

Allsorts Gloucestershire Dignity at Work Policy

1. Definitions and abbreviations

The following definitions, abbreviations and acronyms are used in this policy:

- **Child or children** refers to someone aged under 18.
- **Staff and staff members** means all Allsorts employees, support workers and volunteers (including trustees).
- **Vulnerable adult** refers to someone who is, or may be in need of community care services by reason of disability, age or illness; and who may be unable to protect him or herself against significant harm or exploitation. This definition of an adult covers all people over 18 years of age.

2. Introduction

2.1 Access to information

If you require this information in any other accessible format please contact:

Allsorts
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Brunel Mall
Stroud, GL5 2BP
01453 750474
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2.2 The purpose of this policy

Allsorts looks to provide a work environment in which all employees feel treated with trust, respect and dignity and that is free of harassment and bullying. The aim of this policy is to ensure that all employees are protected from unacceptable behaviour in the workplace, and know what to do should they feel they are experiencing it. Bullying and harassment which is based upon age, disability, gender, gender reassignment, race (including colour, nationality and ethnic or national origins), religion or belief, and sexual orientation, is viewed as particularly serious in nature. In this policy, these are known as the 'protected characteristics'. This policy covers bullying and harassment both in the workplace and in any work-related setting outside the workplace, for example, during business trips, at external training events and at work-related social events.

3. The responsibility of Allsorts employees

- 3.1 Employees are expected to make sure that this policy is effective in preventing harassment or bullying, by treating each other with dignity and respect, and being aware of how their behaviour may affect others.
- 3.2 Employees should also be aware that if this behaviour is related to one or more of the protected characteristics, this not only contravenes Allsorts' policy but may also

constitute unlawful discrimination. Such behaviour will be treated as potential gross misconduct under Allsorts' disciplinary procedure and could render the employee liable to summary dismissal.

- 3.3 Employees should bear in mind that the law can hold them personally liable for any act of unlawful harassment. Employees who commit serious acts of harassment may also be guilty of a criminal offence.
- 3.4 Allsorts holds all employees responsible for conducting themselves in line with this policy and will not condone or tolerate any form of harassment, bullying or intimidation, whether engaged in by employees or by outside third parties. Allsorts will take proper action against any third parties who it finds have committed an act of improper or unlawful harassment against its employees.
- 3.5 Employees should draw the attention of their line manager to suspected cases of harassment, bullying or intimidation. Employees must not victimise or retaliate against an employee who has made allegations or complaints of harassment or who gives information about such harassment. Allsorts will treat such behaviour as potential gross misconduct under the disciplinary procedure. Employees should support colleagues who suffer such treatment and are making a complaint.

4. Bullying and harassment

- 4.1 Bullying is a form of harassment, defined as offensive or intimidating behaviour or abuse or misuse of power which undermines or humiliates an individual.
- 4.2 Harassment is unwanted conduct that violates the dignity of an individual or creates an environment that is intimidating, hostile, degrading, humiliating or offensive.
- 4.3 An employee unlawfully harasses another employee if;
 - they engage in unwanted conduct, particularly if it is based on a protected characteristic, and the conduct has the purpose or effect of violating the other employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other employee
 - they engage in unwanted conduct of a sexual nature, and the conduct has the purpose or effect of violating the other employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other employee
 - they or a third party engage in unwanted conduct of a sexual nature or that is related to gender reassignment or sex, the conduct has the purpose or effect of violating the other employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other employee, and because of that other employee's rejection of or submission to the conduct, they treat that other employee less

favourably than they would treat them if they had not rejected, or submitted to, the conduct.

The unwanted conduct will still amount to harassment if;

- it is based on the protected characteristic of a third party with whom the employee is associated and not on the employee's own protected characteristic
- it is directed at someone other than the employee, but is still offensive to them
- it occurs because of a belief that an employee has a protected characteristic, when in fact they do not

4.4 Allsorts can also consider conduct as harassment regardless of any offence taken by the person the conduct relates to. Something intended as a joke or as office banter may offend another person. This is because different employees find different levels of behaviour acceptable and everyone has the right to decide for themselves what behaviour they find acceptable to them. Allsorts may also consider conduct as bullying and harassment even if it does not relate to a protected characteristic.

4.5 Behaviour which a reasonable person would realise would be likely to offend an employee will always be harassment without the need for the employee having to make it clear that such behaviour is unacceptable, for example, touching someone in a sexual way. With other forms of behaviour, it may not always be clear in advance that it will offend an employee, for example, office banter and jokes. In these cases, the behaviour will be harassment if the conduct continues after the employee has made it clear, by words or by their conduct, that such behaviour is unacceptable to them. A single incident can amount to harassment if it is sufficiently serious.

