

## Warwickshire County Council

### DIGNITY AT WORK POLICY AND PROCEDURE

#### Key Points:

- Support is available to enable employees, who feel able, to raise issues informally.
- If the matter cannot be resolved informally the grievance procedure should be followed.
- This procedure only applies to employees of Warwickshire County Council except Schools and Warwickshire Fire and Rescue have a separate procedure.
- The HR Advisory Service should be contacted in the event of any formal grievance

As part of its commitment to equality of opportunity and valuing diversity, Warwickshire County Council is committed to promoting and ensuring a working environment where individuals are treated with respect and courtesy. Any form of harassment, bullying and/or victimisation detracts from a productive working environment and can affect the health, confidence, morale and performance of those affected by it, including anyone who witnesses, or has knowledge of the unwanted behaviour. The Council adopts a zero tolerance approach when dealing with incidents of bullying and harassment. This policy is applicable to all Warwickshire County Council employees. However, Schools and Warwickshire Fire and Rescue have separate policies which can be found on the intranet.

Bullying and Harassment can be defined as the following:

*“Harassment is unwanted conduct related to a relevant protected characteristic in the Equality Act 2010 (age, disability, gender reassignment, race, religion or belief, sex and sexual orientation) 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”*

*“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”*

(ACAS Guide for Managers and Employers on Bullying and Harassment at work, 2014)

There is an appendix attached to the policy which gives examples of bullying and harassment.

#### Line Manager Responsibilities:

- Ensure that employees are aware of the Dignity at Work Policy

Date of Issue:	06/01/2015	Next Review:	January 2019	Last Review:	July 2014
Last Reviewed By:	Sarah McCluskey/Claire Bonnet HRAS	Date EIA Undertaken:	06/01/2016		
Policy Owner:	Sue Evans, Head of HR and OD				

- Create an environment and culture where everyone is treated with dignity and respect
- Set examples and standards of good behaviour
- Recognise destructive behaviour and take action where it occurs
- Promote a good communication culture
- Work to find solutions to support staff who feel they are being bullied, harassed or treated inappropriately via the Dignity at Work Contacts or Staff Care Confidential
- Deal with complaints fairly, thoroughly, quickly and sensitively, respecting the feelings of all concerned
- Maintain confidentiality in regard to these matters
- Seek Human Resources guidance when necessary
- Ensures Warwickshire County Council values underpin all aspects of their performance and demonstrate good practice in treating all colleagues and team members fairly and with respect
- Be a role model for others in the manner in which they conduct themselves during the course of their duties

#### **Employee Responsibilities:**

- Comply with all aspects of the Dignity at Work policy
- Treat all colleagues and service users with dignity and respect
- Be continuously aware of own behaviour and how this may be interpreted by others to ensure that recipients are treated in a manner that they find acceptable
- Be prepared to change behaviour if it is brought to the employee's attention that some of their actions are perceived negatively by others
- Co-operate with the informal and formal procedures outlined in this policy
- Report any inappropriate behaviour or behaviour that contravenes this policy and Warwickshire County Council's values to their line manager and / or the human resources department

#### **Human Resources Responsibilities:**

- Assist managers with the fair and consistent application of the policy
- Provide advice to employees and managers concerning individual issues
- Monitor complaints of bullying and harassment

Warwickshire County Council recognises its duty of care to ensure employees are working in an environment that allows inappropriate behaviour to be challenged in an effective way. If left unchallenged, inappropriate behaviour can result in stress and stress related illnesses. The council expects all employees to maintain professional behaviour at all times.

Appropriate behaviour is fostered by a workplace culture which encourages positive, supportive and open interactions. Such behaviour, normal to the vast majority of

Date of Issue:	06/01/2015	Next Review:	January 2019	Last Review:	July 2014
Last Reviewed By:	Sarah McCluskey/Claire Bonnet HRAS		Date EIA Undertaken:06/01/2016		
Policy Owner:	Sue Evans, Head of HR and OD				

people, will help to promote good working relationships and a positive working atmosphere.

Nevertheless, there is a need to deal with incidents of inappropriate behaviour including bullying, harassment and victimisation, as well as less positive relationships that may develop in the workplace.

Where appropriate the Council supports employees to resolve matters informally that arise due to inappropriate behaviour. Often, this could be as simple as letting the individual know you are not happy with their behaviour and want them to stop. However, if employees do not feel comfortable in raising the issue directly with the individual then approaching a more senior member of staff and asking them to resolve the matter may be more appropriate.

