

VWA Dignity at Work Policy

This Policy covers the behaviour of staff and contractors which occurs at the workplace or in direct connection with a person's employment, e.g. off-site during a lunch hour.

In conjunction with the Company's Equality and Diversity Policy, employees should be able to enjoy a work environment which is free from all forms of discrimination or intimidation, and conducive to effective job performance. In keeping with this commitment, employee behaviour or conduct which involves the harassment or intimidation of any fellow employee is unacceptable and will not be tolerated.

Harassment can take different forms. It consists of unwelcome and demeaning conduct, whether verbal, physical or visual, that is based upon a person's sex, colour, race, sexual orientation, ethnic or national origin, religion, belief, disability, age, or gender reassignment. This Policy covers not only harassment but also intimidation, such as bullying or victimisation. Any such behaviour will be viewed as a disciplinary offence, which, according to the level of seriousness, may be grounds for dismissal.

Every worker has the right to be treated with dignity and respect in the work place. Harassment and intimidation can be either intentional or unintentional. It is therefore possible for a staff member to harass or bully someone even though they are not deliberately intending to do so. What is important is the impact of the unwelcome conduct on, and the feelings of, the complainant. The perpetrator may claim that they "were only joking" or "didn't mean it". In some cases this may be an explanation, but it is not an excuse or defence, either in law or under this Policy.

The Company recognises the problems that harassment or intimidation can cause at work. We aim to ensure that such unacceptable behaviour does not take place, and are therefore communicating this Policy to all employees. The prohibitions in the Policy apply to everyone in the workplace and at all levels throughout the Company.

Sexual and racial harassment deserve special mention. They are both forms of unlawful sex and racial discrimination, and as a consequence amount to prohibited behaviour and conduct. They also represent improper and inappropriate behaviour which lowers morale and interferes with the effectiveness of staff working relationships. Our policy as a Company is to make every effort to remove, and protect staff from, sexual or racial harassment and intimidation in the workplace. The Company will not permit or condone sexual or racial harassment.

Sexual and racial harassment refers to unwanted conduct of a sexual or racial nature, or conduct based on sex or racial abuse which is offensive to the recipient. It is behaviour of a socially unacceptable nature - which is unsolicited, personally considered to be offensive, and fails to respect the rights and dignity of others. Moreover, it could interfere with an individual's performance and approach to work, and create an intimidatory, hostile or offensive working environment.

Such harassment may be repeated behaviour or a one-off incident. It may even be unintentional on the part of the harasser. Because there are social and cultural differences in behaviour, employees should be sensitive to the impact their actions may have on the feelings of those around them.

Examples

The following are examples of unacceptable and inappropriate behaviour which can amount to sexual or racial harassment covered by this Policy:

Physical conduct of a sexual nature: Unwanted physical contact including unnecessary touching, patting, pinching or brushing up against another employee's body, assault or coercing sexual acts.

Verbal conduct of a sexual or racial nature: Unwelcome sexual advances or requests, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, offensive or suggestive remarks, intimate questions, innuendoes, lewd comments, obscene jokes, other foul or obscene language, including inciting racial hatred.

Non-verbal conduct of a sexual nature: The display of sexually-suggestive pictures, objects or written materials (including pin-ups), leering, whistling or making sexually suggestive gestures.

Sex-based or racially abusive conduct: Conduct which denigrates or ridicules or is intimidatory or physically abusive to an employee because of his or her sex or race, such as derogatory or degrading abuse or insults which are gender related or of a racial nature, and offensive comments about dress, appearance, physique or hygiene.

Bullying: This affects not only the individual(s) involved, but also the wider organisation as a whole, since staff working in a climate of fear and resentment, do not give their best. Where bullying occurs and is not dealt with, sickness absence and staff turnover will increase, and morale and performance levels will fall. Bullying at work can take many forms. The following are some of the more common ways:

- Shouting at a colleague, unjustified negative attacks on a colleague's personal or professional performance, criticising a colleague in front of others.
- Spreading malicious rumours/making malicious allegations.
- Setting objectives with impossible deadlines or unachievable tasks.
- Removing and replacing areas of responsibility with menial or trivial tasks.
- Undervaluing a colleague's contribution, placing unreasonable demands on and/or excessive over-monitoring of a colleague's performance.
- Withholding information with the intent of deliberately affecting a colleague's performance.
- Excluding colleagues by solely talking to third parties to isolate another.
- Abusive, overbearing, threatening or insulting words or behaviour.

Bullying does not therefore include legitimate, justifiable, appropriately conducted criticism for an employee's behaviour or job performance.

Offsite Behaviour

This Policy covers the behaviour of staff and contractors which occurs at the workplace or in direct connection with a person's employment, e.g. off-site during a lunch hour. Generally this excludes social events not organised by the Company and not held on Company premises, but employees are expected to behave properly outside work and if any such unacceptable and unwelcome behaviour as described above occurs in relation to another employee at a social function after working hours or during meal breaks, where the reputation of the Company is brought into question, the Company will take appropriate disciplinary action against the offender(s).

Duty of Managers and Supervisors

Line management is responsible for ensuring that the staff who report to them perform to an acceptable standard. Accordingly, all Managers and Supervisors have a positive duty to implement this Policy and to take corrective action to eliminate any harassment or intimidation of which they become aware. Failure to do so will be treated as a failure to properly fulfil all the responsibilities of their position.

No Manager or Supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's rejection of sexual advances or resistance to any form of racial abuse or intimidation will be used as a basis for a decision which detrimentally affects that employee's employment or career prospects with the Company. Such conduct shall be treated by the Company as a serious disciplinary offence by the Manager or Supervisor.

Duty of Employees

Employees have a clear role to play in helping to create a climate at work in which harassment or intimidation is unacceptable. Each employee is responsible for being fully aware of and following the guidelines of this Policy, so as to ensure that their colleagues are treated with respect and dignity and to minimise the occurrence of such unacceptable conduct.

Employees can do much to discourage harassment or intimidation by making it clear that they find such behaviour unacceptable. Recipients of harassment or intimidatory behaviour should, where practicable, tell the harasser that the behaviour is unwanted and unacceptable. Once the offender understands clearly that the behaviour is unwelcome, this may be enough to put an end to it. If the behaviour continues, employees should inform management and request assistance in stopping the harassment or intimidation, whether through informal or formal means.

Further Information

Any queries or requests for further information concerning this Policy should be directed to the Director

Enforcement and Procedure for Dealing with Harassment Complaints

Employees who believe that they have been bullied or harassed in contravention of this policy should raise this issue with their manager in the first instance. The complaint should be made in writing. Human Resources will then arrange for a suitable level Manager to investigate the matter, whether formally or informally, depending upon the circumstances.

Where, following that investigation, the individual who raised the complaint is dissatisfied with the Company's response to the investigation, the matter may be pursued further through the Grievances Procedure (See handbook).

This Dignity at Work Policy does not form part of the contract of employment or otherwise create any contractual rights or obligations.