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People Management Toolkit

# Dignity at Work

Agreed in conjunction with ACAS and PCS

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Sport for life

**sportscotland**  
the national agency for sport

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**Our values are: honesty, respect, integrity, openness, inclusion, ambition**

## 1.0 Introduction

- 1.1 **sportscotland** is committed to working towards creating a culture where everyone is treated fairly and with dignity and respect. This policy explains the behaviours that are expected to be demonstrated at work and the rights and responsibilities of all **sportscotland** employees.
- 1.2 **sportscotland** provides training, guidance and information to help employees to understand what behaviours should be demonstrated at work and why it is important to treat everyone fairly, and with dignity and respect.
- 1.3 **sportscotland** is dedicated to promoting equality, diversity and human rights in employment and, in managing dignity at work matters, will not discriminate on the grounds of including but not limited to disability, age, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation and also gender identity, responsibility for dependents, political beliefs, trade union activity, socio-economic background, Looked After Children and Care Experienced Young People (LACYP) or other relevant factors.

## 2.0 Scope of Policy

- 2.1 **sportscotland's** policy is to:
  - ensure the dignity at work of all our employees;
  - respect and value differences;
  - demonstrate our commitment to equal opportunities for all;
  - seek to prevent and deal with any acts of discrimination, exclusion, unfair treatment and other negative and demeaning behaviours;
  - be open and constructive in our communications;
  - act fairly, reasonably and consistently;
  - educate our workforce in the development of positive behaviours.
- 2.2 It is expected that Line Managers will ensure all their staff are made fully aware of the behaviour that is expected of them personally, and of their team within the organisation, through providing appropriate communication, support, training and development.
- 2.3 This policy applies to all **sportscotland** employees and workers, including contractors, agency and freelance staff.

## 3.0 Guidelines

- 3.1 Our values guide our behaviour and define how we do things at **sportscotland**. Our values are: honesty, respect, integrity, openness, inclusion and ambition. Achieving dignity at work requires a collaborative effort by managers and employees behaving in line with **sportscotland's** values.

### **What are the Rights and Responsibilities of sportscotland Employees?**

- 3.2 Within **sportscotland** we all have the right to:
- be treated with dignity and respect;
  - express personal and professional opinions and values in a way that does not cause offence;
  - challenge and say 'no' to unreasonable requests and behaviours;
  - decide what behaviour is acceptable and to have feelings respected by others;
  - know what is expected;
  - ask for help.
- 3.3 All employees have a responsibility to help create a culture where everyone is treated fairly and with dignity and respect. Individuals can help to do this by:
- proactively working to build, supportive and productive working relationships;
  - protecting the rights of others;
  - listening to and encouraging the constructive use of differences in views and approaches;
  - being fair and just in any dealings;
  - being aware of how behaviour may affect others and changing it, if necessary;
  - dealing fairly and firmly with unacceptable behaviours;
  - taking a stand if inappropriate comments are being made;
  - being aware that different people find different things acceptable;
  - making it clear to others when their behaviour is unacceptable.

### **What is Unacceptable Behaviour?**

- 3.4 Unacceptable behaviour can take many forms and can range from subtle conduct such as side-remarks or jokes to physical attack. It can also include behaviour which deliberately or inadvertently excludes individuals from normal activities in the workplace, such as invitation to and participation at meetings.
- 3.5 Some behaviour may be considered unacceptable, whether or not the person behaving in that way intended to offend. Behaviour which any reasonable person would realise would be likely to offend will be bullying or harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to them, e.g. inappropriate comments about a persons appearance or their beliefs. It may not be so clear in advance that some other forms of behaviour would be unwelcome, or could offend a particular person, e.g. certain "banter", flirting or asking someone for a private drink after work. See Appendix 1 for further definitions

- 3.6 Online behaviour is considered equivalent to face-to-face behaviour. Employees must not engage in any conduct online that would not be acceptable in the workplace or that is unlawful.

## 4.0 Overview of Procedure

### INFORMAL PROCEDURE

#### Dealing with Unacceptable Behaviour

- 4.1 Matters involving minor issues about an employee's behaviour can sometimes be managed by the Line Manager raising these informally, as soon as they can, as part of the everyday working relationship. It is often possible to sort out matters informally, particularly if the person does not know that his or her behaviour is unwelcome or upsetting. An informal discussion may help them to understand the effect of their behaviour and agree to change it.
- 4.2 Managers and employees should always try to resolve problems in the workplace at the earliest possible opportunity and usually with the least possible formality. If; however, it is felt the behaviour is sufficiently serious that it cannot be resolved informally, or unacceptable behaviour continues after it has been discussed informally with the person acting inappropriately, it will be necessary to use the formal Disciplinary or Grievance procedure.

#### **Role of the Line Manager**

*Line Managers are responsible for setting a good example by their own behaviour ensuring that they communicate to all their staff the behaviours expected of them set boundaries, intervene to stop unacceptable behaviour, provide a supportive working environment, report allegations of victimisation, bullying and harassment to; their manager (or appropriate manager), Head of Service or HR.*

- 4.3 People who witness unacceptable behaviour, as well as those who experience it directly, have a responsibility to raise concerns.
- 4.4 It is advised that those who experience or witness unacceptable behaviour keep a record of any incidents that occur or attempts to address the issue; noting the dates, times, circumstances and names of any witnesses. This will be useful in the event that a formal route is needed to deal with the issue.

