



## Dignity at work and volunteering policy

### Promoting Dignity at work and when volunteering.

#### 1. Purpose and scope

- 1.1 The objectives of this policy and procedure are to:
- ensure the Society provides an environment where every employee and volunteer is treated with dignity and respect
  - support and follow the standards set out in the MS Society's code of conduct
  - ensure that lawful, non discriminatory and effective arrangements exist for addressing complaints of harassment and bullying
  - ensure that all employees and volunteers are aware of their rights and responsibilities regarding raising concerns about harassment or bullying behaviour and will not suffer any detriment for doing so
  - enable all employees and volunteers involved in a complaint about bullying or harassment to feel confident that the issues will be dealt with fairly and confidentially
  - support managers in carrying out their responsibility to resolve harassment or bullying issues as soon as possible.
  - contribute to the successful achievement of the Society's aims and excellent standards of service for people affected by MS.

1.2 This Dignity at work and volunteering policy covers all of the MS Society's employees and volunteers, including temporary staff employed via agencies and contractors.

1.3 'The workplace' includes anywhere staff and/or volunteers are gathered together for work, volunteering, including MS Society arranged social events , away days and conferences.

#### 1.4 Our line managers

Line managers are usually paid staff, but some of the Society's employees, based in groups/local networks may be managed by a volunteer. Volunteers are usually 'line managed' by the Group Coordinator or another lead volunteer, e.g. Lead Support Volunteer. The use of the term 'manager' and 'line manager' in this policy refers to both paid and volunteer managers.

1.5 Where the policy refers to the line manager's manager, volunteers managing paid staff should refer to the local operational manager (e.g. Local Network Manager), or Human Resources (HR).

## 2. Definitions

### 2.1 Harassment

Harassment is unwanted conduct which has the purpose or effect of violating an individual's dignity or creating a hostile or intimidating, degrading or humiliating or offensive environment. The behaviour may be persistent or an isolated incident. It may be delivered in person or in writing by email or text message or other electronic medium such as social networking sites.

2.2 The following list provides examples of behaviour which will not be tolerated by the Society. It is not intended to be *exhaustive*. There may be other more subtle behaviour that will be perceived to be inappropriate by the recipient. Such behaviour may be open to further investigation upon complaint.

2.3 It is important to note that employees can be harassed by colleagues or subordinates as well as by managers and supervisors. Similarly volunteers may be harassed by other volunteers, or by staff and staff may be harassed by volunteers. Customers, service users, visitors and contractors may be involved, either as perpetrators or recipients. Witnesses can sometimes be affected adversely as well as those directly involved and can make a complaint as well.

### Sexual Harassment

- Unwelcome sexual remarks, such as jokes, innuendo, teasing and verbal abuse.
- The display of posters or written materials of a sexist or sexually suggestive nature.
- Unwelcome remarks about a person's dress, appearance or relationship status.
- Unwelcome physical contact or demands for or offers of sexual favours.

### Sexual Orientation

- Behaviour that condemns or ridicules a person because of their actual or perceived sexual orientation.

### Racial Harassment

- Racially derogatory remarks or racist jokes.
- The display of racially offensive material or graffiti.

### Age Discrimination

- Ridiculing or demeaning behaviour focused towards an individual because of their age.

### Discrimination against Disabled staff/volunteers

- Undignified treatment, ridicule or exclusion of staff or volunteers, because of their disability, vulnerability or actual or perceived reduced independence.

### Religious Discrimination

- Discriminatory behaviour, which fails to acknowledge the rights or needs of people with different beliefs or practices.

### Sectarian harassment

- Sectarian harassment is unwanted conduct of a sectarian nature, or other conduct based on religious belief or political opinion affecting the rights of people at work.

### 2.3 Bullying behaviour

Bullying is defined as the intimidation, undermining or belittling of someone through the misuse of power or position, which leaves them feeling hurt, upset, vulnerable or helpless. In these situations it is often managers who are seen as having all the power, but staff and volunteers can also misuse their personal or expert power to bully managers and other staff or volunteers.

Examples may include:

- unfair and excessive criticism, without specific evidence
- public insults
- repeated inaccurate negative feedback about quality of work
- repeated changing of agreed deadlines and targets at short notice
- excessive workload
- teasing and name calling
- malicious rumours
- sending threatening or abusive emails
- exclusion and isolation
- actual physical assault.

### 2.4 Victimisation

Victimisation is defined as treating a member of staff or a volunteer less favourably than others because they have brought proceedings, given evidence or complained about the behaviour of someone who has been harassing, bullying or discriminating against them.

