

DIGNITY AT WORK POLICY AND PROCEDURE

1. Aims of the Policy

- 1.1 The purpose of this policy is to ensure a culture of working relationships where everyone is treated with dignity and respect, where harassment is unacceptable and individuals have the confidence to deal with and challenge harassment or bullying without reprisals.
- 1.2 Everyone in the City Kids Club and those who have dealings with the Club have a responsibility to maintain good working relationships and not use words or deeds that may harm the wellbeing of others. In addition to the obligations placed upon both employers and employees by the Equality and Human Rights legislation, everyone has the right to be treated with consideration, fairness, dignity and respect. This contributes to a workplace environment in which individuals feel safe and can work effectively competently and confidently.
- 1.3 The City Kids Club policy applies to all staff. It extends to include non-permanent workers such as agency, temporary staff, and any other workers. The policy, in addition, covers the behaviour of staff outside working hours which may impact upon work or working relationships.
- 1.4 The City Kids Club is committed to tackling behaviour that is deemed inappropriate in working relationships. In many instances, the issues can be resolved informally. However any complaint, informal or formal, will be dealt with seriously and investigated quickly.

2. Scope of the Policy

- 2.1 The policy and procedure applies to employees, Cambridge Kids Club staff, agency temps, volunteers, all work experience placements and members of the Management Committee.

3. Definitions

- 3.1 Harassment is unwanted conduct in working relationships affecting people's dignity. It is comments or actions that are regarded as demeaning and unacceptable to the recipient or that create a hostile, degrading, humiliating or offensive working environment.
- 3.2 Harassment may be an isolated occurrence or repetitive: it may occur against one or more individuals. Harassment may be, but is not limited to:
 - *Physical contact* – ranging from touching to serious assault, gestures, intimidation, aggressive behaviour.

- *Verbal* – unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language.
- *Non-verbal* – offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion or isolation from social activities.

3.3 Bullying can be defined as persistent, offensive, abusive, intimidating or malicious behaviour or abuse of power which makes the recipient feel threatened, humiliated or vulnerable and undermines confidence. Examples of behaviour that is bullying or harassment:

- spreading malicious rumours
- inappropriate use of email
- threats and instilling fear
- humiliating an individual in front of colleagues, the public or children
- shouting at colleagues in front of other colleagues, the public or children
- verbal abuse or comments that belittle people
- unwelcome and hurtful jokes
- direct or subtle threats
- offensive gestures
- withholding information
- persistent or unfair criticism
- consistently undermining an individual and their ability to do the job
- ignoring, isolating or segregating a person
- aggressive physical behaviour
- repeated behaviour which a person has previously objected to

Harassment and Bullying may be summarised as any behaviour that is unwanted by the person to whom it is directed. It is the impact of the behaviour rather than the intent of the perpetrator that is the determinant as to whether harassment or bullying has occurred as certain actions may be acceptable to one person but not another.

4. Responsibilities

- 4.1 Everyone has a responsibility to behave in a way that is not offensive to others and acknowledge that the views and opinions held by others and decisions made by managers may not coincide with their own.
- 4.2 Employees, Cambridge Kids staff, agency staff, or volunteers should report any actions which breach this policy to the City Kids Playleader, or if the complaint concerns the Playleader, to the Chairperson or Secretary of the Management Committee.
- 4.3 Employees, Cambridge Kids staff, agency staff, or volunteers will be protected from intimidation, victimisation or discrimination for making a complaint or assisting in an investigation.

5. Complaints

- 5.1 All complaints will be dealt with as confidentially as possible. However, the Club has a duty of care to all employees, and it may be necessary to investigate and take action regarding a complaint without the consent of the complainant.

6. Informal Complaint Procedure

- 6.1 Any employee who wishes to make a complaint of harassment or bullying is encouraged to first discuss matters informally with their line manager or with a member of the Management Committee, provided that they feel able to do so.
- 6.2 If the individual concerned feels able to, then often the quickest and most effective means of dealing with an issue is for the recipient to raise the matter informally, make their colleague aware that their behaviour is unacceptable and explain why.
- 6.3 Should the issues not be resolved at this stage, or the employee feels unable to raise the issue informally, then a formal resolution should be sought.

7. Formal Complaint Procedure

- 7.1 If the informal procedure has been ineffective, or the complaint is so serious that the informal procedure would be inappropriate, then corrective action will be taken where appropriate and this may require an investigation under the City Kids Club's Disciplinary Policy.
- 7.2 The complainant should keep a record of the incidents e.g. what happened, when and if there were any witnesses. It would also be useful to consider how the situation could be resolved.
- 7.3 All matters relating to the investigation of complaints of harassment or bullying will be treated in strict confidence. Any breach of confidentiality in this regard may render those responsible liable to disciplinary actions. However, it will be necessary that any alleged perpetrator is made aware of the allegations against them and the name(s) of those making the allegations together with the name(s) of any witnesses.
- 7.4 No individual will be victimised or suffer detriment for making a complaint of harassment or bullying and no manager shall threaten either explicitly or implicitly that an employee's complaint will be used as the basis for decisions affecting that employee. Such conduct will be treated as a very serious disciplinary offence.
- 7.5 All complaints of harassment or bullying whether raised formally or informally must be notified by the recipient of the complaint to the Secretary or the Chairperson of the Management Committee for recording in accordance with the requirements of the Equality and Human Rights legislation. This

legislation requires such records to be maintained and the incidence of bullying and harassment to be monitored.

