



HOMERTON COLLEGE, CAMBRIDGE

DIGNITY AT WORK POLICY AND PROCEDURE

Policy Statement

Homerton College is committed to protecting the dignity of all its employees in the course of their employment (and at work-related events, including social events), and seeks to ensure that the working environment is comfortable for all its employees. The College is an equal opportunities employer and is committed to the principle of equality regardless of race, colour, nationality, sex, age, pregnancy, pregnancy related illness or absence on maternity leave, disability, gender re-assignment or sexual orientation (also known as protected characteristics). The College will apply employment policies that are fair, equitable and consistent with the skills and abilities of its employees and the needs of the College.

In line with the Equality Act 2010 the College will not condone any discriminatory act or attitude in the conduct of its affairs with the public or its employees. Acts of harassment, bullying or discrimination (*including by association or perception*) on the grounds of any of the protected characteristics are considered disciplinary offences and action will be taken accordingly.

The document informs employees of the types of behaviour that are unacceptable and provides employees who are the victims of discrimination with a means of redress.

Scope

All employees are expected to comply.

Implementation of the policy is the duty of all managers and supervisors.

Definitions

Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a particular characteristic they have or are thought to have or because they associate with someone who has this characteristic.

Indirect discrimination

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in the workplace that applies to everyone but particularly disadvantages people who share a particular characteristic.

Harassment

Harassment is “unwanted conduct related to a relevant particular 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”.



Associative discrimination

This is direct discrimination against someone because they associate with another person who possesses a particular characteristic.

Perceptive discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Third party harassment

This is when an employee is harassed by a member of staff from a third party organisation e.g. a customer or client. Organisations will only be liable when harassment has occurred on at least two previous occasions that it is aware of and has not taken reasonable steps to prevent it from happening again.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance against another member of staff in connection with discrimination and harassment in the workplace or because they are suspected of doing so.

Compliance

1. All new employees will be informed of the College's Dignity at work Policy at induction, when it will be stressed that all complaints of discrimination or harassment will be treated very seriously.
2. Homerton expects all managers and supervisors to ensure that this policy and procedure are adhered to at all times.
3. Homerton recognises the sensitive nature of complaints of discrimination and harassment. Employees may wish to be accompanied at investigatory meetings and this will be facilitated where possible.

Informal procedure

1. Employees who are victims of minor harassment/discrimination are advised to make it clear to the perpetrator that the behaviour is unacceptable and must stop. If an employee is unable to do this verbally then a written request (explaining the distress caused) handed to the perpetrator may be effective.

Formal procedure

1. Where informal methods fail, or serious harassment/discrimination occurs, employees are advised to bring a formal complaint. The complaint should be made in writing, and where possible, state:
 - a. the name of the perpetrator
 - b. the nature of the harassment/discrimination



- c. dates and times when harassment/discrimination occurred
- d. names of witnesses to any incidents of harassment/discrimination
- e. any action already taken by the complainant to stop the harassment/discrimination.

The complaint should be sent, in confidence, to the Personnel Officer.

2. Immediately following the receipt of a complaint, action will be taken where possible to separate the alleged perpetrator from the complainant; in serious cases; this may involve suspension with pay until the complaint has been resolved.
3. The senior manager handling the complaint will carry out a thorough investigation as quickly as possible, maintaining confidentiality at all times. All employees involved in the investigation are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence.
4. Copies of statements made by witnesses will be made available to the alleged harasser and the complainant. Witnesses will be encouraged to appear at the complaint hearing if requested by either party. It is acknowledged that some witnesses may be reluctant to do so. In these circumstances the manager will, if necessary, adjourn the hearing to ask supplementary questions of witnesses in private.
5. In cases of harassment the complainant may, if he or she wishes, be supported throughout the procedure and hearing by a colleague of his or her choice or by a trade union representative.
6. The employee accused of harassment will be afforded a full and fair opportunity to defend or explain his or her actions at a hearing, in accordance with the College's disciplinary procedure. The right to be accompanied by a work or a trade union representative will also apply.
7. The severity of the penalty imposed upon an employee found guilty of harassment will be consistent with those detailed in the disciplinary procedure (e.g. serious harassment will normally result in summary dismissal). Where a lesser penalty is appropriate (e.g. a written warning) this may be coupled with action to ensure that the victim is able to continue working without embarrassment or anxiety. After discussion with the victim, the manager may order the transfer of the harasser to a different work area, or arrange for the amendment of working practices to minimise contact between the two employees. If the victim so wishes his or her own transfer will be arranged, subject to practical limitations. The result of the investigation and hearing will be confirmed in writing to both employees.
8. If the complainant is not satisfied about the way his or her complaint has been handled, he or she may use the grievance procedure.
9. An employee who receives a warning or is dismissed for harassment may appeal against the penalty in accordance with the College's disciplinary appeals procedure.
10. An employee who brings a complaint of harassment will not suffer victimisation for having brought the complaint. However, if the complaint is untrue and has been brought maliciously (e.g. out of spite), disciplinary action will be taken against the complainant.