

Respect Policy

Policy Author: Lowery, Stuart	Policy Valid From: 18/01/2021
Policy Approved Date: [Policy Approval Date]	Policy Review Date: 18/01/2023

Policy/Strategy Control Statement

1	Document Title	Respect Policy
2	Date of Document (Created Date)	
3	Service Lead	Roberts, Jenny
4	Author	Lowery, Stuart
5	Date Approved and approved by who i.e. Service Delivery Project Board, Executive, Group Board, etc.	[Policy Approval Date]
6	Date last reviewed	
7	Amendment record	
8	Next review date (Planned review Date)	18/01/2023
9	Staff Consultation	JNCC Dec 2020
10	Other Services Consultation	N/A
11	Customer Consultation	N/A
12	Equality Impact Assessment: insert priority as agreed with E/D team, Insert date copy of EIA sent to E/D team.	Approved
13	Confirm that document meets current legislative requirements	Y
14	Further Information/Comments	None
15	Sign off of statement by Author and Service Lead (name and date):	Stuart Lowery 18/01/21 Jenny Roberts 18/01/21

Policy Applicable To

Business Area: People Services (Human Resources)
Applicable to:

Amendment Sheet Record

Revision Date	Description of Changes	Approved By	Date Approved
18/01/21	New policy incorporating some content from previous Behaviour at Work policy.	Jenny Roberts	18/01/21

Please summarise the current policy requirements and how this is changed in the new policy.

[Policy Key Changes Summary]

Please explain the reason for changes/improvements/new policy.

New policy

Please explain any new actions required to put the policy changes into practice.

N/A

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GLOSSARY OF TERMS

The word “employee(s) or colleagues” includes all individuals working at any of the companies’ premises, irrespective of status, level and grade. It includes employees, managers, directors, trainees, homeworkers, part-time, fixed-term workers.

This Policy does not form part of any contract of employment and may be amended at any time subject to compliance with legal requirements. This policy is available to all Group employees irrespective of length of service or position held unless explicitly stated.

1. About this policy

- 1.1 The Group ('We') is committed to providing a working environment that is free from any form of harassment or bullying and where colleagues are treated, and treat others, with respect.
- 1.2 This includes ensuring that diversity and difference is respected and that all colleagues strive to create a culture of inclusion and belonging for everyone. The Group does not tolerate any form of discrimination against any individual and we are committed to ensuring that our policies and procedures are applied without discrimination. This policy should be read in conjunction with the Equality, Diversity and Inclusion policy and Grievance Procedure.
- 1.3 The aim of this policy is to support all colleagues to understand what bullying and harassment are, and to outline what to do if you feel you are experiencing these behaviours. This policy covers harassment or bullying which occurs at work and out of the workplace, such as on business trips or at work-related events or social functions. It covers bullying and harassment by colleagues (which includes anyone who works for the Group) and by third parties such as customers, suppliers or visitors to our premises.
- 1.4 Our vision, mission and values as an organisation have a culture of fairness and respect at its core, reflected by our SPIRIT values and our People First approach. We are committed to creating a Great Place to Work; through our inclusion and belonging strategy we aim to ensure all our colleagues are supported by a safe environment and an inclusive culture.
- 1.5 The following SPIRIT values, and how we all demonstrate them in our workplaces, are each directly relevant to this policy:

Support: always there to help customers and colleagues.

Positive: encouraging others to achieve.

Integrity: being open and honest.

Respect: treating people fairly and with understanding.

Together: believing more can be achieved through working well with others.

- 1.6 This policy is further supported through training on the Places Academy and through our commitment to creating a culture of Respect.

1.7 Colleagues are also invited to provide any comments and suggestions on this policy, through the Inclusion and Belonging colleague network. The network provides a platform for colleagues' voices to be heard and in turn supports us to ensure that our People strategies, policies and practices are inclusive to all.

2. Respect and dignity at work

2.1 We all have a role to play in ensuring that every colleague has a safe and supportive working environment, free from bullying and harassment. This includes both creating a culture where bullying and harassment doesn't happen, and reporting or challenging anything we do see that we're not comfortable with.

2.2 We recognise that personalities, characters and management styles may differ but, as a minimum standard all colleagues are expected to: work co-operatively with each other, establish good working relationships, consider each other's perspectives and give and receive feedback in a constructive way.

