

# Appendix W1 Dignity at Work Policy

---

<b>Contents</b>	<b>Page</b>
<a href="#">Purpose</a>	1
<a href="#">Scope</a>	1
<a href="#">Our Commitment</a>	2
<a href="#">Definitions</a>	3
<a href="#">Roles and Responsibilities</a>	4
<a href="#">Dealing with Bullying, Harassment &amp; Discrimination</a>	5
<a href="#">Support</a>	7
<a href="#">Monitoring &amp; Review</a>	7
<a href="#">Appendix 1</a>	9

## **1. Purpose**

- 1.1 The purpose of this policy and procedure is to ensure that the working environment drives a culture of respect and dignity for all. Respect means having due regard and consideration for the feelings, wishes and rights of others.
- 1.2 The procedure is designed to ensure an efficient and effective resolution to any incidents of bullying, harassment, discrimination or victimisation.

[Back to top of document](#)

## **2. Scope**

- 2.1 This policy covers bullying, harassment, discrimination and victimisation of, and by, all employees and officers of Leicester City Council (including volunteers, interns and casual staff) with the exception of school-based employees. In addition, it covers everyone who employees may come into contact with, including all contractors, agency staff and anyone else

engaged to work at the council, whether by direct contract or otherwise. It also covers third parties such as customers, suppliers or visitors to our premises.

- 2.2 The policy covers bullying, harassment and discrimination in the workplace and also in any work-related settings such as business trips and work-related social events.
- 2.3 If the complainant and/or the alleged perpetrator is not employed by the council (for example, agency worker, consultant), the council will consider what action may be appropriate to protect the interests of the parties involved pending the outcome of the investigation, bearing in mind the reasonable needs of the service and the rights of that person. The investigation will determine the actions to be taken.

[Back to top of document](#)

### **3 Our Commitment**

- 3.1 Leicester City Council is committed to providing a working environment where all individuals are treated with respect and dignity.
- 3.2 This policy is underpinned by the council's vision and values and its commitment to creating a culture of trust and honesty. The council aims to promote a culture where positive relationships are built and where people are allowed to develop their full potential.
- 3.3 The council is committed to creating a workplace free from all forms of unfair treatment and discrimination which enables employees to contribute more effectively, achieve higher levels of job satisfaction, and perform to the best of their ability.
- 3.4 The council values the diversity of its workforce, strives to reflect the community it serves, and expects a culture where equality and diversity are embraced and promoted.
- 3.5 Section 4.2 of the [Code of Conduct](#) summarises the standards of behaviour, responsibilities and approach expected of all employees to support this commitment.
- 3.6 The council has a zero tolerance approach to bullying, harassment and unlawful or unjustified discrimination, including discrimination on grounds of one or more of the protected characteristics under the Equality Act 2010.

3.7 The council will investigate complaints of bullying, harassment or discrimination in a timely manner and take appropriate actions against individuals perpetrating such actions or behaviours. The council will not tolerate victimisation of employees for making allegations of bullying and harassment in good faith, nor for supporting someone who makes such allegations. Victimisation is a disciplinary offence.

[Back to top of document](#)

## **4 Definitions**

### **4.1 Bullying**

4.1.1 Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

### **4.2 Harassment**

4.2.1 Harassment is unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating someone's dignity, or which creates a hostile, degrading, humiliating or offensive environment. A single incident can amount to harassment.

4.2.2 Unlawful harassment may involve conduct related to a protected characteristic as defined under the Equality Act 2010 (see below). However harassment is unacceptable even if it does not fall within any of the protected characteristics.

*Examples of bullying and harassment behaviour are available in appendix 1 - please note this is not an exhaustive list.*

### **4.3 Discrimination**

4.3.1 Discrimination happens when an employee, or group of employees, either suffer/s a detriment or is/are treated less favourably when compared to others because of a protected characteristic or, in some cases, is/are perceived to have a protected characteristic.

4.3.2 The protected characteristics are:

- Age

- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation.

#### 4.4 **Victimisation**

4.4.1 Victimisation is where one person treats another less favourably than they would treat other people because that person has made, or supported, a complaint, or raised a grievance, under the Equality Act 2010 (or previous legislation) or because they are suspected of doing so.

[Back to top of document](#)

## 5 **Roles and Responsibilities**

### 5.1 **Managers will:**

- ensure that all staff, including casual workers, agency workers and volunteers, understand, and know that they are expected to adhere to, the standards of behaviour set out in the Code of Conduct.
- ensure that the work environment is supportive and free from any bullying and negative behaviour.
- act on any allegations of bullying, harassment or discrimination and take timely, appropriate action. Failure to do so may in itself lead to disciplinary action against the manager.
- seek timely advice and guidance from Human Resources if they witness, or hear about, any act of bullying, harassment or discrimination.

### 5.2 **Human Resources (HR) will:**

- ensure that the policy is available to all staff.

- ensure that managers are aware of this policy and provide them with appropriate advice and guidance as and when needed.
- keep the policy under review, monitor its effectiveness and make appropriate amendments.

### 5.3 All Employees:

- should read, and adhere to, this policy in conjunction with the Code of Conduct.
- should treat everyone with respect and dignity and play a part in bringing about an environment which is free from bullying, harassment and discrimination.
- have a personal responsibility for their own behaviour in the workplace, and outside of the workplace (particularly with regard to social media) where their behaviour may have an impact on working relations and/or the reputation of the council.
- should challenge any instances of bullying, harassment and discrimination where possible and/or disclose any instances of such actions/behaviours to a senior manager or a member of HR.

