

## **DIGNITY AT WORK - CODE OF PRACTICE**

### **PURPOSE**

1. The Council, as an employer of choice, wishes to create and maintain a working environment where all employees are treated with dignity, integrity and respect and where their contribution, commitment and diversity are valued.
2. As an equal opportunities employer, the Council fully supports the right and opportunity for all people to seek, obtain and hold employment without discrimination and recognises the fundamental right of all staff to work in an environment free from harassment and bullying of any kind.
3. The aim of this code is to promote respect and dignity at work. It requires managers and employees to take responsibility for eliminating unacceptable behaviour such as harassment and bullying and to promote dignity and respect. It requires managers to take action to ensure that the work environment is conducive to the principles of equality of opportunity and is free of intimidation, offensive acts and materials.
4. It seeks to provide support for victims as well as those against whom allegations have been made by applying fair and sensitive processes and procedures.

### **HARASSMENT AND BULLYING DEFINED**

5. Both harassment and bullying can be defined as any unreasonable conduct, action or behaviour, which is uninvited, unwanted, unwelcome, objectionable, humiliates, offends and distresses another person or group. It can be done deliberately or otherwise. It may be a series of incidents or a one-off event. The Council does not tolerate this behaviour.

#### **Harassment**

6. Harassment can be verbal / non-verbal, physical or psychological and can be experienced by both men and women. What appears acceptable to one person might not be so to another. People experiencing such incidents are often far more adversely affected than the harasser thinks. Their work and health may suffer. The effect is the key consideration rather than the intention.

#### **Sexual Harassment**

7. Sexual harassment includes unwanted verbal, non-verbal or physical conduct of a sexual nature that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment. Often, it can cause distress, interfere with job performance, over-emphasise a person's sexuality and fail to respect the rights of others. It demoralises and diminishes people's skills and capabilities.

8. The following are examples of inappropriate behaviour, which could cause offence:-
- inappropriate comments about dress or appearance, unwanted physical contact, e.g., touching, brushing against another person's body, patting, pinching and any form of sexual assault;
  - unwelcome sexual advances, propositions or pressure for sexual activity;
  - continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome;
  - sexually suggestive remarks, jokes or gestures;
  - the display of sexually suggestive pictures, objects or written material;
  - conduct that ridicules, destroys or is physically abusive or minimises the skills and abilities of a member of staff because of his or her sex.

This list is not exhaustive.

### **Racial Harassment**

9. Racial Harassment is an act which can intimidate, humiliate, ridicule, exploit or undermine the confidence of a person by reason of the person's race, colour, nationality, ethnic origin or religion.
10. The following are examples of inappropriate behaviour, which could cause offence:-
- racist language or abuse directed towards and within the hearing of a member of staff;
  - racist "jokes" which includes all jokes made about any group, e.g., Asian, African, Irish and Jewish people as well as people from other racial/ethnic groups;
  - racial stereotyping within the workplace resulting in limited employment opportunities because of the individual's membership of their racial group;
  - written abuse and the display of offensive material;
  - differential and less favourable treatment, e.g. unfair allocation of work;
  - failure to recognise the quality of someone's work because of preconceptions about race and ethnicity;
  - deliberate exclusion from conversations and/or work/social activities.

This list is not exhaustive.

### **Disability Harassment**

11. Disability Harassment is directed at those staff who have a disability or specific health condition.
12. The following are examples of inappropriate behaviour, which could cause offence:-
- staring and / or uninvited touching;

- deliberate exclusion from conversations and/or work/social activities;
- speaking to others rather than to the disabled person directly;
- verbal or physical abuse or intimidation;
- questioning a disabled person's work capacity and / or ability;
- making assumptions or speculating about someone's impairment;
- asking intimate questions about disabled people;
- failure to recognise ability;
- offensive or patronising remarks;
- ridicule.

This list is not exhaustive.

