



DIGNITY AT WORK POLICY

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US Dignity at work policy

Background

Our guiding values at the United Synagogue (US) are based in the principles of Modern, Authentic and Orthodox Judaism as defined by our Chief Rabbi. In order to deliver on this vision, we must ensure that all individuals, including our staff and volunteers, are treated fairly, with respect and dignity, throughout the organisation. A basis for this in our classic texts is to be found in Ethics of the Fathers (4:3), “Despise no one and disdain nothing, for there is no one who does not have his hour and there is nothing that does not have its place”.

We are committed to developing our organisational culture to ensure that diversity and difference are actively supported. Fairness and inclusion are important principles for the United Synagogue and we value the diversity of our staff and respect individual differences within an inclusive working environment.

We want to continue to attract and retain a diverse workforce where halachically (according to Jewish Law) appropriate, and are committed to eliminating discrimination and complying with our statutory duties around equality.

We recognise the clear link between fairness and equality in our employment practices. We continue to develop and evolve our employment practices, in order to maintain confidence in the integrity of our decision making.

Unacceptable behaviour has no place in our organisation and will not be tolerated. The senior leadership team are the champions of the policy and are determined to ensure effective embedding of these values throughout the organisation. We expect managers, volunteers and staff at all levels to uphold the principles of Dignity at Work and the standards of behaviour outlined in this policy, thereby ensuring a better working environment for all.

Policy statement

The United Synagogue is committed to respecting individual differences whilst pursuing a common purpose and to having a workforce that is treated fairly, with respect, and that feels valued for the contribution every member of staff or volunteer makes. All individuals are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. Discrimination of any form will not be tolerated.

Purpose

This policy affirms the United Synagogue’s commitment to developing a positive working environment and a respectful and inclusive culture, in which diverse contributions can flourish. It also sets out standards of acceptable behaviour and the specific responsibility staff and volunteers have in this regard.

Scope

This policy applies to all staff, volunteers, contractors and other stakeholders, working with, for or on behalf of the United Synagogue.

Staff responsibilities

All staff and volunteers should work together in a fair and inclusive manner in order to build a better culture and organisation. Within the United Synagogue, all staff and volunteers are expected to treat each other with respect whatever their differences, level of seniority, job role, status or relationship. As an employee or volunteer working for the organisation your responsibilities are:

- To ensure that the rights of others are respected and upheld;
- To be polite and take a positive, responsive and considerate approach when dealing with members, colleagues (whether employed or voluntary) and other organisations;
- To support and encourage an environment which values all people and not to cause embarrassment, conflict of interest, harassment, alarm or distress to another employee, volunteer nor discriminate unfairly or unlawfully on any grounds;
- To avoid actions which may adversely affect the reputation of the organisation;
- To maintain a professional approach to your work and colleagues;
- To conduct yourself in accordance with the procedures and guidance set out in United Synagogue's Code of Conduct.

Equality Act 2010

The Equality Act 2010 outlines the provisions for employers in relation to making the workplace a fair environment and to comply with the law. It also sets out the different ways in which it is unlawful to treat someone, such as, direct and indirect discrimination, harassment, victimisation and failing to make reasonable adjustments for a disabled person. As an employer, the United Synagogue is responsible for the prevention of bullying, harassment, discrimination and victimisation and other unacceptable behaviour within the workplace. The Act extends protection to employees in 'protected characteristic' groups. These include:

- Age;
- Disability;
- Gender Reassignment;
- Marriage and Civil Partnership;
- Pregnancy and Maternity;
- Race (including ethnic origin, nationality and colour);
- Religion or Belief;
- Sex;
- Sexual Orientation.

Harassment

Harassment and bullying on the basis of protected characteristics is discriminatory and unlawful. The Act defines harassment as: 'unwanted conduct related to a relevant protected characteristic that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating the complainant's dignity'.

The Act uses a single definition of harassment to cover protected characteristics and enables employees to complain about specific behaviour that they find offensive even if the behaviour is not directed at them. Protection is also extended to harassment because of perception and association. Harassment may be a persistent or an isolated incident and can be based on protected characteristics.

