

**Dignity and Respect Policy**

# Policy Statement

Comfort Home Care has a strong and long-standing commitment to equality, diversity and inclusion and to promoting a positive culture which celebrates difference, challenges prejudice and ensures fairness. Our staff and Service Users are our greatest assets and both parties respectively should expect to be able to excel, and to be respected and valued for their unique perspectives and contributions.

Integrity, collegiality and inclusivity are central to the company’s values. In accordance with these values the company is committed to providing an environment in which everyone involved with Comfort Home Care treat each other with dignity and respect, and where bullying, harassment and discrimination are known to be unacceptable. This Policy sets out the expectations placed on all members of staff and Service Users at Comfort Home Care.

The company regards any incident of bullying, harassment or discrimination as a serious matter and will respond promptly and sensitively to formal complaints, and where appropriate take disciplinary action.

# Scope and Purpose

This policy applies to all staff and Service Users involved or connected with Comfort Home Care.

The purpose of the policy is to:

* Foster a positive culture for both staff and Service Users, which supports freedom of thought and expression within the law, and within a framework of respect for the rights of other people.
* Promote an enabling and inclusive environment where all individuals are treated with dignity and respect, free from bullying, harassment and discrimination.
* Ensure that occurrences of bullying, harassment and discrimination are taken seriously, and dealt with promptly and with due sensitivity.
* Set out the framework for raising, addressing and resolving concerns about individual and/or organisational behaviour.

# Responsibilities

## Individuals

Anyone involved with Comfort Home Care has a responsibility to:

* Demonstrate respect and integrity in our interactions with individuals and groups.
* Work and collaboratively, collegially and effectively in teams.
* Identify and challenge unacceptable behaviour when it occurs, even if it is not directed at ourselves.
* Address and resolve matters ourselves, where reasonably possible, in a positive and constructive way.
* Raise more serious concerns with relevant company staff and participate positively in approaches to resolve them.
* Modify our behaviour should we become aware that we have behaved unacceptably in relation to this policy, even if no complaint has been made.

## Managers

In addition, managers of staff and others with responsibility for areas of work have:

* A responsibility to lead in promoting a culture of dignity and respect, and
* A duty to take timely, relevant action to resolve concerns.

## Company

Expectations of the company as an employer and provider of domiciliary services will be to ensure that:

* It fosters a positive culture for working and caring which permits freedom of thought and expression within a framework of mutual respect.
* It treats staff and Service Users with openness, respect and dignity at all times.
* Complaints of harassment, bullying or discrimination are treated seriously and with discretion.
* Staff and Service Users feel safe and are listened to when raising concerns about behaviour.
* Malicious or vexatious allegations are dealt with in line with company disciplinary procedures.
* Complaints or allegations involving Service Users not being treated with dignity or respect are dealt with and if required, local authorities and/or the Care Quality Commission are notified.

# Unacceptable behaviour

The company expects all of it’s staff and Service Users to treat others with dignity and respect and regards bullying, harassment or discrimination as unacceptable behaviour. The company will respond promptly and sensitively to formal complaints, and where appropriate take disciplinary action.

For staff, examples of unacceptable behaviour/misconduct are set out in the staff handbook.

For staff, examples of unacceptable behaviours in the workplace (directed towards other staff or Service Users) can include, but are not limited to:

* Unwelcome physical contact ranging from unnecessary touching to serious assault
* Intimidating or threatening behaviour, or language
* Unwelcome attention or advances of a sexual nature
* Disparaging, ridiculing or insulting behaviour, language or gestures
* Inappropriate communication or visual display of offensive material
* Isolation, non-cooperation, or deliberate exclusion of an individual
* Undermining of an individual through unfair work allocation or persistent unjustified criticism

# Resolution

Staff and Service Users are encouraged, where possible, to resolve concerns informally.

Staff and Service Users may wish to seek advice and support from a manager, health professional or representative.

## Options for Employees and Service Users

Where an employee or Service User identifies a potential breach of this policy, there are a number of ways they may wish to approach the matter in an attempt to resolve it, as set out below.

### Individual Action

Where an employee or Service User believes they or someone else are being subjected to treatment which is in breach of this policy, they should seek to address this at the earliest possible stage.

Where they feel able to, the employee should make clear to the person causing the offence that such behaviour is unacceptable to them. In many instances, this can be sufficient to bring an end to that behaviour.

### Seeking Informal Assistance

If the employee does not feel able to resolve the matter themselves at an early stage, they may wish to seek advice and support from a manager, or senior member of staff.

They may also wish to request a meeting with a manager or senior member of staff who can provide support and advice on how the particular problem could be handled.

### