



Dignity at Work Policy (Anti-Harassment, Sexual Harassment and Bullying)

This is a non-contractual policy

Reviewed: February 2025
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Approved by CEO & Board Trustees

The Matthew Project (“TMP”) is committed to providing a stimulating and supportive working environment for its employees free from harassment and bullying and that all employees are treated with dignity and respect.

TMP accepts that such an environment cannot be created or sustained if, individually or collectively, employees are subject to harassment, intimidation, or bullying. Employees who feel persecuted, vulnerable and powerless will not be able to work successfully or enjoyably or to the best of their abilities.

TMP believes that the dignity of every person must be respected and that all employees are entitled to a working environment which respects their personal dignity, and which is free from such objectionable conduct. The highest standards of conduct are required of everyone regardless of seniority.

The Dignity at Work Policy (the “Policy”) demonstrates TMP’s zero tolerance to all kinds of harassment and bullying and its intention to create and maintain a culture in which all people have the right to be treated with dignity and respect, in accordance with the Equality Act 2010 and Workers’ Protection Act. This Policy should be read in conjunction with the EDI Policy.

Policy Scope

This Policy applies to all TMP employees and volunteers.

Contents

Promoting Dignity at Work
Harassment
Sexual Harassment
Bullying
Action

- [Informal Action](#)
- [Formal Action](#)

[Link to the Grievance Policy](#)

Promoting Dignity at Work

TMP has a duty to prevent harassment (including sexual harassment) and bullying taking place. The Trustees, CEO and managers have a responsibility to set the standards of acceptable behaviour expected of employees and lead by example. They must ensure their own behaviour cannot be construed as harassment or bullying by acting with fairness and equity always. This includes using their judgment to correct standards of conduct or behaviour which could be seen as harassment or bullying, and to remind others of these standards.

Each person is responsible for their own behaviour.

TMP will not tolerate harassment or bullying in the workplace or at work-related events outside of the workplace, whatever the seniority of the perpetrator and whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not.

Retaliation against, or victimisation of, any person involved in the bringing of a complaint of harassment or bullying will not be tolerated. Employees should be aware that if a court or tribunal finds that they have harassed or bullied someone, they could be liable to compensate the victim. In some circumstances, the treatment may amount to a crime punishable by a fine or imprisonment.

TMP will take appropriate action if any employees are harassed or bullied by service users or suppliers.

If, after investigation, it is decided that an employee has harassed or bullied another employee, then the employee may be subject to disciplinary action, up to and including dismissal. Retaliation or victimisation will also constitute a disciplinary offence which may, in appropriate circumstances, lead to dismissal.

Allegations of harassment and bullying will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially.

Employees who make allegations of harassment or bullying in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Employees have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under the Disciplinary Policy.

Harassment

Harassment pollutes the working environment and can have a devastating effect on the health, confidence, morale and performance of those affected by it. It may also have a damaging effect on other employees not themselves the object of unwanted behaviour, but who are witness to it or who have knowledge of the behaviour.

Harassment is defined in law as any unwanted conduct whether physical, verbal or non-verbal, which has the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for someone or violating their dignity. A single incident can amount to harassment. Harassment also includes treating someone less favourably because they have refused to submit, or have submitted to, such behaviour in the past.

TMP has a zero tolerance to harassment, and it recognises that harassment may take many forms and directed towards anyone. Harassment is illegal in relation to the nine protected characteristics

as defined in the Equality Act 2010 (see below). This extends to direct, indirect, associative and perceptive discrimination in terms of these protected characteristics. Please see the definitions below:

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic.

Indirect discrimination occurs where a policy, rule or procedure at work applies to everyone but has a disproportionate impact on people with a protected characteristic.

Associative discrimination is discrimination against a person because they have an association with someone with a particular protected characteristic.

Perceptive discrimination is discrimination against a person because the discriminator thinks the person possesses a protected characteristic, even if they do not in fact do so.



Harassment may involve action or inaction, behaviour, exclusion, comment or physical contact that the recipient finds objectionable or offensive. A person can be harassed even if they are not the subject of the treatment but are witness to it and that conduct creates an offensive environment for them. Condoning such conduct may be harassment.

What an employee may see as innocent remarks or jokes may constitute racial or sexual harassment if they make a colleague feel embarrassed or uncomfortable. Employees need to avoid any comments which could be seen as sex or race specific, or which refer to a colleague's disability or any other characteristic. Employees should not bring materials into the office, which could be considered distasteful or may create an intimidating or hostile environment.