The legislation offers protection to employees in relation to:

- Direct Discrimination can occur when a rule or policy disadvantages someone because of their particular characteristic.
- Indirect Discrimination can occur where a rule or policy that applies to everyone but disadvantages someone with a particular protected characteristic . However, it may not be discrimination if it can be shown to be a proportionate means of achieving a legitimate aim.
- Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- Discrimination by perception is direct discrimination against someone because they think they possess a particular protected characteristic.
- Harassment by a third party – employees and volunteers are potentially liable for harassment of their staff by people they don't employ.

Discriminatory behaviour (including bullying and harassment) can occur on the basis of actual or perceived group membership or affiliation.

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act 2010; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Bullying

5 Bullying is considered as: 'Intimidation on a regular and persistent basis or as a one off, which serves to undermine the competence, effectiveness, confidence and integrity of the person on the receiving end.'

Bullying and harassment may be by an individual against an individual or involve groups of people. It is destructive rather than constructive and can publicly humiliate and result in individuals feeling threatened or compromised. Bullying also often results from a misuse of management power, but is also the misuse of any form of individual power, such as physical strength, personality or age, or collective power through strength of numbers. Bullying can also be carried out by individuals at all levels, including peers.

For the purposes of this policy, both bullying and harassment are used interchangeably and are not necessarily the same. They may occur in written or face to face communications, electronic communication or by phone. Whatever form it takes, it is unacceptable, unwarranted and unwelcome.

Dignity at Work Policy

The US acknowledges that bullying, harassment and victimisation are discriminatory and unlawful and we view unfair and discriminatory behaviour as unacceptable. We recognise the impact that unacceptable behaviour can have within the workplace and the resultant impact on poor employee relations, low morale, inefficiency and increased complaints. We are committed to taking the appropriate steps to prevent bullying, harassment, victimisation and discrimination within the workplace. The Dignity at Work Policy plays an important part in preventing individuals from experiencing bullying and harassment whilst at work and ensures all staff and volunteers are clear about what is acceptable behaviour in the workplace.

The Dignity at Work Policy outlines that: All employees and volunteers are entitled:

- To a workplace free from bullying, harassment or victimisation.
- To be treated with dignity, respect and courtesy.
- To experience no form of discrimination.
- To be valued for their skills and abilities.

It is essential that unfair and discriminatory behaviour is challenged and stopped within the workplace. Unfair and discriminatory behaviour can be addressed through both informal and formal means. The Grievance Policy and Procedure provides the guidance and mechanism for staff to formally address unacceptable behaviour and to have any complaints resolved.

The policy ensures that all genuine complaints and concerns raised by employees will be treated seriously and sensitively with proper investigation; proportionate to the issues raised and carried out in as timely a manner as possible.

The Dignity at Work Policy therefore enables employees to identify and challenge unacceptable behaviour by invoking the Grievance Policy:

- Towards them individually or as part of a group.
- Towards others within the US.
- From non-US employees, including volunteers.

All employees are entitled to challenge behaviour that they find offensive even if it is not directed at them. Employees who wish to complain are also not required to possess specific protected characteristics in order to challenge behaviour as it can be due to perceptions or association.

If you are subject to or witness unacceptable behaviour either directly or by association or perception you can make use of the Grievance Procedure.

Unacceptable and inappropriate behaviour is considered a breach of the US' Code of Conduct and may result in action being taken under the Disciplinary Procedure, where appropriate. Where the unacceptable behaviour relates to behaviour by a volunteer, after a robust investigation, the volunteer may be reprimanded, have their role limited, asked to complete training, asked to step down or removed.

There is no absolute definition of what 'unacceptable behaviour' is as it is the effect the behaviour has on the recipient that often makes it 'unacceptable'. Discriminatory behaviour can occur on the basis of perceived group membership, affiliation or association.

Behaviour that is unwanted, unwelcome and undermines an individual's dignity at work is unacceptable behaviour. This includes behaviour that might unreasonably threaten job security, promotion prospects or create 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.

Unacceptable behaviour can take many forms and can range from physical attack to more subtle conduct. It can also include behaviour, which deliberately or inadvertently excludes individuals from normal activities in the workplace.

Unacceptable behaviour excludes legitimate actions by a manager to support and encourage an employee to perform against key objectives and to manage performance appropriately. It also excludes legitimate actions taken within the disciplinary or other formal procedures. It does not exclude persons in authority who use their position to bully, abuse or harass others, or assume a

threatening or intimidating management style. Practices, which are discriminatory or potentially discriminatory, do not count as legitimate action (for example, holding a team meeting at 7.30am, which can be potentially discriminatory against those with childcare or other responsibilities for dependants).

