

Dignity at Work Statement

1 Introduction

1.1. The University's Equality and Diversity Statement and Code of Practice sets out St Mary's commitment towards the development of inclusive and supportive learning environment. St Mary's is fully committed to creating an inclusive culture, promoting equality of opportunity and respecting differences amongst its staff, students and other stakeholders.

1.2. St Mary's is committed to maintaining an environment where all employees have a statutory right to be treated with dignity and respect at work in an environment free from bullying and harassment, supported by our values of respect, inclusiveness, excellence and generosity of spirit.

See Appendix 1 for the list of protected characteristics as outlined in the Equality Act 2010.

2 Aims and objectives

2.1. The primary aims of this statement are to promote dignity, inclusion and respect at work and to prevent behaviour that could be construed as harassment, victimisation or bullying in the workplace.

2.2. The objectives of this statement are to:

2.2.1. Clarify the positive behaviours which are expected of employees (see Appendix 2);

2.2.2. Ensure that all employees are aware of examples of negative behaviours that may constitute bullying and harassment and their responsibilities for preventing such behaviour;

2.2.3. Ensure that all employees understand that St Mary's will not tolerate standards that have fallen short of the behaviours outlined in Appendix 2 and if any allegations are proven, it could result in formal action;

2.2.4. Promote a climate in which employees feel confident in bringing forward complaints of harassment or bullying without fear of victimisation;

2.2.5. Ensure that all allegations of harassment or bullying are responded to quickly, positively and in confidence;

2.2.6. Explain how harassment and bullying are covered by existing legislation.

2.3. Employees should raise concerns or allegations of breaches of this statement using the Grievance Policy.

3 Code of conduct

- 3.1. St Mary's expects all employees to conduct themselves in a reasonable and responsible manner when undertaking their duties and responsibilities including involvement in professional and social activities undertaken during the course of St Mary's business.
- 3.2. Employees may also be bound other codes of conduct laid down by other policies and any relevant professional regulatory bodies. Employees are also bound by the terms of their contract of employment.
- 3.3. Four core values define St Mary's and underpin all we do as a University. All employees are expected to embody these values in their daily conduct. They are:
 - 3.3.1. **Inclusiveness** – we celebrate differences, recognising that everyone is born with a unique identity. St Mary's is a place where students and employees can reach their full potential and make a positive contribution to society;
 - 3.3.2. **Generosity of Spirit** – our generosity of spirit sets us apart. It can be seen in the encouragement, collegiality, empathy, helpfulness and service to be found across the University;
 - 3.3.3. **Respect** – we respect everybody. We treat everyone as we ourselves would want to be treated; and
 - 3.3.4. **Excellence** – we strive to be the best at everything we do. We seek professionalism through setting high standards and continuous improvement in all our practices and work.

4 Roles and responsibilities

- 4.1. All employees have a clear role to play in helping to foster an environment of respect in the workplace in which harassment, bullying or victimising behaviour is unacceptable.
- 4.2. Employees should be aware of their own conduct and cooperate fully in any complaints (grievance or disciplinary) procedure. St Mary's believes that informal channels can be a preferred means of resolving issues and steps should be taken to do so in the first instance, with the help of a manager or colleague if appropriate. However any reported incidents will be regarded seriously and dealt with appropriately.
- 4.3. Managers and supervisors have a responsibility to raise awareness of the issue, respond positively to any complaints and challenge and develop a workplace culture where inappropriate behaviour is not tolerated.

5 What is harassment at work?

- 5.1. Harassment is defined under the Equality Act as '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.'

- 5.2. It is unacceptable to condone bullying behaviour under the guise of a particular management style. Effective management obtains results while ensuring that employees are treated with dignity and respect.
- 5.3. Harassment may not depend on an intention to cause distress or hurt but is assessed by the impact the behaviour has on the recipient. As a result, it is possible that behaviour that is acceptable to some staff members may cause embarrassment, distress or anxiety to others. However, during any investigation, the investigator will assess whether it was reasonable for behaviour to have had the impact described. Harassment on the grounds of any protected characteristic is unlawful and will not be tolerated in any form.
- 5.4. ACAS (Advisory, Conciliation and Arbitration Service) provides information about negative and unacceptable behaviour that may constitute harassment and can provide useful additional guidance.
- 5.5. While harassment often involves repeated acts of offensive behaviour, a single incident may constitute also harassment.
- 5.6. Harassment is not necessarily face to face, it may be by written communications, including (but not limited to) email or social media, and phone. Inappropriate communications sent from home or personal accounts or personal mobiles, including communications sent outside of working time will be investigated where these impact on the working relationship.

6 What is bullying at work?

- 6.1. Bullying can be defined in many ways but ACAS states that it is generally behaviour that is characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. It does not have to be related to discriminatory behaviour. It may be persistent or an isolated incident.
- 6.2. Bullying behaviour is largely identified not so much by what has actually been done, but rather by the effect that it has on the recipient. However, during any investigation, the investigator will assess whether it was reasonable for behaviour to have had the impact described. Bullying on the grounds of any protected characteristic is unlawful and will not be tolerated in any form.

- 6.3. Bullying can be physical or psychological and can be equally damaging. This will usually be considered a matter of misconduct and may constitute gross misconduct and should be dealt with under the disciplinary procedure.
- 6.4. ACAS provides information about negative and unacceptable behaviour that may constitute bullying and provides additional useful guidance.
- 6.5. Legitimate, constructive and fair criticism of an employee's performance or behaviour at work is not bullying. It is also recognised that an occasional raised voice or argument in itself may not constitute bullying, though is not encouraged.

7 What is victimisation at work?

- 7.1. ACAS states that victimisation broadly refers to bad treatment directed towards someone who has made or is believed to have made or supported a complaint under the Equality Act. It includes situations where a complaint hasn't yet been made but someone is victimised because it's suspected they might make one. If an individual gives false evidence or makes an allegation in bad faith, then they are not protected from victimisation under the Act.

8 The legal context

- 8.1. Behaviour that can be construed as harassment and bullying and the failure to deal with such incidents or allegations, may expose St Mary's and individual employees to a number of legal consequences.
- 8.2. Harassment based on any protected characteristic and/or bullying are serious employment issues and may be in breach of legislation. St Mary's may be liable for the actions of employees, whether or not they are carried out with management knowledge or approval. This is in addition to the employee's individual liability for their own actions.
- 8.3. Victimisation is unlawful and may result in disciplinary action.

9 Support for anyone involved in a complaint

- 9.1. St Mary's recognises that all employees involved in harassment or bullying at work may experience emotional or psychological reactions to their experiences. This includes the complainant, the person against whom the allegations have been made and any witnesses. It is therefore considered essential that the management response to these situations is timely, sympathetic and supportive.
- 9.2. Support is also available to all concerned from a Human Resources Partner or Advisor and confidentially through St Mary's Employee Assistance Scheme.
- 9.3. Integration into the workplace following a complaint will require sensitive handling to establish effective working relationships. This may involve professional mediation, a review of job roles, etc. Redeployment may be considered as an option as a result of a

complaint and investigation. However, where as a result of disciplinary proceedings a complaint is upheld, it is advised that only the harasser should be redeployed as opposed to the complainant.

10 Breaches of the Dignity at Work Statement

10.1. Where there are concerns or allegations of a breach of the standards outlined in the Dignity at Work Policy the employee may raise a grievance using the Grievance Policy.

10.2. If the grievance is upheld this may result in disciplinary action being taken. Under these circumstances any investigation undertaken as part of the grievance procedure may form the basis of the case heard at a Disciplinary Hearing.

11 Monitoring and statement review

11.1. All records of reported incidents of harassment and/or bullying are confidential and as such will be maintained in the strictest confidence and in accordance with the requirements of the Data Protection Act 2018.

11.2. This policy will be reviewed regularly by the Director of Human Resources, in consultation with recognised Trade Unions, taking account of experience gained from its operation or advice obtained from emerging good practice.

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Appendix 1

Protected Characteristics

The following are protected characteristics as defined by the Equality Act 2010.

Age

A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

Disability

A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment

The process of transitioning from one gender to another.

Marriage and civil partnership

Marriage is a union between a man and a woman or between a same-sex couple.

Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, **and this includes treating a woman unfavourably because she is breastfeeding.**

Race

Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief

Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex

A man or a woman.

Sexual orientation

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Appendix 2

Inclusiveness	Generosity of Spirit	Respect	Excellence
We celebrate differences, recognising that everyone is born with a unique identity. St Mary's is a place where students and staff can reach their full potential and make a positive contribution to society.	Our generosity of spirit sets us apart. It can be seen in the encouragement, collegiality, empathy, helpfulness and service to be found across the University.	We respect everybody. We treat everyone as we ourselves would want to be treated.	We strive to be the best at everything we do. We seek professionalism through setting high standards and continuous improvement in all our practices and work.
Corresponding behaviours			
<p>Living our value of Inclusiveness means we strive to:</p> <ol style="list-style-type: none"> 1. Acknowledge difference without judgement. 2. Welcome all to our community with warmth, kindness and understanding. 3. Better ourselves through our contribution to society. 4. Nurture the talent of those within our community. 5. Embrace individual uniqueness which strengthens our community. 	<p>Living our value of Generosity of Spirit means we strive to:</p> <ol style="list-style-type: none"> 1. Go the extra mile to serve with a smile, encourage friendships and acts of kindness. 2. Build supportive relationships with our colleagues. 3. Positively create a culture of support and empowerment. 4. Be compassionate to those in need. 5. Be the first to offer a helping hand. 	<p>Living our value of Respect means we strive to:</p> <ol style="list-style-type: none"> 1. Communicate openly, honestly and with care. 2. Treat everyone with fairness. 3. Move away from criticism and toward understanding. 4. Listen openly, accepting that others may have different opinions. 5. Cultivate an environment of empathy and understanding. 	<p>Living our value of Excellence means we strive to:</p> <ol style="list-style-type: none"> 1. Be determined in our pursuit of excellence. 2. Be unwavering in aspiring to the highest standards. 3. Lead, encourage and inspire others for the benefit of our community and society. 4. Celebrate our accomplishments and learn from our mistakes. 5. Work hard towards our shared goals recognising that we achieve more together.