

Human Resources

DIGNITY AT WORK

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South Yorkshire
Fire & Rescue
WORKING FOR A SAFER
SOUTH YORKSHIRE

Dignity at Work

INTRODUCTION

1. In accordance with the Corporate Plan, South Yorkshire Fire and Rescue (SYFR) strive to provide a service that reflects the diverse, multicultural communities we serve. The equality and diversity of our workforce is therefore important not only to ensure we represent those communities, but for the positive perception and reputation of the organisation. Being an organisation where people value each other will help us improve the service we provide to all those who come into contact with us.
2. As a member of the Dignity at Work Partnership¹, SYFR is committed to promoting a positive working environment where the dignity and respect, to which all employees are entitled, is not undermined. No employee should be treated less favourably on the grounds of race, gender or gender reassignment, disability, sexual orientation, religion or spiritual belief, colour, nationality, national or ethnic origin, marital/parental status, family ties, trade union or political belief, hours worked, or any other reason, either directly or indirectly.
3. This policy should be read and used in conjunction with the following associated policies / procedures, where necessary:
 - Discipline Policy and Procedure
 - Grievance Policy and Procedure
 - Investigation Procedure
4. SYFR recognises that for everyone to feel valued and able to give their best, all employees must work together to create and sustain an environment that is fair and free from harassment, victimisation, discrimination and bullying.
5. SYFR will not tolerate harassment, victimisation, discrimination and bullying, for any reason and appropriate disciplinary action, which may lead to dismissal, may be taken against any employee, of any grade, who contravenes this policy. Further information on disciplinary action can be found in the Disciplinary Policy and its associated procedure.
6. Managers need to be proactive in taking direct action to eradicate inappropriate behaviour. When a manager witnesses actions, or is told of actions, which clearly would be offensive, i.e. racist, sexist, homophobic, disabling etc, then SYFR expect the manager to take action to correct the behaviour of the member of staff responsible. It is not necessary for a victim to be present or to initiate a complaint. Advice and guidance is available from the Equality and Diversity team or a HR Advisor.
7. This policy neither prevents an employee from pursuing a complaint through an employment tribunal, nor precludes an act of harassment, indecent assault or abuse being reported to the police.

¹ The Dignity at Work Partnership is a partnership between the Government, Unite (the UK's largest union) and major public and private sector organisations. For further information on the Partnership, see www.dignityatwork.org

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8. It is important for managers and colleagues to support employees experiencing harassment, victimisation, discrimination or bullying and to appreciate the distress they may be experiencing.
9. Managers need to be proactive in taking direct action to eradicate inappropriate behaviour. If a manager witnesses such behaviour, or is told of actions which would clearly be offensive to people from a group subjected to them, i.e. racist, sexist, homophobic, disabling etc, then SYFR expect the manager to take action to correct the behaviour of the member of staff responsible. All staff should be mindful that it is not necessary for a target (victim) to be present, or for a target to initiate a complaint.

INFORMATION AND SUPPORT

10. Employees can contact their line manager, Human Resources or their union for advice and support on Dignity at Work issues.
11. If you are accused of contravening the Dignity at Work Policy, advice can be sought from the above contacts and further information is available in Appendix A 'What happens if I am accused...?'
12. Details of both internal and external contacts for support are located in Appendix B.

SCOPE

13. All employees have a clear role to play in creating a climate at work in which harassment, victimisation, discrimination and bullying is unacceptable. In particular, employees should be aware of their own conduct, avoid colluding with inappropriate behaviour and cooperate fully in any investigation when required. Managers have a responsibility to raise awareness of equality and diversity issues, be proactive in promoting a positive working environment and in challenging and erradicating unacceptable behaviour in the workplace.
14. SYFR encourages employees who witness an act of harassment, victimisation, discrimination or bullying to challenge the inappropriate behaviour wherever possible. If employees are unable to do this, they should report the incident to their line manager, Transactional HR, or the Equality and Diversity team. Witnesses may also want to make the recipient of the inappropriate behaviour aware that they witnessed the behaviour, that they find it unacceptable and to offer them support.
15. Complaints of harassment, victimisation, discrimination or bullying must not be ignored, but investigated whilst ensuring the rights of all involved are protected.

