Dignity at Work Policy – Guidance for Staff

This guidance has been developed with the aim of providing staff with answers to some of the more frequently asked questions relating to the Dignity at Work Policy and procedures.

If you require any further information, please contact the Equality Team.

Why do we have a Dignity at Work Policy?

The SPCB first introduced a Dignity at Work policy in 2004. This was revised in 2009. The SPCB has a Dignity at Work Policy in place for several reasons. They are committed to

- providing an environment which is free from discrimination, harassment and bullying;
- promoting an open culture where people are treated fairly with dignity and respect; and
- enabling staff to be confident in challenging and reporting behaviour they are concerned about at work, whether towards themselves or others.

There are also various pieces of legislation which protect the rights of staff who have been bullied, discriminated, harassed or victimised and the SPCB is responsible for protecting their staff as well taking the appropriate steps to prevent harassment, discrimination, bullying and victimisation from the workplace.

Who does the Policy apply to?

The policy applies to all staff directly employed by the SPCB. However it also applies to other staff, including those on secondment from other organisations, contractors, agency workers and other temporary staff who work within the Parliament for the SPCB.

This policy does not apply to Members and their staff as any matters relating to their conduct is covered and dealt with under the Code of Conduct for Members of the Scottish Parliament.

Where can I find further advice and guidance?

Further advice and guidance on the Dignity at Work Policy and its procedures can be found on the Dignity at Work SPEIR page.
The Equality Team will also be happy to provide you with any advice or guidance in general about Dignity at Work or any other equality related matter.

I am experiencing some behaviour which I think comes under the Dignity at Work policy. How can I determine whether I am being harassed, bullied or victimised?

If you are experiencing behaviour and you are unsure whether it is harassment, discrimination, bullying or victimisation you should read pages 4 – 9 in the Dignity at Work policy. These pages provide more information on what harassment, discrimination, bullying and victimisation are, who can be affected and how it can be experienced.

However the principle at the heart of this policy which applies to harassment, victimisation, discrimination and victimisation, is that what is deemed to be offensive or hurtful is determined by the nature of the conduct itself and how it is regarded by those who experience it. It is the impact rather than the intent that is the key.

What is the difference between firm management and harassment or bullying?

The difference between firm management and harassment or bullying can at times be ambiguous and can result in false accusations of bullying or harassment. Management styles and practices vary, with some managers possibly adopting an unduly aggressive or intimidating manner which will inevitably amount to bullying, whereas other managers who are firm but fair will be reasonable and consistent in the actions avoiding aggression.

The policy provides some detailed examples of what would be considered firm but fair management opposed to bullying or harassment, a couple of which are included below:-

<table>
<thead>
<tr>
<th>Firm but fair</th>
<th>Bullying or harassment</th>
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<tbody>
<tr>
<td>Listen to the views of others and consider these before making a decision.</td>
<td>Not willing to listen to others and dismissive of others viewpoints, less tolerant of other people views.</td>
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<tr>
<td>Discussing performance matters in private with staff.</td>
<td>Looses temper, degrades people in front of others or gives warnings without listening to any explanation.</td>
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If I am harassed, bullied or victimised outside normal working hours, such as at a work social night, does it still fall within the scope of this policy?

If you experience such behaviour outside the workplace and outwith normal working hours and it can be connected to work, then it may fall within the scope of this Policy. All who have responsibilities under this policy during working hours also have those responsibilities outwith those hours. This includes, for example, conduct at a work-related social event or when using social networking sites such as Facebook or Twitter.

What responsibilities do I have under this Policy?

As a member of staff you have various responsibilities which are detailed in the policy. This includes making yourself familiar with and complying with the terms of the policy; treating all individuals with courtesy and respect and not participating or condoning harassment, discrimination, victimisation or bullying.

If I am harassed or bullied what support is available to me?

There are various support options available to you if you are being harassed or bullied. You can contact a Dignity at Work Contact, a trade union representative or speak to your line manager. The SPCB’s Counselling and Information Service can also provide you with advice and support.

