



Cyngor Sir
CEREDIGION
County Council

Dignity at Work Policy



People & Organisation Service
2024



PERTHYN DYSGU LLWYDDO BYW
BELONG LEARN SUCCEED LIVE

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Policy

1. Policy Statement

- 1.1 Ceredigion County Council (the Council) is committed to promoting an environment where employees can work without fear of being intimidated, harassed, sexually harassed, bullied or victimised. Every employee of the organisation has a responsibility to treat colleagues with dignity and respect. We want to develop a working environment where employees feel safe and supported in all circumstances.
- 1.2 This policy sets out the Council's commitment to promote dignity and respect in the workplace, and it is expected that all employees will behave responsibly in supporting the Council's position in establishing and maintaining a respectful, inclusive and healthy working environment.

2. Scope

- 2.1 This policy applies to all employees under a contract of employment with the Council, with the exception of those employees employed by School Governing Bodies.
- 2.2 It also applies to third parties, for example students on placements with the Council, trainees, voluntary and casual workers, contractors, clients, agency staff and those on supported employment schemes with the Council. Please see section 11 for further details.
- 2.3 This policy is to be read and followed in conjunction with the Council's other policies and procedures. Copies of HR policies are available on CeriNet.

3. Principles

- 3.1 The Council recognises that employees thrive in an environment where they are respected, valued and supported. The Council has a duty of care towards its employees and intends to apply that duty in order to ensure dignity and respect at work for all employees.
- 3.2 Any form of bullying or harassment is taken extremely seriously by the Council and if proven, could lead to disciplinary action and possibly dismissal. In addition, individuals who engage in such behaviour may be in breach of the law. Aggravating factors, such as abuse of power over a more junior colleague, will be taken into account in deciding what disciplinary action to take.
- 3.3 Allegations of harassment and/or bullying will be dealt with sensitively and in confidence, and support will be available for employees who believe their dignity at work has been breached. The Council expects all employees to be responsible for

their own behaviour and to commit to maintain a supportive and respectful working environment.

- 3.4 It is important to note that legitimate management of issues such as performance or unacceptable behaviour is not a form of harassment or bullying, if it is undertaken with respect and consideration for the individual. Such conversations should always be constructive and respectful.
- 3.5 Whilst the Council's position on harassment and bullying is that it is wholly unacceptable, it should be made clear that false allegations, whether trivial or malicious, will not be tolerated and will be formally addressed.
- 3.6 It is recognised that matters of concern should be addressed and resolved informally where possible and appropriate, and employees are encouraged to raise their concerns at the earliest opportunity. However, there are no restrictions on when a person may choose to raise their concerns, and all concerns, irrespective of the passage of time, will be taken seriously and dealt with accordingly.
- 3.7 Employees have a right to raise a concern regarding a breach of their dignity at work, and to have it heard through the medium of Welsh or English.
- 3.8 Members of Trade Unions may contact their Trade Union at any time for advice, guidance and support.

4. Definitions

4.1 Harassment

- 4.1.1 The key legislation which provides protection from harassment is the Equality Act 2010. Harassment relating to a protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) is unlawful and is covered by the Equality Act 2010. The Act's legal definition of harassment is:
'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.'

4.2 Bullying

- 4.2.1 ACAS (Advisory, Conciliation and Arbitration Service) define bullying as unwanted behaviour from a person or group that is either offensive, intimidating, malicious, or insulting. It can also be an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone.

4.3 Sexual Harassment

- 4.3.1 ACAS defines sexual harassment as unwanted behaviour of a sexual nature. To be sexual harassment, the unwanted behaviour must have either:
 - violated someone's dignity

- created an intimidating, hostile, degrading, humiliating or offensive environment for someone.

4.3.2 It can be sexual harassment if the behaviour:

- has one of these effects even if it was not intended
- intended to have one of these effects even if it did not have that effect

4.3.3 The Worker Protection (Amendment of Equality Act 2010) Act 2023 places an obligation on the Council, as an employer to take reasonable steps to prevent and address sexual harassment.

4.4 Victimization

4.4.1 Victimization is when someone is treated less favourably as a result of being involved with a discrimination or harassment complaint.

4.4.2 Ways someone could be victimised include:

- being labelled a troublemaker
- being left out
- not being allowed to do something

4.4.3 Victimization is a specific type of discrimination under the law (Equality Act 2010). It's different to bullying.

5. Roles and Responsibilities

5.1 Employees

Are responsible for:

- their own behaviour, both individually and collectively.
- challenging any behaviour which they witness which impacts negatively upon an individual's dignity and wellbeing;
- undertaking all mandatory training in association with this policy.

5.2 Managers and Supervisors

- Are responsible for ensuring proper implementation of the policy, particularly for those they manage or supervise.
- When a dignity at work concern is reported to them, it is expected that managers and supervisors take concerns seriously and will handle the matter fairly and sensitively.
- Will seek advice from the HR function in the first instance and will take all reasonable steps to support the employee.
- Set a positive example by treating others with dignity and respect.
- Actively promote a working environment that is free from discrimination, sexual harassment, harassment, victimisation and bullying.
- Make sure that staff know what standards of behaviour are expected of them;
- Remind employees of the health and wellbeing support that is available to them.

5.3 Dignity at Work Resolution Officers (DWRO)

5.3.1 DWROs are employees who have volunteered for this role and have been selected and trained to support staff. DWROs do not replace the support offered to employees by their Trade Union representatives or Human Resources. A list of DWROs is available on Ceri Net, and on posters within Council buildings.

5.3.2 All DWROs

- are recruited from within the Council workforce and trained to assist in the resolution of matters arising from dignity at work concerns.
- provide support for employees who feel they are being harassed, sexually harassed, victimised or bullied.
- help employees identify options available to address their concerns under the policy
- offer the opportunity for confidential and informal discussion and act as a “sounding board”.
- will work without bias to assist in the process of resolving the concerns

5.4 Employee Health & Wellbeing Officer

- Will provide confidential advice to all individuals on matters relating to their health and wellbeing;
- Cannot be asked to represent any parties' interests as part of the informal or formal process under the Dignity at Work, Grievance or Disciplinary policies and procedures.

5.5 People & Organisation Service

- Act as the reference point for advice in relation to the application of this policy
- Are responsible for promoting the policy and ensuring its fair application
- Are responsible for preparing and disseminating suitable training to ensure the Council's expectations for a healthy, inclusive and respectful working environment are understood;
- Monitoring trends in reported incidences under this policy and to identify where intervention for additional resource may be needed. To monitor and review the policy to ensure this remains compliant with prevailing employment law and best practice.

5.6 Trade Unions

- Will provide confidential advice to all individuals on matters relating to their health and wellbeing;
- Will provide support and guidance to employees in exploring the options available to them to address the issue in accordance with this policy
- Will be entitled to accompany an employee to attend all formal meetings as part of this policy

5.7 The Council and its Senior Leadership

Are responsible for ensuring:

- The culture within the working environment is healthy, inclusive and respectful;
- All employees regardless of role or seniority understand, demonstrate and follow the principles of this policy.

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Procedure

In the case of a dignity at work concern the first point of contact will, where practicable, be the relevant manager or supervisor (or their direct manager where the concern relates to the manager) who has a duty of care for your wellbeing as part of their managerial responsibilities. Alternatively you may feel more comfortable seeking advice in the first instance from the Dignity at Work Resolution Officer (DWRO) or seeking support from their trade Union representative.

The individual may find it helpful to complete FORM 1 (appendix 1) prior to meeting with any of the above as this may assist the process and help them focus on and communicate their concerns.

6. Stage One – Informal Stage

- 6.1 Initially the line-manager or DWRO will follow one of the following informal routes, and the decision on which course of action to take remains with the person raising the concern. Where appropriate, the DWRO or line-manager will suggest that the Grievance Policy & Procedure is followed instead.
- 6.2 The options available as part of the informal stage typically include:
- **Option A** – the individual can speak directly to the person who they feel has breached their dignity at work. They may wish to do so either on their own or in the company of a DWRO.
 - **Option B** – the individual can request their immediate manager/supervisor or DWRO to speak on their behalf to the person they believe to have breached their dignity at work. Or the next level of management if the concern is in relation to their manager/supervisor.
 - **Option C** – after speaking with the DWRO or their line-manager the individual may decide to take no further action.
- 6.2 Any individual raising their concerns with a DWRO or line-manager must be aware that depending on the nature of the issue disclosed, if the DWRO or line-manager suspect that there is a safeguarding matter or that a crime may have been committed it might be necessary for them to escalate the matter, which may involve reporting the incident(s) to the police in some circumstances. For example, if there's an ongoing risk to the individual's safety or the safety of others. Where a decision on this matter may need to be made the line-manager or DWRO will seek the advice of the HR service.
- 6.3 The individual has the right to proceed to the formal stage rather than go to one of the options above, if:
- a. the concern is of such a serious nature the informal options are insufficient; **or**
 - b. an attempt to resolve the issue informally has already been unsuccessful.

6.3 Please note, in the event that the DWRO feels there is evidence to suggest that because of the concerns raised, an employee has committed misconduct, the relevant Corporate Lead Officer or Corporate Director will determine whether the matter should be addressed through the Council's Disciplinary Policy and procedure.

7. Stage Two – Formal Complaints and Investigation Procedure

Where an individual does not feel the matter has been addressed satisfactorily under section 6, or where the matter is of such a serious nature the informal options are insufficient, the matter should be raised under the formal stage of the Council's Grievance Policy and Procedure.

8. False Accusations

If an employee makes a complaint in good faith which is not found to be a breach of their dignity at work, no further action will be taken. If however, an employee makes a complaint frivolously or maliciously which has no grounds, substance, or evidence with the aim of causing upset or distress, the complainant may be subject to disciplinary action.

9. Anonymous Complaints

Unfortunately, there are occasions when it would not be appropriate for the Council to consider a concern or complaint in accordance with this Procedure. Such occasions include where the concern or complaint is submitted anonymously, and the Council cannot therefore issue a response to the Complainant (although the Council may choose to investigate whether there are any grounds for the concern or complaint);

10. Responding to Counter Allegations

When an allegation of harassment or bullying is made it can occasionally lead to a counter allegation. In these circumstances, the investigation will be extended to deal with both concerns or complaints simultaneously by the same Investigating Officer, if practicable. Advice should be sought from Human Resources in respect of how best to deal with these situations.

11. Concerns raised against Third Parties

- 11.1 The Council acknowledges that the law requires that employers take reasonable steps to prevent harassment and sexual harassment by third parties and recognises that an employee, from time to time, may suffer unacceptable behaviour by users of its services or people providing services to the Council.
- 11.2 Unacceptable behaviour directed at an employee of the Council by a third party (e.g., service users, suppliers, contractors, agency staff, member of the public) should be reported immediately to the employee's manager.

- 11.3 Any employee who has been subjected to unacceptable behaviour must be dealt with sympathetically and supportively by management and should be offered suitable health and wellbeing support..
- 11.4 The Council will investigate any concerns or complaint of unacceptable behaviour made by an employee against a third party and take appropriate action. The manager should investigate the allegation. The investigation should include speaking to the complainant and may include speaking to any witnesses or the alleged perpetrator if possible.
- 11.5 Where a concern or complaint is about a service user and depending on the type of service being provided, it may not be possible to withdraw services due to statutory responsibilities. However, alternative arrangements can be considered and implemented where one or more of the below have taken place:
- Abusive or threatening behaviour towards Council employees;
 - Persistent intimidation, bullying or harassment of employees despite warnings;
 - An actual physical assault on an employee.
- 11.6 The list is not exhaustive. Where an incident has occurred, the individual should report the incident on the incident management system, under the category of 'Violence/ Abuse/ Harassment' and record whether the incident involved threats or/ and actual physical violence, ensuring the person affected, any witnesses and details of the assailant (if known) are recorded.
- 11.7 It is expected that employees and managers should always work towards a resolution that maintains employee safety while continuing to provide necessary services.
- 11.8 Where an investigation has concluded that the behaviour of a third party has been unacceptable steps will be taken to remedy the concern or complaint and prevent it from happening again. This may include any of the following (please note this is not an exhaustive list):
- warning a customer about their behaviour,
 - banning a third party
 - reporting any criminal acts to the police, or;
 - sharing information with other service areas.
- 11.9 Corporate Lead Officers and Corporate Managers should seek advice from Legal Services when considering the withdrawal of a service and this should always be a last resort.