5. Examples of bullying and harassment

Bullying and harassment may be verbal, non-verbal, written, or physical. Examples of unacceptable behaviour covered by this policy include, without limitation, the following:

- Unwelcome sexual advances, requests for sexual favours and other conduct of a sexual nature
- Subjection to obscene or other sexually suggestive or racist comments or gestures, or other derogatory comments or gestures related to a protected characteristic
- The offer of rewards for going along with sexual advances or threats for rejecting sexual advances
- Jokes or pictures of a sexual, sexist, or racist nature or which are otherwise derogatory in relation to a protected characteristic

- Demeaning comments about an employee's appearance
- Questions about an employee's sex life
- The use of nicknames related to a protected characteristic
- Picking on or ridiculing an employee.
- Isolating an employee or excluding them from social activities or relevant work-related matters.

6. Reporting and investigation of complaints

6.1 Allsorts will deal with all allegations of harassment or bullying seriously, confidentially, and speedily. Allsorts will not ignore or treat lightly grievances or complaints of harassment from employees.

6.2 While Allsorts encourages employees, who believe they are a victim of harassment or bullying to notify the offender (by words or by conduct) that their behaviour is unwelcome, it also recognises that such a confrontation may be impractical.

6.3 If such informal direct communication is either ineffective or impractical or the situation is too serious for dealing with informally, the employees should take the following steps to report a complaint of harassment or bullying, whether that complaint is against a fellow employee or against a third party.

- Any employee who believes they have been, or are being, harassed or bullied in violation of this policy, or who wishes to report an incident of harassment or bullying, should report the situation to their line manager. If the employee does not wish to speak to their line manager, they can instead speak to an alternative manager.
- Employee should make such reports promptly so that investigations may go ahead, and that Allsorts can take any action expeditiously.
- Allsorts takes all allegations of harassment or bullying seriously and will promptly investigate. As part of the investigatory process, Allsorts will interview the employee and ask them to give a written witness statement setting out the nature and details of the incident or complaint and the basis for it. Allsorts will keep matters confidential during the investigatory process to the extent that this is practical and proper in the circumstances and will expect the employee to do the same. However, to effectively investigate an allegation, Allsorts must be able to decide the scope of the investigation and any individuals it should interview about the allegation. For example, the Allsorts must identify the complainant and the nature of the allegations to the, alleged, bully or harasser so that they are able to fairly respond to the allegations. Allsorts reserves the right to arrange for another manager to conduct the investigation other than the manager with whom the employee raised the matter. The

investigating officer will be senior to and not line managed by the person against whom the allegation has been made.

- Once Allsorts completes the investigation, the employee will be informed in writing of the outcome and the conclusions and decision as soon as possible. Allsorts is committed to taking proper action with respect to all upheld complaints of harassment or bullying, including undertaking disciplinary proceedings against the, alleged, bully or harasser (see below).
- If Allsorts upholds an employee's complaint and the bully or harasser stays in employment, Allsorts will take all reasonable steps to ensure that the employee does not have to continue to work alongside the bully or harasser if they do not wish to do so. Allsorts will discuss the options with the employee.
- If Allsorts cannot uphold an employee's complaint, the employee and the alleged, bully or harasser will continue or resume working together and Allsorts will give support to repair working relationships.
- Employees will not be penalised or victimised for raising a complaint, even if not upheld, unless the complaint was both untrue and made in bad faith.

Alternatively, the employee may opt to use Allsorts' grievance procedure to make a complaint of harassment or bullying.

7. Disciplinary action

- 7.1 Any employee of Allsorts who is found to have bullied or harassed another in violation of this policy will be subject to action under Allsorts' disciplinary procedure. Any such complaints are potential gross misconduct and could make the employee liable to summary dismissal.
- 7.2 In addition, line managers who had knowledge that such harassment had occurred in their area but who had taken no action to end it may also be subject to disciplinary action under Allsorts' disciplinary procedure.

8. Training

- 8.1 Allsorts will take such measures as may be necessary to ensure line managers receive the proper training, supervision, and instructions to deal more effectively with complaints of bullying and harassment.
- 8.2 Line managers must ensure they promote dignity at work within the areas for which they are responsible.
- 8.3 Allsorts will also give training to all employees to help them understand their rights and responsibilities under this policy and what they can do to create a work environment that is free of bullying and harassment.