



Dignity at Work Policy

Policy Title:	Dignity at Work Policy
Risk Priority:	Low
Policy Author:	Kenny Stocks (EVH Model Policy)
Date of Approval:	4th April 2017
Date for Next Scheduled Review:	April 2020 (or when updated by EVH)
Review Body:	Board (JNC & EVH)
Equality Impact Assessment Complete:	No
Policy Published on Web:	No
Scottish Social Housing Charter Standard	N/A
Scottish Housing Regulator Standard:	5
Scottish Housing Regulator Guidance:	5.3

DIGNITY AT WORK POLICY

Ardenglen Housing Association can provide this procedure on request, in large print, in Braille, on tape or in other non-written format, and in a variety of languages.

1. INTRODUCTION

- 1.1 The Ardenglen Group ('the Group'), comprising Ardenglen Housing Association as the parent and Ardenglen Developments as a subsidiary, is committed to the highest standards of openness, probity and accountability.
- 1.2 Ardenglen is committed to providing a working environment which is free from harassment, bullying and intimidation of any nature. Every employee, committee member, volunteer, agency worker, contractor, and consultant of Ardenglen has a responsibility to treat all colleagues with dignity and respect, regardless of any personal characteristic.
- 1.3 Under legislation there are certain characteristics protected from the area of harassment, Ardenglen will acknowledge these and also extend this protection to all within Ardenglen. The terms bullying and harassment will be used throughout this policy to mean dignity at work.

2. BACKGROUND

- 2.1 The definitions concerning some of the terminology used within the scope of dignity at work have changed over the years. Most recently the Equality Act 2010 provided a legal definition of harassment but there is still no current legal definition of bullying. However ACAS provides a definition which is widely recognised as being best practice.

3. LEGAL FRAMEWORK/RELEVANT LEGISLATION

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

4. DEFINITIONS

- 4.1 **Harassment:** 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. Ardenglen will extend this definition to include all, and will not be restricted to those identified as having a protected characteristic.
- 4.2 **Bullying:** Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
- 4.3 **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.

5. POLICY PRINCIPLES

- 5.1 This Dignity at Work Policy aims to:
- Ensure integration of diversity into all aspects of Ardenglen business
 - Ensure that all employees, committee members, volunteers agency workers, contractors, and consultants are treated with respect and dignity from each other, and members of the public
 - Ensure that all employees, Board 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.

6. IMPLEMENTATION OF POLICY

- 6.1 The Chief Executive is responsible for the implementation and review of this policy.
- 6.2 Ardenglen will ensure that all new employees, Board members, volunteers, agency workers, contractors, and consultants will receive an induction on this policy. The policy will be integrated into all policies and procedures within Ardenglen.
- 6.3 This policy applies to all employees, Board members, volunteers, agency workers, contractors, and consultants of Ardenglen and therefore all mentioned parties, all have a responsibility to abide by the principles outlined above and also alert their line manager should any behaviours be witnessed which breached this policy.

6.4 Unacceptable behaviour and practices will not be tolerated. However, if or when 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.

7. PROCEDURES FOR DEALING WITH BREACHES OF DIGNITY & RESPECT

7.1 This procedure is complemented by Ardenglen Equality & Diversity and Discipline & Grievance Policies.

7.2 Staff Members

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.

a) Informal stage

Where possible, breaches of this policy should be dealt with informally in the first instance. In many cases inappropriate behaviours are 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 in the first instance alert their line manager to the behaviour, thereafter the employee should be encouraged by the line manager and with their support approach the individual and highlight what behaviour has been offensive. Should the employee be uncomfortable with this then the line manager should approach the individual and have the same discussion. A note should then be put on file of the person who has displayed the inappropriate behaviour and the individual that raised the issue.

b) Formal Stage

If the behaviour is of a more serious nature or it continues after the informal approach has been taken then the issue should be dealt with by mirroring Ardenglen Grievance Procedure.

