

### **13. Equal Opportunities and Dignity at Work**

The Trust seeks to provide all staff with the opportunity for employment, career and personal development on the basis of ability, qualifications and suitability for the work as well as their potential to be developed into the job.

We believe that people from different backgrounds can bring fresh ideas, thinking and approaches which make the way work is undertaken more effective and efficient.

The Trust will not tolerate direct or indirect discrimination against any person on grounds of age, disability, gender/gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion/belief, sex or sexual orientation, whether in the field of recruitment, terms and conditions of employment, career progression, training, transfer or dismissal.

It is also the responsibility of all staff in their daily actions, decisions and behaviour to endeavour to promote these concepts, to comply with all relevant legislation and to ensure that they do not discriminate against colleagues, customers, suppliers or any other person associate with the Trust.

In adopting these principles The Trust:

- Will not tolerate acts that breach this policy and all such breaches or alleged breaches will be taken seriously, be fully investigated and may be subject to disciplinary action where appropriate.
- Fully recognise its legal obligations under all relevant legislation and codes of practice.
- Will allow staff to pursue any matter through the internal grievance procedure which they believe has exposed them to inequitable treatment within the scope of this policy.
- Will ensure that all managers understand and maintain their responsibilities and those of their team under this policy.
- Will offer opportunities for flexible working patterns, wherever operationally feasible, to help staff to combine a career with their domestic responsibilities.
- Will provide equal opportunity to all who apply for vacancies through open competition.
- Will select candidates only on the basis of their ability to carry out the job, using a clear and open process.
- Will provide all staff with the training and development that they need to carry out their job effectively.
- Will provide all reasonable assistance to staff who are or who become disabled, making reasonable adjustments wherever possible to provide continued employment. We will ensure an appropriate risk assessment is carried out and that appropriate specialist advice is obtained when necessary.

## **Dignity at work**

The Trust believes that the working environment should at all times be supportive of the dignity and respect of individuals. If a complaint of harassment is brought to the attention of management, it will be investigated promptly and appropriate action will be taken.

## **Harassment at work**

The Trust is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect. Some harassment is unlawful discrimination. Bullying and harassment is considered such if the victim feels aggrieved, not if it was intended to be offensive.

The Trusts recognises that the Equality Act 2010 makes harassment unlawful across all the relevant protected characteristics. Harassment is defined as unwanted conduct related to a relevant protected characteristic that has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment.

The Trust believes that the dignity of every person must be respected. Harassment of colleagues or visitors is unacceptable and will be regarded as gross misconduct. The highest standards of conduct are required of everyone, regardless of seniority. This also applies to contractors and providers working on behalf of the Trust.

The Trust recognises that harassment may take many forms. It may be directed towards persons of either sex. It may relate to a person's ethnic origin, religion or belief, age, sex, pregnancy or maternity leave, sexual orientation, physical or mental attributes or some other personal characteristic.

Harassment may involve action or inaction, behaviour, exclusion, comment or physical contact that the recipient finds objectionable or offensive. It may result in the recipient feeling threatened, humiliated, intimidated, patronised, demoralised or less confident in their ability. Condoning such conduct may be harassment in itself.

Examples of unacceptable conduct include:

- Verbal abuse or insulting behaviour.
- Sexist or racist jokes, jokes about an individual's sexual orientation or jokes about an individual's physical or mental attributes.
- The display or circulation of sexually suggestive or racially abusive material.
- Bullying, coercive or threatening behaviour.
- The ridicule or exclusion of an individual for cultural or religious differences, on the grounds of sex or sexual orientation or on the grounds of disability.
- Unsolicited or unwelcome conduct of a sexual nature including touching, staring or commenting.
- Comments of a sexual nature about a person's appearance or dress.

- Any conduct, whether or not of a sexual nature, which has the purpose or effect of intimidating, degrading, humiliating or offending someone simply because he/she is of a particular sex.
- Treating someone unfavourably because they have rejected or submitted to unwelcome conduct of a sexual nature or to harassment, on the grounds of their sex.

Harassment, particularly on the grounds of sex, sexual orientation, race, disability, religion or belief, will be regarded as gross misconduct for disciplinary purposes. Accordingly, staff guilty of harassment run a serious risk of summary dismissal.

Equally, an allegation of harassment must not be made lightly. If it is found that an allegation of harassment has been made without foundation and maliciously, then this will also be regarded as gross misconduct for disciplinary purposes.

Acts of discrimination, harassment, bullying or victimisation against staff or customers are disciplinary offences and will be dealt with under the Trust's disciplinary procedure. Conduct of this type will often be gross misconduct which can lead to dismissal without notice.

All complaints of harassment should be made to your Line Manager through the grievance procedure unless the complaint is regarding this person when you should complain to that person's superior.

Complaints must be investigated and the Trust must take action to address the issues if three or more complaints are made (even if the complaints are not connected).