7.6 If the investigation reveals that the complaint is valid, prompt attention and disciplinary action may be taken to stop the harassment/bullying immediately and prevent its recurrence.

7.7 Anyone who is found to have made a malicious complaint will be subject to disciplinary action.

8. Monitoring and Review

8.1 This policy and procedure will be reviewed annually ensure the effectiveness of the policy and to give due consideration to legislative changes.

Office Use only:

Signed: _____ Role: _____
Date: _____

This policy was reviewed on:

Signed: _____ Role: _____
Date: _____

Signed: _____ Role: _____
Date: _____

Signed: _____ Role: _____
Date: _____

PROCEDURE

1. Informal Resolution

- 1.1 Often people are not aware that their behaviour is unwelcome or misunderstood and an informal discussion can lead to greater understanding and agreement that the behaviour will cease.
- 1.2 Complainants are therefore encouraged to try, if they feel able to do so, to resolve the problem informally by making it clear to the alleged harasser that his/her actions are unwanted and should not be repeated. This may be done verbally or in writing in which case the complainant should keep a copy of the documentation and, where possible, the times and dates of incidents should be recorded.
- 1.3 If the complainant feels unable to approach the alleged harasser, a work colleague, or Trade Union representative could be asked to speak to the alleged harasser on the complainant's behalf. A note should be made of the action taken and the matter notified to the Secretary or Chairperson of the Management Committee.
- 1.4 An individual who is made aware that their behaviour is unacceptable should:
 - a. listen carefully to the complaints and the particular concerns raised;
 - b. respect the other person's point of view: everyone has a right to work in an environment free from harassment/intimidation;
 - c. understand and acknowledge that it is the other person's reaction/perception to another's behaviour that is important;
 - d. agree the aspects of behaviour that will change;
 - e. review their general conduct/behaviour at work and with workplace colleagues.

2. Formal Resolution

- 2.1 If the alleged harassment continues, the complainant feels unable or unwilling to deal with the matter informally, or the allegation is so serious as to prevent use of the informal procedure, a complaint should then be raised formally with the City Kids Playleader.
- 2.2 However, if the employee feels unable to do this they should submit the complaint in writing to the Secretary or Chairperson of the Management Committee.

- 2.3 When dealing with a complaint of harassment under the Formal Resolution Procedure, the Playleader or member of the Management Committee should:
- a Take full details of the incidents in writing from the complainant and their representative (if appropriate).
 - b Take full details from any witnesses/other complainants who come forward and may have witnessed the alleged behaviour.
 - c Inform the alleged harasser of the complaints against him/her, advise the alleged harasser to seek representation and invite him/her to a meeting in order that they can comment on the allegations against them.
 - d Keep all parties informed of expected timescales.
 - e Inform all parties in writing of the outcome and any action that may be required.
- 2.4 If the allegations and the working situation warrant it, the alleged harasser may be suspended during the investigation (in accordance with established disciplinary procedure).
- 2.5 Should there be a case to answer against the alleged harasser, the Playleader or member of the Management Committee who has dealt with the complaint will communicate this to an impartial manager who will conduct a separate disciplinary investigation. The normal disciplinary procedure for misconduct/gross misconduct should then be followed. However, the following points should be taken into account:
- a. the complainant will normally be required to attend the disciplinary hearing as a witness, unless there are exceptional circumstances which prevent them from doing so;
 - b. if the complainant is required to attend, they are entitled to be accompanied by either a Trade Union representative or work colleague and have any questions directed through that person.
- 2.6 If the complaint is upheld at the disciplinary stage, there are a number of possible outcomes for the harasser, depending on the evidence presented and the circumstances. These could include, but are not limited to:-
- Dismissal
 - Formal warning
 - Implementation of sanctions as detailed in the Club's Disciplinary Policy.

2.7 In addition to the above, the harasser may be required to attend any training courses as deemed necessary by the Club.

2.8 With any allegation, the need for a thorough and objective investigation is paramount. Consequently, if through the course of the investigation evidence demonstrates that the allegation has been made frivolously, maliciously, or for personal gain, then the individual making the complaint will be subject to Disciplinary proceedings as outlined in the Club's Disciplinary Policy.

3. Appeals

3.1 Appeals against decisions taken shall be dealt with as follows:

- Appeals against a disciplinary sanction will be dealt with in accordance with the appeals process in the Disciplinary Procedure.
- Appeals by a complainant about the outcome of any inquiry will be dealt with in accordance with the appeal process in the Grievance Policy.

4. Records

4.1 Where the complaint is informal and resolved at this stage, no record will be kept on personal files. Following formal investigation, where the complaint is not substantiated, no records will be retained.

4.2 Where a complaint is substantiated or partially substantiated but does not proceed to disciplinary, a letter confirming the outcome will be retained on the personal file and supporting documentation retained in a separate file for a period of 12 months.

4.3 Where the matter proceeds to a disciplinary hearing then the storage of records should be in accordance with the disciplinary procedure.