



NORTH, WEST AND HEBRIDES
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Dignity at Work Policy and Procedure

POL-NWH-00x

Lead Officer (Post):	Director of People and Culture
Responsible Office/ Department:	Human Resources Department
Responsible Committee:	HR Committee
Review Officer (Post):	Director of People and Culture
Date policy approved:	August 2023
Date policy last reviewed and updated:	August 2023
Date policy due for review:	August 2026
UHI Single Policy / UHI NWH Policy:	UHI NWH Policy
Public face / College internal facing only	College internal facing only
Date of Equality Impact Assessment:	August 2023
Has a Data Privacy Impact Assessment been completed:	Will be completed by Compliance Team – Completed / Data Protection Officer has approved that no DPIA is required

Policy Summary

Overview	UHI North, West and Hebrides aims to sustain a culture which promotes equality, diversity, and inclusion for all and to ensure a positive working environment of well-being, reward and recognition, dignity and respect.
Purpose	To support and sustain a positive working environment for all staff, students and visitors free from any form of unacceptable behaviour. The college is committed to providing a safe environment for all its employees, free from discrimination on any ground and free from harassment at work including sexual harassment.
Scope	The principles of this policy apply to all staff, and visitors to the college (including those attending public events, customers, contractors and suppliers).
Consultation	HR Committee, Recognised Trade Unions,
Implementation and Monitoring	The implementation and monitoring of the policy is the responsibility of the Human Resources department.
Risk Implications	A poor working environment resulting in high turnover of staff.
Link with Strategy	This policy aligns with UHI North, West and Hebrides People & Culture Strategy.
Impact Assessment	Equality Impact Assessment:
	Privacy Impact Assessment:

1. Policy Statement

UHI North, West and Hebrides is committed to the belief that everyone in College has the right to live, work and study in an environment free from bullying behaviour and any form of harassment and will take reasonable steps to prevent sexual harassment of employees in the course of their employment.

The College has a zero tolerance to bullying and harassment and we expect everyone to treat others with dignity and respect. We also expect all individuals to be considerate and mindful of whether their words or conduct could be offensive, as even unintentional bullying or harassment is unacceptable.

This policy is non contractual and may be amended as appropriate to reflect changes to our legal obligations or best practice.

2. Definitions

Bullying and harassment are defined by the Advisory, Conciliation and Arbitration Service (ACAS) as the following:

Bullying is defined as behaviour against an individual that is intimidating, degrading, offensive or malicious and undermines the confidence and self-esteem of the recipient.

Harassment is defined as unwanted conduct that either violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. It may be related to any personal characteristic of the individual (whether perceived or real), or by association (i.e. related to the individual's relationship or dealings with others who have that personal characteristic, even if they do not). It may be persistent, or an isolated incident and can take many forms, from relatively mild banter to actual physical violence. It may also consist of unwanted conduct of a sexual nature.

Examples of Bullying and Harassment

Below is an outline of the types of behaviour and actions that are unacceptable and are likely to constitute bullying and/or harassment.

What is Harassment?

Unwanted physical conduct - such as unnecessary touching, patting, pinching, brushing against another person's body; insulting behaviour or obscene gestures; physical threats, aggressive behaviour and/or assault of any kind.

- **Sexual harassment** – such as unwanted sexual behaviour towards another person that makes them feel upset, scared, offended or humiliated. Both the harasser and the victim can be of any gender.

Unwanted verbal conduct - such as unwelcome advances; patronising titles or nicknames; offensive or insulting comments; propositions or remarks; innuendo; lewd or suggestive comments; over-familiar behaviour; slogans or songs; insensitive jokes, gossip and slander (including speculation about a person's private life); banter or abusive/offensive language which is either threatening or refers to a person's sex, race (including colour and ethnic or national origins), disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity or gender reassignment.

Unwanted non-verbal conduct - such as racially or sexually based graffiti or graffiti referring to an individual's characteristics or private life; abusive or offensive gestures; leering; whistling; creation, distribution or display of suggestive or offensive pictures, objects or written materials (including "pin-up" calendars) or videos through any means.

What is Bullying?

Unwanted physical contact or assault - also verbal bullying such as insulting or threatening comments; comments intended to undermine, belittle, embarrass or humiliate the recipient; personal abuse, either in public or private, which humiliates or demeans the individual involved.

