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Dignity at Work **Policy**

Following the UK Supreme Court ruling on 16 April 2025, this policy will be reviewed on receipt of the updated guidance from the Equality and Human Rights Commission. They aim to make this available by Summer 2025.

This document is available in Welsh please see Polisi Urddasyn y Gwaith

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1. AIM

Rhondda Cynon Taf Council is committed to promoting equal opportunities at work. As part of this overall aim, this policy sets out how the Council will promote dignity at work for all employees. The Council is committed to promoting a workplace culture whereby all employees feel valued and respected at work, and where nobody is expected to work in fear of prejudice, discrimination or harassment.

The Council will not tolerate any form of bullying or harassment at work. Where any such behaviour is found to occur within Rhondda Cynon Taf Council, the procedures outlined in the policy will be followed so that the behaviour is correctly dealt with and prevented from reoccurring.

2. THE COUNCIL'S APPROACH TO DIGNITY AT WORK

The Council will deal promptly and sensitively with any reported cases of harassment or bullying at work and will act in a supportive manner to anyone who brings a complaint of harassment to a manager's attention, whether this be the victim or any other person.

We recognise that what may appear to be harassment to one person, may not appear so to another. However, we recognise that victims are able to judge for themselves whether they feel harassment is occurring and all cases will be investigated fairly. The important factor is how the victim or any other person perceives the situation, not whether the situation is *intended* to cause offence.

The Council will not tolerate any form of victimisation, meaning that no employee will be treated unfairly because they have made a complaint or intend to make a complaint of harassment involving themselves or any other person. In all cases the Council's aim is to eliminate unwanted behaviour with the intention of promoting dignity at work for all employees.

Where contravention of the Dignity at Work Policy is proven disciplinary action will be taken which may include the ultimate sanction of dismissal

3. DEFINITION

By 'dignity at work', the Council means that everyone has a right to be treated with dignity and respect at work and to work without fear of harassment from their work colleagues.

Under the Equality Act 2010 Harassment occurs when:

A person engages in unwanted conduct which is related to a relevant protected characteristic and which has the purpose or effect of:

- Violating the employee's dignity or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for that employee

The employee does not have to have the protected characteristic themselves but could be connected to someone who has, such as a parent of a disabled child or may be wrongly perceived as having a protected characteristic such as an assumption being made that a Sikh employee who wears a Turban is Muslim and subjecting them to Islamophobic abuse.

It is the individual who defines whether the behaviour makes them feel uncomfortable and an employee can complain about harassment even if it is not directed at them personally, for example if a colleague is being harassed.

Relevant protected characteristics are:

- Age
- Disability
- Gender Reassignment
- Race
- Religion or Belief
- Sex
- Sexual Orientation

We also recognise that people can experience harassment that is not related to any particular protected characteristic, but can be experienced as workplace bullying. Any unwelcome behaviour based on any of these grounds will not be tolerated.

4. EFFECTS OF HARASSMENT

Harassment or bullying behaviour has serious and negative consequences for victims and their colleagues. Examples of these effects include:

- Low morale
- Increased anxiety and stress related illness
- Feeling powerless or isolated
- Loss of confidence and self esteem
- Higher absence rates
- Reduction in work productivity

It is therefore in everyone's interest to ensure that harassment at work is dealt with as soon as it is reported. The Council recognises that it has a duty of care to its employees and needs to respond promptly to any incidents that may lead to the above occurring.

5. TYPES OF HARASSMENT

Bullying and harassment can take many forms. Harassment, intimidation or victimisation at work can be verbal, written or physical; overt or subtle; occur over a period of time or just be one occasion. Bullying is persistent action and can often occur through abuse of power or position. The following are examples of the different types of harassment and bullying behaviour that may occur, none of which will be tolerated:

Examples of Bullying Behaviour

- Using aggressive, threatening or intimidating language or behaviour
- Belittling or undermining employees in front of others
- Excessive supervision and monitoring
- Setting unrealistic objectives and targets
- Withholding information from an employee or intentionally excluding them
- Picking on one person when there is a wider problem

Examples of Sexual Harassment and Harassment because of Gender or Gender Identity

- Displaying physical behaviour of an unacceptable nature, such as close personal contact, unwelcome advances or sexually suggestive gestures
- Using sexist or inappropriate language such as suggestive remarks, innuendos or obscene comments
- The display, storage or sharing of pornographic or sexually suggestive pictures or other materials
- Using language that ridicules, intimidates or abuses an individual because of their gender or gender identity, such as degrading remarks or insults, or offensive comments about appearance or dress
- Use of offensive language or behaviour aimed at transgender employees
- Unfair treatment based on gender, such as promotion being dependent on sexual favours, or promotion being withheld because of negative stereotypical assumptions based on gender.