#### **Talking to the person concerned**

- 4.5 An informal discussion can help the person who is behaving unacceptably to understand the effects of their behaviour and agree to change it. The person may not know that their behaviour is unwelcome or upsetting.

#### **What to do if a colleague wants to discuss a concern**

- 4.6 A complaint should not be ignored because the behaviour was intended as a joke, or it is felt that the complainant was being too sensitive. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others – it could be that unintentional offence has been caused. The employee may feel able to approach the person themselves, or with the help of someone in HR, a trusted manager, Trade Union Representative or another employee. Alternatively, an initial approach could be made on the employee's behalf by one of these people. Following an informal discussion the employee may be willing to accept an apology.
- 4.7 To ensure fairness, anyone asked to support a colleague should follow the procedures in this policy. HR and or the Trade Union are available for further advice.

#### **Role of HR**

*HR will support Line Managers on the application of the policy throughout the process, by providing advice and guidance.*

#### **FORMAL PROCEDURE**

- 4.8 The formal procedure is appropriate when the matter is considered very serious or informal routes have been unsuccessful.
- 4.9 The process will be confidential and unbiased. Any employee who feels that they have been subject to unacceptable behaviour, been bullied, harassed or victimised will be made aware of the various options and given adequate support. The employee accused of alleged unacceptable behaviour may also need the same support, with the emphasis being on resolution rather than blame.

#### **What needs to be done and who should do it?**

- 4.10 In the case of complaints about victimisation, bullying or harassment, the employee can choose whether to raise their grievance with their Line Manager or directly with HR. Thereafter the appropriate stages of the Disciplinary or Grievance Procedure will be followed.
- 4.11 Confidentiality will be maintained during any investigation as far as reasonably practicable and allegations will normally require limited disclosure on a "need to know" basis. For example, the employee's identity and the nature of the allegations must be revealed to the person about whom the complaint is being made, so they are able to respond to the allegations. Some details may also have to be given to potential witnesses but the importance of confidentiality will be emphasised to them.
- 4.12 Wherever possible, **sportscotland** will try to ensure that the complainant and the person about whom the complaint is being made are not required to work together while the complaint is under investigation. This situation will be handled sensitively and with consideration of the parties involved.
- 4.13 Any employee involved in the process, either formally or informally, is able to access confidential support, though the [Employee Assistance Programme](#) should they wish to do so.

- 4.14 In a serious case, the person about whom the complaint is being made may be suspended with pay, while an investigation and potential disciplinary proceedings are underway. In very serious cases, a criminal offence may have been committed and matters may be reported to the police by **sportscotland** and or the complainant

## **Appendix 1 – GENERAL DEFINITIONS**

### **Unacceptable Behaviour**

Unacceptable Behaviour is any behaviour that is unwanted, unwelcome and undermines an individual's dignity at work. This includes behaviour that unreasonably threatens job security, promotion prospects or that creates an intimidating working environment. Behaviour may be perceived as unacceptable, even if there was no intent to cause offence. Behaviour may also have overtones that a member of staff finds offensive, even if it was not directed at them.

### **Discriminatory Behaviour**

Discriminatory behaviour can occur on the basis of perceived group membership, affiliation or association. The Equality Act 2010 legally prevents those who share 'protected characteristics' from discrimination on the basis of their shared characteristic. These are; Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race (including ethnic origin, nationality and colour), Religion or Belief, Sex, and Sexual Orientation. Transgender staff includes staff who have undergone, are undergoing or intend to undergo gender reassignment.

### **Victimisation**

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint.

### **Bullying**

Bullying is defined as offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the person on the receiving end.

### **Harassment**

Harassment is defined as being unwanted conduct related to relevant protected characteristics (see above), which has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. The Equality Act 2010 specifically defines harassment and employees can complain of behaviour that they find offensive, even if it is not directed at them.

### **Sexual Harassment**

Harassment of a sexual nature is one of the most common forms of harassment and is specifically outlawed in the Equality Act 2010. Sexual harassment can be defined as unwelcome physical conduct ranging from touching to serious assault; unwelcome sexual advances; the offer of rewards for going along with sexual advances, e.g. promotion, access to training; threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment, evaluation, pay, advancement, assigned work, or any other condition of employment or career development.

## Version Control History

Group update with HR and PCS Union.  
To be reviewed within 3 years of the date below.

Name	Position	Signature	Date
Callum MacInnes	HR Manager	DocuSigned by: <i>Callum MacInnes</i>	16-Oct-19   07:54:44 F
Nichola Raccio	HR Officer	A63B04DB49TE4EE... DocuSigned by: <i>Nichola Raccio</i>	16-Oct-19   15:44:32 E
Andrew Kelly	Trade Union Representative	F41C0130B7114AB... DocuSigned by: <i>Andrew Kelly</i>	17-Oct-19   09:44:46 E
Scott Baxter	Trade Union Representative	3F74D29D3E1F49E... DocuSigned by: <i>Scott Baxter</i>	16-Oct-19   16:12:19 E
		1455ED4FC7E1447...	