DEFINITIONS OF HARASSMENT, VICTIMISATION, DISCRIMINATION AND BULLYING

16. SYFR has taken into account the information contained within relevant European Union (EU) Directives, legislative employment regulations, The Stephen Lawrence Report, Advisory, Conciliation and Arbitration Service (ACAS) recommendations and the National Joint Council (NJC) Conditions of Service in determining these definitions.

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- **Harassment is** where any form of unwanted conduct occurs with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment. The key is that the recipient views the actions or comments as demeaning and unacceptable
- **Victimisation is** where a person or group receives less favourable treatment than others because they have referred to or asserted their rights under anti-discriminatory legislation and/or SYFR policies
- **Discrimination is** where one person is treated less favourably than another person on the grounds of gender or gender reassignment, race, disability, age, sexual orientation, religious belief or any other condition that cannot be justified in job related terms
- **Bullying is** persistent, unwelcome, offensive and intimidating behaviour or misuse of power, which makes the recipient feel upset, threatened, humiliated or vulnerable and undermines their self-confidence

17. Harassment, victimisation, discrimination and bullying can come in many forms. It may happen once or more than once, either way it is unacceptable. Examples could include:

- Verbal abuse, offensive jokes or pranks
- Threatening or insulting behaviour
- Practical jokes, initiation ceremonies or birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Unnecessary body contact, including touching or unwanted physical advances
- Offensive material that is inflammatory, including pornography, or abusive literature or graffiti
- Using e mail or the internet for the purpose of bullying or making abusive or offensive remarks, or to send pornography, inflammatory material or hate mail
- Leering and/ or comments on dress or appearance or embarrassing remarks or jokes
- Isolating someone or gossiping about personal characteristics of a colleague which damage their work reputation
- Not respecting a colleagues right to privacy (for example public discussion with regards to a colleagues perceived or actual sexual orientation or gender reassignment)

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Further information and examples of what can constitute harassment, victimisation, discrimination and bullying can be found in paragraph 33, though neither list is exhaustive.

18. Some forms of harassment are illegal and constitute gross misconduct for the purposes of SYFR's Disciplinary Procedure and may lead to dismissal. Examples of this would be:

- Threatened or actual assaults
- Suggestions or threats by managers or supervisors, that a person's race, gender, disability, sexual orientation, age, religion or faith could affect someone's job security or prospects

Other forms of harassment may constitute gross misconduct depending on the circumstances of the case

19. Some types of behaviour covered by this policy may be unlawful and allegations may give rise to the possibility of civil claims or criminal proceedings, which would proceed independently of SYFR's Investigation Procedure or any proceedings. Such action could lead to a requirement to pay compensation, or criminal penalties. Further information on investigations can be found in the SYFR Investigation Procedure.
20. Any employee who is approached about their behaviour or actions should not dismiss a complaint out of hand because they were "only joking" or think that the complainant is being too sensitive. Different people find different things unacceptable and everyone has the right to decide what behaviour is acceptable to them.

ROLES AND RESPONSIBILITIES

21. Everyone shares a responsibility for understanding the sensitivities and feelings of others. Individual obligations go hand in hand with collective responsibility in order to create an environment of mutual support, tolerance and understanding, to deliver the best service possible to the communities we serve.
22. Everyone is responsible for ensuring that their conduct does not cause offence and that they should be prepared to support colleagues who are being harassed, bullied, victimised or discriminated against. All employees are responsible for speaking out against any unacceptable behaviour that they may have witnessed.
23. All employees need to be aware of their own conduct and behaviour and how it can impact on others within the workplace.
24. All employees are encouraged to bring to the attention of their manager any examples of unfair treatment that they have witnessed or strongly suspect is taking place.
25. Employees are required to cooperate with investigations into allegations made under this policy. Further information on investigations can be found in the Investigations Procedure.

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26. It is the responsibility of supervisors and managers to ensure this policy is carried out, with a view to developing and maintaining an environment at SYFR in which harassment and bullying is understood by all to be unacceptable. To this end a copy of this policy is available to all employees, who are expected to abide by its provisions.
27. False accusations or harassment, discrimination or bullying can have a serious effect on innocent individuals. Therefore, should investigation show that a false accusation has been made in bad faith, appropriate disciplinary action will follow. Any individual subject to allegations will be offered full support from the contacts highlighted in paragraph 10. The Human Resources Function will ensure that those individuals subject to false accusations will receive written confirmation that the case against them will be closed, and inform them of the action that will be taken to redress the issue.
28. Any employee, however, who brings a complaint in good faith will not be subject to any detriment by SYFR and is protected by law. Further information on investigations and disciplinary action can be found in the appropriate SYFR Policies and Procedures.

