
Dignity and Respect at Work Policy

Our commitment

1. We, the Scottish Further and Higher Education Funding Council (SFC), are committed to creating a work environment where you are treated with dignity and respect and free of harassment or bullying. To this end we will seek to ensure that all employees treat each other with respect, dignity, fairness, equity, tolerance, understanding and trust at all times.
2. To achieve this aim we shall encourage staff to:
 - communicate openly and honestly with colleagues;
 - show sensitivity in their interactions with other people;
 - treat others fairly and with respect;
 - listen to what colleagues say;
 - value colleagues' contributions;
 - consider the needs of others;
 - be inclusive and receptive to others;
 - give thought to the feelings of other people
 - recognise colleagues' achievements; and
 - develop an environment which is sincere and caring.
3. We will not tolerate bullying or harassment of any kind. All allegations of bullying or harassment will be investigated and, if appropriate, disciplinary action will be taken. Neither will we tolerate victimisation of a person for raising a grievance of bullying or harassment in good faith or supporting someone to make such a complaint.

The scope of this policy

4. This policy applies to all SFC employees in any and all circumstances associated with your employment at the Council. This includes on and off the premises when in the course of your employment with us and work-related social events. This policy also applies to anyone engaged to work at the Council, such as contractors or agency workers.
5. Suppliers, visitors or stakeholders are not subject to our disciplinary procedure, however we will not tolerate any bullying or harassment of our employees, whether by another of our employees or by an external party.
6. If you are the victim of bullying or harassment or have witnessed an incident of bullying

or harassment, please refer to the sections:

- [Procedure to deal with bullying and harassment](#); and
- [Guidance on how to deal with bullying and harassment](#).

Why is a policy on dignity and respect important to us as an organisation?

7. By supporting and promoting the standards of behaviour expected of our staff we can help encourage:
 - better morale and good employee relations;
 - better work performance; and
 - respect for all colleagues.

What is dignity and respect?

8. Dignity is recognising an individual's inherent worth and value as a human being.
9. Respect is acting in a manner that is considerate and mindful of the thoughts and feelings of others.

What are bullying and harassment?

10. Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power which is meant to undermine, humiliate or injure the recipient (examples can be found in the Guidance section below).
11. Harassment is unwanted conduct affecting the dignity of an individual or group of people at the workplace. It may be related to age, sex, race, disability, religion, sexual orientation, nationality or any personal characteristic of the individual. Such harassment may be persistent or an isolated incident. (Examples can be found in the Guidance section below.)
12. Conduct may be harassment whether or not you intend to offend. Something you intend as a "joke" may offend another person. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.
13. Behaviour which a reasonable person should realise is likely to offend (e.g. sexual touching) will be classed as harassment without the recipient having to make it clear to you in advance that behaviour of that type is not acceptable to them. Some other forms of behaviour (e.g. certain "banter", flirting or asking someone for a private drink after work) may not be so predictably unwelcome or offensive. In such cases, if your conduct unintentionally causes offence it will not be classed as harassment in the first instance but it will become so if this conduct continues after it has made it clear to you, by words

or conduct, that such behaviour is unacceptable to the recipient.

14. A single incident can be bullying or harassment if it is sufficiently serious.
15. It is outwith the scope of this policy to provide an exhaustive description of the law relating to dignity and respect at work, however staff members should be aware that there is legislation relating to certain actions that undermine dignity and respect at work. Some bullying or harassment will constitute unlawful discrimination, e.g. if it relates to a person's sex, race, religion or belief, sexual orientation, gender reassignment, age or disability. Serious bullying or harassment and stalking may amount to other civil or criminal offences, e.g. civil or criminal offences under the Protection from Harassment Act 1996, The Criminal Justice and Licensing (Scotland) Act 2010 and criminal offences of assault.

What can you do to help stop bullying and harassment?

16. We all have a responsibility to help create and maintain a harmonious work environment free of bullying or harassment. You can help to do this by:
 - treating your colleagues with dignity and respect;
 - being aware of how your own behaviour may affect others and changing it, if necessary - you can still cause offence even if you are "only joking";
 - taking a stand if you think inappropriate jokes or comments are being made;
 - making it clear that you find harassment or bullying unacceptable;
 - intervening, if possible, to stop harassment or bullying and giving support to recipients;
 - reporting harassment or bullying to your manager, trade union representative or Human Resources (HR);
 - supporting us in the investigation of complaints; and
 - when a complaint is made, not prejudging or victimising the complainant or alleged bully or harasser.
17. Managers have the following responsibilities to:
 - set a good example by their own behaviour;
 - ensure that there is a supportive working environment;
 - make sure that staff know the standards of behaviour expected of them;
 - intervene to stop bullying or harassment; and
 - report promptly to HR any complaint of bullying or harassment, or any incident of bullying or harassment witnessed by them.

