflect any changes in legislation.

**DIGNITY AT WORK INCIDENT LOG/COMPLAINT FORM**

# Dignity at Work Incident Log/ Complaint Form

**STRICTLY PRIVATE AND CONFIDENTIAL**

**Note to the Employee**

When you submit this form to your line manager please ensure that you have attached all relevant information, including letters, e-mails, memos etc. It will help your manager in deciding what the next steps are to resolve your situation.

**Part A Incident Log**

<b>Name</b>	
<b>Department</b>	
<b>Job Title</b>	
<b>Grade</b>	
<b>Work Location</b>	
<b>Contact Number</b>	
<b>Line Manager</b>	
<b>Representative</b>	

**What is the name of the person(s) you feel is bullying/harassing you**

<b>Name</b>	
<b>Job Title</b>	

**Where did the incident take place?**

**Who else was present when the incident took place?**

**What happened?**

**What did you do?**

**How did you feel?**

**Other information: e.g. do you feel that the incident was because of a particular reason such as sexual orientation, ethnicity, gender etc.**

**I hereby confirm that the above information is a true and accurate reflection of events. Furthermore, I understand that making vexatious or malicious allegations or allegations I know to be untrue is a breach of the Council's Disciplinary Policy and may be subject to disciplinary action.**

<b>Print Name:</b>	
<b>Signature</b>	
<b>Date:</b>	

**Part B Complaint Form**

**STRICTLY PRIVATE AND CONFIDENTIAL**

**I wish to make an informal complaint under the Dignity at Work Policy.**

<b>Name</b>	
<b>Department</b>	
<b>Job Title</b>	
<b>Grade</b>	
<b>Work Location</b>	
<b>Contact Number</b>	
<b>Line Manager</b>	
<b>Representative</b>	

**This complaint(s) is against:**

<b>Name</b>	
<b>Job Title</b>	

*(Continue on separate sheet if necessary)*

**Statement of Complaint**

Please explain your complaint in detail, including any evidence which backs this up, such as the date(s) and time(s) when the incident(s) took place. (Continue on a separate page if required)

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**Supporting Evidence**

<p><b>Name(s), job title(s) and contact details of witness(es) if applicable:</b></p>          
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<p><b>In your opinion what did they witness?</b></p>          
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Has this or a similar complaint been raised previously? (Delete as appropriate)	Informally		Formally	
	Yes	No	Yes	No

<p><b>What was the outcome of this?</b></p>          
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**I hereby confirm that the above information is a true and accurate reflection of events. Furthermore, I understand that making vexatious or malicious allegations or allegations I know to be untrue is a breach of the Council's Disciplinary Policy and may be subject to disciplinary action.**

<b>Print Name:</b>	
<b>Signature</b>	
<b>Date:</b>	