## 3. Policy principles

- 3.1 The following principles underpin this policy and the application of the procedures:
- We expect all staff and volunteers to be prepared to make reasonable changes and adapt sometimes; but also to remember there has to be some give and take amongst people working together.
  - Harassment, bullying and victimisation whilst working or volunteering are unacceptable behaviour and will not be tolerated or condoned.
  - We aim to prevent harassment, bullying and other inappropriate behaviour in the workplace by making the expected standards of behaviour clear, acting promptly and following our policies professionally.
  - All staff and volunteers are encouraged to try to resolve these issues informally where possible.
  - Staff and volunteers are asked to respond openly and positively when issues are raised informally with them.
  - Witnesses may also be affected and may raise a concern informally or make a formal complaint.
  - Managers are expected to deal with any issues of bullying or harassment promptly and informally where possible.
  - Formal mediation provided externally may be offered, where appropriate.
  - All complaints will be dealt with swiftly and fairly.
  - Records of all complaints, formal and informal will be kept for monitored for reporting purposes.

## **4. Roles and responsibilities**

### **4.1 Employees and volunteers**

All employees and volunteers have a responsibility to ensure an environment in which the dignity of others is respected. Everyone must comply with this policy and:

- avoid causing offence to staff and volunteers
- discourage harassment or other inappropriate behaviour from others by making it clear that such behaviour is unacceptable
- try to deal with inappropriate or offensive behaviour informally where possible
- are encouraged to report to HR or the Volunteering team , as appropriate, any persistent or serious inappropriate behaviour so that the MS Society can take any relevant action.

### **4.2 Managers**

All managers have a duty to implement this policy and to make every effort to ensure that harassment or bullying does not occur, ensuring it is dealt with swiftly and fairly where it does occur.

4.3 Managers play a key role in modelling and upholding the standards of behaviour expected by the MS Society and should:

- ensure their staff and volunteers understand the standard of behaviour expected of them and know about this policy and the procedure for dealing with a complaint
- be responsive and supportive to any employee or volunteer who raises a concern or allegation of harassment or bullying, including when incidents are reported via return to work or exit interviews
- be sensitive to the fact that a complaint is likely to be a distressing experience for all parties
- encourage an informal approach to resolution wherever possible
- provide clear advice on the policy and procedure (seeking advice and support from HR as appropriated) and encourage the individuals to seek advice and support from HR, a staff or union representative or the Volunteering team as appropriate
- encourage staff to seek support from the MS Society's Employee Wellbeing programme (EWP)
- maintain confidentiality
- seek to ensure that there is no further problem of harassment or bullying after a complaint has been resolved.

### **4.4 HR and Volunteering team responsibilities**

The HR team is responsible for ensuring that the Dignity at work policy is up to date, reviewed regularly, fit for purpose and implemented within the Society.

4.5 The HR team also oversees, monitors and coordinates all harassment and bullying complaints, providing procedural advice. Informal mediation may also be provided by HR. Support to the individuals will be provided by HR or the Volunteering team, as appropriate.

4.6 The HR/Volunteering team take the lead on communicating this policy to all employees and volunteers to ensure that:

- all employees and volunteers understand the Society's commitment to eliminate harassment and bullying at work
- all employees and volunteers know how to make complaints and are confident these will be handled sensitively and confidentially
- managers and staff are briefed on the policy during induction.

#### **4.7 Informal supporters**

Any colleague can provide support to either party when they are trying to resolve a complaint informally. This role should be confined to support (and therefore not speaking for their colleague) and strict confidentiality must be agreed and maintained by them (see section 5).

#### **4.8 Trade union representatives/staff representatives**

Staff may also choose to be accompanied by a Trade union/staff representative or another colleague at the informal or formal stages of the procedure.

4.8.1 Volunteers may choose to be accompanied by another volunteer or a member of staff.

#### **4.9 Advice from HR/Volunteering team**

The HR /Volunteering teams are available to provide support and procedural guidance throughout this process to all concerned. In the event of any issues of interpretation of this policy, the decision of the Executive Director of People will be final.

#### **4.10 Record keeping**

Line managers should make notes of all formal complaints of harassment or bullying. The notes should be agreed by the individual and copied in HR for monitoring purposes. All notes will be kept confidentially by HR.

#### **4.11 Timescales**

Any timescales in this policy refer to calendar days. All timescales will be met as far as is reasonably practicable. Key dates may be altered with the prior agreement of the Senior HR Business Partner.

