



Dignity at Work Policy

Reviewed by Board: June 2023

For review: June 2024

1. Scope/ Purpose

The purpose of this policy is to set out a framework for dealing with any unwanted or threatening behaviours that occurs between members of staff (which may include consultants, freelancers, volunteers and contractors) and also by third parties (such as participants, suppliers or visitors) towards our staff.

This policy applies to everyone who works at **The Aloud Charity** whether staff, freelancer or volunteer.

2. Summary Statement

The overall aim of this policy is to ensure that all employees of The Aloud Charity are treated with dignity and respect whilst at work, and are able, and encouraged to meet their full potential by working in a pleasant, non-threatening environment free of harassment and/or bullying.

The Aloud Charity will not tolerate acts of harassment and/or bullying by one employee(s) to another and will take prompt steps to ensure that such behaviour is treated as a disciplinary offence. Such behaviour may also constitute a criminal offence, sexual and racial harassment, and / or harassment on grounds of sex, race, disability, sexual orientation, religion or belief and age gender reassignment, marriage and civil partnership, pregnancy and maternity.

This policy sets out The Aloud Charity's position in relation to victimisation, discrimination, intimidation, bullying and harassment in the workplace and also the procedures for dealing with such behaviours when they are alleged.

We recognise that harassment or bullying can occur both in and outside the workplace, such as on business trips or at work-related events or social functions. It can also occur between people outside of normal working hours. Provided the alleged unwanted behaviour has been caused to an employee of The Aloud Charity by another employee, or by a third party for whom The Aloud Charity has responsibility, we will treat it under the terms of this policy regardless of the fact it happened outside the workplace or outside working hours.

If you feel that you are being victimised, discriminated against, intimidated, bullied or harassed by someone at work, you should immediately discuss this with your Line Manager or the Chief

Executive Officer. They will be able to support you through the process of dealing with the issues you raise with the aim of putting a stop to the behaviour that is causing you distress.

All alleged acts of bullying and harassment may constitute acts of misconduct and maybe a dealt with under The Aloud Charity's Disciplinary Policy and Grievance Procedure.

3. What is Bullying and Harassment?

- Bullying – is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient
- Harassment – is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual

Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. A single incident can be harassment if it is sufficiently serious.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

Examples of Bullying

Bullying may include physical or psychological threats, overbearing and intimidating levels of supervision or inappropriate derogatory remarks about someone's performance. However, legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on its own.

Bullying in the workplace can be predominantly psychological, e.g., a bully will often seek to criticise and belittle their victim openly or in private. Unlike harassment, bullying is not usually targeted at sex, race etc, but at an individual's competence to do their work. Workplace bullying tends to fixate on trivial criticisms or false allegations of incompetence.

A victim of bullying may not realise they are being bullied for weeks, or even months and may have even accepted the bullying behaviour as 'the norm'. Bullying can be committed in person, online or any form of written or oral exchanges with the other person.

Examples of bullying behaviour is covered by this policy include (but are not limited to) the following:

- Spreading malicious rumours, insulting or ridiculing someone
- Unfair treatment including 'picking' on someone or setting them up to fail
- Making threats or comments about someone's job security without good reason

- Isolation or non-cooperation at work or deliberately excluding someone from social activities
- Deliberately giving someone a heavier workload than everyone else
- Putting humiliating, offensive or threatening comments or photos on social media
- Undermining a person's authority

Examples of Harassment

Harassment can include a serious one-off incident, repeated behaviour and/or spoken or written words, imagery, graffiti, gestures, mimicry, jokes, pranks, physical behaviour that affects the person. It can be committed in person, online, or on any form of written or oral exchanges with the other person.

As with bullying, the person being harassed might feel disrespected, frightened, humiliated, threatened and/or undermined.

Examples of harassment covered by this policy include (but are not limited to) the following:

- Physical conduct ranging from unwelcome touching and sexual advances to serious assault
- The offer of rewards for going along with sexual advances e.g. promotion, remuneration and access to training or threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment
- Demeaning comments about a person's appearance
- Unwelcome jokes or comments of a sexual, racial or nationality nature or about an individual's age
- The use of obscene gestures or the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, e.g. magazines, calendars or posters
- Offensive emails, text messages or other forms of mobile app communications, or social media content

4. Victimisation

- 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
- Providing you act in good faith, i.e., you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and The Aloud Charity will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you
- Making a complaint which you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action taken against you

5. The Aloud Charity's Position Statement

The Aloud Charity recognises the negative and serious effects that victimisation, intimidation, discrimination, bullying and harassment can have on the workforce and will not tolerate it. Aloud resolves itself to act upon any allegations of such behaviour in a timely, respectful and confidential manner, ensuring that adequate support is provided to both the alleged victim and perpetrator. Anybody who is found to be deliberately behaving in a way that contravenes this policy will be subject to Disciplinary action in line with the Disciplinary Policy and Grievance Procedure.

The Aloud Charity will strive to promote the principles of equal opportunities and dignity at work in its workplaces, as well as a culture where members of staff feel that they can report violations of these principles confidently and without fear of ridicule or reprisal.

6. What should I do if I think I'm being bullied or harassed?

Informal procedure

- You may consider that sorting matters out informally would be the best course of action. The person causing you problems may not know that their behaviour is not unwelcome or upsetting. An informal discussion may help them to understand the effect of their behaviour and agree to change it.
- If you feel able to, you should try to explain to them what behaviour you find offensive or unwelcome and explain that you would like it to stop immediately. Before you take this step, make a note of dates, times, circumstances, and contents of their offensive or unwanted behaviour. This is very important. Keep a note also of what their response is to any request you make of them.
- Alternatively, you may feel more inclined to approach your line manager, the Chief Executive Officer, a work colleague or a trade union official for an informal discussion. An initial approach could then be made to the alleged perpetrator on your behalf by any one of these people with your consent.
- You or a representative on your behalf could inform the alleged perpetrator about how their behaviour has been perceived by you and that they may be acting in contravention of this policy. It is often the case that the alleged perpetrator is not aware that their behaviour is upsetting to you.

