

# Dignity at Work Statement

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# Dignity at Work Statement

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## Our commitment

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The College values diversity and is committed to creating a positive working environment free of harassment and bullying, where all people are treated with dignity and respect. The College will not tolerate bullying and harassment of any kind. All allegations of bullying and harassment will be promptly and thoroughly investigated and, if appropriate, disciplinary action will be taken.

Harassment or bullying can have very serious consequences for individuals and the College. Harassment or bullying may make people unhappy; cause them stress; affect their health and family and social relationships; may affect their attendance and work performance and could cause them to leave their job.

Effects on the College can include loss of morale, poor work performance, increased turnover of staff, legal claims and damage to the College's reputation.

Employees found guilty of harassment or bullying may face disciplinary penalties, up to and including dismissal, could be personally liable to pay compensation in legal claims, and may find their own family and social relationships are adversely affected. Serious harassment may constitute a criminal offence. The College will not tolerate victimisation of a person for making good faith allegations of bullying or harassment or supporting someone to make such a complaint. Victimisation is a disciplinary offence.

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## The scope of this statement

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This policy statement covers bullying and harassment of or by employees of the College. It will also apply to complaints about employees made by agency staff, contractors and workers working within, but not directly employed by the College and vice-versa. Students wishing to make a complaint about a member of College staff should use the Students Complaints Procedure.

The policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, eg business trips and work-related social events.



## Definitions

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Harassment is unwanted conduct which has the purpose or effect of

- 1 violating the dignity of a person; or
- 2 creating an intimidating, hostile, degrading, humiliating, or offensive environment.

Note that:

- ❖ a single act can constitute harassment;
- ❖ harassment is defined by its impact on the complainant and not simply by the intention of the harasser;
- ❖ when considering whether an act constitutes harassment, the test applied will be whether a reasonable person in possession of all the facts would consider the act complained about to constitute harassment. This measure is to protect individuals against frivolous or vexatious complaints from the over-sensitive.
- ❖ a legitimate complaint may be raised by a person who is offended by actions relating or aimed at someone from a protected group, whether or not that person belongs to this protected group.

*Example:* a manager racially abuses a black worker, as a result of the racial abuse the black worker's white colleague is offended and could bring a claim of racial harassment.

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Harassment can occur on a variety of grounds which may include, but are not limited to:

- ❖ race, ethnic origin, nationality or skin colour
- ❖ sex
- ❖ sexual orientation
- ❖ religion or belief
- ❖ gender reassignment status
- ❖ membership (or non-membership) of a trade union
- ❖ disability, AIDS or HIV status
- ❖ age
- ❖ status as an ex-offender
- ❖ health, physical characteristics or personal beliefs.
- ❖ perception of having one the above characteristics
- ❖ association with someone who is protected, e.g. the primary carer of someone with AIDS

It may include:

- ❖ remarks or innuendoes which ridicule, embarrass or insult
- ❖ jokes of a derogatory nature
- ❖ displaying offensive or negative material, such as graffiti, posters or web-sites
- ❖ threatening, abusive, obscene or racist language or gesture
- ❖ violence, threats or intimidation
- ❖ provocative suggestions or sexual advances
- ❖ actions that cause discomfort or embarrass
- ❖ isolation and exclusion from work or work related activities.

Detailed examples of actions or behaviours which may constitute harassment are set out below. These examples are not intended to be exhaustive but to illustrate the types of behaviours which many will find unacceptable.

### ***Examples of sexual harassment***

- ❖ ***physical conduct:*** unwanted physical contact ranging from unnecessary touching, pinching and brushing against another's body to sexual assault and rape
- ❖ ***verbal conduct:*** unwelcome sexual advances, propositions or pressure for sexual activity; suggestive remarks, innuendoes or lewd comments;
- ❖ ***non-verbal conduct:*** the display of pornographic or sexually suggestive pictures, objects, leering, whistling, offensive e-mails, etc.

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## ***Examples of racial harassment***

- ❖ racially derogatory remarks or jokes, banter, ridicule or taunts
- ❖ graffiti or slogans
- ❖ using a disparaging or offensive tone when communicating with people from certain racial groups
- ❖ avoiding people because of their racial group
- ❖ having unrealistic expectations of performance or imposing excessive workloads on people, based on their racial group



## ***Examples of harassment on the grounds of disability***

- ❖ jokes about disability or disabled people
- ❖ mimicking the effect of a disability or speech impairment
- ❖ deliberate or malicious exclusion from conversations or social activity
- ❖ use of inappropriate terms (e.g. cripple, spastic)
- ❖ excluding individuals with disabilities from professional and social events.
- ❖ excluding persons from professional and social events because they are associated with someone disabled (e.g. disabled child, etc.)

## ***Examples of harassment on the grounds of age***

- ❖ use of ageist stereotypes
- ❖ making assumptions about abilities or fitness on grounds of age
- ❖ teasing on grounds of age e.g. "jokey" birthday cards
- ❖ basing selection for training or development on the grounds of age e.g. excluding those approaching retirement
- ❖ correlating career progression with age - e.g the assumption that someone should have reached a certain career point by age 40.

## ***Examples of other common forms of harassment***

- ❖ repeated jokes or comments in respect of physical characteristics or personal beliefs
- ❖ repeated jokes or comments in respect of a person's sexual orientation, whether or not this person has the perceived sexual orientation
- ❖ practical jokes, invasions of privacy
- ❖ treating someone less favourably because they have submitted or rejected sexual harassment or harassment related to sex or gender reassignment



## Bullying

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Bullying is offensive, intimidating, malicious or insulting behaviour; an abuse or misuse of power which is meant to undermine, humiliate or injure the other party. Unlike harassment it is not based on membership of any legally protected minority group.

Examples of bullying behaviour include:

- ❖ spreading malicious rumours, or insulting someone
- ❖ sending e-mails or hard copy documents that are critical of someone to others who do not need to know
- ❖ ridiculing or demeaning someone – picking on them or setting them up to fail
- ❖ exclusion or victimisation
- ❖ unfair treatment
- ❖ overbearing supervision or other misuse of power or position
- ❖ 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.

Firm management (the use of reasonable measures to improve the quality of work) is not bullying. Examples of reasonable management practices include:

- ❖ setting realistic work objectives, targets and deadlines, monitoring output and supporting staff to enable them to develop
- ❖ setting reasonable standards for work and conduct and monitoring for compliance.

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## Victimisation

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Victimisation occurs when a person is put at a disadvantage or suffers reprisal or detriment for making, in good faith, a complaint of discrimination, bullying, or harassment (or for supporting someone else who has).



## Finding Help

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Guidance on how to raise concerns about the infringement of your dignity at work is available within the HR Codes of Practice on Grievance and Grievance Key Concepts documents. These are available on the HR web site under "Tackling problems at work".

## Making the Policy Work

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The policy will be communicated to all staff via internal publications, intranet site and training. It will be issued to all new staff as part of the induction process.

The HR Department regularly reviews all formal cases to ensure procedures have been followed and relevant procedures are followed, any learning points noted and incorporated.

Success will be monitored - positive action will be taken in Departments which have high levels of complaints about bullying or harassment.