



Dignity at Work Policy

Inmind Reference:	HR05
Category:	Human Resources
Version Number:	1.3
Reviewed on:	February 2018
Next review date:	February 2020
Lead Officer:	HR Manager
Equality Impact Assessment completed:	Yes

Applicable Legislation/Regulations:
The Equality Act 2010; Management of Health and Safety at Work Regulations 1999 The Employment Relations Act 1999; The Human Rights Act 1998 The Public Interest Disclosure Act 1998; The Employment Rights Act 1996 The Rehabilitation of Offenders Act 1974; Health and Safety at Work Act 1974
Codes of Practice:
Purpose:
To support Inmind Healthcare Group in developing a culture of dignity and respect in the work place and creating an environment in which All staff can expect professional behaviour from others and have a responsibility to behave professionally towards others.

Version Control Table		
Date Ratified	Version Number	Status
	1.3	Live

Date	Key Revision
11/02/2018	Change policy name from Bullying & Harassment to Dignity at work to be consistent in original policy wording being referred

Please check to ensure this is the most current electronic copy of this document as it is updated and published in electronic format only (hard copies may become out of date).

1.0 The Policy

- a) The purpose of this policy is to create within all levels of the Inmind Healthcare Group a climate of mutual trust and confidence, free from harassment, bullying, victimisation and intimidation. The company aims to establish norms of behaviour that are acceptable to both management and staff and are understood by service users, carers, students, volunteers and visitors. Individuals engaged under agency, honorary contracts or employed by private contractors will be expected to adhere to this policy while on any of the company's sites. The company will take seriously any third party harassment and bullying of its staff and will act appropriately on any complaints received from staff and similarly complaints received from others about the behaviour of those who work within Inmind.
- b) Inmind recognises that it has a legal and ethical duty to ensure that no one employed by the company is subjected to inappropriate and unacceptable behaviour. Such conduct can have a serious and detrimental effect on the performance, health and wellbeing of those affected as well as reducing the overall effectiveness and efficiency of the organisation. Inmind believes that all people have the right to be treated with dignity and respect and therefore ensures that it has procedures in place to support individuals and appropriately handle any instances where individuals fail to meet the standard of behaviour and conduct required under this policy. (See Appendix 1 for definitions)
- c) All staff of Inmind will have a responsibility to act appropriately in line with this policy and ensure that their behaviour towards colleagues and visitors is respectful and not offensive.
- d) All staff should be sensitive to differences in culture and attitudes, showing respect for others' feelings and reactions and adapting their behaviour where appropriate.
- e) All staff should discourage bullying and harassment by being clear that such behaviour is unacceptable and by supporting colleagues and raising any alleged incidents of bullying or harassment which they have witnessed with an appropriate manager.
- f) Managers should set appropriate standards of behaviour at all times and have a responsibility to address any alleged incidents of bullying and harassment which occur within their service.
- g) All managers should respond sensitively and supportively to any member of staff who makes an allegation of harassment or bullying, providing clear advice on the procedure to be followed and maintaining confidentiality as appropriate.
- h) Service users, carers and visitors who harass, bully or victimise any employee will be challenged about their behaviour.
- i) Any third parties with whom Inmind conducts business have an equal responsibility to ensure that this policy is adhered to.

- i) Inmind will treat any allegations of bullying, harassment or victimisation seriously and with sensitivity. In order to protect all parties, Inmind will address all allegations of bullying, harassment or victimisation using the statutory processes available to it. All concerns will be investigated thoroughly and confidentially, ensuring that the rights of all parties are respected and upheld.
- k) Substantiated claims of bullying, harassment or victimisation will be treated as serious disciplinary offences and, depending on the facts of the case, may lead to summary dismissal on the grounds of gross misconduct, in accordance with the Disciplinary Policy.
- l) Reasonable steps will be taken to protect individuals from any retaliatory intimidation, victimisation, discrimination or bullying as a result of making or supporting a complaint. Retaliation against an employee for raising an issue may result in disciplinary action.
- m) The making of malicious or vexatious allegations (i.e. knowing the allegation is untrue but with the intention of causing harm) may lead to disciplinary action against the complainant. This does not include allegations made in good faith that result in the complaint not being upheld following an investigation.

2.0 The Procedure

- a) All allegations of bullying, harassment or victimisation will be dealt with via either Inmind's Grievance Policy or Disciplinary Policy.
- b) Which of these policies is used, will depend on the nature and circumstances of the individual complaint, and in appropriate circumstances, the wishes of the complainant.
- c) Whilst many such complaints can be appropriately addressed by either the informal or formal grievance procedure, if, after initial fact-finding, Inmind considers the allegation to be of a nature which constitutes a misconduct issue in accordance with its Disciplinary Policy, in order to protect all parties, Inmind will pursue the matter in accordance with its Disciplinary Procedure.

