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**Dignity at Work Policy**  
**Policy Number HR07**

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## **1. Our Commitment**

- 1.1 Clyde Valley Group (CVG) is committed to promoting a positive, safe and non-threatening working environment where dignity and respect is not undermined.
- 1.2 We will create and foster a workplace culture which promotes respect and values individual differences.
- 1.3 We are opposed to and will work to prevent any form of bullying, harassment, intimidation and victimisation. They have no place at CVG and are contrary to our values.
- 1.4 We have a zero-tolerance approach towards bullying, harassment or any form of intimidation or unacceptable behaviour either within or out with the workplace, during activities either linked to work or people with whom you have a working relationship or linked to your employment with CVG.
- 1.5 This policy applies particularly in issues of age, disability, gender identity or expression, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. These are referred to as 'protected characteristics' which are outlined in the Equality Act (2010).
- 1.6 We are committed to building a safe work environment in which all our people feel confident to raise concerns.
- 1.7 We will empower our people to challenge any form of harassment or bullying.
- 1.8 We will continue to take steps to protect our people from all forms of harassment.
- 1.9 The purpose of this policy is to support a working environment and culture in which bullying and harassment is not tolerated and to support our people in taking action against bullying and harassment.

## **2. Scope of the Policy**

- 2.1 This policy applies to all employees (our people) at CVG, including fixed term team members, trainees, secondees and apprentices. It also applies to our governing board members, volunteers, agency workers, or contractors, suppliers and employees from other organisations working on CVG premises or on behalf of CVG.
- 2.2 This policy will apply to all CVG premises and all CVG personnel working in other premises including any place where the occasion can be identified with either the requirements of CVG, or with social events linked to CVG. The policy also applies to the use of social media and other online forms of communication.
- 2.3 Individuals are also protected from harassment while applying for a job, while in employment, and in some circumstances after the working relationship has come to an end; (for example, in connection with the provision of a verbal or written reference). There is also protection for people against harassment on the basis of their protected characteristic, membership or non-membership of a trade union and protection from harassment which comes from a third party (for example, a customer).

- 2.4 Anyone who is accused of disrespectful behaviour or allegations under the scope of this policy should always act honestly and co-operatively.
- 2.5 This policy follows the ACAS (Advisory, Conciliation and Arbitration Service) guidance on bullying and harassment at work and references the Equality Act 2010.
- 2.6 This policy is designed to support employees in the resolution of complaints of bullying/harassment. However, it does not prevent employees from exercising their statutory entitlements under legislation and in particular, the Equality Act 2010, under which claims must be brought within 3 months.

### **3. Our Responsibilities**

- 3.1 We will make sure all employees know what is expected of them and are aware of the policy and associated procedures and the implications of certain behaviours through induction, training and other processes.
- 3.2 We will take any allegations made by employees seriously and, so far as possible, will manage complaints speedily and confidentially.
- 3.3 Anyone associated with CVG (this includes employees, governing body members, agency workers, contractors and consultants) has a responsibility to:
- Treat colleagues politely, fairly and with dignity and respect and in accordance with CVG's Code of Conduct.
  - Value differences in others and the contribution that they make.
  - Be aware of how their behaviour impacts on others and change if it is not in line with the values and standards set out in this policy.
  - Be polite, take a considerate, responsive and caring approach when dealing with colleagues, customers, members of the public and external agencies.
  - Maintain a professional approach to their work and colleagues.
  - Never behave in a manner that could be classed as bullying, harassing or victimising.
  - To ask for clarification if standards of behaviour are unclear.
  - Ensure they are not discriminating against others, directly or indirectly.
  - To challenge or report incidents of inappropriate behaviour to an appropriate senior person or the People team.
- 3.4 We will make every effort to resolve complaints informally; however, where this is not appropriate or possible, we will hold a formal investigation.
- 3.5 We will support anyone who is experiencing difficulties in a range of ways by offering, when appropriate to do so:
- Codes of behaviour and conduct
  - Access to Agile Working Policy
  - Access to Flexible Working Policy
  - Advice from the People Team
  - Access to the Confidential Counselling
  - Use of informal or formal Mediation
  - Instigation of a formal complaint under the Grievance Policy