18. Our responsibilities include ensuring that:

- complaints are dealt with promptly through the grievance procedure with referral to the disciplinary procedure, if appropriate,
- all information relating to complaints of bullying or harassment will be dealt with fairly, sensitively and confidentially, and
- support, such as mediation or counselling, is provided.

Making this policy work

19. All employees will be made aware of this policy, where you can get further information and advice, and how you can deal with problems if they arise.
20. All line managers will be advised of their responsibilities to promote positive behaviour and relationships and ensure that their own behaviour and that of their staff meets the standards expected of them. Where appropriate, training will be given.
21. Making a complaint under the following procedure which you know to be untrue or giving evidence which you know to be untrue, may lead to disciplinary action being taken against you.
22. This policy will be reviewed initially after one year and periodically thereafter.

Procedure to deal with bullying and harassment [\[top\]](#)

Introduction

23. As a responsible employer, we are committed to protecting and promoting the dignity at work of all our employees. To this end we will seek to ensure that all our employees treat each other, and are themselves treated, with respect and dignity at all times.

Scope

24. This procedure applies to all our staff in all circumstances associated with your employment with us. It will apply to you both on and off our premises when in the course of your work. It includes the behaviour of visitors or other persons.

General principles

25. You should not feel bullied or harassed in any situation during the course of your work.
26. If you find someone's behaviour to be inappropriate or offensive, you can raise a grievance and we will investigate the issue and provide support.
27. This procedure should be followed in as fair and impartial a manner as is possible.
28. Confidentiality will be observed at all stages of the procedure by all parties including

witnesses.

29. We will deal with any case of potential bullying or harassment as promptly as possible. To ensure this happens, we have set time limits in the formal procedures. If there is a delay to the smooth running of the procedure (for example, the absence of a witness or the unavailability of staff) we will discuss the delay and agree an extended timescale with you.
30. You should not be victimised because you raise a grievance. Neither should those against whom you have raised the case. All parties involved should ensure that normal working arrangements will, as far as is practicable, apply whilst your case is being heard.
31. You may be subject to our disciplinary procedure if at any stage we feel that your accusations are being made maliciously.
32. At any stage of the informal or formal process, you may seek advice and/or support and be accompanied by a colleague or representative (either a full-time official or an internal representative) from a certified trade union.
33. At any stage of the informal or formal process, you may seek advice and/or support from Human Resources (HR). Such support may include counselling or mediation.
34. Support may also be provided to your alleged bully/harasser throughout the informal and formal process. Where possible, a different member of HR/trade union representative will support the alleged harasser and the complainant.
35. You will have the opportunity to put forward your grievance in writing and/or in person and/or have a representative to put forward your case.
36. Direct involvement of a manager in an earlier stage of the formal process will normally preclude him or her from acting as hearing manager at a subsequent stage of the procedure.
37. HR may nominate a substitute manager in the event of a specific level of management being unavailable to participate in the procedure.
38. HR staff have a responsibility to:
 - try and facilitate resolution of the matter;
 - advise all parties as necessary and;
 - ensure the correct procedure is being followed.
39. At each stage of the formal process all documentation relating to the case should be copied to HR for record purposes and, where agreed, to any nominated union representative(s).

What do I do?

40. If you believe you are being bullied or harassed you should keep a diary note of any instances, recording what happened, when it happened, who may have witnessed the

alleged behaviour and how it made you feel.

41. You can then choose, based on the seriousness of the unacceptable alleged behaviour, what steps you wish to take. It may be sufficient to challenge the behaviour once by giving appropriate feedback, or you may wish to take your case through our informal or formal grievance procedure.
42. If you choose to remain anonymous, we may not be able to take any direct action. However we may be able to address your complaint through indirect methods such as publicising the policy and general staff training.

Informal process

43. The Grievance Procedure emphasises that there should be an attempt to resolve issues informally in the first instance. Below is an illustration of how this may apply in cases of alleged bullying or harassment.
44. You may be able to sort out matters informally. The person may not know that his or her behaviour is unwelcome or upsetting. An informal discussion may help him or her to understand the effects of his or her behaviour and agree to change it. You may feel able to approach the person yourself, or with the help of a member of HR, a manager, trade union representative or another colleague. Alternatively, an initial approach could be made on your behalf by one of these people.
45. You should tell the person what behaviour of theirs you find offensive and unwelcome, and say that you would like it to stop immediately. You may want to add that, if the behaviour continues, you intend to make a formal grievance to your manager or HR.
46. You should keep a note of the date and what was said and done. This will be useful evidence if the unacceptable behaviour continues and you wish to raise a formal grievance.
47. If after speaking with the individual the unacceptable behaviour stops then that will be the end of the process.
48. If the individual is unwilling to listen/discuss the issue or there are further instances of unacceptable behaviour then you can move to the formal process.

