

London Deanery
DIGNITY AT WORK POLICY & PROCEDURE

Applicable to:	All Staff
Lead Department:	Human Resources

INTRODUCTION

Bullying and harassment at work are recognised as having a major impact on individuals and the organisation in which they work. Examples of this include stress, accidents, low morale, increased absences, reduced productivity and high staff turnover.

The Deanery recognises that its staff, agency workers, contractors and colleagues who volunteer their services are entitled to be treated with dignity and respect. All complaints of bullying or harassment must be treated seriously and investigated promptly. Bullying and harassment will not be tolerated and, where appropriate, will be dealt with under the University's Disciplinary Procedure or other appropriate channels. Serious cases may lead to summary dismissal.

The Policy and Procedures outlined in this document apply to all Deanery staff and individuals that represent the Deanery and those that assist in carrying out its functions.

DEFINITIONS

Bullying: Acts that humiliate, intimidate or undermine an individual. Examples of bullying behaviour include:

- (a) derogatory remarks
- (b) constantly undervaluing effort/knowledge
- (c) insulting or aggressive behaviour/threats/shouting
- (d) ignoring or excluding an individual
- (e) setting unrealistic deadlines or changing them without consultation or explanation
- (f) public or excessive criticism
- (g) substituting responsible task with menial or trivial ones
- (h) withholding necessary information
- (i) insensitive jokes or pranks

This list is not exhaustive. Bullying is not necessarily face to face; it could be by letter, memo, e-mail or over the phone. Bullying can occur at Committee Meetings.

Harassment – is unwanted conduct affecting the dignity of an individual in the workplace. It may be related to age, sex, gender, gender reassignment, race, HIV Status (real or assumed), disability, sexual orientation, religion and nationality. It may be persistent or an isolated incident. It can include unwelcome physical, verbal or non-verbal conduct. The key is that the recipient views the actions or comments as demeaning and unacceptable.

Such conduct will be unlawful where it is unwanted, unreasonable and offensive to the recipient.

RESPONSIBILITIES

Managers must:

- ❑ Set a positive example by treating colleagues with dignity and respect.
- ❑ Set standards of acceptable behaviour for their team.
- ❑ Treat complaints seriously and take prompt action.
- ❑ Handle situations sensitively, respecting, wherever possible, the need for confidentiality.

Staff & Colleagues must:

- ❑ Be aware of their own behaviour and ensure that they do not behave in a way that could be regarded, by either their colleagues or manager, as bullying or harassment.
- ❑ Support colleagues who are being bullied or harassed, challenge incidents that you witness and assist Deanery management in tackling this behaviour.
- ❑ Speak out if they feel they are being bullied or harassed.

CONFIDENTIALITY

Issues of bullying and harassment are highly sensitive for all parties concerned. Accordingly, the complaint and investigation must be undertaken in a confidential manner. Information must not be disclosed unless it is required to progress the investigation or it involves advising senior management who will be responsible for managing the situation. Wherever possible, the complainant should be advised of any possible disclosures and their consent obtained.

The Deanery has a legal and moral obligation to protect all its staff and may be obliged to take action where instances of bullying or harassment have been drawn to its attention. This may require the Deanery to use information that has been provided by someone alleging to be the victim of, or witness to, bullying or harassment.

ADVICE AND SUPPORT

An individual who believes he or she is the subject of bullying or harassment may wish to seek advice and support away from their immediate workplace. There are a number of avenues available:

- Trade Unions or professional bodies
- Human Resources Department (020 7866 3189)

- Colleagues or managers from another area who may be able to offer an independent and sympathetic ear.
- Websites:
 - ~ www.successunlimited.co.uk
 - ~ <http://www.bullyonline.org/workbully/>
- UK National Workplace bullying helpline 01235 212286

MANAGING COMPLAINTS OF BULLYING & HARASSMENT

All complaints must be taken seriously and managed promptly. There is an informal and formal approach to managing complaints of bullying and harassment. The complainant will be, wherever possible, the arbiter of which is used. However, the Deanery has a responsibility to provide a safe working environment, free from unlawful discrimination or harassment, for its staff and colleagues (*see Confidentiality*). A complaint may be taken forward without the complainant's permission, if, in the Deanery's view, failing to do so would be neglecting its legal responsibilities to provide a safe working environment for all. Any such decision would be taken in consultation with the complainant.

(a) Informal Procedure.

The purpose of the Informal Procedure is to advise the individual who is the subject of the complaint of the impact their behaviour is having on the complainant, that it is unacceptable and that it must stop. The actions of the subject of the complaint may be as a result of lack of awareness, past role models of management behaviour, ignorance of cultural differences, miscommunication or even a deficiency in communication skills. If these can be identified, discussed and addressed at an early stage, a satisfactory conclusion may be reached for both parties. This will be particularly useful approach where the two individuals will continue to work together, the relationship has not irrevocably broken down and the issues complained about are not in the more serious category of bullying or harassment.

