



## **Dunbritton Housing Association Limited**

<b>Name of Policy</b>	<b>Dignity at Work</b>
<b>Responsible Officer</b>	<b>Head of Finance &amp; Corporate Services</b>
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## **1. Introduction**

1.1 Dunbritton Housing Association is committed to providing a working environment that is free from harassment, bullying and intimidation of any nature. Every employee, Board member, agency worker, contractor, and consultant of Dunbritton has a responsibility to treat all colleagues with dignity and respect, regardless of any personal characteristic.

1.2 The Equality Act 2010 identifies 9 'protected characteristics as potential areas of discrimination. We have a duty to ensure no staff member, contractor or customer is discriminated against for having, or being perceived to have a protected characteristic.

## **2. Background**

2.1 The Equality Act 2010 provides the legal definition of harassment.; Although there is no legal definition of bullying, ACAS provides a definition (see below) which is widely recognised as being best practice.

2.2 As a public organisation, Dunbritton are committed to positively promoting equalities and the principles of the Human Rights Act, we consider both in all of our policies and procedures and reflect this in our working practice.

## **3. Legal Framework**

3.1 Harassment is the only term relating to this Policy that is covered under legislation in the Equality Act 2010, however, there are a number of principles contained in the following legal documents that will apply:

- The Equality Act 2010
- Breach of contract - usually breach of the implied term that an employer will provide support to employees to ensure that they can carry out their job without harassment and disruption from colleagues
- The common law position to take care of the safety of workers.
- Employment Rights Act 1996 – constructive and unfair dismissal
- Personal Injury protection including the duty to take care of workers
- Health & Safety at Work Act 1974
- Trade Union and Labour Relations (consolidation) Act 1992, dealing with specific types of intimidation
- Protection for Whistleblowers under the Public Interest Disclosure Act 1998
- Criminal Justice and Public Order Act 1994

## **4. Definitions**

4.1 Harassment: unwanted conduct related to a protected characteristic 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.

4.2 Bullying: Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate, or injure the recipient.

4.3 Protected Characteristics: The legal grounds under which discrimination claims can be made: age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation.

## **5. Policy Principles**

5.1 This Dignity at Work Policy aims to provide a working environment where all backgrounds, cultures, values, and lifestyles are respected and treated with dignity at all times and ensure:

- integration of diversity into all aspects of our business
- that all employees, Board Members, agency workers, contractors, and consultants are treated with respect and dignity from each other, and members of the public
- that all employees, Board Members, agency workers, contractors, and consultants respect the differences within the community they serve and treat customers and members of the public accordingly

## **6. Implementation of Policy**

6.1 The Head of Finance & Corporate Services is responsible for the implementation and review of this policy. The organisation will ensure that all new employees, Board Members, agency workers, contractors, and consultants will be made aware of this policy, and it will be included as part of the induction for new staff and Committee Members.

6.2 Copies of this policy will be available to all employees, Board Members, agency workers, contractors, and consultants, and to all who request it. The spirit of this policy will be integrated into all the Association's policies and procedures.

6.3 This policy applies to all employees, Board Members, agency workers, contractors, and consultants of Dunbritton and therefore all mentioned parties, have a responsibility to abide by the principles outlined above and also to alert their line manager or Human Resources should any behaviours be witnessed which breach this policy.

6.4 Unacceptable behaviour and practices will not be tolerated. However, if or when a situation arises it will be dealt with immediately, as inaction is not an option. Behaviours found to be breaching this policy will be regarded as misconduct and will be dealt with appropriately and in accordance with the relevant policies and procedures including the staff code of conduct and the disciplinary procedures.

## **7. Procedure in Dealing with breaches of Dignity & Respect**

7.1 This procedure is complemented by our Policies (and supporting procedures) on Equality and Diversity and Discipline and Grievance.

### **7.2 Staff**

Where an employee feels that they have not been treated with dignity and respect at work, they should report this at first instance to their line manager. In considering how this matter is addressed, the manager shall consider the nature of the

complaint, the severity of the complaint, the potential impact on the complainer, and the reputational risk.

7.2.1 How a complaint is dealt with shall depend on if it is internal or external. Where it is internal (between two DHA employees) we shall consider if the matter can should be addressed formally or informally. Where it is external, this shall be addressed in line with our Complaints and Behaviour Policy.

#### 7.2.2 Informal stage

A manager may believe that the issue can best be addressed informally in a meeting between the two parties. Where the complaint includes a protected characteristic, they shall first seek guidance from the Head of Finance & Corporate Services. The advantage of dealing with an issue informally as it allows us to maintain positive working relationships, however, care must be taken to ensure any complaint is seen to have been taken seriously and addressed proportionately.

#### 7.2.3 Formal Stage

If the behaviour is of a more serious nature or it continues after the informal approach has been taken, then the issue should be dealt with in accordance with our disciplinary procedure.

#### 7.3. Board Members, Agency Workers, Contractors, Consultants, and members of the public

Where a Board member, agency worker, contractor, consultant and/or members of the public feel that behaviours towards them have breached the principles of this policy, they have a responsibility to inform the Head of Finance & Corporate Services of this as soon as reasonably practical. This shall then be addressed in line with our Complaints Policy.

#### 7.4. Individuals found to be in breach of the principles of this Policy

Where individuals are found to be in breach of this policy whether that be staff, Board Members, agency workers, contractors, and/or consultants this will be dealt with in accordance with the organisation's relevant code of conduct and other applicable policies.

This may therefore result in termination of the individual's contract, or engagement within the Association.

#### 7.5. Malicious Allegations

Any person found to be making fictitious or malicious allegations will be dealt with through the Association's disciplinary procedure which may result in dismissal.

## **8. Other Related Policies**

- Equality and Diversity
- Staff Code of Conduct
- Board Members Code of Conduct
- Discipline and Grievance

## **9. Equality and Diversity**

9.1 As a service provider and employer, we recognise the requirements of the Equality Act 2010, oppose any form of discrimination, and will treat all customers, internal and external, with dignity and respect. We recognise diversity and will ensure that all of our actions ensure accessibility and reduce barriers to employment and the services we provide.