2.3 It is important to remember that we are all individuals, and what might be acceptable to one person may upset or intimidate another. Through listening to our colleagues, reflecting on the impact of our own words and actions, and being willing to acknowledge the feelings and responses of others, we can create workplaces where everyone feels safe and respected.

2.4 We take a zero-tolerance approach to any forms of inappropriate behaviour (including bullying, harassment or violence) towards our colleagues. We will take any allegations very seriously and take appropriate action where there is evidence that someone has been bullied or harassed at work.

2.5 In considering what action to take where a complaint of harassment or bullying is found to be true, the Group will consider aggravating factors such as an abuse of power or the victimisation of someone who has previously raised concerns.

3. Raising concerns informally

3.1 If you have a concern about the way you're being treated, it can be hard to decide what to do next but there are several options to think about.

3.2 Sometimes you may be able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. Sometimes that person may be unaware that their behaviour is causing offence to you (e.g. rude jokes) and may genuinely be upset to learn they have caused offence.

3.3 Alternatively, speak to your manager; they can help you to try and resolve issues informally. We hope you'll feel able to discuss the situation with your manager, but if not, you may prefer to speak to another manager you trust, or someone in the People team.

4. Making a formal complaint

4.1 If you don't feel able to sort things out informally, you can make a formal complaint, in writing, to your manager. This will be raised, and treated, as a formal grievance; we will follow the process outlined below, or for further information refer to the grievance procedure.

4.2 If you don't feel you can raise a complaint to your manager, you can send this to your manager's manager, or the People Business Partner for your area.

4.3 Your written complaint should set out full details of the conduct in question, including the name of the person/s involved, the nature of the issue you're complaining about, date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

4.4 We know it's not always easy to speak up about these things, so we'll investigate as quickly as possible and keep you updated. If we find evidence, we will take appropriate action against those involved.

5. Investigation

5.1 The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint. The investigation should be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned.

5.2 We will contact you, usually within one week of receiving your complaint, to arrange a meeting with you, so that you can give us your account of events. You have the right to be accompanied by a colleague or a trade union representative. You will be given a provisional timetable for the investigation and the investigator may arrange further meetings with you as appropriate, throughout the process.

5.1 The investigator will also meet with the person who the complaint is about, to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond. It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.

5.2 At the end of the investigation, the investigator will usually submit a report to the manager or a member of the HR team who is nominated to consider the complaint. They will arrange

a formal meeting with you, usually within a week of receiving the report, in order to discuss the outcome and what action, if any, should be taken. In line with the grievance procedure, you have the right to bring a colleague or a trade union representative to the meeting. The findings will be given to you and to the person you raised the complaint about. We will usually also confirm the findings in writing to you.

6. Action following the investigation

- 6.1 If we consider that harassment or bullying has occurred, prompt action will be taken to address it. It could be dealt with as a case of possible misconduct or gross misconduct under our Conduct and Capability Procedure. If a complaint is upheld against someone we don't employ, such as a customer, supplier or other visitor, we will consider what action would be appropriate to deal with the problem.
- 6.2 Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the other person concerned. Depending on the circumstances, it may be appropriate to arrange some form of mediation, or to change the duties, working location or reporting lines of one or both parties.

7. Appeals

- 7.1 If you are not satisfied with the outcome you may appeal in writing, stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you. We will inform you who to send an appeal to, when we communicate the outcome of the investigation and this will be treated as a formal grievance appeal.
- 7.2 We will hold an appeal meeting, normally within one week of receiving your written appeal. This will be dealt with impartially by a manager who has not previously been involved in the case (although they may ask anyone previously involved to be present). You may bring a colleague or trade union representative to the meeting.
- 7.3 We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.
- 7.4 In cases where the same concern is raised under multiple procedures, or issues and evidence overlap (e.g. a formal grievance and whistleblowing complaint covering the same allegations), we will determine the appropriate way to deal with the matter at the outset, in line with the relevant policies, and clearly communicate this to you.

8. Confidential reporting line

- 8.1 We hope that you will always feel you can approach someone at work about an issue or concern, or resolve issues using our internal procedures. However, we recognise that there may be occasions when colleagues feel more comfortable to speak to an

independent party. We have a number of channels for colleagues to report any behaviour that is not in line with our values and encourage people to speak to their line manager or a member of the People team. However, we appreciate that this may not always feel appropriate, and so offer a confidential reporting line through a third party, *EthicsPoint*, as an alternative in those circumstances.