The employee must put their concerns in writing and give this to their line manager. The line manager should then arrange a meeting with the employee who has highlighted the concerns. At this meeting the manager should establish what the concerns are, and how the employee would like things resolved. The manager should then conduct any necessary investigations. No investigation should take place prior to there being a meeting with the employee. Once the investigation has been concluded, there could be a variety of outcomes including:

- There is no evidence to uphold the complaint

- There is evidence that may involve action against another member of staff
- Action is required on an organisational basis

7.3 Where action is required against another staff member this will follow the organisation's Disciplinary Procedures. Where action is taken regarding a member of staff other than the person who raised the complaint, the complainant will not be informed of any action taken against other individuals.

8. BOARD MEMBERS, VOLUNTEERS, AGENCY WORKERS, CONTRACTORS, CONSULTANTS OR MEMBERS OF THE PUBLIC

8.1 Where a Board member, volunteer, agency worker, contractor, consultants and/or members of the public feel that behaviours towards them have breached the principles of this policy, they have a responsibility to inform the Chief Executive of this as soon as reasonably practical. The complaint will be investigated appropriately and dealt with in accordance with the relevant policies and procedures.

9. INDIVIDUALS FOUND TO BE IN BREACH OF THE PRINCIPLES OF THIS POLICY

9.1 Where individuals are found to be in breach of this policy whether that is employees, committee member, volunteer, agency worker, contractor, and/or consultants this will be dealt with in accordance with Ardenglen Code of Conduct policy and other relevant policies. This may therefore result in termination of the individual's contract, or engagement within Ardenglen.

10. MALICIOUS ALLEGATIONS

10.1 Ardenglen encourages openness and will support you if you raise genuine concerns (even if they later turn out to be mistaken). The Association wants to ensure no one suffers detrimental treatment (including disciplinary action or dismissal, threats, bullying etc) because of such reporting. If you feel you have suffered such treatment contact the Chief Executive or Chairperson immediately

10.2 If after investigation an employee is found to be making fictitious or malicious allegations this will be treated as a disciplinary matter under the contract of employment and appropriate sanctions applied, which may include instant dismissal. An investigation into any allegation of such a breach made against an employee will be conducted in accordance with the disciplinary procedures contained in the conditions of employment.

10.3 If after investigation a committee member is found to be making fictitious or malicious allegations this will be treated as a breach of the duties and obligations to the Association. An investigation into any allegation of such a breach made against a Board member will be conducted in accordance with the Association's relevant policies for such investigations and an appropriate sanction may be applied in accordance with the Association's Board Members

Code of Conduct, Standing Orders and the Rules of Ardenglen Housing Association. This may lead to the removal of the Member from the Board

11. TRAINING

- 11.1 The Association through its Internal Management Plan is committed to training and developing staff and committee members to their full potential in order to deliver a high quality of service in all areas of its business.
- 11.2 The employee and committee induction programme includes an overview of this policy, including responsibilities for the promotion and delivery of openness and confidentiality as relevant to their job descriptions. Committee members and staff will receive updates on these issues and specific training as required.

12. EQUALITIES AND DIVERSITY

- 12.1 This policy will be implemented in line with our Equality and Diversity Policy and is subject to an Equality Impact Assessment to assess the likely or actual effects of the policy to our customers in respect of their disability, age, gender, race, religion/belief, sexual orientation or gender identity to ensure equal and fair access for all.

13. MONITORING AND REPORTING

- 13.1 The Association will use appeals, complaints, comments or suggestions from users of this policy to monitor its effectiveness. These will also be used to prompt a review of the policy where necessary.

14. REVIEW

- 14.1 This Policy will be approved by the Board. It will be reviewed every three years unless amendment is prompted by a change in legislation, or monitoring and reporting reveals that a change in Policy is required sooner.

15. DISTRIBUTION

- 15.1 This policy will be provided to every employee and committee member and will be made freely available to any tenant, member or interested party.

16. LEGAL FRAMEWORK

- See Section 3

17. RELATED POLICIES

- Grievance and Disciplinary Procedures
- Conditions of Service
- Equalities and Diversity Policy
- Committee Code of Conduct

--- END OF POLICY---