If I am accused of harassing or bullying someone am I entitled to access support?

If you are accused of harassing or bullying someone you are entitled to access the same level of support and advice. You can contact a Dignity at Work Contact, a trade union representative or indeed seek support from your line manager or the SPCB’s Counselling and Information Service.

Who are the Dignity at Work contacts and how can I access them?

Details on who the Dignity at Work Contacts are and how you can access them can be found on the Dignity at Work SPEIR pages. The Equality Team can also assist by putting you in touch with an available Dignity at Work contact.

Who can access the services of Care First?

The confidential services of Care First are available to all staff. Further information on contact Care First can be found at:
Why do we run equality training and how often do I need to attend?

Equality Training for Parliament staff is an ongoing programme. All new staff are required to attend mandatory equality training followed on with a refresher session every three years. This enables the SPCB to raise awareness of various equality issues and responsibilities with staff, including Dignity at Work, and to ensure that staff are made aware of any changes to legislation.

How are Dignity at Work Contacts and Investigation Officers selected?

Dignity at Work Contacts and Investigation Officers are volunteers who apply for the positions within the organisation. The positions are advertised detailing the kind of skills and qualities required to fulfil the roles. All applications are considered and interviews arranged with the most suitable candidates selected for the roles. Each Contact and Investigation Officer is then given specific training on Dignity at Work and their role within it.

What are the roles of Dignity at Work Contacts and Investigation Officers?

In general the role of a Dignity at Work Contact is to provide support and advice to members of staff and line managers in relation to discrimination, harassment, bullying and victimisation issues. This includes supporting both those making complaints and those being complained about.

Investigation Officers are tasked with carrying out an investigation if the organisation receives a formal complaint of discrimination, harassment, bullying or victimisation.

More detail on both roles is available in pages 15 & 16 of the policy.

Where can I find more information on how I can make a complaint?

The procedures for how to make a complaint and details on the process that will be followed can be found in Annex A of the policy. This will give you information on when to raise a complaint, the informal and formal stages of a complaint as well as issues relating to confidentiality and anonymous, counter and malicious complaints.

What are the options available to me if I want to make a complaint?
There are two stages to a complaint - informal and formal. The informal stage has various options for you to consider such as taking personal action, involving a Dignity at Work Contact or making a complaint to your line manager. A formal complaint is different in that it will be handled under the SPCB’s grievance procedures and dealt with through the Human Resources Office with an Investigation Officer appointed by the HR Office to investigate and report on the complaint. More detail on each of the stages and options available within those stages are detailed in Annex A of the policy.

**What happens if I change my mind and decide not to complain?**

If you change your mind that is entirely your decision on whether to proceed on a formal or informal basis and whether a complaint goes forward. However, as the SPCB has a duty of care towards all staff, in exceptional circumstances, it may be necessary for an investigation to be carried out even if the complainant decides not to proceed with their complaint.

**If I make an anonymous complaint what will happen?**

Anonymous complaints can be made. However the complaint would need to be serious in nature and have enough evidence for it to be taken forward as a formal complaint. Anonymous complaints place limitations on investigating a complaint and therefore the desired outcome may not be reached. All staff are encouraged to make a complaint through the appropriate means so that it properly addressed.

**If I have been complained about and I make a counter complaint what will happen?**

Any counter complaints will be investigated at the same time as the original complaint. This will enable us to resolve any issues as quickly as possible for both parties.

**How are malicious complaints dealt with?**

Any malicious complaint or false accusation will be dealt with seriously by the SPCB. Should anyone be found to have made such a complaint or allegation they will be dealt with under the SPCB’s disciplinary procedures.

**Will my complaint remain confidential?**

Complaints will be dealt with in a confidential and sensitive manner throughout the process. However, investigations must be undertaken during a formal complaint and this inevitably means that some information will be shared with
those involved in the investigation such as the respondent, your line manager, a Dignity at Work Contact or an Investigation Officer. More details on how information will be kept confidential under this Policy can be found in Annex A.