## **Dignity at work procedure: Employees**

### **5. Dealing with inappropriate behaviour informally**

5.1 If you feel a colleague is behaving inappropriately or offensively we encourage you to try to resolve matters informally if possible. You may ask colleague to accompany you for moral support.

5.2 Very occasionally (for example, if you were concerned about the behaviour of a senior colleague) it might be appropriate for your manager to approach the individual concerned on your behalf.

5.3 You can always also talk over the situation and how to deal with it with a member of the HR department.

5.4 Please read the Dignity at work guidance, which covers some practical ways of tackling these kinds of conversations.

5.3 Hopefully this will resolve the issue. If however it persists we recommend that you keep your own written notes or details of each incident to provide evidence, including the names of people concerned and others present, to support any subsequent formal complaint. You should detail dates, times and exactly what was said or done. Recording events will help in any future investigation; however, failure to do so will certainly not invalidate a formal complaint.

## **6. Witnessing bullying or harassment**

6.1 Staff are encouraged not to turn a blind eye to bullying or harassment. If you witness an incident of harassment or bullying you may wish to approach your colleague to offer your support and to act as a witness, should they wish to report the incident.

6.2 In circumstances where the colleague does not wish to report the incident but the witness is very concerned, they can raise the matter informally with their manager or with HR or make their own complaint, which would be about the effect on them. This may involve the original staff member being interviewed as part of the investigation.

## **7. Making a formal complaint**

### **7.1 Deciding whether to take the matter further**

Where a staff member makes a manager aware that they are being harassed or bullied, (or have witnessed bullying or harassment) but does not wish to take any action, they will be asked to meet with HR to ensure they understand their options. A note of the incident and advice given will be kept confidentially for monitoring purposes by HR. No records will be made on anyone's personnel record.

7.2 Should further complaints be made about the same person, HR will, as part of the Society's duty of care to all employees, need to set up an investigation and raise the issues with that person. Where possible, the identity of the staff member will be kept confidential. However, this will not always be possible as the person complained about has the right to know the details of any complaints against them.

### **7.3 Making a complaint**

A member of staff wishing to make a complaint about other MS Society employees should use the MS Society Grievance policy and procedure. A member of staff wishing to make a complaint about a volunteer should use the Resolving volunteer issues and complaints policy and procedure (RVIC).

7.4 A formal complaint may be appropriate when:

- the harassment or bullying is serious or potentially criminal
- it is not appropriate for the problem to be resolved informally
- the behaviour continues after raising it informally.

### **7.5 Support to both parties**

- Informal confidential advice and facilitation/mediation is available from HR.
- Formal external mediation may also be available. A request should be made via HR.
- Counselling for employees is available from the Employee Wellbeing Programme (EWP).

### **7.6 Right to be accompanied**

Both parties are entitled to be accompanied by a colleague, staff representative or a Trade Union representative at each meeting held during the informal and formal stages, unless mediation is being used.

### **7.7 Malicious allegations**

In the event that an allegation is found to be malicious the Disciplinary policy/RVIC will be invoked.

## **8. Follow up**

### **8.1 Disciplinary action**

Following a formal complaint a decision may be made that disciplinary action should be considered, in which case the MS Society Disciplinary policy and procedure will be followed.

### **8.2 Reducing contact for employees**

Whether or not the complaint has been upheld, both parties may both wish to minimise any further contact between them. As far as is practical managers will explore and be open to measures such as:

- moving desks
- varying working hours
- increased home working

### **8.3 Counselling and mediation for employees**

Counselling is available from our Employee Wellbeing Programme (EWP). Informal or formal mediation may be offered to either or both parties. This may be appropriate whether or not the complaint has been upheld.

### **8.4 On going support**

The investigating manager(s) will meet with the complainant again after an agreed time span to ensure that no further harassment, bullying or victimisation has occurred. This action will be undertaken even where a complaint has not been upheld. Notes will be taken and recorded during such meetings and kept in the case file. Further follow up contact or meetings may be offered, as necessary.

8.5 Managers will ensure that staff are protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. The manager of the alleged harasser/ bully will be responsible for ensuring that they are made fully aware of this aspect of the policy.

8.6 Managers will also provide support to the person complained about to assist them in changing their behaviour, rebuilding their confidence and relationships.

## **9. Monitoring**

9.1 HR will monitor all formal complaints of harassment and bullying and their outcomes and will report on both informal and formal complaints, on a quarterly basis to EG and the People committee.

9.2 The MS Society will also use the reported levels of witnessing or experiencing bullying or harassment in the employee survey as a useful indicator of levels of bullying and harassment and will use this information to inform further action.