- 3.6 Guidance and counselling can be offered to people whose behaviour is unacceptable, as well as those affected by being harassed. CVG recognises that individuals may not understand how their behaviour is affecting their colleagues and may require additional support.
- 3.7 No adverse action is to be taken against any employee who reports, complains about or participates in the investigation of a possible violation of CVG's code of conduct, applicable law or CVG policy, as long as the complaint or report was submitted in 'good faith'.
- 3.8 This policy is intended to deal with real allegations of behaviour that undermines dignity and respect, which is unacceptable behaviour in the workplace
- 3.9 We will monitor any incidents confidentially within the People team, to identify potential problems and areas for improvement to ensure complaints are resolved and no victimisation occurs.

#### **4. Managers Responsibilities**

- 4.1 All managers, as part of their managerial responsibilities, have a particular responsibility. Where bullying and harassment is brought to the attention of a manager they must take appropriate action. Managers have a legal obligation to eliminate harassment of which they are, or should be, aware.
- 4.2 Managers are themselves expected to demonstrate and act as a role model for high standards of behaviour which support a culture of dignity and respect.
- 4.3 All managers are expected to:
- Manage people effectively and in a fair and consistent way.
  - Ensure this policy is implemented and all employees are aware and understand the content, follow it and realise the implications of unacceptable behaviour.
  - Lead by example, set high standards and be open to feedback.
  - Be available to employees to discuss their problems or concerns and to provide appropriate support.
  - Take allegations seriously and manage any investigation speedily and confidentially.
  - Pass any investigation to the People team only when it is inappropriate for the manager to deal with it themselves because they may be implicated in some way.
  - Ensure that employees who have raised concerns are not victimised as a result of their actions.
  - Be aware that any failure to act on a complaint will be treated as misconduct in itself.
  - Complete the monitoring information as and when required to facilitate corporate reporting.
  - Contact the People team to organise a referral for any member of your team to Occupational Health if the health of that member of the team is being affected by the situation.
- 4.4 In addition, if someone has complained about your behaviour you should:
- Listen carefully to the person making the complaint and to the particular concerns they tell you

- Respect the person's point of view and where appropriate apologise for any offence caused.
- Deal with any issues as soon as you can and if necessary, modify your behaviour.
- If the complaint against you is upheld, on a balance of probabilities, a disciplinary sanction may be imposed up to and including dismissal, having regard to the seriousness of the offence and all relevant circumstances. If the complaint is upheld, but you are not dismissed, CVG may decide to transfer you to another post without any form of protection of pay.
- If a complaint is made against you that is not upheld and CVG has good grounds for believing that the complaint was not made in good faith, CVG will take disciplinary action against the person making the false complaint.

## **5. What you can expect**

5.1 As a valued employee you can expect to:

- Be treated fairly and know what is expected of you.
- Receive the training and development you need to do your work.
- Discuss your work with the person you report to and raise any matters that you need support with.
- Be consulted about matters that affect you be valued and recognised for your contribution.
- Be encouraged to develop and achieve your full potential.
- Be able to be yourself and not what others may think you should be.
- Be taken seriously if you make an allegation and have your complaint dealt with speedily and confidentially.
- Receive confidential advice and support on the operation of this policy from your manager and where that is not appropriate, our People team. This is the case whether you are the complainant or the subject of a complaint.
- Have your complaint resolved informally, and if this is not possible or appropriate, through a formal investigation.
- Be supported in any investigation by your Trade Union representative or a colleague.

## **6. What does not constitute Harassment or Bullying**

- An isolated incident of inappropriate behaviour may be an affront to dignity at work but, as a one-off incident, is not considered to be bullying, e.g., an occasional bout of anger or a conflict of views.
- Fair and constructive criticism of an employee's performance, conduct or attendance.
- Reasonable and essential discipline arising from the good management of the performance of an employee at work.
- Actions taken which can be justified as regards the safety, health and welfare of the employees.
- Legitimate management responses to crisis situations which require immediate action.
- Complaints relating to instructions issued by a manager, assignment of duties, terms and conditions of employment or other matters which are appropriate for referral under the normal grievance procedure

## **7. Unacceptable behaviour**

7.1 The following is a list of behaviours which are not acceptable. This list is not exhaustive but is included to assist understanding:

- Verbal abuse or hurtful comments
- Spreading rumours about others
- Using slurs to describe others
- Unwelcome or hurtful jokes
- Direct or subtle threats
- Offensive gestures
- Ostracising a person
- Unwanted physical contact
- Aggressive behaviours
- Repeated behaviour which a person has previously objected to
- Displaying offensive material publicly
- Putting down someone's work or questioning their ability without justification
- Posting embarrassing or belittling messages and/or images on social media

## **8. What can you do if you feel you are being bullied or harassed?**

8.1 If you think you are being bullied or harassed or are a victim of other unacceptable behaviour, there are a number of things you can do. It can be extremely upsetting to be on the receiving end of what you perceive to be harassing and bullying behaviour, or to witness it. If you are not sure how to tackle this very awkward subject, there are a number of things you can do and sources of support and information as set out below.

8.2 You can speak with your line manager or a member of the People team confidentially. The decision to progress a complaint should always rest with the individual however, your line manager or member of the People team would be able to provide you with some guidance and support. In some circumstances CVG will be required to take action to safeguard others. This will always be done with consideration and discussion with the individual that has raised the complaint.

8.3 Where possible, breaches of this policy should be dealt with informally in the first instance. In many cases inappropriate behaviours are unintentional and can easily be resolved once the behaviour has been highlighted. This is often the most efficient way to maintain positive working relations.

8.4 In managing the issue informally, employees should in the first instance alert their line manager to the behaviour, thereafter the employee should be encouraged by the line manager and with their support approach the individual and highlight what behaviour has been offensive. Should the employee be uncomfortable with this then the line manager should approach the individual and have the same discussion. A note should then be put on file of the person who has displayed the inappropriate behaviour and the individual that raised the issue.

8.5 Think about what you want the end result to be as this could influence the course of action you take. Consider the following:

- Do you want to sort it out yourself?

- Do you want someone else to deal with it?
- Do you want to continue working together?

8.6 It may be that the perpetrator does not realise that their behaviour is upsetting, so they need to be given the chance to modify their actions.

- If you feel able, approach the person whom you believe is bullying or harassing you, describe the unacceptable behaviour you've been experiencing, explain how it makes you feel and ask them to stop the offending behaviour.
- You should always make it clear that if it continues you will make a complaint.
- You should be polite, firm and assertive. If you take this step, do not get into any difficult, frightening or dangerous situations. If the behaviour of a person is aggressive, it may be necessary to walk away, making it clear you do not wish to be spoken to in that way.
- You may want to let your manager know you are doing this, or you may wish to deal with it yourself without informing them. Whichever you do, make a note of the event, including the response you received.
- You could also make your request in writing instead. We advise you to keep a copy of this correspondence.
- If you do not feel able to talk about it yet, make notes including dates and details which will help you recall events clearly at a later date.

### **Formal Stage**

8.7 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 under the CVG Grievance Policy and with the support of the People team.

8.8 If you wish to raise a formal grievance, contact the People Team who can guide you through the process. It may be useful to complete the grievance form (appendix 1 at the end of the Grievance Policy) to help with the process.

8.9 In line with the CVG Grievance Policy the employee must put their concerns in writing and give this to their line manager. The line manager should then arrange a meeting with the employee who has highlighted the concerns. At this meeting the manager should establish what the concerns are, and how the employee would like things resolved. The manager should then conduct any necessary investigations with support from the People Team. No investigation should take place prior to there being a meeting with the employee. The individual named in the grievance will be notified as part of this process. Once the investigation has been concluded, there could be a variety of outcomes including:

- There is no evidence to uphold the complaint
- There is evidence that may involve action against another employee including Disciplinary Action
- Action is required on an organisational basis

8.10 Where action is required against another employee this will follow CVG's Disciplinary Policy. Where action is taken regarding an employee other than the person who raised the complaint, the complainant will not be informed of any action taken against other individuals.

## **9. Unacceptable behaviour by someone other than an employee**

### **9.1 Member of the Public**

Depending on the circumstances of each case, we will consider a range of actions where a member of the public harasses or bullies one of our employees while carrying out their duties or as a result of their duties. Any action will be considered in line with the CVG Expected Behaviours Policy.

