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Policy Owner	NY Highways HR Service
Policy Author	HR Business Partner
Document Type	
	Policy
Document Version Number	Version 1
Date Approved	22 June 2021
Date of Issue	22 June 2021
Summary of Policy	
The purpose of this policy is to set out the approach of NY Highways regarding expectations of how colleagues should treat each other in the workplace.	
Storage	
This is Version 1 and is available through the NY Highways Communications Hub.	

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Version Control and Amendment Log

Version No.	Type of Change	Date	Description of Change(s)
1	New policy created	May 2021	New policy created and approved by NYH Board
	Approval and issue	22 June 2021	

1. Purpose

NYH recognises the value of equality, diversity and inclusion and is committed to promoting and embracing diversity and providing equality of opportunity and fair treatment for all.

The purpose of this policy is to ensure that all NY Highways (NYH) employees are treated and treat others with dignity and respect, operating a workplace free from harassment and bullying, and creating an inclusive environment for all NYH employees.

It aims to ensure that employees feel empowered to take action in the knowledge that allegations will be dealt with fairly, confidentially and without undue delay

2. Scope

Everybody has the right to be treated with dignity and respect in the workplace and NYH is committed to providing a supportive work environment.

This policy covers all individuals working for NYH, either as an employee or in any other capacity (e.g. agency workers or contractors), at any of the NYH's premises or sites.

This policy covers harassment or bullying which occurs both in and out of the workplace, such as on business trips or at events or work-related social functions. It covers bullying and harassment by employees and also by third parties such as customers, suppliers or visitors to NYH premises or sites.

3. Responsibilities

All managers must:

- Create an environment and culture where everyone is treated with dignity and respect and where unacceptable behaviours are not tolerated.
- Ensure all colleagues are treated with fairness and equity.
- Ensure all colleagues understand what behaviour constitutes bullying and harassment and that such behaviour is unacceptable.
- Take complaints and concerns regarding unacceptable behaviour seriously and ensure prompt and effective resolution.
- Recognise inappropriate behaviour and take appropriate action when it occurs.
- Ensure all colleagues are aware of this policy, their responsibilities under it and how concerns relating to unacceptable behaviour can be raised.
- Support colleagues who may feel they are being bullied or harassed.
- Always maintain confidentiality and do not mention or discuss sensitive or confidential matters with any person not involved in the resolution and/or investigation.
- Ensure there is no retaliation against any person who has raised a concern under this policy.

All employees must:

- Treat all colleagues with dignity and respect
- Be aware of how their behaviour can affect others and be receptive to issues which are raised informally by others in an attempt to resolve them.
- Adhere to this policy regarding being responsible for their own behaviour and how they treat their colleagues.
- Take responsibility for any challenging behaviour that is considered unacceptable and seek an informal resolution to issues wherever possible.
- Report any incidences of bullying or harassment that come to their attention and participate fully in any formal investigations that may be undertaken.

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- Support colleagues who feel they are being bullied or harassed.
- Be aware that unacceptable behaviours of the types covered by this policy could result in legal proceedings being brought against them, by either the complainant or the Police.

4. Definitions

Bullying

Bullying is persistent, offensive, abusive, intimidating, malicious or insulting behaviour or the abuse of power with unfair demands or the belittling of someone either in public or private. It is often primarily psychological e.g. criticism, but may also be physical. It may also take place by letters, e mail, phone, text messages. It can make the recipient feel upset, threatened, humiliated or vulnerable, undermine self-confidence and cause them to suffer stress.

Examples of bullying within the workplace can include, but are not limited to:

- False rumours being spread about an individual
- Putting an individual down in meetings
- Intimidating, ridiculing or shouting at someone
- Frequently undermining someone's authority
- Physical or psychological threats
- Deliberately excluding someone from meetings or communications without good reason

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

Discrimination

Discrimination is when someone is treated unfairly, directly or indirectly, due to any of the following protected characteristics under the Equality Act 2010:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic which they have or are thought to have (i.e. perceptive discrimination), or because they associate with someone who has a protected characteristic (i.e. associative discrimination).

Indirect discrimination occurs when a condition, rule, policy, practice or requirement is applicable within the organisation but which adversely affects or disadvantages a particular group who share a protected characteristic more than others and which cannot be justified or considered reasonable in terms of being a proportionate means of achieving a legitimate aim in running the business.

Harassment

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Harassment is when bullying or unwanted behaviour is related to any of the protected characteristics under the Equality Act 2010, as noted above.

Harassment is defined as unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

This is also applicable to harassment because of perception (i.e. although the person does not actually possess that characteristic, they are perceived as doing so by others) and association (i.e. because the person is associated with someone who possesses the characteristic).

Victimisation

Victimisation, in the context of this policy, is when someone is treated unfairly because they made or supported a complaint relating to a 'protected characteristic', or someone thinks they did so or might do so.

5. Raising a Complaint

NYH will not ignore or treat lightly issues raised under this policy.

When an employee raises a complaint under this policy, the Grievance Policy and Procedure will be followed to address it.

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