Sexual Harassment

In accordance with new legislation which came into effect on 26th October 2024, the Worker Protection Act 2023 (Amendment of Equality Act 2010), there is an emphasis on employers to:

- anticipate when sexual harassment may occur and taking reasonable steps to prevent it;
- have a robust reporting and monitoring system;
- complete risk assessments for certain situations; and
- provide Sexual Harassment Awareness training for all employees and volunteers.

The sexual harassment section of this Policy applies to all employees, volunteers, service users, consultants, contractors, and suppliers. It covers sexual harassment from colleagues, service users; members of the public; self-employed consultants; and people at conferences or events.

Sexual harassment is unwanted behaviour of a sexual nature. It is behaviour that has either violated someone's dignity, whether it was intended or not, or created an intimidating, hostile, degrading, humiliating or offensive environment for them and/or those witnessing sexual harassment, whether it was intended or not. It can be a one-off act or a pattern of behaviour, but it doesn't have to be repeated.

Examples of sexual harassment include:

- making sexual remarks about someone's body, clothing or appearance;
- asking questions about someone's sex life;
- telling sexually offensive jokes, making sexual comments or jokes about someone's sexual orientation or gender reassignment;
- displaying or sharing pornographic or sexual images, or other sexual content;
- making unwanted posts or contact on social media such as spreading sexual rumours about a person or sending sexually explicit emails or text messages;
- touching someone against their will, for example, hugging them; and
- sexual assault or rape.

Prevention of Sexual Harassment

TMP provides Sexual Harassment Awareness training and endeavours to create a culture where sexual harassment is understood and reported.

TMP will endeavour to anticipate scenarios when employees may be subject to sexual harassment in the course of their employment and take action to prevent such harassment taking place.

For clarity, the workplace includes the office, a venue of any event or situation which is in any way connected with work. (For example, it could be at a work social function, a fundraising event or messaging between work colleagues, including social media.)

Risk Assessments

TMP will implement risk assessments in situations where there are higher risk factors such as:

- meeting clients or service users alone;
- an environment where people are drinking alcohol;
- work-related social events;
- power imbalances between staff; and
- travelling for work, including overnight stays.

Reporting Sexual Harassment

TMP encourages employees to report sexual harassment.

Complaints of sexual harassment should be made under the Grievance Policy. However, due to the sexual nature of the complaint, TMP will treat the person who is the accuser, and the person accused of sexual harassment with a higher degree of sensitivity and support. In addition, employees are offered multiple options for reporting such grievances, as set out in the Grievance Policy.

In accordance with the Grievance Policy, any malicious, unfounded accusation of sexual harassment will be dealt with under the Disciplinary Policy, which may lead to dismissal.

Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation. It can be physical, verbal, and non-verbal, and can be positive action, as well as positive inaction (for instance ignoring someone).

Legitimate, reasonable and constructive criticism of performance or behaviour, or reasonable instructions given to employees in the course of their employment, will not on their own amount to bullying.

TMP has a zero tolerance to bullying of any sort, either in the workplace or out of it, and all employees should be aware of their own behaviour and the effect that their behaviour can have on others. All employees:

- have the right to work in a workplace free from bullying;
- have the right to be protected from bullying in the workplace;
- have the right to complain of bullying suffered in the workplace in confidence that they will not face any repercussions; and
- have the right to be free from false allegations of bullying.

Action

If an employee feels that they are being harassed or bullied by another employee, they should raise this as a grievance under the Grievance Policy (see below), which can resolve the issue using an informal and/or formal approach.

Informal Action

If an employee feels they are being harassed or bullied they should as a first step, if they are able, raise the matter with the person responsible on an informal basis. They should explain to the individual concerned that the behaviour is not welcome, that it offends or makes them uncomfortable, and that it interferes with their work.

Anyone who has been subjected to harassment or bullying behaviour may seek confidential assistance from their manager. Where an employee finds it too difficult or embarrassing to take up the matter themselves, they can ask their manager to approach the individual on their behalf.

The informal stage will not result in any formal internal investigation or disciplinary action but is intended to enable employees to resolve the matter themselves in an informal manner.

Employees who witness any incidents of bullying or harassment are encouraged to report the matter to a manager.

Formal Action

Employees are expected to cooperate fully with any investigation and provide the following details:

- The name of the alleged perpetrator(s).
- The nature of the harassment or bullying.
- The dates and times the harassment or bullying occurred.
- The names of any witnesses and any action taken by the employee to resolve the matter informally.

The alleged perpetrator(s) would normally need to be told the employee's name and the details of the complaint so that the issue can be investigated properly. However, TMP will carry out the investigation as confidentially and sensitively as possible.

Link to Grievance Policy

Please refer to the Grievance Policy for full details