2.1 What to do if you feel you are the victim of bullying, harassment or victimisation in the work place

- a) In the first instance, you should raise any concerns around bullying, harassment or victimisation to your manager or Registered Manager.
- b) If, for any reason, you feel it is not appropriate to raise your complaint to your manager or Director, you should contact the Group Operations Director or a member of the Executive Team for advice and support.
- c) Your manager should arrange to meet with you confidentially and as soon as practicable, to discuss both your concerns and the appropriate action to be taken in the circumstances. Your manager should then also discuss with you any support you may need whilst the issue is on-going.
- d) If you are unsure if, or how, you wish to proceed with any complaint, your manager can advise you on the options – both informal and formal – available to you through the Grievance Procedure, and provide you with a copy of the Grievance Policy.
- e) If during this discussion, it becomes apparent that the nature of your complaint constitutes a misconduct issue as per the Disciplinary Policy, your manager will advise you of this, and adjourn the discussion to seek advice from the Group Operations Director or a member of the Executive Team.
- f) If, following consultation with the Group Operations Director, it is deemed more appropriate to investigate your complaint under the Disciplinary Procedure, your manager will then advise you of this process and the likely timescales for the investigation, and again, discuss any support you may need whilst the matter is on-going.

2.2 Work place bullying and harassment complaints against third parties (i.e. against non-employees)

- a) If your complaint of bullying or harassment is against a third party, for example a visitor to Inmind, Inmind will take all reasonable steps to prevent a reoccurrence of this behaviour.
- b) Any instances of unacceptable behaviour by third parties should be reported to your manager or Registered Manager as soon as possible.
- c) If such incidents do occur, your manager will discuss with you how the aims to address this issue, and any support you may need in relation to this.

Appendix 1

Definitions

The Equality Act 2010, which became law in October 2010, consolidates all existing discrimination law into one piece of legislation and harmonises definitions and concepts across all discrimination, bullying and harassment strands. Important definitions within this legislation are:

Harassment – Unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating the other person’s dignity or creates an intimidating or hostile, degrading, humiliating or offensive environment for that person. Harassment includes unwanted conduct, less favourable treatment for rejecting or submitting to unwanted conduct or unwanted conduct based on sex or sexual orientation. Employees may complain about behaviour even if it is not directed at them and they do not possess the protected characteristic themselves. Harassment may also be because of association or perception. Examples of this could be:

- Verbal or written comments of an offensive nature, spreading malicious rumours
- Lewd, suggestive, over familiar behaviour
- Displaying or circulating sexually suggestive material or otherwise offensive material
- Insulting, ridiculing or subjecting a person to any other detriment because of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, HIV/AIDs status, status as an ex-offender, or any other personal trait.
- Criminal acts such as indecent exposure, physical attack or sexual assault.

Harassment by a Third Party – The harassment of an employee by a third party not employed by the Company. In such cases, and where the company is aware, reasonable steps should be taken to prevent reoccurrence.

Bullying – Offensive, intimidating, malicious or insulting behaviour, or abuse or misuse of power through means intended to undermine, humiliate or injure the recipient. Examples of this could be:

- *Using abusive language*
- *Continually ignoring or excluding an individual*
- *Deliberately undermining an individual*
- *Making physical or verbal threats*
- *Victimisation*
- *Shouting at or humiliating an individual in front of work colleagues or in private*
- *Preventing an individual from progressing by intentionally blocking promotion or learning and development activities.*

Victimisation – Occurs when an employee is treated detrimentally because they have made or supported a complaint or grievance under the Equality Act 2010. In relation to dignity at work, this also extends to anyone who has raised a concern in good faith under the Public Interest Disclosure Act 1998 (for further information please refer to policy HR09).

Protected Characteristics – A set of characteristics recognised within the Act against which individuals could be discriminated. These characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (and caste)
- Religion or belief
- Sex
- Sexual orientation

Appendix 2

Equality Impact Assessment for this policy

Protected Characteristic (domain)	Area of conflict	Resolution
Age	Nil	N/A
Disability	Nil	N/A
Gender Reassignment	Nil	N/A
Pregnancy & Maternity	Nil	N/A
Race	Nil	N/A
Religion or Belief	Nil	N/A
Sex	Nil	N/A
Sexual Orientation	Nil	N/A
Marriage and Civil Partnership	Nil	N/A

All relevant persons are required to comply with this policy and must demonstrate sensitivity and competence in relation to diversity in race, faith, age, gender, disability and sexual orientation. If you feel you are disadvantaged by this policy, please contact the Registered Manager and the service will actively respond to the enquiry.

Appendix 3:

Reference	Location
ACAS Bullying and Harassment – Guide for Employees	http://www.acas.org.uk/index.aspx?articleid=797
ACAS Bullying and Harassment – Guide for Employers	http://www.acas.org.uk/index.aspx?articleid=794