### **Harassment of Lesbians, Gay Men and Transsexuals**

13. Employees may suffer harassment because of their sexual orientation resulting in offence being caused to their dignity.
14. The following are examples of inappropriate behaviour which could cause offence:-
  - anti-lesbian and gay jokes;
  - the asking of intimate questions about someone's personal or sexual life;
  - assumptions that everyone is heterosexual;
  - gossip and speculation about someone's sexuality;
  - deliberate exclusion from conversations and/or work/social activities;
  - offensive actions and physical attack;
  - verbal or physical abuse and offensive actions.

This list is not exhaustive.

### **Age Harassment**

15. This is discriminatory, ridiculing or demeaning behaviour based on stereotypical perceptions and prejudices about a person's age. Examples of inappropriate behaviour are similar in kind to the list included for racial harassment but are based on ageist grounds.

### **Harassment on Religious Grounds**

16. This is socially unacceptable behaviour which fails to tolerate or acknowledge the rights or needs of individuals with different religious beliefs and practices.
17. Examples of inappropriate behaviour are similar in kind to the list included for racial harassment but are based on religious grounds.

### **Bullying**

18. Bullying in the workplace is defined as persistent, offensive, abusive, intimidating, malicious or insulting behaviour. It includes abuse of power or unfair penal sanctions which makes the recipient feel upset, threatened, stressed, humiliated or vulnerable. It undermines employees' abilities and erodes their sense of self worth. This normally happens over an extended period of time.

19. Bullying can come from a manager, a work colleague or a group of colleagues and examples may include:-
- open bullying such as displays of rage at staff in public and / or in private (often over "trivial" matters), personal insults and name-calling, persistent unjustified criticism and public humiliation, 'scapegoating' of one individual when the problem is common;
  - unseen bullying such as deliberately setting objectives with unreasonable deadlines, unreasonably removing areas of responsibility and inflicting menial tasks instead, constantly changing working patterns without justification, deliberately ignoring or excluding an individual or talking only to a third party to isolate another, excessive and unreasonable additional workload and / or supervision, constant negative feedback and not giving support and encouragement to improve performance.

The list of examples is not exhaustive.

## **HOW TO COMPLAIN**

20. Breaches of this code are disciplinary offences under the Council's disciplinary policy and procedure. No individual should be subjected to persistent, unacceptable and unreasonable behaviour. Those on the receiving end have the right to seek resolution, firstly, through the informal procedure, defined below. If a resolution cannot be found at this stage then the employee can make a formal complaint under the Council's grievance policy and procedure. The employee also has the right to go directly to the formal stage where there are serious breaches of this code.

### **Informal Procedure**

21. In the first instance, employees are encouraged to raise any complaint with their immediate Manager or if the complaint is about the immediate Manager then it should be raised with the Manager at the level above. Employees and Managers are encouraged to try and resolve the complaints as quickly as possible.
22. If an employee feels that the above is not possible or wants help and support in dealing with a complaint then they can do so by making contact with the Council's Mediation Service on telephone no. 01753 477177 (ext. 7177) or email: [mediation@slough.gov.uk](mailto:mediation@slough.gov.uk). The employee can also contact his/her trade union representative.
23. The employee should give details of the complaint to the mediator. The mediator will arrange to meet with the employee at a convenient time to find out more details about the complaint and discuss possible options for dealing with the situation. Counselling support will also be offered as necessary. If it is agreed to pursue the complaint on an informal basis the Mediation Service will arrange a meeting between the parties concerned to try to resolve the matter. Employees can be accompanied by a trade union representative or a work colleague when they meet with the mediator and at any mediation meeting with management.

## **Formal Procedure**

24. Where an employee wishes to raise a formal complaint, this must be done using the Council's grievance policy and procedure. Any complaints concerning breaches of this code will commence at Stage 2 of the Grievance Policy and Procedure.
25. The outcome of the grievance could be one of the following:-
  - not to uphold the complaint where it was shown not to be founded; or
  - to uphold the complaint and recommend a course of action short of disciplinary action which will prevent further breaches of this code taking place; or
  - to uphold the complaint and to conclude that there are grounds for the matter to be dealt with under the Council's disciplinary policy and procedure.
26. The employee can be accompanied by a trade union representative or a work colleague at any stage of the grievance procedure.