

CLYDESDALE HOUSING ASSOCIATION LIMITED

Policy: Dignity at Work Policy

Date: 11 December 2024

Lead Officer: Management Team

Review Date: 15 December 2027

Standard 5 The RSL conducts its affairs with honesty and integrity.

Guidance

5.1 The RSL conducts its affairs with honesty and integrity and, through the actions of the governing body and staff, upholds the good reputation of the RSL and the sector.

5.2 The RSL upholds and promotes the standards of behaviour and conduct it expects of governing body members and staff through an appropriate code of conduct. It manages governing body members' performance, ensures compliance and has a robust system to deal with any breach of the code.

5.3 The RSL pays due regard to the need to eliminate discrimination, harassment and victimisation, and advance equality of opportunity and human rights, and fosters good relations across the range of protected characteristics in all areas of its work, including its governance arrangements.

5.4 Governing body members and staff declare and manage openly and appropriately any conflicts of interest and ensure they do not benefit improperly from their position.

5.6 There are clear procedures for employees and governing body members to raise concerns or whistleblow if they believe there has been fraud, corruption or other wrongdoing within the RSL.

Clydesdale Housing Association will provide this policy on request at no cost, in large print, in Braille, in audio or other non-written format, and in a variety of languages.



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1. Introduction

- 1.1 Clydesdale Housing Association (CHA) is committed to providing a working environment and culture where all employees and governing body members have the right to be treated with dignity and respect free from bullying, harassment, sexual harassment, discrimination and victimisation of any nature. Every employee, governing body member, agency worker and consultant of CHA has a responsibility to treat anyone who is associated with the work of CHA with dignity and respect, regardless of any personal characteristic.
- 1.2 All references to employee(s) or staff will also mean governing body members for the purposes of this Policy unless otherwise stated.
- 1.3 We believe that a culture of equality, diversity and inclusion not only benefits CHA but supports wellbeing and enables people to work better, be themselves and feel that they belong.

2. Equal Opportunities

- 2.1 As an employer, CHA encourages equality of opportunity. In particular the observance of equal opportunity requirements as specified in the Equality Act 2010.
- 2.2 We do not discriminate against any member of staff in any way either directly, indirectly or by association because of their age, disability, gender identify (reassignment), marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

3. Legal Framework

- 3.1 There are a number of legal principles contained in the following legal documents that will apply as follows:
 - The Equality Act 2010
Protects the rights of individuals and advances equality of opportunity for all.
 - Worker Protection Act 2023
An amendment of the Equality Act 2010 aims to better protect employees and governing body members from sexual harassment, prioritising prevention.
 - Public Interest Disclosure Act 1998
Provides protection to employees who have been victimised at work or they have lost their job due to a disclosure they raised.
 - Health & Safety at Work Act 1974
Sets out the framework for managing workplace health and safety in the UK.

4. Definitions

- 4.1 Protected Characteristics: The legal grounds in which discrimination claims can be made; i.e. age, disability, gender reassignment, marriage & civil

partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation.

4.2 Harassment: 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. CHA will extend this definition to include all, and will not be restricted to those identified as having a protected characteristic.

4.3 Harassment can occur where someone perceives another person to have a protected characteristic. Harassment can also arise by association, where someone is harassed because they are associated with someone with a protected characteristic.

4.4 Examples of harassment could include but not limited to:

- "banter", jokes, taunts or insults that are sexist, racist, ageist, transphobic, homophobic or derogatory against any other protected characteristic.
- unwanted physical behaviour, for example, pushing or grabbing.
- excluding someone from a conversation or a social event or marginalising them from the group.
- unwelcome comments about someone's appearance or the way they dress that is or is not related to a protected characteristic.
- revealing someone's sexual orientation against their wishes or threatening to.
- consistently using the wrong names and pronouns following the transition of a person's gender identity.
- displaying images that are offensive.
- excluding or making derogatory comments about someone because of a perceived protected characteristic, or because they are associated with someone with a protected characteristic.

4.5 Sexual Harassment: conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

4.6 Please refer to Appendix 1 – Sexual Harassment for specific information relation to sexual harassment.

4.7 Bullying: Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. If the bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore,

will be unlawful.

4.8 Examples of bullying could include but not limited to:

- Spreading a false rumour
- Consistently giving heavier workloads to one particular individual in a team
- Unjustly cutting off or preventing someone from reasonably expressing their views in a meeting
- Regularly undermining the authority of any other employees.

4.9 Victimisation: Treating someone less favourably and discriminating against them because they have pursued or intend to pursue their rights relating to alleged discrimination, complained about the behaviour of someone harassing them or given evidence in someone else's discrimination complaint.

4.10 Unacceptable behaviour: A one-off act, if it is serious, can amount to bullying or harassment. All behaviours will be guided by and in line with CHA's Codes of Conduct.