Examples of Racial Harassment

- Use of racist words or derogatory or degrading language aimed at people from ethnic minority groups
- Use of racist jokes or banter
- Use of stereotypical nicknames based on ethnic background
- The display, storage or sharing of racially offensive pictures or materials
- Unfair treatment based on racial background, such as promotion or training being withheld because of negative assumptions about race.

Examples of Disability Harassment

- Use of offensive language or behaviour aimed at a disabled person
- Behaving in a patronising way towards a disabled person due to negative stereotypical views about disability
- Asking invasive, personal questions about someone's disability
- Communicating negative and offensive assumptions about disabled people, such as the view that disabled people do not have a social life or that a disabled person will be less capable of doing their work
- Unfair treatment based on disability, such as promotion opportunities being withheld because of negative assumptions about disabled people.

Examples of Sexual Orientation Harassment

- Treating someone in an offensive, abusive or exclusionary way because of their sexuality
- Questioning someone about their sexuality, perceived sexuality or private life, or gossiping or speculating with others about someone's sexuality
- Using homophobic language, joking or banter, or expressing negative stereotypical views about gay, lesbian or bisexual people
- Disclosing someone's sexuality ('outing' someone) at work
- Insinuating that orientation towards the same sex is abnormal.

Examples of Age Harassment

- Using ageist language or treating someone in an offensive way because of their age or perceived age
- Insinuating that someone is ‘too old’ or ‘too young’ to be able to undertake certain duties or participate in certain activities, or that they will be less likely to deliver effective outcomes
- Using patronising language when speaking to someone considered to be ‘old’ or ‘young’
- Insinuating that older people are less likely to be able to adapt to or cope with change
- Unfair treatment based on age, such as refusing training requests for an older employee

Examples of Religion or Belief Harassment

- Using derogatory comments relating to someone’s religious or deeply held beliefs
- Making fun of clothing or jewellery worn for religious reasons
- Belittling a person because they are committed to a cause
- Using offensive or joking language to refer to important figures within a person’s belief system
- The display, storage or sharing of offensive pictures or materials relating to religious or philosophical beliefs
- Putting persistent pressure on colleagues to take on the same religious or philosophical beliefs

The above are examples only and are not the only possible ways in which harassment or bullying can occur at work.

Overall, the Council recognises that all employees have the right to be accepted at work and the right to feel comfortable in their social surroundings. We do not expect colleagues to tolerate behaviour from others that makes them feel unduly uncomfortable or to feel that their dignity is compromised in any way.

6. LANGUAGE

The Council recognises that everyone has the right to be spoken to with respect and to work without listening to abusive or discriminatory comments.

Council employees must refrain from using abusive or threatening language, including use of jokes or comments that perpetuate discrimination or have negative connotations about people or their lifestyles.

7. DEALING WITH HARASSMENT

The Chief Executive, Directors, Heads of Service and all managers have the responsibility of leading by example. They are therefore required to communicate the message of the Dignity at Work Policy to employees, ensuring that others understand that bullying and harassment will not be accepted within the Council and that disciplinary action up to and including dismissal will be taken if it is found to occur.

The appropriate procedure to be taken when any complaint of harassment is received is outlined in the section entitled 'Contravention of the Dignity at Work Policy'.

In all cases of alleged or actual bullying or harassment, the outcome the Council aims for is that harassment stops and does not reoccur.

8. CONCLUSION

The Council values the diversity that exists among its employees. All employees must work together to ensure that everyone who works for Rhondda Cynon Taf Council is treated with respect and does not experience prejudice, discrimination, harassment, or hurtful and negative language whilst at work. Everyone has the right to be accepted for who they are and the Council will work to communicate this message to all employees.

If you need to discuss any problem arising from alleged or suspected harassment or discrimination, or wish for more detailed information about equality and diversity, please contact the Equality, & Diversity Team.

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PROCEDURE

CONTRAVENTION OF THE DIGNITY AT WORK POLICY

If anyone believes they have been subjected to harassment, bullying, abuse or intimidation or those who think they may have witnessed a case of harassment, bullying or abuse shall in the first instance be able to receive advice and assistance on a confidential basis, from the Equality, & Diversity Team or Employment Services in Human Resources. The Policy has two stages of complaints. The disciplinary procedure of the Council will be followed if a complaint is upheld.

The Council takes a serious view of harassment, bullying, or abuse and if, following initial investigation by the Employment Services Team, it is found that an act of harassment, bullying or abuse is likely to have been committed, the following will occur:

1. **For employees:** The procedures of the Council shall apply and may result in disciplinary action, which may include the ultimate sanction of dismissal.
2. **For elected Members:** The procedures outlined in the Council Constitution, Code of Conduct, codes and protocols shall apply.
3. **For anyone contracted by the Council:** In the first instance, a written report detailing the breach of policy; will be made by the Director of Human Resources, or the Director of Legal Services if the allegation involves a person or persons contracted by the Director of Human Resources, to the Chief Executive, who will determine the appropriate course of action up to and including the withdrawal of the contract
4. **For any persons subcontracted to the Council:** The Principal Contractor will be considered responsible and action will be followed as detailed in paragraph 3 above.