Formal process

49. If you wish, formally, to raise your case, our formal grievance procedure will be followed.
50. The formal grievance procedure outlines that the role of those conducting grievance hearings is to decide whether the grievance is upheld on the balance of probabilities. Within the grievance report they may comment on actions they would recommend for individuals or SFC to take forward.
51. If, on completion of the process, your grievance is upheld, we will action the recommendations of the grievance report. It may then be necessary to invoke our

disciplinary procedure.

Third party harassment

52. If you are being bullied or harassed by a stakeholder or other external party who is not covered by our disciplinary procedures you should following the same process, namely:
- seek an informal resolution; then
 - raise a formal grievance.
53. At an appropriate stage of either the informal or formal process our management will contact the relevant external party and inform them of our concerns in regards of the alleged behaviour of their member of staff and allow them the opportunity to respond with any actions they plan to take, this may include investigating the alleged incident and, where appropriate, any disciplinary action. The member of staff will be kept fully informed of all communications received and sent to the relevant external party in a timely manner. It is understood that at the informal stage in particular you may not want to approach a third party directly and require more support from management.
54. We will support you during this process and will put in place suitable provisions to avoid future exposure to such behaviour. These provisions may include you being accompanied during future dealings with the alleged bully/harasser or all future contact being avoided. However we will ensure that you will not suffer any detriment in status or responsibilities as a result of the avoidance of future contact.

Guidance on how to deal with bullying and harassment [\[top\]](#)

What is harassment?

55. Harassment is unwanted conduct affecting the dignity of people in the workplace, which may be related to age, sex, race, disability, religion, sexual orientation, gender identity, family status, nationality or any personal characteristic of the individual. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.
56. Examples of harassment are:
- invasion of personal space;
 - display of offensive materials;
 - physical contact;
 - obscene remarks and gestures, gossip;
 - pressure to provide sexual favours;
 - physical attacks.
57. Intrusion by pestering, spying and stalking are also recognised as persistent and repeated contact with, or attempts to contact, a particular victim. The nature of office

work will involve closer contact with colleagues than with other individuals and as such a degree of familiarity with, e.g., a colleague's daily routine may arise. Where there is evidence of unwanted and unwarranted continued attention and contact from the perpetrator to the recipient, which results in distress or fear, this will be taken seriously and potentially treated as harassment.

What is bullying?

58. Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
59. Most bullying at work is not physical, but psychological. It's a hidden, yet repetitive progression of small events and persistent harassment. It can take on a perfectly innocent appearance; for example, it may be an apparently harmless joke, at your expense, but if you object, the bully may accuse you of having no sense of humour, or of taking things too seriously.
60. Obvious bullying might consist of:
 - using physical violence towards you;
 - shouting or swearing at you, in public or private;
 - instant rages over trivial matters;
 - humiliating you in front of colleagues or behind your back;
 - deliberately ignoring or isolating you in public;
 - never listening to your point of view;
 - labelling you or calling you names;
 - making personal insults or ridiculing you;
 - being sarcastic towards you; and
 - damaging your reputation.
61. Underhand (or covert) bullying might include:
 - constantly undervaluing your efforts;
 - persistently criticising you;
 - setting deadlines or objectives that are impossible to achieve;
 - constantly changing your objectives or targets;
 - withholding information and blaming you for being ignorant;
 - spreading malicious, unfounded rumours about you;
 - ignoring, excluding and isolating you;

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- threatening you;
 - removing areas of responsibility for no real reason;
 - giving you menial or trivial tasks;
 - stealing your ideas and taking credit for your achievements;
 - giving you too little or too much work;
 - blocking your potential promotion;
 - refusing reasonable requests for leave or training;
 - constantly overruling your authority;
 - monitoring everything you do; and
 - blaming you whenever things go wrong.
62. Bullying or harassment is not necessarily face to face, it may be by written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), electronic email (so called 'flame-mail') or phone.
63. Bullying can sometimes be quite unconscious. The bully may be unaware of his or her own motives or of the full effects of their behaviour, and you may not be able to pinpoint why your morale is so low. On the other hand, a bully may be aware of causing you offense, but he or she may see it as strong management or positive hands-on supervision. However, if they are constantly and vindictively picking on you, and disguising this from other people, the bullying is deliberate. Whether or not they are consciously intending to be hurtful or not is irrelevant. What counts is whether their behaviour is acceptable by normal standards, and whether it disadvantages you.

How can I judge if my own behaviour is appropriate?