Virtual bullying - includes distribution of unwanted emails, texts, images or humiliating data published on social networking internet sites or abusing our technology or using the employee's own technology to contact a colleague in an intimidating or malicious manner.

Coercion - including threats of dismissal or loss of promotion etc for refusal of sexual (or other) favours (or promises made in return for sexual or other favours); pressure to participate in political or religious groups etc.

Isolation or non-co-operation at work - deliberate exclusion from communications including group emails, conversations or social activities; setting unrealistic deadlines; substituting responsible tasks with menial or trivial ones; withholding information or giving false information; constantly undervaluing effort.

Bullying or harassment can be a single serious incident or persistent and repeated, continuing after the person subjected to it makes it clear that they wish it to stop.

What is not bullying or harassment?

Legitimate, proportionate and constructive feedback of an individuals' performance or behaviour or reasonable work instructions will not amount to bullying or harassment in of themselves.

However, behaviour that is considered bullying by one person may be considered firm management by another. Therefore, the test of reasonableness must also be applied, i.e., a reasonable person in possession of the same information would regard it as bullying or harassment.

3. Purpose

This policy and procedure aims to:

- Confirm our zero-tolerance stance on bullying and harassment;
- Provide examples of what might constitute bullying and harassment; and
- Outline the process by which anyone covered by this policy, who feels that they are being subjected to such behaviour, can raise their concerns, without fear of reprisal.

Procedure for dealing with bullying or harassment allegations

We recognise the sensitive nature of complaints relating to bullying and/or harassment and there are options available depending on what level and approach an individual may need to take. The important underlying principle is that we encourage any individuals who feel they are being subject to such treatment, to come forward and raise the issue.

Support for individuals raising concerns

We recognise that reporting bullying or harassment issues can be stressful and there is a range of support available to individuals that they may wish to access:

- Line managers, any Senior Manager or the HR Department.
- The 24/7 employee assistance/telephone counselling service provided by Simply Health (Tel: 0330 102 5331).
- Occupational Health (OH) – a referral can be made by the HR Manager if required.

Informal complaint procedure

Any individual who, at any time, feels they are a victim of bullying or harassment should, make it clear to the perpetrator as soon as possible that the behaviour is unacceptable to them, explain the effect that the behaviour is having on them and that it must stop. If they feel unable to do this verbally then a written request may be effective or, alternatively, one of the people designated below may be requested to approach the person on the individual's behalf, or to help them to take action.

If, for whatever reason, individuals do not feel comfortable addressing the matter directly, they can seek support and guidance from the following designated people:

- If employed by College: line manager, HR Department or any of the below; or
- If not employed by College: their main point of contact within College or the HR Department.

In the case of sexual assault, individuals may choose to report matters to either the above contacts and may also be encouraged to report it to an external agency e.g. Police.

Individuals are advised to keep a written record of the details of any incidents of perceived bullying and/or harassment (including date; time; place; name of the alleged perpetrator; what happened, including verbatim quotes of relevant comments where possible; the impact it had on the individual; names of any witnesses and any action taken), and retain any texts, emails or other evidence that may support their allegations. If individuals have reported the matter to an external agency e.g. Police, they are advised to inform the HR Department as soon as possible as that may impact on the investigation timeframe and actions of an internal investigation.

If informal steps have not been successful or are not possible or appropriate due to the seriousness of the allegations, the formal stage process should be followed.

Formal complaint procedure

Where informal methods fail, or serious bullying or harassment occurs and/or is continual, a formal written complaint should be made. If necessary, confidential assistance can be sought from one of the people designated above. Matters should be reported to as soon as possible, in writing, either by the complainant or an independent party acting as notetaker who has consent from the complainant to submit details.

The decision whether to progress a complaint is normally up to the individual however, the College has a duty to protect all staff and may opt to investigate the allegations, regardless of whether the individual wishes to progress matters or not.

Whilst recognising the individuals' feelings and the effect the alleged behaviour may have had on them, it is important to establish the facts. The following information will be required:

- what happened?
- who was involved?
- was this the first incident?
- where and when did it occur?
- were there any witnesses?
- has any action been taken to prevent further repetition of the behaviour, if so what?

The formal complaint should be submitted to either a line manager or, if they are involved in some way or the complainant prefers not to involve them, to the HR Department.

Consideration of temporary adjustments

At the outset of an investigation, consideration will be given to whether the alleged perpetrator should be redeployed temporarily whilst lines of enquiry are followed up, suspended on full pay, or whether reporting lines or other managerial arrangements

should be altered, pending the outcome of the investigation. Such an assessment will be carried out by a Senior Manager, in consultation with the HR Manager.

Investigating the complaint

Once we are clear to proceed with an internal investigation, a senior manager will be assigned to hear the matter and will look to appoint an Investigating Officer (IO) to fact find and prepare a report for them to consider.

The IO will normally arrange to meet the individual who has raised the complaint within 7 working days of receiving instruction by the senior manager, unless agreed otherwise. The meeting will provide individuals with an opportunity to expand on the information that has been provided. They will have the right to be accompanied by a colleague or trade union representative of their choice, who must respect the confidentiality of the investigation. There may be further meetings as appropriate throughout the investigation.

The IO will also meet with the alleged perpetrator (who may also be accompanied by a work colleague or trade union representative of their choice) to hear their account of events as they have a right to be told the full details of the allegations against them and respond.

The IO will prepare a report that will be provided to the senior manager considering the matter.

Possible outcomes

The senior manager will consider the investigation report and conclude whether:

- there is evidence that harassment or bullying has occurred. If that is the case the matter will be dealt with under our disciplinary procedure and a formal process will be followed.
- there is no evidence that harassment or bullying has occurred but there is a breakdown in the working relationship. In this case informal action may resolve the matter e.g. some form of mediation, counselling, mentoring, training for one or both parties, and/or a professional working arrangement that both parties agree.
- any short-term or long-term relocation or change in duties or reporting arrangements may be required.
- the allegations are found to be malicious, untrue and submitted in bad faith. In this case, disciplinary action may be taken against the complainant.

Once a conclusion has been reached, the senior manager will arrange to meet with the complainant to communicate the findings and confirm their conclusion to the process.

Where the complaint is made against a client/customer, supplier or other business contact, this will be investigated and such steps will be taken as are reasonably practicable to protect the employee or worker.

Follow up

Full consideration will be given to how the ongoing working relationship between the parties should be managed if they are work colleagues. Once the complaint investigation and any subsequent processes have concluded, the senior manager will continue to maintain contact with both parties informally and periodically.

Witnesses

Copies of witness statements will be made available to both the complainant and the alleged perpetrator but the names of the witnesses may be withheld if they request to remain anonymous. In some cases, their identity may be obvious however they should remain protected from any reprisal from providing an account and being involved in the investigation.

Confidentiality

All employees (and any external parties) involved in the investigation are expected to respect the need for confidentiality. Failure on the part of any involved employee to do so will be considered a disciplinary matter.

4 Scope

The principles of this policy apply to all staff, and visitors to the College (including those attending public events, customers, contractors and suppliers).

5 Exceptions

This policy applies without exceptions, exclusions or restrictions.

6 Notification

This policy will be available on the College's website.
All individuals with responsibilities outlined in Section 7 will be notified of changes.

7 Roles and Responsibilities

The College's Board of Management - has ultimate responsibility for ensuring that the college complies with its statutory obligations in terms of meeting the requirements of the Equality Act 2010.

The Executive Leadership Team - is responsible for ensuring that the Dignity at Work Policy is fully implemented throughout the College.

The Senior Management Team, all Managers and Leads - have a duty to ensure that the College's policies including the Dignity at Work Policy are implemented within their sphere of activities and responsibility and to ensure that all his/her employees are aware of the policy as part of their induction.

Director of People and Culture – It is the responsibility of the Director of People and Culture to review and update this policy.

All Staff - are responsible for:

- treating others with respect.
- bringing to the attention of their line manager or Human Resources Department any suspected breaches of this policy.
- working together to promote a harmonious work environment and to eliminate discrimination and harassment.

8 Legislative Framework

- [Discrimination and bullying | Acas](#)
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995
- Disability Discrimination Act (Part1V) 2001
- Disability Discrimination Act Amendment 2003
- Disability Discrimination Act 2005
- Protection from Harassment Act 1997
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act 2010

9 Related Policies, Procedures, Guidelines and Other Resources

- Equality, Diversity & Inclusivity Policy
- Staff Discipline Policy and Procedure
- Staff Grievance Policy and Procedure

10 Version Control and Change History

Version	Date	Approved by	Amendment(s)	Author

0	1.8.23		Amended Policy for merged College	Director of People and Culture
1	12.11.25		Updated Policy	Director of People and Culture