4.11 Examples of unacceptable behaviour could include but not limited to:

- derogatory comments, offensive language, remarks or jokes.
- spreading malicious rumours or insulting someone.
- insulting behaviours or gestures.
- displaying offensive or suggestive literature or remarks.
- intrusion by pestering, spying or stalking.
- embarrassing, threatening, humiliating, patronising or intimidating remarks.
- physical or verbal assault, such as shouting.
- undermining a person's self-esteem, for example by constantly making unfavourable comparisons with others or belittling their status.

4.12 Harassment, bullying, victimisation or unacceptable behaviours may be physical, verbal or non-verbal conduct. It is not necessarily face to face and can be done by email, phone calls, online or on social media. These may occur at work or outside work.

4.13 It is not the intention of the perpetrator (the person accused of bullying or harassment) that decides whether bullying or harassment has taken place; instead, it depends on whether the behaviour is unacceptable by reasonable normal standards and is harmful or unwelcome to the person or people on the receiving end.

5. Policy Principles

5.1 This Dignity at Work Policy aims to:

- Set out standards of behaviour expected for employees, agency workers and consultants of CHA.
- Ensure that employees, agency workers and consultants are able to report any unacceptable behaviours, and relevant action is taken to resolve it.
- Promote proactive and preventative measures to support positive and respectful working relationships.
- Ensure integration of diversity into all aspects of CHA's business.
- Ensure that all employees, agency workers, contractors, and consultants are treated with respect and dignity from each other.
- Set clear guidelines and standards regarding treatment of employees by third parties.
- Ensure that all employees, agency workers and consultants respect the differences within the community they serve and treat customers and members of the public accordingly
- Provide a working environment where all backgrounds, cultures, values and lifestyles are respected and treated with dignity at all times.
- Provide a process for complaints to be properly managed

6. Implementation of Policy

6.1 The Chief Executive is responsible for the implementation and review of this policy.

6.2 Clydesdale Housing Association will ensure that all new employees, agency workers and consultants will receive an induction on this policy. The policy will be integrated into all policies and procedures within CHA. Copies of this policy will be issued to all employees, agency workers and consultants, and will be available to all who request it.

6.3 This policy applies to all employees, agency workers and consultants of CHA and therefore all mentioned parties, have a responsibility to abide by the principles outlined above and also to alert their line manager should any behaviours be witnessed which breach this policy.

6.4 Unacceptable behaviour and practices will not be tolerated. However, if or when a situation arises it will be dealt with immediately, as inaction is not an option. Behaviours found to be breaching this policy will be regarded as misconduct and will be dealt with appropriately and in accordance with the relevant policies, including code of conduct and disciplinary. Serious cases may be regarded as gross misconduct and may result in dismissal.

7. Roles & Responsibilities

7.1 Organisational

- 7.1.1 CHA is committed to providing a safe and respectful workplace and promoting a working environment based on dignity and trust, and one that is free from discrimination, harassment, bullying or victimisation. We therefore adopt a zero-tolerance approach to instances of bullying or harassment.
- 7.1.2 We are committed to taking proactive measures to prevent all forms of bullying and harassment, including sexual harassment, of our employees, agency workers and consultants.

7.2 Employees, Agency Workers & Consultants

- 7.2.1 All employees, agency workers and consultants have a personal responsibility to act in line, observe and uphold this policy and follow CHA's Code of Conduct. All employees, agency workers and consultants also have the responsibility to participate in any relevant mandatory training course.

7.3 Managers

- 7.3.1 Anyone responsible for leading, managing or supervising people have additional responsibilities to ensure:
 - They understand their own and the organisational responsibilities.
 - They are familiar with content of the Dignity at Work Policy and communicate to the relevant people.
 - Role model behaviours expected and encourage a positive workplace culture
 - Challenge unacceptable or questionable behaviour they become aware of.
 - Ensure any breaches or complaints relating to this policy are responded to quickly, sensitively, confidentially and investigated in line with policy.

8. Procedure in Dealing with breaches of Dignity & Respect

- 8.1 This procedure is complemented by CHA's Equal Opportunities, Discipline & Grievance policies and the Protocol for Dealing with a Breach of the Code of Conduct for Governing Body Members.
- 8.2 Where an employee feels that they have been discriminated against, victimised or harassed by another employee, not been treated with dignity & respect at work, there are a number of ways in which this can be addressed.
- 8.3 Informal Stage
- 8.3.1 Where possible, breaches of this policy should be dealt with informally in the first instance. In many cases inappropriate behaviours are unintentional and can easily be resolved once the behaviour has been

highlighted. This is often the most efficient way to maintain positive working relations.