The council has a range of support services on hand for employees to access at any point during their employment. The support includes Dignity at Work contacts, the Staff Care counselling service, and seeking advice and support from a trusted colleague.

The Dignity at Work procedure outlines in further detail the types of informal and formal support employees can access, as well as steps an employee can take to ensure inappropriate behaviour is dealt with in an effective manner.

Date of Issue:	06/01/2015	Next Review:	January 2019	Last Review:	July 2014
Last Reviewed By:	Sarah McCluskey/Claire Bonnet HRAS	Date EIA Undertaken:06/01/2016			
Policy Owner:	Sue Evans, Head of HR and OD				

# DIGNITY AT WORK PROCEDURE

## 1. Support for employees

### 1.1 Dignity at Work Contact.

'Dignity at Work' contacts are there as an informal resource for employees to talk through any problems they are facing as a consequence of inappropriate behaviours that have occurred in the workplace. The contacts will be able to provide clarity to a situation and explain the formal and informal options that may be appropriate. The contacts are not professional counsellors or mediators. The names of the Dignity at Work contracts can be found [here](#)

### 1.2 Trusted Colleague.

An employee may approach a trusted colleague for advice and ask them for support in any formal meetings at a later date. If the employee decides they want to raise the matter formally then this option would work best alongside one of the other support services.

### 1.3 Staff Care

Staff Care provides confidential and professional help, support and counselling services to staff. They can help with a variety of problems including bullying, harassment and victimisation. They can be contacted by telephoning the confidential staff care line on 0800 174319. This service is available to all WCC employees other than Fire and Rescue, who have their own staff wellbeing advisor and councillor and can be contacted on 01926 466248.

### 1.4 Trade Union Representative.

An employee could approach a trade union representative, who will be able to offer advice and support, and may be able to support the complainant in formal meetings.

### 1.5 Staff Networking Groups.

If an employee feels that they're being bullied, harassed or victimised as a result of their race, disability, sexual orientation religion or belief, then Staff Networks present an opportunity for them to discuss their issues with others in a safe and confidential environment.

The Council supports four staff networks:-

The Race Equality Network

[raceequalitynetowkr@warwickshire.gov.uk](mailto:raceequalitynetowkr@warwickshire.gov.uk)

The Disability Staff Network

[disabilitynetwork@warwickshire.gov.uk](mailto:disabilitynetwork@warwickshire.gov.uk)

The Lesbian, Gay, Bisexual and Trans Staff Network

[lgbtnetwork@warwickshire.gov.uk](mailto:lgbtnetwork@warwickshire.gov.uk)

The Religion and Belief Staff Network

[religionandbeliefnetwork@warwickshire.gov.uk](mailto:religionandbeliefnetwork@warwickshire.gov.uk)

Date of Issue:	06/01/2015	Next Review:	January 2019	Last Review:	July 2014
Last Reviewed By:	Sarah McCluskey/Claire Bonnet HRAS	Date EIA Undertaken:	06/01/2016		
Policy Owner:	Sue Evans, Head of HR and OD				

## 1.6 Mediation

Mediation is a positive well established informal process for resolving disagreements of disputes two or more employees, quickly and effectively, without the need to resort to more lengthy and formal methods. If you feel that you may have a

## 2. Procedure for resolving matters informally:

- 2.1 If the employee feels able to, they can let the individual know their behaviour is unwelcome and ask them to stop. The employee should keep a record of the conversation for themselves in case there is a reoccurrence of the behaviour complained of.
- 2.2 If an employee does not feel confident in raising the matter on a one to one basis then the employee should raise their concerns with their manager. Managers will help the employee to resolve the issue and monitor the situation if necessary.
- 2.3 The manager may need to engage with the other employee's manager to see whether they can help resolve the issue. If a solution is found the manager should ensure they monitor the situation to ensure it continues to be successfully resolved.
- 2.4 If the issue relates to an employee's manager then the employee always has the option of raising the matter with the next level of line management.
- 2.5 Managers may need to seek advice and support on how to resolve matters informally and they can do so through their HR Advisor.