THE GRIEVANCE PROCESS

29. If an individual would like to raise a grievance under this policy, they should follow the process as explained in the Grievance Policy and Procedure.

INVESTIGATING A COMPLAINT

30. All investigations relating to this policy will follow the process explained in the Investigation Procedure.
31. When a complaint has been upheld it is important that the organisation learns from experience and puts into practice the necessary changes to policies, procedures and management approaches. Investigating a complaint should be seen as a process of learning and one of developing longer-term management action. Please see the Investigation Procedure for further information on the forms of a action management can take following an investigation.

THE DISCIPLINARY PROCESS

32. If following an investigation an individual is found to have contravened this policy, they will be subject to the disciplinary process as explained in the Disciplinary Policy and Procedure.

UNACCEPTABLE BEHAVIOUR

33. Behaviour that may constitute unacceptable behaviour as defined by this policy may include, but is not restricted to:

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RACE

- Threatened or actual physical assault motivated by race, colour, ethnic or national origins
- Language that is racially offensive or derogatory, whether oral or in writing
- Racist remarks made to or about someone
- Calling someone by a name based on race, colour or national origins or nationality, which may be regarded as demeaning or insulting
- Using offensive terminology
- Deliberate isolation of someone, or non-cooperation on the grounds of race etc.
- The displaying of racist material, including on a computer
- The conspicuous wearing of a tattoo, or wearing a shirt/badge that displays a racist or racially offensive slogan

GENDER

- Unwelcome fondling, patting or touching
- Threatened or actual sexual assault
- Persistent sexual advances or continued requests for dates
- Language of a sexual nature, whether oral or in writing, for example sexual or sexist remarks made in an email
- Gossiping or speculating about a colleagues private sexual activities
- Jokes or banter of a sexual nature
- Coarse or vulgar humour
- Sexually suggestive gestures
- Leering at someone in a manner that is overtly sexual
- The display of pin-up calendars or pictures of naked/scantily clad bodies
- The displaying of sexually explicit material, including pornographic magazines/DVD's
- Gender-based jokes or banter that may be demeaning or derogatory
- Calling someone a name with a gender-bias or stereotype, i.e. "dumb blonde"
- Playing of pranks on someone who is the only woman or man in the workplace
- Discrimination in job or promotion selection on the basis of gender reassignment
- Unnecessary discussion or speculation about a persons gender reassignment

SEXUAL ORIENTATION

- Homophobic remarks or banter
- 'Outing' of a colleague as gay, lesbian or bisexual
- Gossiping or speculating about someone's actual or perceived sexual orientation
- The use of offensive terminology in relation to sexual orientation
- Deliberate isolation of someone or non-cooperation on the grounds of someone's perceived or actual sexual orientation
- Teasing directed at someone based on account of the fact that they have a same-sex partner or a family member who is gay, lesbian or bi-sexual

RELIGION & BELIEF

- Threatened or actual physical assault motivated by religious or belief differences
- Derogatory remarks made about a particular religion, or about a person on the grounds of their religion or belief
- Jokes or banter based on religion
- Teasing someone on the subject of religious convictions or practices
- The conspicuous wearing of a tattoo or slogans that is offensive to someone of a particular religion

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DISABILITY

- Pranks played against a disabled employee
- Jokes or banter based on disability generally
- Offensive terminology in relation to disability
- Mimicking someone with a disability
- Deliberate isolation of someone or non-cooperation on the grounds of a disability
- Unnecessary discussion of a persons looks or physical attributes
- Intrusive questions about a persons disability
- Gossiping or speculating about a persons actual or perceived disability
- Discrimination in job or promotion selection on the basis of a persons disability

AGE

- Jokes or banter based on someone's age, i.e. "wet behind the ears", or "over the hill"
- Deliberate isolation of someone on the grounds of their age

FAMILY / CARING COMMITMENTS

- Discrimination, victimisation or unfair treatment on the basis of a persons family or caring responsibilities
- Unfair treatment on the basis of parental / adoption leave or responsibilities
- Unfair treatment on the basis of an someone's right to request flexible working as a parent or carer

POLITICAL / TRADE UNION ACTIVITIES

- Discrimination, victimisation or unfair treatment on the basis of someone's political beliefs, including political activities
- Discrimination, victimisation or unfair treatment on the grounds of someone's trade union membership and / or activities

NB: This is not an exhaustive list.