Appendix 1

Informal Stage – Form 1

Dignity at Work – Written Record

NOTE: Use a separate DW1 to record each incident reported
To be attached to DW2 if the formal stage is instigated.

Dignity at Work – Monitoring Form – Informal Stage

Name(s) of Line-manager / DWRO supporting:		
Nature of alleged unacceptable behaviour		<input type="checkbox"/> Bullying <input type="checkbox"/> Harassment <input type="checkbox"/> Sexual <input type="checkbox"/> Victimisation <input type="checkbox"/> harassment
Nature of harassment	Sexual orientation	
	Racial	
	sex	
	Disability	
	Sexuality	
	Religion or belief	
	Age	
	pregnancy & maternity	
marriage & civil partnership		
Gender reassignment		
If Other Please Specify		

Name of person against whom the allegation is made:

Date/Time/Place of incident:

Outline of what took place:

Names of people who may have witnessed behaviour relating to the allegation (under no circumstances should you give these names to the person who has caused you offence):

Specific outcome you are seeking:

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Appendix 2

Formal Stage – Form 2

Grievance – Written Record

To raise matters of concerns formally in relation to a dignity at work matter.

NOTE: Attach ALL completed Form 1s

Dignity at Work – Monitoring Form – Formal Stage	
Investigating Officer's Name	
Nature of alleged unacceptable behaviour	<input type="checkbox"/> Bullying <input type="checkbox"/> Harassment <input type="checkbox"/> sexual harassment
Nature of harassment	Sexual orientation
	Racial
	Sex
	Disability
	Sexuality
	Religion or belief
	Age
	Pregnancy & maternity
Marriage & civil partnership	
Gender reassignment	
If Other Please Specify	

Summary of concerns:

Details of actions taken at informal stage

I attach a total number of _____ Form 1's to outline details of actions taken to date.

Name of person(s) against whom the allegation has been made:

Is this person:

An employee of CCC	<input type="checkbox"/>
An agency worker / contractor	<input type="checkbox"/>
A volunteer	<input type="checkbox"/>
A Student placement	<input type="checkbox"/>
A client or customer	<input type="checkbox"/>
Other (please specify)	<input type="text"/>

Specific outcome you are seeking:

Names of potential witnesses

Name of Trade Union representative or work colleague who will accompany you at any formal meeting

Address to which you wish correspondence to be addressed:

Please note, if the necessary information is not included the FORM2 will be returned to you for completion. This is likely to result in a delayed process, which in turn may mean a continuation of the behaviour you find unacceptable.

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Appendix 3

Dignity at Work – Monitoring Form

Dignity at Work – Monitoring Form – Formal Stage									
Investigating Officer's Name									
Nature of alleged unacceptable behaviour					<input type="checkbox"/> Bullying <input type="checkbox"/> Harassment <input type="checkbox"/> Sexual harassment				
Nature of harassment					Sexual orientation				
					Racial				
					Sex				
					Disability				
					Sexuality				
					Religion or belief				
					Age				
					Pregnancy & maternity				
					Marriage & civil partnership				
Gender reassignment									
If Other Please Specify									
The Complainant									
Service									
Sex					Male				
					Female				
From Black Ethnic Minority Group					Yes				
					No				
Disabled?					Yes				
					No				
Age Group									
16-19		20-24		25-34		35-44			
45-54		55-64		65-74		75+			
The Alleged Perpetrator									
Service									
Sex					Male				
					Female				
From Black Ethnic Minority Group					Yes				
					No				
Disabled?					Yes				
					No				
Age Group									
16-19		20-24		25-34		35-44			
45-54		55-64		65-74		75+			
Dates of Meetings with the Complainant									
What was the Decision of the Investigating Officer?									
Signed					Date				

Return to humanresources@ceredigion.gov.uk

Appendix 4

Dignity at Work Flow Chart