- You and the alleged perpetrator could then have the opportunity to meet and discuss each other's concerns. If appropriate, a member of the senior team may mediate the informal session to ensure that all appropriate issues are addressed, and future acceptable behaviour is set out and agreed.
- If you don't feel able to address the situation informally as set out above, please submit your concerns formally in writing to a senior colleague or HR.

What should I do if I suspect someone else is being bullied or harassed?

- You should raise your concerns with a senior colleague or the Chair of the Board, in confidence, and as soon as possible.
- You may also want to speak with the individual concerned that may be the victim of bullying and/or harassment and encourage them to speak with their line manager, the Chief Executive Officer, or the Chair of the Board.
- Do not ignore your suspicions, as the impact on the individual and others can be devastating.

7. Mediation

You may want to consider mediation as an alternative method to address the situation, before escalating it to a formal procedure.

Mediation is a process that brings people together in the presence of an impartial third party who facilitates a resolution. This is a voluntary and confidential process that encourages feelings and views to be aired and empowers those involved. The participants of the process (and not the mediator) decide the terms of any resolution.

Mediation can be organised via your line manager or the Chief Executive Officer, so please talk to them if you would like to explore this option.

8. Formal Procedure

Occasionally, the allegations of violation of Dignity at Work are too serious to be dealt with informally, or the informal process has failed to resolve the situation. In these cases, the following steps should be taken:

A formal complaint should be made in writing to your line manager, the Chief Executive Officer, or the Chair of the Board as soon as possible after the incidents have taken place. This should clearly set out what is alleged to have taken place along with dates and details of any witnesses. If there is any physical or electronic evidence e.g., e-mails, notices, etc, these should also be attached.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

We will arrange a meeting with you, usually within five working days of receiving your complaint, so that you can add to your written account of events, or expand on the situation. You have the right to be accompanied by a colleague or a trade union representative of your choice, who must respect the confidentiality of the investigation.

Depending on the seriousness of the allegations, or if it is believed that witnesses may be tampered with or intimidated, a decision will be taken as to whether it is appropriate for the alleged perpetrator to be suspended from duty on full pay and benefits while an investigation takes place. The suspension may last until the investigation has concluded, and potentially until disciplinary proceedings have also been concluded.

If an investigation takes place, it will occur in line with The Aloud Charity's Disciplinary Policy and Grievance procedure.

It may be necessary, as part of the investigation, to interview witnesses to any of the incidents mentioned in your formal complaint. If so, the importance of confidentiality will be emphasised to them.

At the end of the investigation, the investigator will submit a report containing the findings of the investigation and their recommendations in respect of next steps. We will then arrange a meeting with you, usually within five working days of receiving the report, in order to discuss the outcome and what action, if any, will be taken. You have the right to bring a colleague or a trade union representative to the meeting.

A copy of the report and the manager's findings will also be given to you and to the alleged harasser. They will also be invited to attend a separate meeting with us. The purpose of this meeting will be to inform the alleged harasser of the outcome of the investigation and what next steps they may then face.

9. During and after the Investigation

If the alleged perpetrator has not been suspended, wherever possible, The Aloud Charity will try to ensure that the complainant and alleged harasser are not required to work together while the complaint is being investigated.

This could involve giving the complainant the option of temporarily moving desks, offices or departments or to work at home where possible, or taking annual leave, if they wish.

If the complaint is upheld following an investigation:

- a) The matter may proceed to a disciplinary hearing where an appropriate disciplinary penalty shall be administered to the alleged perpetrator, having due regard to the seriousness of the offence and all the relevant circumstances.
- b) If the disciplinary sanction does not involve the dismissal of the alleged perpetrator, every effort will be made to ensure that, if the complainant does not wish to, they do not have to continue to work alongside the harasser. The options available to them within The Aloud Charity will be discussed with the complainant. The Aloud Charity may decide to transfer the alleged perpetrator to another post within the organisation.
- c) Once the disciplinary sanction has been administered, the perpetrator may appeal the decision in accordance with The Aloud Charity's Disciplinary Policy.

If the complaint is not upheld following an investigation

- a) The complainant may appeal the decision in accordance with The Aloud Charity's grievance procedure.
- b) If the complainant does not appeal the decision, the Finance and Operations Manager and the Chief Executive Officer will support the complainant, the alleged harasser and their manager(s) in making arrangements for both parties to continue or resume working and to help repair their relationships. The Aloud Charity will consider making arrangements, where possible, to avoid the complainant and the alleged harasser having to continue to work alongside each other, if either of them do not wish to do this.
- c) If a complaint is not upheld and The Aloud Charity has grounds for believing that the complaint was not made in good faith, disciplinary action may be taken against the complainant.

Protection and support for those involved

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

If you believe you have suffered any such treatment you should inform your line manager. If the matter is not remedied you should raise it formally using our Grievance Procedure or this procedure if appropriate.

10. Confidentiality

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 must only be disclosed on a "need to know" basis. Breaches of confidentiality may give rise to disciplinary action under our Disciplinary Procedure.

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

11. Equality and Diversity

The Aloud Charity recognises the needs of a diverse population and always acts within the scope of its own Equality, Diversity and Inclusion Policy.

12. General Data Protection Regulations (GDPR)

The policy has been considered in line with The Aloud Charity's Data Management Policy to ensure full compliance with data protection 2018 regulations. The policy was considered against the Data Privacy Impact screening process and it was concluded that there were no personal data risk in implementing the policy.