



Equality and Diversity Policy

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Dignity at Work Policy

Commitment is made to create a work environment free of harassment and bullying, where everyone is treated with dignity and respect.

Harassment and bullying can have very serious consequences for individuals and the training provider. Severe cases of harassment and bullying can even lead to mental illness and suicide. We will not tolerate bullying and harassment of any kind and will investigate all allegations, taking disciplinary action where appropriate.

We will also not tolerate victimisation of a person making allegations in good faith; this is a disciplinary offence.

Employees found guilty of harassment or bullying may face disciplinary penalties (up to and including dismissal), could be personally liable to pay compensation in legal claims and may find their own family and social relationships are adversely affected. Serious harassment may also be a criminal offence.

The Scope of this Policy

This policy covers bullying and harassment of and by managers, employees, contractors, agency staff and anyone else engaged to work at the company, whether by direct contract or otherwise. If the complainant or alleged harasser is not employed by the training provider (e.g. if the worker's contract is with an agency), this policy will apply with any necessary modifications, such as; requiring the agency to remove the worker, if appropriate, after investigation and disciplinary proceedings.

The policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace (e.g. business trips and work-related social events).

What is Bullying and Harassment?

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power which is meant to undermine, humiliate or injure the person on the receiving end.

Harassment is unwanted conduct related to sex, gender reassignment, race or ethnic or national origins, disability, sexual orientation, religion or belief, age or any other personal characteristic which;

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person
- is reasonably considered by that person to have the effect of violating his or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her, even if this effect was not intended by the person responsible for the conduct (e.g. if they intended their behaviour as a 'joke')



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A single incident can be harassment if it is sufficiently serious and all bullying and harassment is misconduct and is a disciplinary offence. Bullying or harassment will often be gross misconduct, which can lead to dismissal without notice, and some bullying or harassment will constitute unlawful discrimination.

Serious bullying or harassment may amount to other civil or criminal offences (e.g. civil or criminal offences under the Protection from Harassment Act 1997 and criminal offences of assault).

Examples of Bullying or Harassment

Bullying and harassment may be misconduct which is physical, verbal or non-verbal (e.g. by letter or email - so-called "flame-mail").

What is Victimisation?

Victimisation is treating someone less favourably than other people because they have, in good faith, made a complaint (whether formal or otherwise) about bullying or harassment. They may have made the complaint on behalf of themselves or have supported or given evidence for someone else.

- If a complaint is made in good faith, then the complainant has the right not be victimised.
- The training provider will take appropriate action to deal with any victimisation, which may include disciplinary action.

What should I do if I think I am being bullied or harassed?

You may be able to sort out matters informally by having an informal discussion with the person about their unwelcome or upsetting behaviour.

If you feel you would like help from someone, ask the on-site team leader or trainer. One of these people could make an initial approach on your behalf. When the person is told that you find their behaviour offensive or unwelcome, and that you would like it to stop immediately, you should keep a note of what is said and done and the date.

If an informal approach does not resolve matters or you think the situation is too serious to be dealt with informally, you can make a formal complaint by using our grievance procedure. We will ensure that you can bring your complaint in the first instance to someone of your own gender, if you so choose.

In very serious cases, a criminal offence may have been committed and you may wish to report matters to the police.

All complaints will be investigated promptly and if appropriate, disciplinary proceedings will be brought against the harasser. All complaints of this nature will be dealt with sensitively and as



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confidentially as possible. Investigation of allegations will normally require limited disclosure on a 'need to know' basis.

Wherever possible, SNaB will try to ensure that you and the alleged harasser are not required to work together whilst the complaint is under investigation. This could involve giving you the option of remaining home on special leave, if you wish. In a serious case, the alleged harasser may be suspended whilst investigation and any disciplinary proceedings are underway.

If your complaint is upheld and the person found to have bullied or harassed you remains in our employment, every effort will be made to ensure that you do not have to continue to work alongside the harasser. We will discuss the options with you.

If your complaint is not upheld, we will support you, the alleged harasser in making arrangements for you both to continue or resume working and to help repair working relationships.

What can I do to help stop bullying and harassment?

We all have a responsibility to help create and maintain a work environment free of bullying and harassment. You can do this by being aware of your own behaviour, treating others with dignity and respect and taking a stand if you think inappropriate 'jokes' or comments are being made.

What happens if I am accused of bullying or harassment?

If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were only joking or think the complainant is being too sensitive. Remember that different people find different things acceptable and everyone has the right to decide what behaviour is acceptable to him or her and to have his or her feelings respected by others. You may

have offended someone without intending to. If that is the case, the person concerned may be content with an explanation and an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence. Provided that you do not repeat the behaviour which has caused offence, this may well be the end of the matter.

If a formal complaint is made about your behaviour, this will be fully investigated and may bring disciplinary proceedings, if appropriate. The training provider will follow its disciplinary procedure and you will have the rights set out in that procedure. You will have the right to be informed of the allegations against you and to put your side of the story.

If a complaint is made against you that is not upheld and SNaB has good grounds for believing that the complaint was not made in good faith, disciplinary action will be taken against the person making the false complaint.

If the complaint against you is upheld, on a balance of probabilities, a disciplinary penalty may be imposed up to and including dismissal, having regard to the seriousness of the offence and all relevant circumstances. If the complaint is upheld, but you are not dismissed, we could decide



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to transfer you to another post. If the complaint against you is not upheld SNaB will support you and the complainant in making arrangements for you both to continue or resume working and to help repair working relationships.

Considerations will be made in making arrangements to avoid you and the complainant having to continue to work alongside each other, if either of you do not wish to do this.

Some types of bullying or harassment may constitute unlawful discrimination and allegations may give rise to the possibility of other civil claims or criminal proceedings against you, which would proceed independently of our disciplinary proceedings. You could be personally liable to pay compensation to the complainant if a successful claim in an employment tribunal or other courts was brought against you. Criminal proceedings could lead to conviction and criminal penalties.