

DIGNITY AT WORK

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Summary	PC24 has a defined set of values which describes the standards of behaviour that it expects from employees when they deal with patients and colleagues. The values indicate the organisation's commitment to creating a culture of openness and respect for difference, where everyone is treated with dignity and respect.

Version	Date	Control Reason	Title of Accountable Person for this Version
2	March 2021	Updated policy following review by external EDI Consultant	HR Manager
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Consultation: Committees / Groups / Individual			Date
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1.0 PURPOSE

PC24 wants to create a positive, healthy work environment where you feel valued, respected, and belonging, so you enjoy coming to work, where you can contribute fully to the success of our organisation and the quality of patient care.

The organisation has a defined set of values that describes the standards of behaviour that it expects from you when you deal with patients and colleagues. The values indicate PC24's commitment to creating a culture of openness, where everyone is treated with dignity, civility, and respect.

2.0 SCOPE OF THE POLICY

This policy applies to all employees including agency workers, associates, contractors, and anyone else engaged to work at PC24, whether by direct contract with the organisation or otherwise. It also covers acts in the workplace and any work-related setting outside the workplace e.g., business trips and work-related social events. Social events, whether they are official or unofficial, may be deemed an extension of the workplace.

The policy provides a constructive way of dealing with workplace situations where there may have been a breakdown in relationships, or where you do not feel that you have been treated in line with the organisational values. It is designed to ensure that all complaints of harassment, bullying, victimisation, or being treated inappropriately at work are dealt with objectively, quickly, sensitively, and confidentially.

3.0 RESPONSIBILITIES

Directors

- Are responsible for ensuring that the policy and associated procedure are implemented fairly and consistently.

- Will ensure, that if you raise a complaint under the terms of this policy you will not suffer any detriment or victimisation, and will identify any points that can be learned from those cases, and implement changes where necessary.

The HR Department

- Is responsible for monitoring and updating the policy and providing ongoing support to Managers in implementing the policy to ensure it is applied fairly and consistently.
- Will provide training and guidance to managers in the application of this policy.

Line Managers

- Have a responsibility to communicate the policy, and to create a positive inclusive working environment where discrimination, harassment, bullying, or victimisation are not accepted.
- Will treat any complaint raised by you as a matter of serious concern, dealing with it promptly and in a confidential manner.

Employees

- Have responsibility for their behaviour and should act at all times in accordance with PC24's values, treating colleagues and patients with dignity, civility, and respect.

4.0 DEFINITIONS

4.1 Bullying and Harassment

Under the Equality Act 2010, harassment is defined 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.

This could be related to, but not limited to, individual differences such as race, religion belief (or lack thereof), creed, colour, nationality, ethnic or national origins, sexual orientation, marital or civil partnership, pregnancy and maternity, carer status, gender reassignment, sex, age or disability.

Whether someone considers certain behaviour to be harassment is also down to the impact it has on them, and whether that impact is negative. It is the impact of the behaviour that is important, not the intent. The main characteristic of harassment is that it is unwanted. Harassment can take the form of a single act or a series of acts over a period of time, and it can include abuse of power or position.

Examples of harassment (not exhaustive):

- Derogatory remarks which are offensive, such as jokes or banter relating to race, religious beliefs, creed colour, nationality, ethnic or national origins, sexual orientation, marital or parental status, sex, age, or disability
- Expression of racist, sexist, or similarly offensive views
- Suggestive remarks, gestures, innuendo, leering, unwanted advances, compromising invitations or requests for sexual favours
- Physical threats, assaults, and or abuse or unwanted physical contact
- Offensive language or gestures
- Offensive, threatening, or demeaning electronic communications
- Offensive or objectionable literature, graffiti, or pictures

Bullying is a form of harassment, not necessarily related to a protected characteristic and can include persistently negative or malicious attacks on someone's job performance. It is quite different from the legitimate pressures experienced from time to time, e.g., when you are

under pressure to meet a deadline or you are subject to a performance improvement process.

Bullying can take place on an individual or group basis, it can be one on one, and collective and can include upward bullying where employees can bully their manager. Bullying can occur at all levels in the organisation.