What is the Confidential Reporting Line?

The confidential reporting line is a way for all colleagues, Group-wide, to report concerns around behaviour at work, including bullying, harassment (general and sexual), violence, or discrimination. The reporting line can also be used to report any concerns under the Group Whistleblowing policy and also the Safeguarding Policy.

Hosted by an external, independent provider, *EthicsPoint*, the reporting line is operational 24 hours a day, 7 days a week, 365 days a year.

You can report any issues or instances of inappropriate behaviour or misconduct confidentially by calling the contact centre or using the online reporting tool.

This can be done anonymously if you wish.

To report your concerns confidentially, call 0800-069-8488 or go online via the People Services hub or at: **placesforpeople.ethicspoint.com**.

8.2 By creating open channels of communication, we can promote a positive and safe work environment where inappropriate behaviour, bullying, harassment and discrimination are not tolerated. The addition of a confidential reporting line is to give people an alternative channel to report issues and concerns in confidence, earlier than they might otherwise. This upholds our commitment to dealing with issues and stamping out mistreatment; it also reinforces our SPIRIT values and encourages respect across the workplace. You can also speak to the Employee Assistance Helpline to support you whilst you are through this process.

9. Protection and support for colleagues involved

9.1 Be reassured that any complaint will be taken seriously and will be treated confidentiality and with discretion.

9.2 We will seriously consider any request that you make during the investigation. For example, we may make some temporary changes to avoid or minimise contact between you and a person your complaint relates to, whilst an investigation is ongoing.

9.3 We won't allow you to suffer negative treatment because of raising a complaint in good faith or being a witness in an investigation. Anyone found to have retaliated against or

victimised someone in this way will be subject to disciplinary action under our Conduct Procedure.

9.4 The same applies if you have been accused of discrimination, bullying or harassment and we find the allegations to be untrue. We will offer you support and will not allow you to suffer any negative treatment.

9.5 Making false allegations about a colleague can also amount to a form of bullying and/or harassment. In some circumstances (i.e. where we find that intentionally false allegations have been made against a colleague in bad faith), we are likely to take action under the Conduct Procedure against the person who raised them.

10. Confidentiality

10.1 Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the names of the person making the complaint and the person accused will only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to disciplinary action under the Conduct Procedure.

11. Further advice and support

11.1 The Group Employee Assistance Programme *Care First* can be accessed via telephone on 0800 015 5630. You can find further information about the EAP from the People Services SharePoint (accessed via Our Place).

11.2 You can visit the People Services hub for a link or go direct via **placesforpeople.ethicspoint.com** or call 0800-069-8488 to access the Confidential Reporting Line. Both routes are entirely confidential and are open 24 hours a day, seven days a week, 365 days a year.

Supporting Information

12. What is harassment?

12.1 Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

12.2 As well as being unacceptable behaviour at work in any circumstances, harassment may also be unlawful if it relates to a protected characteristic. The Equality, Diversity and Inclusion Policy explains this further.

12.3 Harassment may include, for example:

- abusive or insulting language, jokes, literature or insinuations;
- unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- outing or threatening to out someone as gay or lesbian;
- offensive e-mails, text messages or social media content;
- mocking, mimicking or belittling a person's disability;
- stalking; or
- any behaviour designed to cause alarm or distress.

12.4 A person may be harassed even if they were not an intended "target". For example, a person may be harassed by overhearing racist jokes about a different ethnic group, if the jokes create an offensive environment (regardless of their own ethnic group).

13. What is sexual harassment?

13.1 Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

- 13.2 Sexual harassment can be perpetrated or experienced by both men and women, and from someone of the same or a different sex. Sexual harassment can be either sexually motivated (for example, unwanted touching or propositions), or sexual in its nature (for example, sharing inappropriate content or jokes via email).
- 13.3 Like other forms of harassment, sexual harassment can take the form of both actions and words. Sexual harassment may include, for example:
- Sexual comments or jokes;
 - unwelcome sexual advances, jokes or suggestive behaviour (which the harasser may perceive as harmless);
 - Commenting on someone's look, dress, sexuality or gender in a derogatory or objectifying way;
 - Displaying sexually graphic pictures, posters or photos;
 - Suggestive looks, staring or leering;
 - Propositions and sexual advances;
 - Making or requesting promises of special treatment in return for sexual favours;
 - Sexual gestures;
 - Intrusive questions about a person's private or sex life, or a person discussing their own sex life;
 - Sexual posts or contact on social media;
 - Spreading sexual rumours about a person;
 - Sending sexually explicit emails or text messages; or
 - Unwelcome touching, hugging, massaging or kissing.
- 13.4 Sexual harassment can also occur where two people have previously been in a consenting relationship, but sexual conduct then becomes unwanted (e.g. because the relationship has ended).