8.3.2 In managing the issue informally employees should:

- In the first instance alert their line manager to the behaviour.
- Thereafter the employee should be encouraged by the line manager and with their support approach the individual and highlight what behaviour has been offensive. Should the employee be uncomfortable with this then the line manager should approach the individual and have the same discussion.
- A note should then be put on file of the person who has displayed the inappropriate behaviour and the individual that raised the issue.

8.3.2 Informal Stage complaints regarding the behaviour of a Governing Body member will be dealt with through Route A of the Protocol for Dealing with a Breach of the Code of Conduct.

8.4 Formal Stage

8.4.1 If the behaviour is of a more serious nature or it continues after the informal approach has been taken, then the issue should be dealt with by mirroring CHA's grievance procedure.

- The employee must put their concerns in writing and give this to their line manager.
- The line manager should then arrange a meeting with the employee who has highlighted the concerns. At this meeting the manager should establish what the concerns are, and how the employee would like things resolved.
- The manager should then conduct any necessary investigations. No investigation should take place prior to there being a meeting with the employee.
- Once the investigation has been concluded, there could be a variety of outcomes including:
 - There is no evidence to uphold the complaint.
 - There is evidence that may involve action against another employee which will be managed through CHA's disciplinary policy.
 - Learning is identified on an organisational basis.

8.4.2 Where action is taken regarding an employee, agency worker or consultant other than the person who raised the complaint, the complainant will not be informed of any action taken against other individuals.

8.4.3 Formal Stage complaints regarding the behaviour of a Governing Body member will be dealt with through Route B of the Protocol for Dealing with

a Breach of the Code of Conduct.

9. Support for those affected or involved

9.1 We understand that anyone affected by, or involved with, a complaint relating to a breach of this policy may feel anxious or upset and we will do what we can to support you.

9.2 CHA offers a free employee counselling service which employees can self-refer to. The service can be accessed by calling Crisis Counselling 0141 812 8474.

10. Malicious Allegations

10.1 Any person found to be making fictitious or malicious allegations will be dealt with through CHA's disciplinary procedure which may result in dismissal.

11. General Data Protection Regulations

11.1 The organisation will treat employee personal data in line with our obligations under the current data protection regulations and our own Privacy Policy. Information regarding how employee data will be used and the basis for processing your data is provided in CHA's employee fair processing notice.

12. Policy Review

12.1 Responsibility for review and monitoring the application of this policy will rest with the Chief Executive.

12.2 The Policy will be reviewed every three years or sooner if required by statutory, regulatory or best practice requirements.

Approved by the Committee of Management on: 11 December 2024	
Signed: Secretary/Chairperson	Signed: Staff Member

Appendix 1 – Sexual Harassment

Introduction

Clydesdale Housing Association (CHA) is committed to providing a positive experience whilst at work for all our employees (including Governing Body Members), agency worker and consultants which includes a zero-tolerance approach to sexual harassment.

This appendix sets out CHA's expectations of behaviour by employees, agency workers and consultants and provides information on how we will deal with complaints of sexual harassment.

Definitions

The Equality Act 2010 defines sexual harassment as 'conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment'. Sexual Harassment is unlawful under the Equality Act 2010. It is also unlawful to treat someone less favourably because they have submitted a complaint of sexual harassment or have rejected such a behaviour.

Sexual harassment includes a wide range of behaviours including but not limited to:

- Making sexual remarks about a colleague's body, clothing or appearance.
- Suggestive looks, staring, or leering.
- Propositions and sexual advances.
- Sexual gestures.
- Emailing, texting or messaging sexual content.
- Unwelcome touching, hugging, massaging or kissing.
- Sexual comments or offensive jokes.
- Making sexual comments or jokes about someone's sexual orientation or gender reassignment.
- Displaying or sharing sexually graphic images, or other sexual content.
- Criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications.

Sexual harassment can be a singular event or something that is an ongoing pattern of behaviour. Sexual harassment may be physical, verbal or non-verbal conduct. It can occur face to face or can be done by email, phone calls, online and on social media. Sexual harassment may occur at work or outside work.

Sexual conduct that has been welcomed previously can become unwanted, the person in receipt of the behaviour decides whether it is unwanted. An individual can experience sexual harassment from someone of the same or different sex.

Sexual interactions that are invited, mutual and consensual are not considered as sexual harassment.

Behaviour expectations

CHA expects all you to follow the expectations as set out within the Code of Conduct. Any Sexual Harassment by employees towards others in connection with work will be considered under the Disciplinary/Grievance policy and action taken under this policy can include up to and including dismissal. Sexual harassment may constitute gross misconduct and may result in dismissal.

