

Dignity at work policy

JUNE06

I. Statement of Policy

- I.1 The Housing Ombudsman Service (HOS) is committed to the Dignity at Work Policy. We aim to make equality of opportunity a reality and to create a working environment which is safe, supportive of, and does not discriminate against our employees.
- I.2 Everyone should be treated fairly and with respect. Everyone is entitled to a working environment which is free from discrimination, harassment, victimisation and bullying.
- I.3 The cost of not pursuing these aims could be high for both HOS and our staff. Fear, stress and anxiety could lead to illness, absenteeism, higher turnover, poor performance, low morale and difficult working relationships. HOS recognises that any negativity will distract from its core aim of providing an improving service for complainants and members.
- I.4 We aim to increase awareness among managers and staff of their rights as well as their responsibilities in this area. Training will become part of our induction procedures and this will be supplemented by periodic training.
- I.5 Incidents of discrimination, harassment, victimisation or bullying will be viewed seriously. Certain incidents may be unlawful while others could lead to disciplinary action including dismissal. Wherever possible we hope that issues raised can be resolved through the informal procedures set out below and that the parties involved can be reconciled.
- I.6 An equally serious view will be taken of false accusations made against colleagues that prove to be mischievous or malicious. HOS will support and consider the welfare of both parties.
- I.7 It is important to distinguish between legitimately firm management and an unacceptable abuse of power. Line managers are responsible for ensuring that staff who report to them perform to an acceptable standard.
- I.8 We will ensure we comply with all our statutory obligations covering direct and indirect discrimination on the grounds of sex, race, sexual orientation, religion or belief and disability.
- I.9 HOS aspires to best practice and we aim to fulfil our moral as well as legal responsibilities to provide a suitable working environment and promote a culture in which employees feel able to raise complaints of harassment, bullying or discrimination without fear of victimisation. HOS will not tolerate discrimination against or harassment of any individual over an extended range of circumstances. These include (although this list is not exhaustive) their:
 - gender (including sex, marriage, gender re-assignment);
 - race (including ethnic origin, colour, nationality and national origin)
 - disability;
 - sexual orientation;
 - religion or belief;

- age;
- membership or non-membership of a trade union;
- willingness to challenge bullying/harassment;
- or any other individual difference.

2. Definitions

2.1 Discrimination

2.1.1 Direct discrimination is where you are treated less favourably for any of the reasons listed above.

2.1.2 Indirect discrimination is when rules or conditions exist which apply to everyone but affect one group more than another without good reason.

2.2 Harassment

2.2.1 Harassment may be any form of behaviour that is unwanted and unwelcome, irrespective of the intentions of the perpetrator.

2.2.2 All staff have a responsibility to be aware that there is a distinction between consensual behaviour and conduct which is not desired by a colleague. Acceptable behaviour for some may be intimidating, upsetting, embarrassing, humiliating or offensive to others.

2.2.3 Harassment can take place within the workplace but staff behaviour relating to colleagues outside the workplace can also be covered by this policy.

2.2.4 Harassment can be verbal or non-verbal. It may include (but the list is not exhaustive):

- jokes, comments or suggestions;
- abuse, insults, ridicule or threats;
- physical contact;
- physical or verbal sexual advances;
- display of/transmission of pornography or sexually suggestive pictures or written material;
- derogatory nicknames or racist name calling.

2.2.5 It might relate to one single serious incident or to less serious but persistent behaviour.

2.3 Bullying

2.3.1 There is significant overlap between the definitions of harassment and bullying. However bullying is more likely to be psychological and less obvious than harassment. It will rarely be a single incident and is more likely to be an accumulation of small incidents which when taken in isolation and out of context may seem trivial. The person being bullied may not realise it is happening for some time.

2.3.2 Victims are often chosen because they are competent, popular or vulnerable for some reason.

2.3.3 Bullying behaviour may include (but the list is not exhaustive):

- rage, shouting or loss of temper;
- emotional, tearful outbursts;
- persistent unwarranted criticism;
- public humiliation or ridicule;
- spreading malicious rumours/making malicious allegations;
- wilful misrepresentation;
- ostracism;
- removal of responsibility or infliction of menial tasks;
- undervaluing contribution;
- imposition of excessive workloads or unreasonable targets;
- unwarranted, excessive supervision;
- withholding essential information, resources or training.

2.3.4 Although bullying may present as managers bullying their staff; staff can bully their managers. Bullying can take place across peer groups and between members of different teams, interest groups or social groups. Bullies can operate individually or as a group.

2.3.5 Bullying does not include legitimate, justifiable, appropriately conducted criticism of an employee's behaviour or job performance.

2.4 Victimisation

2.4.1 Victimisation is where a person is treated less favourably because they have, for example, brought a grievance, given evidence, blown the whistle, complained or taken disciplinary action.

3 Informal resolution

3.1 Although HOS supports informal resolution of problems if possible and appropriate, certain acts or forms of behaviour perpetrated by individuals or groups against an individual will, by definition, fall into a category which requires action through the disciplinary procedure.

3.2 Informal resolution would involve both parties initially attempting to solve the problem themselves. The individual who feels they are being unfairly treated should approach the person they feel is treating them in this way, and have an open discussion about the situation which should include all the issues they feel are unsatisfactory.

3.3 Where possible it is essential that the employee attempts to resolve the situation in this way because it can be the case that the individual taking negative action towards them is unaware that their actions are having such an effect.

3.4 However, depending on the nature of the actions involved and the character of the alleged perpetrator as seen by the employee concerned, he or she may feel unable to take this step and deal with the issues in what they might consider to be a very

intimidating meeting. An employee is entitled to ask a colleague or a member of his or her union to support them in raising their concerns with the alleged perpetrator or for advice and assistance.

- 3.5 Anyone approached to support a colleague must be aware that if they feel the matter is sufficiently serious they are obliged to bring the matter to the attention of an appropriate manager. Although these issues should remain confidential wherever possible anyone approached to support a colleague cannot guarantee confidentiality and must bring to HOS's attention anything they are aware of that impacts on our duty of care to our employees.
- 3.6 If approached for general advice or support which does not involve discussions with the alleged perpetrator the alleged victim's supporter should be aware that the alleged perpetrator should be given the opportunity to defend themselves and beware of being drawn into supporting issues raised with malicious intent.

4. Grievance and disciplinary procedures

- 4.1 If the accused person feels the issues raised are unfounded and have no substance and/or refuses to discuss them, then the individual making the allegations needs to decide if they want to take the issue through HOS's grievance procedure.
- 4.2 If you feel you are the victim of harassment, bullying, victimisation or discrimination and do not want to follow the informal steps noted above you should raise these issues through HOS's grievance procedure.
- 4.3 If you feel someone else is the victim of harassment, bullying, victimisation or discrimination these should be referred to the designated person as set out in HOS's disciplinary procedure.

5. Counselling Support

- 5.1 If you have already raised your concern within the organisation but are not happy with the response and you wish to speak to somebody outside the organisation about the difficulties you are experiencing, we list below some useful advice and support agencies:

ACAS	www.acas.org.uk or 08457 474747
Citizens Advice Bureau	www.adviceguide.org.uk
Equal Opportunities Commission	www.eoc.org.uk
Disability Rights Commission	www.dvc-gb.org
Local Law Centre	lawcentres.org.uk



Norman House, 105-109 Strand, London WC2R 0AA
Telephone: 020 7836 3630 Fax: 020 7836 3900 Lo-call: 0845 7125 973 Minicom: 020 7240 6776
Email: ombudsman@ihos.org.uk Website: www.ihos.org.uk