### **9.2 Board Member**

Your manager should report the situation to the Company Secretary and Governance and Risk Manager, who will initiate an investigation in line with the process outlined in the CVG Board Member Code of Conduct.

### **9.3 Contractor**

Your manager should report the situation to the person managing the particular contract on our behalf. They can then take a range of actions, including withdrawing or amending contracts. Each case would be dealt with on advice from Executive Management Team and within the terms of any contract.

### **9.4 Partner or other agency**

Your manager should liaise with the manager of the employee concerned with regard to appropriate action around misconduct within the terms of their employment in that organisation. If no suitable solution is forthcoming, further remedial action would depend on the nature of the partnership or relationship with the organisation and appropriate legal advice.

## **10. General Data Protection Regulations**

- 10.1 CVG will treat your personal data in line with our obligations under the current data protection regulations and our own Privacy Policy. Information regarding how your data will be used and the basis for processing your data is provided in CVG's Employee Privacy Notice.

## Appendix 1 - Dignity at Work Procedure

### Informal Procedure

Early resolution should be sought informally in the first instance by taking the following steps:

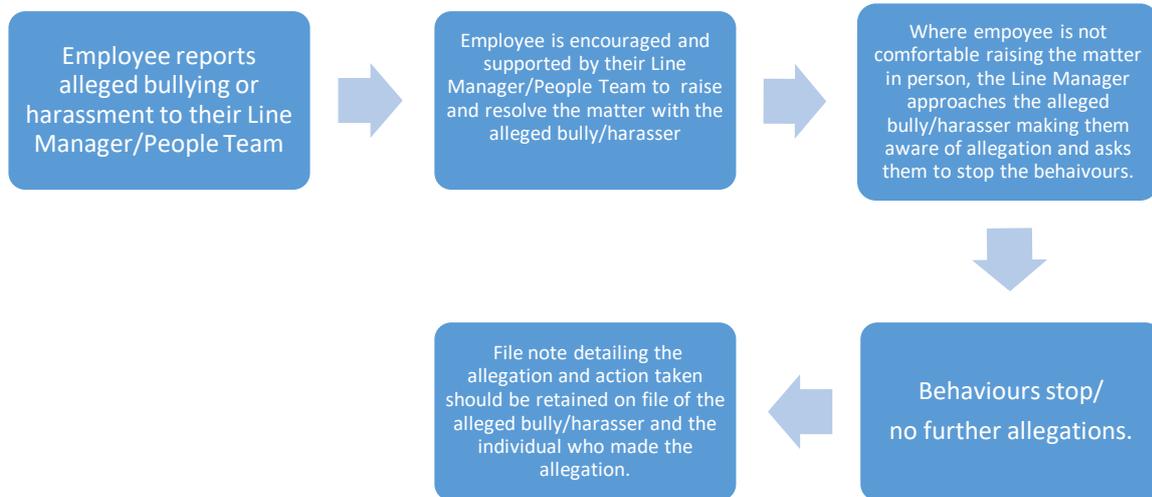
1. Employee reports alleged bullying and/or harassment to their Line Manager/People Team.
2. Employee is encouraged and supported by their Line Manager/People Team to raise and resolve the matter informally by approaching the alleged bully/harasser and making them aware of their behaviours.
3. Where employee is not comfortable raising the matter in person, the Line Manager will approach the alleged bully/harasser making them aware of their behaviours and seeking resolution by asking them to stop.
4. Where the behaviours stop and there are no further allegations, a file note detailing the allegation and outcome should be retained on file of both the alleged bully/harasser and the individual who made the allegation.