Responsibility for Dignity at Work – Standards of Behaviour

Managers at all levels have responsibility for upholding the standards of behaviour outlined in this Policy. All staff and volunteers are responsible for their own behaviour within the workplace and to take the necessary steps to change their own inappropriate behaviour, as well as to challenge unacceptable behaviour in others and support colleagues in maintaining acceptable behaviour in the workplace.

These standards of behaviour cover relationships between:

- Managers and staff they manage (including the way that staff behave towards their managers).
- Staff / volunteers as a peer group.
- Permanent, fixed term and agency staff.
- Staff and third parties such as suppliers.

All Trustees, Honorary Officers, Managers, Staff and general volunteers have a shared responsibility to create an environment where equality and diversity can be effectively embedded within the organisation and where people's differences are genuinely respected. Senior Managers are responsible for ensuring that these standards of behaviour are communicated and understood by all staff and volunteers. They are also responsible for setting the standard and ensuring that their own behaviour is of the highest standard and that appropriate and prompt action is taken if unacceptable or offensive behaviour is identified. All Managers are responsible for upholding these standards of behaviour and leading by example by treating all employees with dignity and respect. They are responsible for ensuring that all their staff / volunteers are aware of the behaviour expected of them and that unacceptable behaviour is challenged and corrected. Everyone is responsible for ensuring that:

- They understand what these standards of behaviour require of them and, that their conduct does not cause offence;
- They should be prepared to support colleagues who are being harassed, bullied, victimised or discriminated against;
- They speak out against unacceptable behaviour that they may have witnessed;
- They should be prepared to challenge and when necessary complain about unacceptable behaviour even if it is not directed at them;
- They should be prepared to challenge all unacceptable behaviour on the basis of perception or association of protected characteristics.

Enforcement and Monitoring

Responsibility for implementing or initiating action in relation to these standards of behaviour is the same as for complaints. The Dignity at Work Policy will be enforced through informal resolution, the Grievance Policy and Procedure and the Disciplinary Procedure, where appropriate.

Breaches of the Dignity at Work Policy will be considered to be a breach of discipline which could lead to disciplinary proceedings, the ultimate sanction being dismissal for employees or removal if a volunteer.

Examples of Unacceptable Behaviour

The lists of examples are not exhaustive but, provide an overview to assist understanding of what may be found offensive whether intentional or not.

Harassment on the basis of age

Relates to behaviour including ridiculing or demanding behaviour focused towards people because of their age, either actual or perceived or through association with individuals of a particular age. This could include behaviour including regarding them as “too old” or “too young”; or making assumptions about lifestyle based on perceived age.

Non-Verbal

- Exclusion from normal work place conversation or activities
- Making assumption about lifestyle/interests
- Denying training/development/promotion opportunities due to age
- Denying training/development/promotion opportunities because of the need to act as a carer for an elderly relative
- Being pressured to retire
- Sending emails or displaying material containing ageist content
- Making assumptions regarding an individual's inability to learn

Verbal

- Questioning ability due to age
- Making patronising comments

Physical

- Setting unrealistic challenges

Harassment on the grounds of disability

Relates to behaviour including derogatory remarks, mimicking, invasive personal questions, staring, ostracising or patronising which are directed at any disabled individual or group of disabled people whether they are perceived to be or are actually disabled or through association with disabled people. The behaviour results in the individual(s) feeling threatened or compromised.

Non-Verbal

- Making inappropriate gestures or mimicking behaviour
- Refusing to make reasonable adjustments
- Exclusion from normal work place conversation or activities
- Holding events at inaccessible venues
- Denying training/development/promotion opportunities because of the need to act as a carer for a disabled person i.e. having a family member, partner or child with a disability
- Sending emails or displaying material containing offensive content relating to disabled people
- Making assumptions about someone's abilities based purely on their disability or perceptions about their disability

Verbal

- Making fun of an impairment
- Mimicking speech impairment
- Using inappropriate terms e.g. cripple, spastic, handicapped

- Inappropriate personal questioning relating to disability Physical
- Unwanted touching, groping or the invasion of personal space (getting too close)
- Inappropriate practical jokes

Harassment on the grounds of gender reassignment

Relates to behaviour including derogatory remarks, ridicule, jokes or stereotypes of any individual's perceived or actual gender reassignment or through association with someone who has undertaken gender reassignment.