It may also become apparent that the complaints being made do not represent bullying or harassment. Other issues such as misunderstandings, personal and health problems or a requirement on the manager to performance manage an individual may be the cause of the ill feelings. Again, the Informal Procedure can prove useful in highlighting the issues and providing a safe forum for discussion and agreement on a way forward.

As the process suggests, the approach will be informal and no record of the issue will be kept on either party's personal files. However the complaint could be raised at any subsequent formal procedure arising from this process. Ideally the process will involve both parties sitting down together to discuss their perceptions of the situation and agree a way forward. If it is felt to be helpful a manager or member of the HR Department could facilitate this meeting. The focus will not be the allocation of blame but reaching a shared understanding, establishing boundaries and agreeing a way of working together. Where training needs are identified, it will be the responsibility of the manager/HR representative, if present, to ensure that these are addressed. Alternatively, the complainant could put their issues in writing and send them to the person whose behaviour they find unacceptable or ask someone else to speak to the person on their behalf.

Where the conclusion of the Informal Procedure is unsatisfactory for either party or the manager or HR representative believes the issues raised to be sufficiently serious, the Formal Procedure may be invoked.

(b) **Formal Procedure**

This process will be appropriate where the Informal Process has failed to produce a satisfactory conclusion or where the issues raised are considered too serious for the Informal Process.

➡ The complainant must put his/her complaint in writing and this must be sent to the HR Department.

➡ Wherever possible the complainant should include the following information:

- ~ details of the person being complained about (name, post department & organisation if relevant)
- ~ details of the unacceptable behaviour
- ~ how this behaviour made him/her feel
- ~ dates, times and places of incidents
- ~ names of any witnesses
- ~ any action taken so far e.g. letting them know that their behaviour is unacceptable.

➡ The complaint will be acknowledged in writing and the response should include details of the formal investigation procedure.

➡ The subject of the complaint must be advised of the existence and nature of the complaint.

➡ An investigation must take place and both parties should be interviewed. They must be advised, in writing, of their right to be represented/accompanied by a colleague or a Trade Union representative. Statements may be sought from other employees where appropriate.

➡ The investigation will normally be completed within 15 working days. If this is not possible, both parties must be informed in writing of this fact, the reasons for the delay and the proposed time-scale.

➡ The investigator will produce a report summarising the findings of his/her investigation with recommendations where appropriate. This will be shared with both parties. If the behaviour complained about is felt to be more serious, the Disciplinary Procedure will be invoked for Deanery employees. The investigator will present the management case but will not take the disciplinary decision. Individuals who are not Deanery employees and whose behaviour is felt to be more serious will be managed in a manner appropriate to the particular circumstances.

➡ If the allegations are not substantiated, the subject of the complaint must be advised, in writing, of this fact and that no record of this complaint will be kept on their personal file/record.

☞ If it is the opinion of the Investigator that the allegations made were malicious, he/she may consider whether disciplinary action is required.

(c) **Appeals**

If the complainant is dissatisfied with the outcome of the Informal Process, he/she may request that the Formal Procedure be invoked.

If the complainant is dissatisfied with the outcome of the Formal Procedure they may appeal. A senior manager will hear the appeal. This decision will be final.

If the subject of the complaint is not satisfied with the outcome of the Informal Process he/she may request that the Formal Procedure be invoked.

There is no appeal for the subject of the complaint against a decision by the investigator in the Formal Procedure to invoke disciplinary action. He or she will have the rights within the Disciplinary procedure to representation and to appeal against any disciplinary decision.

(d) **Victimisation**

Victimisation of anyone making a complaint of bullying or harassment, or of an individual supporting someone in making such a complaint, will be considered a disciplinary offence.

REVIEW

This Policy and its procedures will be reviewed regularly in the light of experience and new developments to ensure that bullying and harassment are dealt with effectively.

For further information contact:	Human Resources Officer Human Resources Manager
Related Documents:	Equal Opportunities Policy

APPENDIX A

Examples of positive behaviour in an employment context

- ❑ Regular feedback
- ❑ Compliments and praise of good work
- ❑ Constructive criticism
- ❑ Inclusive behaviour
 - ~ Listening
 - ~ Asking Opinions
 - ~ Inviting into meetings/discussions
 - ~ Copying into relevant documents
- ❑ Joint objective setting including regular joint review of the continuing relevance of objectives/deadlines
- ❑ Confidential one to one sessions to exchange ideas, review work, problem solve etc.
- ❑ Appropriate delegation of work and responsibility
- ❑ Work allocation to take into account individual personal development plans
- ❑ Sharing information and learning
- ❑ Team meetings including all and encouraging contribution
- ❑ Demonstrating an interest in an employee as a person