64. You should read and be aware of the different types of bullying and harassment so as to try and avoid incidents of unacceptable behaviour. A basic guide would be that if it 'feels' wrong then it probably is.
65. If you have any doubt about what is acceptable behaviour with colleagues you should consider whether or not your actions or behaviour would be appropriate or acceptable to:
- your spouse or parents; or
 - a colleague of the same sex.
66. If you realise that you have behaved inappropriately, whether intentionally or not, you should acknowledge your behaviour and apologise immediately.

Managers – is my behaviour appropriate?

67. Bullying is not the same as firm and fair management. All managers have the right to

manage and a responsibility to provide leadership and are given the authority to do so. This includes setting expectations about what staff members should accomplish at work and using effective and honest communication to feed back on staff performance and conduct. This involves suggestions for improvement as well as praise for a job well done, and such could be received by staff members as criticism. Managers need to ask themselves the following questions:

- is the criticism constructive or destructive?
- is the criticism about the mistake, or about the person?
- is it designed to make the person aware of their error and to get it right in future, or just to humiliate them?

68. The line is crossed between firm and fair management and bullying when there is a purposeful, malicious intent. It happens when hurting, intimidating, upsetting, embarrassing, humiliating, or offending an employee or colleague is more important than getting the task done.

Am I being bullied or harassed?

69. If, by looking at the above lists of bullying and harassing behaviour, you believe that the behaviour of a colleague may constitute bullying or harassment you should take action.
70. If you are unsure whether or not the behaviour constitutes bullying or harassment you may find it helpful to speak to a colleague, especially if they witnessed the behaviour, and ask for their opinion.
71. If you find a colleague's behaviour towards you unacceptable then his/her conduct may be harassment whether or not they intend to offend. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.
72. A basic guide would be that if it 'feels' wrong then it probably is.

I am being bullied/harassed, what should I do?

73. You need to address the issue, otherwise you will reinforce the other person's behaviour. You need to act after the first instance as the individual may repeat their behaviour if not confronted. You (or a manager, trade union representative, member of HR or other colleague) should tell the individual that their behaviour is not acceptable by following the informal process above.
74. Bullying and harassment are not acceptable at work and perpetrators should be aware of this. There are strategies on how you can deal with situations/people. Some of these will involve directly addressing the behaviour and some will minimise its effect on you and your wellbeing. These include a combination of:
- keeping a log of all relevant incidents – when they happened, where they happened, who was there, what was done and how it made you feel.

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- trying to avoid situations where you are alone with the bully/harasser;
 - removing yourself from the situation; and
 - getting support from a colleague, trade union representative or member of HR.
75. You should try to have others at hand to witness incidents. Seek confirmation of the bullying/harassment as soon as you identify it by talking to colleagues to see if they will support you.
76. You should keep a record of the incidents, and any relevant documents, such as emails, memos and faxes, you may have received. Log dates and details of all the incidents that cause you distress and all the undermining actions, cutting remarks, or the attacks on your character or personal ability. Incidents may seem trivial in themselves, but put together, they can form a clear pattern.
77. If the individual's behaviour does not change or is of a serious nature you may need to raise a formal grievance through our grievance procedure. In raising your grievance you will not be victimised for making your complaint which will be taken seriously.

What to do if I witness someone else being bullied/harassed?

78. You need to take action otherwise you will be condoning the behaviour.
79. Witnesses are the third party to incidents and you may feel vulnerable like the victim, particularly if the person accused of bullying or harassment is employed on a higher grade than you. It is often difficult to know what to do if the victim appears to be ignoring the bullying or harassment.
80. There are several steps you should take if you observe someone being bullied or harassed:
- record the incident;
 - speak to the person who is being bullied or harassed informally and confidentially and tell them what you have observed;
 - ask if they feel able to discuss the situation. Do not underestimate the effects of the bullying or harassment on them since they may be upset or unable to talk to anyone. Do not press for information.
 - if they wish to discuss the incident, listen sympathetically and, if permitted, take notes as these may be useful at a later stage. You must respect the person's privacy and need for confidentiality; and
 - if they are unable to discuss the matter with you, encourage them to talk to someone they trust, such as a union representative or member of HR. Offer to contact the person they choose on their behalf and make arrangements for a meeting.
81. Remember that if a formal complaint is made, you may be called upon to give evidence

so keep your notes for any such hearings.

Appendix

Bullying and harassment procedure flowchart [\[top\]](#)

This PDF format document can be accessed [HERE](#)

Document History

This Policy and Procedure does not form part of SFC's terms and conditions of employment.

Owner: Human Resources

Version number	Changes	Date approved
1.0		30/08/2017 Ratified by JNCF

Review cycle: where there is a change in elements of the policy or periodically every two years.