## **Dignity at work procedure: Volunteers**

### **10. Dealing with inappropriate behaviour informally**

10.1 If you feel a member of staff or a fellow volunteer is behaving inappropriately or offensively we encourage you to try to resolve matters informally if possible. You may ask another volunteer to accompany you for moral support.

10.2 Very occasionally (for example, if you were concerned about the behaviour of a Lead Volunteer) it might be appropriate for the staff member that supports you or your group to approach the individual concerned on your behalf.

10.3 You can always also talk over the situation and how to deal with it with a member of the Volunteering team.

10.4 Please also read the RVIC guidance, which includes some practical ways of tackling these kinds of conversations.

10.5 Hopefully this will resolve the issue. If however it persists we recommend that you keep your own written notes or details of each incident to provide evidence, including the names of people concerned and others present, to support any subsequent formal complaint. You should detail dates, times and exactly what was said or done. Recording events will help in any future investigation; however, failure to do so will certainly not invalidate a formal complaint.

### **11. Witnessing bullying or harassment**

11.1 Volunteers are encouraged not to turn a blind eye to bullying or harassment. If you witness an incident of harassment or bullying you may wish to approach your colleague to offer your support and to act as a witness, should they wish to report the incident.

11.2 In circumstances where the colleague does not wish to report the incident but the witness is very concerned, they can raise the matter informally with the staff member who supports them or their group or with the Volunteering team or make their own complaint, which would be about the effect on them. This may involve the original volunteer being interviewed as part of the investigation.

### **12. Making a formal complaint**

#### **12.1 Deciding whether to take the matter further**

Where a volunteer makes a line manager aware that they are being harassed or bullied, (or have witnessed bullying or harassment) but does not wish to take any action, they will be asked to discuss the situation with the Volunteering team, to ensure they understand their options. A note of the incident and advice given will be kept confidentially for monitoring purposes by the Volunteering team.

12.2 Should further complaints be made about the same person, the Volunteering team will, as part of the Society's duty of care to all volunteers, need to set up an investigation and raise the issues with that person. Where possible, the identity of the volunteer will be kept confidential. However this will not always be possible as the person complained about has the right to know the details of any complaints against them.

### **12.3 Making a formal complaint**

A volunteer wishing to make a complaint about a volunteer or a member of staff should use the Resolving Volunteers issues and concerns (RVIC) policy.

12.4 A formal complaint may be appropriate when:

- the harassment or bullying is serious or potentially criminal
- it is not appropriate for the problem to be resolved informally
- the behaviour continues after raising it informally.

### **12.5 Malicious allegations**

In the event that an allegation is found to be malicious the RVIC policy will be invoked.

## **13. Follow up**

### **13.1 Follow up action**

Following a formal complaint a decision may be made that action under the RVIC policy should be considered, in which case the RVIC procedure will be followed.

### **13.2 Reducing contact**

Whether or not the complaint has been upheld, both parties may both wish to minimise any further contact between them.

### **13.3 On going support**

The investigating manager(s) will meet with the complainant again after an agreed time span to ensure that no further harassment, bullying or victimisation has occurred. This action will be undertaken even where a complaint has not been upheld. Notes will be taken and recorded during such meetings and kept in the case file. Further follow up contact or meetings may be offered, as necessary.

13.4 Line managers will ensure that volunteers are protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. The manager of the alleged harasser/ bully will be responsible for ensuring that they are made fully aware of this aspect of the policy.

13.5 Line managers will also provide support to the person complained about to assist them in changing their behaviour, rebuilding their confidence and relationships.

## **14. Monitoring**

**14.1** HR will monitor all formal complaints of harassment and bullying and their outcomes and will report on both informal and formal complaints, on a quarterly basis to EG and the People committee.

14.2 The MS Society will also use the reported levels of witnessing or experiencing bullying or harassment in volunteer surveys as a useful indicator of levels of bullying and harassment and will use this information to inform further action.

### Relevant legislation

- The Equality Act 2010
- NI Equality regulations and orders

### Related MS Society policies and procedures

- MS Society code of conduct
- Whistle blowing policy
- Disciplinary Policy and procedure
- Grievance policy and procedure
- Equal opportunities policy
- Resolving volunteer issues and complaints policy
- Comments, complaints and compliments policy
- Guidance on carrying out an investigation
- Guidance on managing Grievance meetings

Policy agreed by the Board	3 December 2008
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Policy to be reviewed on a three year cycle	2020