Preventative Duties

The Worker Protect Act (Amendment Equality Act 2010) requires employers to take reasonable steps to prevent sexual harassment. CHA has taken preventative steps to ensure a workplace free from any sexual harassment. In addition to this policy, a risk assessment has been completed to assess the risks and preventative steps include:

- Engage with teams – 1:1 meeting, staff surveys, off-boarding interviews.
- Training & Development – specific training for each group based on risk, managers capability, sexual harassment training.
- Dealing with complaints – process, managers awareness, confidential, sensitively.
- Third party complaints – training managers, induction/communications for third parties.
- Reporting – effective reporting procedure, anonymous complaints process, communication of this process.
- Monitor and evaluate policy and complaints – learning from incidents, reviewing policy regularly, reviewing trends on complaints and taking action to rectify cultural concerns.

Reporting procedure & dealing with all sexual harassment complaints

Allegations should always be taken seriously and action taken as quickly as possible to stop any further inappropriate behaviour identified. Where possible, breaches of this policy should be dealt with informally in the first instance. Dependant on the serious nature of some complaints together with the risk to the safety of the complainant and others, we may need to take formal action immediately.

Informal stage

In managing the issue informally employees should:

1. In the first instance alert their line manager to the behaviour.
- 2.. Thereafter the employee should be encouraged by the line manager and with their support approach the individual and highlight what behaviour has been offensive. Should the employee be uncomfortable with this then the line manager should approach the individual and have the same discussion.

3. A note should then be put on file of the person who has displayed the inappropriate behaviour and the individual that raised the issue.

Formal Stage

If the behaviour is of a more serious nature or it continues after the informal approach has been taken, then the issue should be dealt with by mirroring Any Organisation grievance procedure.

1. The employee must put their concerns in writing and give this to their line manager.
2. The line manager should then arrange a meeting with the employee who has highlighted the concerns. At this meeting the manager should establish what the concerns are, and how the employee would like things resolved.
3. The manager should then conduct any necessary investigations. No investigation should take place prior to there being a meeting with the employee.
4. Once the investigation has been concluded, there could be a variety of outcomes including:
 - There is no evidence to uphold the complaint.
 - There is evidence that may involve action against another employee which will be managed through Any Organisation disciplinary policy.
 - Learning is identified on an organisational basis.

Where action is required against another employee, agency worker or consultant this will follow the organisation's disciplinary procedures. Where action is taken regarding a member of staff other than the person who raised the complaint, the complainant will not be informed of any action taken against other individuals.

Formal Stage complaints regarding the behaviour of a Governing Body member will be dealt with through Route B of the Protocol for Dealing with a Breach of the Code of Conduct.

Anonymous complaint

We may receive anonymous allegations of sexual harassment through the "Whistleblowing procedure". While we recognise that it can be difficult to investigate such complaints, CHA will conduct a thorough investigation as quickly as possible, given the information available. This will always include informing the accused person that a complaint has been received about them.

Third Party Sexual Harassment

CHA will also take reasonable steps to prevent any sexual harassment by third parties, as required by the Worker Protection Act 2023. A third party can be a customer, consultant, contractor or visitor.

Employees, agency workers and consultants are encouraged to report any sexual harassment, which may involve a third party.

CHA will follow the process as detailed within 'Procedure for dealing with all Sexual harassment complaints' section.

When a complaint is received CHA will ensure that steps are taken to protect the individual raising the complaint. CHA will take steps to remedy a complaint and action to prevent this from happening again.

Examples of action CHA may take, but not limited to are:

- Implementation of CHA's Unacceptable Behavior Policy for customers.
- Reporting any criminal acts to the police.
- Action to ultimately recover a tenant's tenancy.
- Sharing information with another part of the business.
- Insisting that individuals found responsible of sexual harassment be removed from CHA business.
- Terminating a consultant or contractor contract agreement (where this would not breach a contract agreement).
- Banning an individual or group from CHA's offices (including the CHA Community Hub).

Support for those affected or involved

We understand that anyone affected by, or involved with, a complaint relating to sexual harassment, or a breach of this policy may feel anxious or upset and we will do what we can to support you during this period.

CHA offers a free employee counselling service which employees can self-refer to. The service can be accessed by calling Crisis Counselling 0141 812 8474.

Witness to unwanted conduct of sexual nature

Tackling sexual harassment is everybody's responsibility. You do not have to be the recipient or target of sexual harassment to raise a concern or make a complaint. If you see it happening or become aware of it, you should report it in line with 'Reporting procedure & dealing with all Sexual harassment complaints' if you feel able to do so. Your actions can be important in helping create a culture free from sexual harassment.

Individuals found to be in breach of the principles of this policy

Where individuals are found to be in breach of this policy whether that be employees, agency worker and consultants this will be dealt with in accordance with CHA's Code of Conduct Policy, Disciplinary Policy, Grievance Policy and other relevant policies. This may result in disciplinary action up to and including dismissal.

General Data Protection Regulations

The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own Privacy Policy. Information

regarding how your data will be used and the basis for processing your data is provided in CHA's employee fair processing notice.