## 3. Procedure for resolving matters formally:

- 3.1 Where the matter cannot be resolved informally then the complainant may raise a formal grievance. The Grievance Procedure can be accessed via the following link -> [Grievance Procedure](#)
- 3.2 As far as possible, the views and wishes of the complainant will be taken into account in deciding what action to take as a result of the complaint made. However, where the allegation made is of serious misconduct, or corroborates similar complaints, the Council reserve the right to carry out an investigation and take disciplinary action against the person complained of.
- 3.3 Where the person complained of is a Strategic Director or Councillor the matter should be reported to the Chief Executive Officer or the Strategic Director for Resources.
- 3.4 In the course of attempting to resolve the grievance every care will be

Date of Issue:	06/01/2015	Next Review:	January 2019	Last Review:	July 2014
Last Reviewed By:	Sarah McCluskey/Claire Bonnet HRAS	Date EIA Undertaken:	06/01/2016		
Policy Owner:	Sue Evans, Head of HR and OD				

taken to ensure that it does not cause unnecessary distress to either party.

**3.5** If the results so justify, a formal disciplinary hearing will be arranged in accordance with the Dismissal and Disciplinary Procedure which can be accessed via the following link -> [Disciplinary Procedure](#).

**3.6** Heads of Service or Strategic Directors will be responsible for ensuring that any resultant action, disciplinary or otherwise, is not detrimental to the complainant e.g. an unwelcome transfer to other work. However, in extenuating circumstances transferring an employee to other work or making alternative arrangements may well be for that individual an appropriate course of action. Heads of Service or Strategic Directors will be responsible for ensuring that the complainant, and others who have provided assistance in the process, are protected from intimidation, victimisation or discrimination

**3.7** This applies at every stage, including any investigation and the outcome. If employees do not maintain proper confidentiality they may face action under the Council's Disciplinary Procedure.

## Appendix

### Examples of Bullying and Harassment:

#### Bullying:

##### Public verbal abuse

"I was blamed for my mistakes in front of the entire office. I was shouted at and told to do the work that should have been done and not to do it again. Everyone was listening as the manager shouted at me."

Other forms of public verbal abuse are: rubbishing your work, public humiliation through doing a job not to the required standard. Setting unrealistic targets and being made to feel unprofessional'."

##### Contract manipulation

"I was threatened with job loss because I wanted the bank holiday off with my family."

"I needed time off with a viral infection. My manager told lies to other members of staff about why I was off work."

##### Undermining actions

"The manager totally undermined me in front of clients, giving them the impression I was not capable of helping them and advising them to come another day."

Discussing my hours with general office staff. Not passing on messages; delaying paperwork so deadlines were missed"

Date of Issue:	06/01/2015	Next Review:	January 2019	Last Review:	July 2014
Last Reviewed By:	Sarah McCluskey/Claire Bonnet HRAS	Date EIA Undertaken:	06/01/2016		
Policy Owner:	Sue Evans, Head of HR and OD				

## **Cyber bullying**

Technology has seen the development of new ways in which to bully, harass and abuse workers. As a result, cyber bullying, which is defined as 'any use of information and communications technology to support deliberate and hostile attempts to hurt, upset or embarrass another person', is on the increase. Cyber bullying can be as common as 'conventional' bullying in the workplace.

- Offensive emails.
- Email threats. This includes emails that appear to be inoffensive, but the implied meaning behind it constitutes bullying. For example, a manager using email to bombard an employee with more work than they can handle, and not treating other employees in the same way.
- Harassment by email.
- Posting private and personal details about someone online.

## **Harassment:**

### **Sexual Harassment:**

Unnecessary physical contact; jokes of a sexual nature; displaying sexually explicit material; indecent demands or requests for sexual contact

### **Harassment on the grounds of race, sexual orientation, age, religion or belief, or disability:**

Intrusive or inappropriate questioning, derogatory name-calling, offensive remarks or jokes.

### **Stalking:**

Leaving repeated or alarming messages on voicemail or email, following people home, or approaching co-workers to ask for personal information.

Date of Issue:	06/01/2015	Next Review:	January 2019	Last Review:	July 2014
Last Reviewed By:	Sarah McCluskey/Claire Bonnet HRAS	Date EIA Undertaken:	06/01/2016		
Policy Owner:	Sue Evans, Head of HR and OD				

Date of Issue:	06/01/2015	Next Review:	January 2019	Last Review:	July 2014
Last Reviewed By:	Sarah McCluskey/Claire Bonnet HRAS	Date EIA Undertaken:06/01/2016			
Policy Owner:	Sue Evans, Head of HR and OD				