Non-Verbal

- Refusing medical leave for a person undergoing medical treatment gender reassignment
- Refusing to treat a person as their new gender once the reassignment process is complete
- Refusing access to appropriate toilets and changing facilities which reflect their acquired gender
- Exclusion from workplace conversations or activities
- Making assumption about lifestyle/interests
- Sending emails or displaying material containing offensive content
- Making assumptions based on grounds of gender identity

Verbal

- Disclosing the person's gender identity to others
- Making inappropriate comments about the person's lifestyle choice
- Intrusive personal questions relating to a person's gender identity and gender reassignment
- Unwanted comments on dress and appearance
- Actual or threatened disclosure of prior gender identify
- Refusal to address individuals in their acquired gender Physical
- Unwanted touching, groping or inappropriate invasion of personal space (getting too close).

Discrimination on the basis of marriage and civil partnership

This relates to direct or indirect discrimination and victimisation on the grounds of marriage and civil partnership. It relates to behaviour which inadvertently or deliberately excludes an individual on the basis of actual or perceived marital or civil partnership status.

Non-Verbal

- Inadvertently or deliberately excluding same-sex partners from social events
- People in civil partnerships not being accorded the same rights as married people for work related benefits, such as flexible working, adoption leave, paternity pay and leave
- Civil partners being denied benefits that are automatically given to married people in the same job, such as employment or training opportunities

Discrimination on the grounds of Pregnancy and Maternity

This relates to direct discrimination and victimisation on the grounds of pregnancy and maternity.

Non-Verbal

- Being demoted or prevented from having training or promotion opportunities because of becoming pregnant or being on maternity leave.
- Being dismissed/made redundant while on maternity leave without following correct and fair procedures.
- Being disciplined for having performance issues due to illness connected with pregnancy.

- Being refused sick leave due to illness connected with pregnancy.
- Being dismissed or treated unfavourably while undergoing IVF treatment without following correct and fair procedures.
- Being refused paid time off for ante-natal care.

Verbal

- Making inappropriate comments about amount of absence/toilet breaks.
- Unwanted comments on dress and appearance.

Physical

- Setting unrealistic challenges.
- Unwanted touching, groping or the inappropriate invasion of personal space (getting too close).

Harassment on the basis of race (including ethnicity, nationality and colour)

Relates to derogatory remarks, racist statements, graffiti, jokes, or any other action of a racist nature based on an individual's perceived or actual race, ethnicity, nationality and colour or through association with someone from a particular ethnicity, nationality and colour.

This pertains to any action which results in the individual(s) feeling threatened or compromised.

Non-Verbal

- Exclusion from normal work place conversation or activities
- Inappropriate gestures
- Sending emails or displaying material containing racist content
- Making inappropriate assumptions based on ethnicity, nationality or colour
- Making assumption about lifestyle/interests

Verbal

- Using inappropriate terms when referring to race (including ethnicity, nationality and colour)
- Using derogatory nicknames
- Making racist comments or jokes
- Stereotyping
- Mimicking someone's accent

Physical

- Inappropriate physical contact

Harassment on the grounds of sex

Sexual harassment is any harassing conduct based on the gender, gender identity or sexuality of the recipient. It relates to any individual's perceived or actual gender, gender identity or through association with individuals of a particularly gender, gender identity or sexuality.

It includes behaviour which results in the individual feeling threatened or compromised. Most sexual harassment is experienced by women, but men also experience harassment. Transgender people may also experience sexual harassment based on perceptions or assumptions about them in relation to their appearance or sexuality

Non-Verbal

- Unnecessarily requiring individuals to work full-time or insisting on staff working long hours. This may disadvantage more women than men as it is still mainly women who take primary responsibility for childcare so cannot work full-time or long hours.
- Unnecessarily requiring variable hours such as shifts and unplanned overtime. This is likely to disadvantage women compared to men because of the difficulties of getting flexible childcare.
- Exclusion from normal work place conversation or activities
- Refusing to offer a position based purely on a gender stereotype i.e. not offering a secretarial post to a man
- Inappropriate gestures, suggestive looks or unwelcome sexual advances
- Sending emails or displaying material containing sexist content

Verbal

- Making rude or abusive comments or requests for sexual favours
- Making sexually explicit jokes.
- Stereotyping.
- Unwanted comments on dress and appearance.

