

## **CITIZENS ADVICE REIGATE AND BANSTEAD DIGNITY AT WORK POLICY AND PROCEDURE (STAFF)**

### **1. Policy statement**

This policy applies to all employed by Citizens Advice Reigate and Banstead is committed to creating a work environment where everyone is treated with dignity. This includes providing a work environment free from bullying and harassment. Citizens Advice Reigate and Banstead is dedicated to providing equal opportunities in employment and to avoid unlawful discrimination with employees, against clients and or visitors and has zero tolerance for such behaviour.

This policy is intended to assist Citizens Advice Reigate and Banstead to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

### **2. When the policy is to be used**

The following procedure must be used if improper treatment is experienced.

If the complainant or alleged harasser is not employed by Citizens Advice Reigate and Banstead, e.g. if the worker's contract is with an agency, this policy will apply with any necessary modifications such as that Citizens Advice Reigate and Banstead could not dismiss the worker, but would instead require the agency to remove the worker, if appropriate, after investigation and bring about disciplinary proceedings.

### **3. The roles and responsibilities of people using this policy**

All staff and volunteers have a responsibility to:

- understand your own behaviour, to co-operate in complying with this procedure and to help create and maintain a work environment free of bullying and harassment
- understand how your own behaviour may affect others and change it, if necessary, e.g. an offence can still be caused even if it is "only a joke"
- treat colleagues with dignity and respect
- take a stand if it is felt that inappropriate jokes or comments are being made
- make it clear to others when their behaviour is unacceptable, even if it is obvious in advance that this would be the case
- intervene, if possible, to stop harassment or bullying and give support to recipients
- make it clear that bullying and harassment are unacceptable
- report bullying or harassment to a line manager and support the investigation of any complaints
- avoid prejudging or victimising the complainant or alleged harasser

Your Manager has a responsibility to:

- make sure employees know what standards of behaviour are expected of them; make it clear to employees when their behaviour is unacceptable
- set a good example by their behaviour
- act promptly upon any complaint, or witnessed incident, of bullying or harassment
- ensure that there is a supportive working environment

### **4. Definitions of bullying, harassment and victimisation**

4.1 Bullying is any persistent behaviour, directed against an individual that is intimidating, offensive or malicious.

- Legitimate, constructive and fair criticism of an employee's performance or behaviour is not bullying.

- An occasional raised voice or argument is not bullying.
- A strong management style is not bullying provided employees are treated equitably and with dignity and respect. However, Citizens Advice Reigate and Banstead do not condone bullying under the guise of strong management.

4.2 Harassment is unwanted conduct related to relevant protected characteristics, where the purpose of that conduct is to violate a person's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment for that person; even if this effect was not intended by the person responsible for the conduct.

(Protected Characteristics are: sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief, age)

- Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a 'joke' may offend other people
- Behaviour such as sexual touching, certain banter, flirting or asking someone for a private drink after work; where first-time conduct which unintentionally caused offence will not be harassment, but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him or her.
- Harassment may also occur where a person engages in unwanted conduct towards another because he/she perceives that the recipient has a protected characteristic (for example, a perception that he or she is gay or disabled) when the recipient does not, in fact, have that protected characteristic. Harassment also includes circumstances where an individual is subjected to unwanted conduct from a third party, such as a client or customer. For example, it might be that a client makes a series of racist remarks to an advisor.

4.3 Victimisation is subjecting a person to a detriment because he/she has, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing him/her or someone else, or supported someone to make a complaint, or given evidence in relation to a complaint.

This would include isolating someone or giving him/her a heavier or more difficult workload. Citizens Advice Reigate and Banstead will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised that person.

Employees may wish to use the Whistleblowing guidelines in the Whistleblowing Policy and Procedure where the employee will report a stream of bullying behaviours.

The Equality Act 2010 enables an employee to complain of behaviour that they find offensive even if it is not directed at them.

## **5. Examples of Bullying and Harassment**

Bullying and harassment within the workplace will not be tolerated and Citizens Advice Reigate and Banstead is committed to action through positive policies to eliminate all forms of bullying and harassment.

Bullying and harassment may be misconduct that is physical, verbal or non-verbal, e.g. by letter or e-mail. This is also known as, cyber-bullying and can include activities on social media such as Facebook and Twitter.

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to):

- Physical conduct ranging from unwelcome touching to serious assault;
- Unwelcome sexual advances;
- Excluding someone from social activities.