4.2 **Victimisation**

Victimisation is when someone treats you badly or subjects you to a detriment because you have made a complaint about someone or something in relation to the Equality Act or you have helped or supported someone who has made a complaint about something related to equality and the Equality Act.

This could include (not exhaustive):

- Isolating someone because they have made a complaint
- Giving him/her a heavier workload

When you have acted in good faith i.e., you genuinely believe that what you or your colleague is saying is true, then you have a right not to be victimised for making a complaint of doing anything in relation to a complaint of bullying or harassment. The organisation will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have been involved in the victimisation at work of a colleague.

5.0 **DIGNITY AT WORK POLICY PROCEDURES**

If you have a complaint about harassment and bullying in the workplace, you should keep a written record of any incidents including:

- The date and time
- Nature of the incident(s)
- The names of those involved

- The names of any witnesses who were present

You should then raise your complaint as soon as possible either formally or informally. The route you decide to follow will depend on your individual circumstances.

The organisation will take all complaints, whether informal or formal, very seriously and, where necessary, investigate them promptly. The investigation will be objective and carried out with sensitivity and respect for your rights, the rights of the alleged harasser, and any witnesses. All conversations, written evidence, and general dealings will be strictly confidential. Breaches of confidence may lead to disciplinary action.

If you make an allegation in good faith that is not confirmed by a subsequent investigation, no action will be taken. However, if you make a malicious or unfounded allegation, disciplinary action may be taken.

PC24 recognises the distress and anxiety that such allegations can cause to both the complainant and the alleged harasser. Support is available for both parties from HR and the Employee Assistance Service, details of which are available via HR or your Line Manager.

5.1 **Informal process**

Very often people are not aware that their behaviour is unwelcome or misunderstood. An informal discussion can lead to greater understanding and agreement that the behaviour will cease.

If you have any concerns about harassment, bullying, or victimisation, it is important that you raise them as soon as you can, to ensure appropriate and effective action is taken as soon as possible.

If you feel able, you should approach the individual you believe is acting inappropriately, and ask for their behaviour to stop. In some cases where individuals may not be aware their behaviour is upsetting you, they willingly change once they know it's causing offence.

If the harassment, bullying, or victimisation continues or you feel unable, for whatever reason, to approach the person who is causing you offence you can discuss the situation confidentially with an appropriate Manager or the HR department. The appropriate person would normally be your Line Manager however, in some circumstances, you may prefer to speak with someone else i.e., if it is your Line Manager who is the source of your concerns or you want to discuss the situation with someone of the same sex.

If this approach is not successful you may decide to make a formal complaint.

The informal stage is not intended to result in any formal investigation or disciplinary action. It is designed to give you the opportunity to resolve the matter without it going any further.

5.2 Formal process

You may want to make a formal complaint if you:

- Feel the alleged behaviour continues as previous informal attempts at resolving the situation have not proved successful
- You feel unable or unwilling to deal with the matter informally
- Mediation has been unsuccessful or not agreed to by all parties
- The allegation is so serious that it warrants taking it to a formal stage immediately

If you want to make a formal complaint:

- You should raise the matter in writing with an appropriate Manager or the HR Department as soon as possible. The appropriate

Manager will normally be your Line Manager, however, in some circumstances, you may prefer to speak with someone else.

- The Manager you have raised the concern with will ensure a prompt, fair and thorough investigation is carried out with all parties involved. A manager not connected with the alleged harassment, bullying, or victimisation will carry out the investigation.
- In very serious cases of alleged bullying, harassment, or victimisation, a suspension may need to be considered. This will be carried out in line with the organisations Disciplinary Policy

5.3 Investigation

All complaints will be investigated promptly, and signed statements taken from all available witnesses. Witnesses should not discuss the matter with other employees, or anyone connected with PC24, during and after the investigation.

A Commissioning Manager will be identified, who will appoint an Investigating Officer (IO). The IO will review the statements taken by the persons raising the complaint and may request to meet with them formally. The IO will then give the alleged harasser the opportunity to understand the allegations and put their side of the case forward, with any supporting evidence. They will then produce a report on the case, which will be submitted to the Commissioning Manager. A decision will then be made as to whether to progress this to a disciplinary hearing.