Information, advice and/or assistance on the Dignity at Work Policy and its application can be obtained from the Equality and Diversity Team or Employment Services.

DIGNITY AT WORK – Complaints procedure for employees

1. INTRODUCTION

This procedure is designed to enable employee complaints of harassment, bullying or abuse to be dealt with promptly, fairly and sensitively. It covers both the complainant and the alleged harasser.

Employees who consider themselves to be the subject of harassment, bullying, or abuse will be taken seriously. Any victimisation or retaliation against an employee who complains is a serious disciplinary offence.

Allegations of harassment, bullying, or abuse made with the intention of damaging someone's reputation may, following investigation, invoke the disciplinary procedure of the Council.

Employees who feel they have experienced or witnessed harassment, bullying, or abuse should contact, via an appropriate line manager, an officer from the Employment Services or the Equality and Diversity Team in Human Resources. Potential issues may also be recognised by Occupational Health through other interventions and may be raised by the Occupational Health & Wellbeing Unit with the informed consent of the employee. Alternatively, a trade union representative, colleague or friend may make initial contact on their behalf.

Complaints should be made within 3 months of the alleged harassment, bullying or abuse taking place. Complaints may be made in either Welsh or English.

Employees who do not wish to raise a complaint under Dignity at Work but feel that they need support can access Conflict Coaching from a trained HR Assistant/Officer.

2. INFORMAL

Conflict Coaching

To ensure confidentiality, an Officer/Adviser from Human Resources will work with those identified above to carry out conflict coaching. Explanations will be sought on the following:

- What behaviour was found offensive by the recipient
- Whether the behaviour was recognised as offensive by the person carrying out the action(s)
- What the parties can do themselves to resolve the issues

Having clarified the actions of individual parties a trained HR Officer/Adviser will, if deemed necessary, arrange for an informal individual meeting with each party at a convenient date, time and location. The aim of the meeting will be to coach each party to find a way to resolve the issues themselves by defining their own goals and actions.

If the individuals are able to resolve the conflict themselves then no further action will be required. Where potential conflict involves a manager/supervisor and a team member, the first coaching session should include a discussion on managing day to day tasks and supervision which will then be agreed by sharing with the other party.

At the conclusion of the coaching there will be no apportioning of blame to either party, the aim is to reach a mutually agreed resolution.

Where deemed necessary by the Officer/Adviser, informal monitoring of the situation between the employees will be carried out until no longer necessary but not exceeding one year from the date of complaint.

If they are not able to resolve the conflict, then mediation may be offered as a resolution.

Mediation is a voluntary, confidential process where an independent mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator.

Mediation will not be suitable in certain situations such as where there are allegations of sexual harassment or where there have been threats of, or actual, physical violence.

It will however, be suitable for many inter personal disputes where employees would benefit from understanding the respective viewpoints. It is not the intention to make employees friends, but rather to make sure that the working environment is effective for all concerned.

The process is very straightforward and will normally take the following format;

- The process is completely informal and non-confrontational.
- The trained mediator will be independent of the parties involved and could come from anywhere across the council.
- Any information given to the mediator prior and during the mediation will be destroyed by the mediator.
- The mediator will exercise complete confidentiality, and will not discuss any of the mediation outside of the process.
- The mediator cannot be called upon to act as a witness should any further proceedings be required.

Where the informal process cannot provide a resolution, a formal complaint may be made through this Policy. This can be made in either Welsh or English. The language choice should be respected throughout the formal process.

3. FORMAL

Formal complaints will only be implemented on the exhaustion of the informal stage and should be made, via the Officer/Adviser in the Employment Services team of Human Resources who was involved in the informal complaint. A full investigation will then be carried out by an independent Officer/Adviser.

However the Council reserves the right to determine whether there is a need to move straight to the Formal Stage depending on the nature of the complaint.

The results of the investigation will be referred to a Head of Service or Service Director independent of the Service Area from which the originating complaint was made.

Where it has been established that there is no case to answer, the complainant will be notified appropriately in writing in their language of choice (Welsh or English).

Where it is established that there is a case to be answered, the formal disciplinary procedure of the Council shall be invoked.

Once the formal processes have been exhausted mediation may again be offered to resolve any workplace relationship issues that may remain.

4. CESSATION OF INVESTIGATION

If an employee who has made a complaint under the Dignity at Work Policy leaves the employment of the Council before the conclusion of the complaint the Council has no further obligation to that individual to complete the process.

If the complaint has been made by more than one employee the Council will continue the process on behalf of those employees who remain in employment only.

However the Council reserves the right to consider the issues raised during a complaint and to determine an appropriate way forward if necessary.

DIGNITY AT WORK COMPLAINTS PROCEDURE FOR EMPLOYEES

Employee's language choice needs to be respected during this procedure (Welsh or English). Please refer to the full policy for specific requirements.