14. What is bullying?

- 14.1 Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.
- 14.2 Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:
- physical or psychological threats;

- using physical violence;
- using insulting, humiliating or offensive language (spoken, in writing or online);
- abusing a position of power;
- overbearing and intimidating levels of supervision;
- persistent and unreasonable criticism;
- unreasonable demands and impossible targets;
- isolation or non-co-operation at work;
- spreading untrue rumours or malicious gossip; or
- making inappropriate derogatory remarks about someone.

15. Discrimination

- 15.1 We take a proactive stance against discrimination within the Group. We are committed to creating a workplace culture where all individuals feel that they belong and are treated with respect. This includes ensuring people receive equal treatment regardless of the following protected characteristics: age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.
- 15.2 Discrimination is unlawful and we will not tolerate or condone discrimination or harassment of anyone including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts), and on work-related trips or events including social events.

16. Behaviour outside work and social media

- 16.1 Where unwanted or offensive behaviour happens outside work, but in a way that is related to work (e.g. at a work-related social event or training course) it will still be dealt with in line with this policy.
- 16.2 Comments or material posted online or on social media, directed at a colleague, will be investigated in line with this policy. This is regardless of whether the posts were alleged to have been made within or outside of working hours. Colleagues should also refer to the social media policy.

17. Managing performance

- 17.1 Bullying isn't the same as managing someone's performance. Sometimes managers may be required to make reasonable requests to their team members and provide constructive feedback. Sometimes formal capability procedures may also be required. If your manager is behaving in a professional and supportive way – that won't on its own be considered bullying.
- 17.2 If you feel your manager's behaviour towards you is unacceptable, talk to them about it and how you feel. If you feel you can't do this follow the process for making a formal complaint (above).

18. Violence at work

- 18.1 We take a zero-tolerance approach to violent or abusive behaviour, in order to protect you, anyone who works for us and third parties associated with or working alongside us.
- 18.2 Violence, whether from a colleague, customer or other third party is unacceptable. You should report any act of violence to your manager immediately so that they can investigate and take any necessary steps to protect you from further harm.
- 18.3 We have signed up to the UNISON *Violence at Work Charter* which sets out 10 Basic Actions which the business has implemented in order to safeguard you from harmful behaviour whilst you are at work. Actions range from early preventative intervention through to injunction or possession proceedings in the County Court, depending on the severity of the behaviours displayed. Further information can be found in the appendix to this policy.

19. Criminal Offences

- 19.1 Some forms of unacceptable behaviour may be serious enough to constitute a criminal offence. If we become aware that a colleague has (or may have) committed an offence we may report our concerns to the police or other authorities as appropriate. Where matters are reported to the police internal investigations and disciplinary action may still take place, whether or not the police decide to proceed. However, in some cases there may be a delay whilst police investigations take place.

APPENDIX

Appendix 1: UNISON Violence at Work Charter

To qualify for the **UNISON Violence at Work Charter** mark, the Group must meet the following standards:

1. The employer has a written violence and aggression at work policy which is available to all staff. The policy should also cover lone working.
2. Responsibility for implementing these policies lies with a senior manager.
3. Measures are taken to prevent staff working in isolated buildings, offices or other work areas on or off site.
4. Staff are encouraged to report all violent incidents and they are told how to do this.
5. The employer collects and monitors data on violent incidents on a regular and ongoing basis.
6. Where they are in place, union safety reps are able to access this data and are consulted on solutions to issues relating to violence in the workplace.
7. Thorough risk assessments are conducted for staff placed in vulnerable situations
8. The employer has in place support pathways for staff who are victims of violence at work, so that they know where to turn for advice and support.
9. Training to ensure staff are aware of the appropriate way to deal with threatening situations.
10. Where appropriate, independent counselling services are available to staff who are the victims of violence at work.