Physical

- Unwanted touching, groping or the invasion of personal space (getting too close).

Harassment on the basis of sexual orientation

Relates to behaviour which condemns or ridicules people because of their perceived or actual sexuality or through association with someone of a particular sexual orientation. This could include derogatory remarks, jokes, graffiti which results in the individual feeling uncomfortable, excluded threatened or compromised.

Non-Verbal

- Inadvertently or deliberately excluding same-sex partners from social events.
- Making assumptions based on sexuality
- Exclusion from normal work place conversation or activities
- Sending emails or displaying material containing offensive content
- Making assumptions based on ethnicity, nationality or colour Verbal
- Using inappropriate terms
- Using derogatory nicknames
- Inappropriate personal questioning relating to sexual orientation or domestic circumstances
- Stereotyping
- Actual or threatened unwanted disclosure of sexuality
- Unwanted comments on dress and appearance Physical
- Unwanted touching, groping or the invasion of personal space (getting too close)

Harassment on the basis of religion or belief

This is where a person is subjected to derogatory remarks, stereotypes, making assumptions or other inappropriate behaviour on the grounds of perceived or actual religion or belief or through association with someone of a particular religion or belief.

This can include statements or assumptions about religion or belief or excluding people on the basis of their religion or belief.

Non-Verbal

- Exclusion from normal work place conversation or activities.
- Arranging team lunches during periods of fasting or religious occasions which may make it difficult for colleagues to attend.
- Inappropriately enforcing a dress code which may not accommodate religious dress.
- Making assumptions based on religion or belief
- Sending emails or displaying material containing offensive content

Verbal

- Making inappropriate comments or jokes about someone's religion or belief or none
- Stereotyping
- Using derogatory nicknames
- Inappropriate comments about use of prayer rooms

Physical

- Inappropriate touching of religious garments or articles.
- Not respecting personal space as it relates to religion or belief.
- Physical abuse of someone who held a particular religion or belief or none.

Annex 1 - Glossary

Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. Discrimination by association already applies to race, religion or belief and sexual orientation. It has now been extended to cover age, disability, gender reassignment and sex.

Harassment

Harassment is 'unwanted conduct related to a relevant protected characteristic that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating the complainant's dignity'. However, harassment under the Equality Act does not apply to the protected characteristics of pregnancy and maternity and marriage and civil partnership.

Indirect Discrimination

Indirect discrimination can occur when a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be shown that an employer acted reasonably in managing its business i.e. that it is 'a proportionate means of achieving a legitimate aim. A legitimate aim might be any lawful decision made in running a business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including the consideration of 'less discriminatory' alternatives to any decision made. It already applies to sex, sexual orientation and marriage and civil partnership. It is now extended to cover disability and gender reassignment.

Perception Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic. Perception discrimination already applies to age, race, religion or belief and sexual orientation. It has now been extended to cover disability, gender reassignment and sex.

Third Party Harassment

The Equality Act makes employers potentially liable for harassment of its employees by people (third parties) who are not employees, such as volunteers, members, suppliers, family members of employees and contractors or their representatives (cleaners). Employers are liable when harassment has occurred on at least two previous occasions that the employer is aware that it has taken place, and have not taken reasonable steps to prevent it from happening again. It already applies to sex and now extended to cover age, disability, gender reassignment, race, religion or belief (none) and sexual orientation.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act 2010; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Annex 2 – Contacts

Organisational Contacts

Chief Executive – cx@theus.org.uk

Human Resources Department – HR@theus.org.uk

Human Resources Business Partners - hrbp@theus.org.uk

Human Resources Admin Team – hadmin@theus.org.uk

Employee Assistance Program – 0800 030 5182 www.healthassuredeap.com

National Contacts

ACAS www.acas.org.uk

Employers Forum on Disability www.efd.org.uk

The Equalities and Human Rights Commission www.equalityhumanrights.com

Government Equalities Office www.homeoffice.gov.uk/equalities/equality-government