5.4 Disciplinary action

Where a decision is made to progress the case, the alleged harasser will be invited to attend a disciplinary hearing, in line with PC24's Disciplinary Policy. All parties have the right to be accompanied at this meeting.

6.0 GETTING HELP EXTERNALLY

- GOV.UK

The government website has specific advice regarding bullying and harassment at work which can be accessed at:

<https://www.gov.uk/workplace-bullying-and-harassment>

- ACAS (Advisory, Conciliation and Arbitration Service)

ACAS are an independent body who can provide impartial advice and support to both employees and employers. They have specific guidance regarding bullying and harassment which can be accessed at:

<http://www.acas.org.uk/index.aspx?articleid=1864>

They also have a telephone helpline: 08457 47 47 47.

- The Dignity at Work Partnership

The Dignity at Work Partnership project is working in partnership to find new solutions to bullying in the workplace, jointly funded by UNITE and the DTI. Its resources can be accessed at:

<http://www.dignityatwork.org/>

- The HSE (Health and Safety Executive)

The HSE has advice pages for employees who feel they are being bullied or harassed at work which can be accessed at:

<http://www.hse.gov.uk/stress/furtheradvice/bullyingindividuals.htm>

7.0 RELATED POLICIES

Disciplinary Policy PC24POL14

Grievance Policy PC24POL15

Raising a Concern (Whistleblowing) Policy PC24POL102

Equality and Diversity Policy PC24POL119

8.0 MONITORING COMPLIANCE

The HR Department will monitor compliance with this policy to ensure that all stages of this policy are followed consistently. Incidences of

complaints at an informal and formal level will be reported to the Quality and Workforce committee.

9.0 INFORMATION, INSTRUCTION AND TRAINING

The HR Department will be responsible for ensuring that all parties receive appropriate training under this policy, including;

- Ensuring all new starters are aware of the policy and how to access it at induction
- All Line Managers receive training in how to manage complaints effectively

10.0 EQUALITY AND HEALTH INEQUALITIES

PC24 is committed to an environment that promotes equality and embraces diversity in its performance as an employer and service provider. It will adhere to legal and performance requirements and will maintain equality and diversity principles through its policies, procedures, and processes. This policy has been implemented with due regard to this commitment. To ensure that the implementation of this policy does not have an adverse impact in response to the requirements of the Equality Act 2010 this policy has been screened for relevance during the policy development process and a full equality impact analysis conducted where necessary. PC24 will take remedial action when necessary to address any unexpected or unwarranted disparities and monitor practice to ensure that this policy is fairly implemented.

11.0 PERSONAL INFORMATION

This policy complies with the Data Protection Act 2018, therefore no Privacy Impact Assessment is necessary.

12.0 MAIN REFERENCES

- Bullying and Harassment at Work, ACAS Guide for Managers and Employers, 2014
- Bullying and Harassment at Work, ACAS Guidance for Employees, 2014
- Equality Act, 2010
- Tackling cyberbullying in the NHS, 2017
- Promoting a positive culture to tackling bullying, NHS Employers, 2019

Equalities and Health Inequalities – Screening Tool

Version number: V1

First published: November 2016

To be read in conjunction with Equalities and Health Inequalities Analysis Guidance, Quality & Patient Safety Team, Urgent Care 24, 2016.

Prepared by: Quality & Patient Safety Team.

Introduction

The purpose of this Screening Tool is to help you decide whether or not you need to undertake an Equality and Health Inequalities Analysis (EHIA) for your project, policy or piece of work. It is your responsibility to take this decision once you have worked through the Screening Tool. Once completed, the Head of your SDU or the Quality & Patient Safety Team will need to sign off the Screening Tool and approve your decision i.e. to either undertake an EHIA or not to undertake an EHIA.

The Quality and Patient Safety Team can offer support where needed. It is advisable to contact us as early as possible so that we are aware of your project.