## **6. Consequences of Bullying, Harassment and Victimisation**

This type of behaviour can undermine the confidence and self-esteem of the recipient.

Bullying is largely identified by the effect it has on the individual rather than what has actually been done. It can be difficult to detect and therefore it is the responsibility of all employees and managers to ensure a working environment that does not tolerate bullying and to report any incident immediately.

Harassment can affect people in many ways; it can lead to illness, increased absenteeism, poor performance and an apparent lack of commitment. Management acknowledges that a distinguishing characteristic of harassment is that employees subjected to it are sometimes very vulnerable and are often reluctant to complain. Managers will be responsive and supportive to any member of staff who complains about harassment.

## **7. Understanding of whether an employee is being bullied, harassed or victimised at work**

Get a definition of bullying you can understand. We say that bullying is conduct that cannot be objectively justified by a reasonable code of conduct, and whose likely or actual cumulative effect is to threaten, undermine, constrain, humiliate or harm another person or their property, reputation, self-esteem, self-confidence or ability to perform.

Consider how your experience fits with the definition. If there are many incidents, what happened? Could it be justified by a reasonable code of conduct? In other words, if you were accused of misconduct, do you think that your accuser had genuine grounds to believe that you had done it? Was there clear evidence that you were innocent? Was the evidence overlooked? If there was more than one incident, where each was tolerable in isolation, were they collectively more serious? How did the conduct affect you? Was it threatening, explicitly or implicitly? How did you feel about it, etc.

Accusing someone of bullying is a serious matter that should not be done without very good reason.

## **8. The difference between bullying and management**

Managers who are able to manage in a structured way, i.e. reasonable management actions directed at an employee can't be construed as bullying as long as they are delivered in a reasonable way such as appraisals, performance management, informal discussions etc. Managers who are not able to manage employees through a company structure are considered to be bullying employees. These types of managers may prevent employees from fulfilling their duties, or, for example, may plagiarise the employees' work and claiming it as their own.

## **9. Introduction to Citizens Advice Reigate and Banstead Procedures**

The purpose of these procedures is to stop harassment and to prevent discrimination recurring. We want to produce solutions, which are speedy, effective and which minimise embarrassment and the risk of breaching confidentiality. Options available under our procedures include:

[Informal Procedure](#)

In many cases of harassment at work, it may be sufficient to ensure that the harassment stops. The recipient of the harassment should raise the problem informally with the person who is creating the problem. They should point out that their conduct is unwelcome, offensive or interfering with work and that they want it to cease. The person may not know that his/her behaviour is unwelcome or upsetting.

An informal discussion may help him/her to understand the effects of his/her behaviour and agree to change it. The employee may seek the support of a work colleague to accompany them at this discussion. Alternatively, the recipient of the harassment could send the person a letter, or telephone them, via their work location.

When a harassed employee finds it difficult or embarrassing to raise the problem directly with the person creating the problem, they may seek support from their line manager. If the concern is with the line manager, the employee should contact the HR team or the line manager's manager. An informal solution can be sought within this meeting. If agreement cannot be reached, or that the behaviour is repeated, it may be necessary to move to the formal procedure.

#### Formal Procedure

If an informal approach does not resolve matters, or the situation is too serious, or the employee chooses to follow the formal procedure, a formal complaint can be made under Citizens Advice Reigate and Banstead Grievance Policy and Procedure.

All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser. The employee will be kept informed of the progress of the proceedings and that appropriate action has been taken. The employee will not be informed of the details of any disciplinary action taken against the alleged harasser, due to confidentiality. If necessary, we will decide on a balance of probabilities, after considering all available evidence, whether or not harassment or bullying has occurred.

Wherever possible, we will try to ensure that the complainant and alleged harasser are not required to work together while the complaint is under investigation. In a serious case, the alleged harasser may be suspended while the investigation and any disciplinary proceedings are underway.

### **10. Support Mechanisms**

As an additional support mechanism outside the formal and informal procedure, employees may wish to seek [Counselling](#). This should be put forward to your Line Manager.

### **11. Further information**

Everything you need to know should be in this policy, but if you do still have questions you should contact your line manager.

Please note Citizens Advice Reigate and Banstead [Counselling](#) has zero tolerance on such behaviours and would encourage employees who have justified concerns to speak with their line managers/employee representatives, Unions as soon as possible.

Please ensure that you set a good example by your own behaviour, that there is a supportive working environment and you know what standards of behaviour are expected - Intervene to stop Bullying or Harassment.