### 5.4 Trade unions recognised within the council will:

- support the Council in its efforts to provide a working environment free from bullying, harassment and discrimination.
- advise members of their rights and responsibilities under the policy and represent members as and when appropriate.

[Back to top of document](#)

## 6 Dealing with Bullying, Harassment & Discrimination

### 6.1 Informal Stage

6.1.1 The council places a significant emphasis on the informal resolution of conflicts. To that end, managers and staff are encouraged to adopt this approach prior to the formal one wherever possible. This could involve, for example, the employee approaching the individual concerned to advise them how their actions and behaviour are affecting them with a view to reaching a mutually agreeable way forward. It is often the case

that the individual may not be aware of the impact of their actions/behaviour and is likely to reflect and take positive action to ensure this does not continue.

- 6.1.2 It is, however, acknowledged that the victim may find it difficult to raise issues with the perpetrator. Mediation may help as a mechanism for resolution in these circumstances and can assist in resolving problems between managers and employees and between employees. It can be particularly helpful in cases where interpersonal conflict or competing interests form an important element in the situation precipitating the complaint.
- 6.1.3 Managers and employees are encouraged to consider using mediation as early as possible in order to provide an early resolution to the complaint. For further information please refer to the [Mediation Service](#) document.
- 6.1.4 Where informal steps are not appropriate, or have been unsuccessful, the process set out in 6.2 should be followed.
- 6.1.5 If an individual is not certain whether an incident, or series of incidents, amounts to bullying or harassment, they should initially contact their line manager, Human Resources Adviser or trade union informally for confidential advice.

## **6.2 Formal Stage**

- 6.2.1 The formal stage can be instigated under the following circumstances:
- Where the complaint could not be resolved through informal measures.
  - Where the bullying/harassment/discriminatory behaviour persists even after attempts to resolve it informally.
  - Where the bullying/harassment is too serious to be resolved informally.
- 6.2.2 If an employee wishes to make a formal complaint they can do so by following the council's grievance procedure – *Please refer to section 6 of [Appendix W Grievance Procedure](#)*
- 6.2.3 Depending on the nature of the allegation a decision may be taken to suspend or temporarily transfer the alleged perpetrator under the council's disciplinary procedure.

- 6.2.4 The manager/investigator will investigate the matter under the grievance or disciplinary procedure. HR will advise which is the applicable procedure.
- 6.2.5 Where a complaint is upheld it will be dealt with under the disciplinary procedure.
- 6.2.6 Where a complaint is not upheld, and the council has reasonable grounds for believing that the complaint was not made in good faith, appropriate action will be taken against the individual making the false complaint which could include disciplinary action which may lead to dismissal.
- 6.2.7 An individual who has made a complaint in good faith, or anyone who has given evidence in relation to such a complaint, irrespective of whether the complaint was upheld or not, should not be subject to victimisation or harassment. Disciplinary action will be taken against any individual who victimises or harasses a complainant or anyone who has supported them.

[Back to top of document](#)

## **7. Support**

- 7.1 The council is committed to providing support to staff who are experiencing/have experienced bullying, harassment or discrimination.
- 7.2 Managers should provide appropriate support where appropriate. This could include informal support, offer of Amica counselling service and occupational health referral.

[Back to top of document](#)

## **8. Monitoring & Review**

- 8.1 The policy will be kept under review and amendments may be made as appropriate.
- 8.2 All formal complaints of bullying, harassment or discrimination will be recorded for monitoring purposes and in order to review the effectiveness of the policy.
- 8.3 The council may also review the outcomes of cases to ensure fair application of the procedures and to identify any learning points in order to make appropriate amendments to the policy.

[Back to top of document](#)

## Document Control

Implementation Date	Author	Summary of Changes	Date to be reviewed
12 <sup>th</sup> December 2016	Kalpesh Masani Parvathi Jaganmohan	New policy	TBA

---

BE RESPECTFUL ❁ BE FAIR ❁ BE CONFIDENT ❁ BE CLEAR ❁ BE ACCOUNTABLE

## Appendix 1

### Examples of bullying behaviour:

- physical or psychological threats;
- derogatory remarks;
- spreading malicious rumours or insulting someone;
- picking on someone or setting them up to fail;
- making threats or comments about job security without reason;
- ridiculing or humiliating an individual, especially in front of others;
- “cyber bullying” - bullying via email or on social media e.g. insulting or derogatory comments;
- isolating and marginalising an individual, excluding the person from any discussion or decision making;
- unreasonably or unnecessarily removing areas of work or responsibility;
- excluding someone from social activities.

### Examples of harassment:

- unwanted physical contact ranging from unwelcome touching to serious assault;
- continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- Making hurtful comments to an individual due to their disability;
- sending or displaying material that is pornographic or that some people may find offensive;
- unwelcome sexual advances or suggestive behaviour;
- the offer of rewards for going along with sexual advances, e.g. promotion;
- the open display of pictures or objects with sexual or racial overtones, which may be offensive to others;
- remarks or jokes associated with a protected characteristic;
- the use of obscene gestures;
- asking intrusive questions about someone’s personal life;
- excluding an individual because they have, or are associated or connected with someone with, a protected characteristic;
- ignoring an individual because they have, or are perceived to have, a protected characteristic.

*Please note this list is not exhaustive.*

[Back to top of document](#)