***If you require any further guidance on this policy please contact the
Human Resources Function***

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“WHAT IF I AM ACCUSED...?”

Appendix A

- If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you “were only joking” or think that the complainant is being too sensitive.
- Remember, different people find different things unacceptable and that everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.
- Support for you is available, should you need it, from a Human Resources Advisor, Occupational Health or the Equality and Diversity Advisor.
- You may have offended someone without intending too. If that is the case the person concerned may be satisfied with an explanation, an apology and an assurance that you will be more careful in future. Provided that you do not repeat the behaviour, this may be enough to resolve the matter.
- You may be asked to take part in a mediation session where all parties are able to discuss the issues. A Human Resources Advisor, with support from an Equality and Diversity Advisor where necessary, will act as mediator and help clarify the issues and resolve the matter amicably.
- If a formal complaint is made about your behaviour, this will be dealt with under the Grievance Procedure. The complaint will be fully investigated (see Investigation Procedure for further details) and SYFR may, if the grievance is upheld, bring disciplinary proceedings.
- The allegation may constitute gross misconduct, which if serious and proven, could lead to dismissal. Further details on what constitutes gross misconduct can be found in the Disciplinary Policy.
- If a complaint is made against you which is not upheld, and SYFR has grounds for believing that the complaint was not made in good faith, SYFR may take disciplinary action against the person making the false complaint.
- Employees must not victimise a person who has made a complaint, or anyone who has supported them or given evidence in relation to such a complaint. Such behaviour may result in disciplinary proceedings. It may be best not to attempt to speak directly to the person who has made the complaint, but liaise through a colleague or a HR Advisor if required.
- Some types of behaviour covered by the Dignity at Work Policy may be unlawful and allegations may give rise to the possibility of civil claims or criminal proceedings, which would proceed independently of SYFR’s Disciplinary Procedure. Such action could lead to a requirement to pay compensation, or criminal penalties.
- SYFR has an obligation to treat all complaints seriously, whilst ensuring all parties are treated fairly.

SYFR Occupational Health:

E-mail:

Internal support for all staff, strictly confidential.

Human Resource Department: 0114 253 2465 / 253 2430 / 253 2225.

E-mail: lstones@syfire.gov.uk, clewis@syfire.gov.uk, aleech@syfire.gov.uk

SupportLine: 020 8554 9004

E-mail: info@supportline.org.uk

Telephone Helpline providing confidential emotional support to Children, Young Adults and Adults on any issue. Particularly aimed at those who are vulnerable, isolated, at risk groups and victims of any form of abuse. Also provides details of counsellors and support groups across the UK.

The Andrea Adams Trust: 01273 704900

E-mail: mail@andreaadamstrust.org,

Website: www.andreaadamstrust.org

Telephone helpline providing emotional support specifically for anyone being bullied in the workplace with suggestions on what you can do.

ACAS: 08457 47 47 47

Website: www.acas.org.uk –

For information and advice on employment rights/bullying at work.

DAWN (Dignity at Work Now):

Website: www.dignityatworknow.org.uk

Midlands based support/campaign group who hold informal get-togethers, membership open to anyone who has experienced bullying or has an interest in bullying.

Just Fight On! Bullying & Equal Pay Support: 01753 610536

E-mail: beps@jfo.org.uk

Website: <http://www.jfo.org.uk/legal/beps/support.htm>

TUC online: 0870 600 4882

Website: www.tuc.org.uk

Support, advice for anyone being bullied at work.

BullyOnline

Website: www.bullyonline.org

Information, advice, resources relating to Bullying at Work.

Workplace Bullying

Website: www.workplacebullying.co.uk

Workplace Bullying

Website: www.workworries.com

Helps with people problems at work including bullying and employee rights.