**Where the behaviours continue or the allegations is deemed to be of a more serious nature, the Formal Procedure should be followed.**

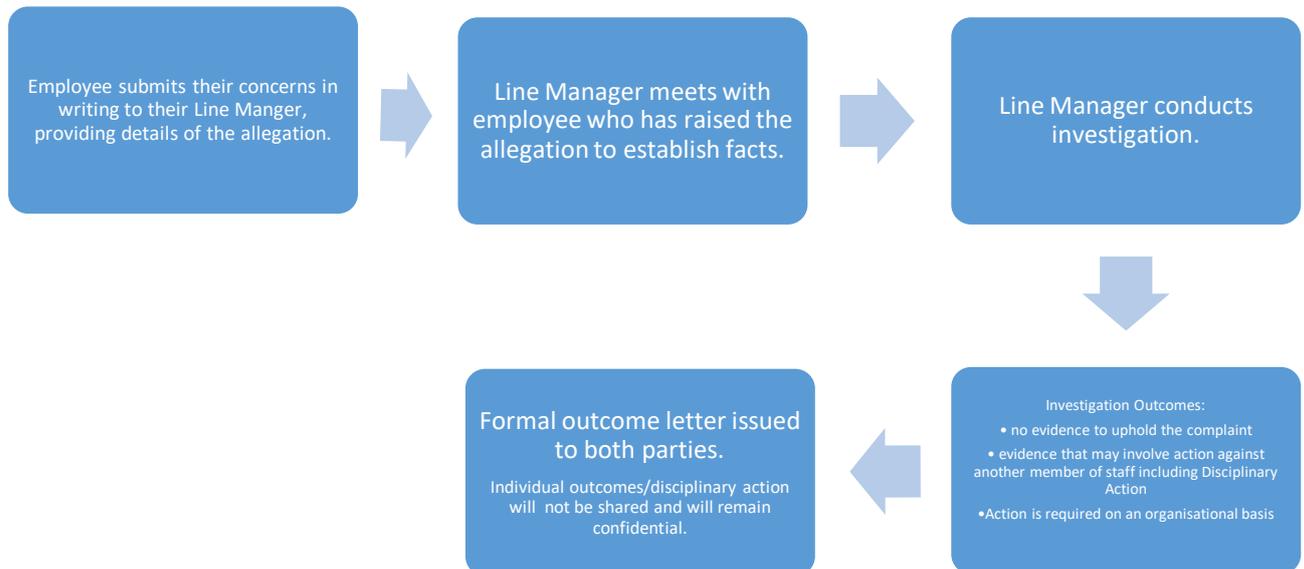
### Formal Procedure

1. In line with CVG Grievance Policy the employee submits their concerns in writing to their Line Manager, details of the allegation.
2. Employee contacts the People Team for advice and guidance on the formal Grievance procedure and completes the grievance form.
3. Line Manager meets with employee who has raised the allegation to establish facts.
4. Line Manager conducts investigation.
5. Investigation Outcomes:
  - a. no evidence to uphold the complaint
  - b. evidence that may involve action against another employee including Disciplinary Action
  - c. Action is required on an organisational basis
6. Formal outcome letter issued to both parties. Individual outcomes/disciplinary action will not be shared and will remain confidential.

## Informal Procedure



## Formal Procedure – In line with CVG Grievance Policy



## Appendix 2 - Definitions

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

**Discrimination** – occurs when someone is treated less favourably because they have or are associated with someone else who has one or more protected characteristic. This is referred to as direct or indirect and it may occur intentionally or unintentionally.

**Direct discrimination** occurs when someone is put at a disadvantage because of one or more protected characteristics. For example, rejecting an applicant of one race because it is considered they would not “fit in” because of their race could be direct discrimination.

**Indirect discrimination** - occurs where an individual is subject to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of, for example, their sex or race. For example, a height requirement would be likely to eliminate proportionately more women than men. If this criteria cannot be objectively justified for a reason unconnected with sex, it would be indirectly discriminatory on the grounds of sex.

**Associated Discrimination** - is discrimination against a person because they have an association with someone with a particular protected characteristic. e.g., a non-disabled person is discriminated against because of the action they need to take care of disabled dependent.

**Perceptive Discrimination** - is discrimination against a person because the discriminator thinks the person possess that characteristic. E.g., a person is not shortlisted for a job on the bases that the recruiter assumes the applicant does not have the correct VISA to work in the UK as they have a foreign looking name on their application form.

**Harassment** – is unwanted conduct related to sex, gender reassignment, race or ethnic or national origins, disability, sexual orientation, religion or belief, age or any combination of these, or any other personal characteristic or any perception of particular characteristic (s) which:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

**Victimisation** - is treating someone less favourably than others because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or disadvantaging them at the workplace.

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