When completing the Screening Tool, consider the nine protected characteristics and how your work would benefit one or more of these groups. The nine protected characteristics are as follows:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex
9. Sexual orientation

A number of groups of people who are not usually provided for by healthcare services and includes people who are homeless, rough sleepers, vulnerable migrants, sex workers, Gypsies and Travellers, Female Genital Mutilation (FGM), human trafficking and people in recovery. Urgent Care 24 will also consider these groups when completing the Screening Tool:

The **guidance** which accompanies this tool will support you to ensure you are completing this document properly. It can be found at: <http://extranet.urgentcare24.co.uk/>

Equality and Health Inequalities: Screening Tool

General information		
1	Title: What is the title of the activity, project or programme? Dignity at Work Policy	
A2.	What are the intended outcomes of this work? Please outline why this work is being undertaken and the objectives. This policy gives a framework to investigate and manage incidences of alleged bullying, harassment or victimisation	
A3.	Who will be affected by this project, programme or work? All	
The Public Sector Equality Duty		
1	Could the initiative help to reduce unlawful discrimination or prevent any other conduct prohibited by the Equality Act 2010? If yes, for which of the nine protected characteristics (see above)?	
	Yes	
	Summary response and your reasons: The policy gives clear structure for issues of alleged bullying and harassment to be managed. These incidents may be against any of the 9 protected characteristics.	

2	Could the initiative undermine steps to reduce unlawful discrimination or prevent any other conduct prohibited by the Equality Act 2010? If yes, for which of the nine protected characteristics? If yes, for which of the nine protected characteristics?		
		No	
	Summary response and your reasons: The policy gives clear structure for issues of alleged bullying and harassment to be managed. These incidents may be against any of the 9 protected characteristics.		
3	Could the initiative help to advance equality of opportunity? If yes, for which of the nine protected characteristics?		
	Yes		
	Summary response and your reasons: Through the application of the policy there is the opportunity for organisational and individual learning in terms of what is expected under the Equality Act 2010		
4	Could the initiative undermine the advancement of equality of opportunity? If yes, for which of the nine protected characteristics?		
		No	
	Summary response and your reasons:		
5	Could the initiative help to foster good relations between groups who share protected characteristics? If yes, for which of the nine protected characteristics?		
	Yes		
	Summary reasons: Through the application of the policy there is the opportunity for organisational and individual learning in terms of what is expected under the Equality Act 2010		
6	Could the initiative undermine the fostering of good relations between groups who share protected characteristics? If yes, for which of the nine protected characteristics?		
		No	
	Summary response and your reasons:		
The duty to have regard to reduce health inequalities			
1	Will the initiative contribute to the duties to reduce health inequalities?		
	Could the initiative reduce inequalities in access to health care for any groups which face health inequalities? If yes for which groups?		
		No	
	Summary response and your reasons: The policy does not deal with access to health care, though psychological and occupational health support may be offered to those involved.		
2	Could the initiative reduce inequalities in health outcomes for any groups which face health inequalities? If yes, for which groups?		
		No	
	Summary response and your reasons:		
Will a full Equality and Health Inequalities Analysis (EHIA) be completed?			

1	<p>Will a full EHIA be completed?</p> <p>Bearing in mind your previous responses, have you decided that an EHIA should be completed? Please see notes.¹ Please place an X below in the correct box below. Please then complete part E of this form.</p>		
			No
Action required and next steps			
1	<p>If a full EHIA is planned:</p> <p>Please state when the EHIA will be completed and by whom.</p> <p>Name:</p> <p>Date:</p>		
2	<p>If no decision is possible at this stage:</p> <p>If it is not possible to state whether an EHIA will be completed, please summarise your reasons below and clearly state what additional information or work is required, when that work will be undertaken and when a decision about whether an EHIA will be completed will be made.</p> <p>Summary reasons:</p> <p>Additional information required:</p> <p>When will it be possible to make a decision about an EHIA?</p>		
3	<p>If no EHIA is recommended:</p> <p>If your recommendation or decision is that an EHIA is not required then please summarise the rationale for this decision below.</p> <p>Summary reasons:</p>		

<i>F</i>	<i>Record Keeping</i>		
Lead originator:	P Mullen	Date:	Nov 2019
Director signing off screening:		Date:	
Director ate:		Date:	
Screening published:		Date:	

¹ Yes: If the answers to the previous questions show the PSED or the duties to reduce health inequalities are engaged/in play a full EHIA will normally be produced. No: If the PSED and/or the duties to reduce health inequalities are not engaged/in play then you normally will not need to produce a full EHIA.

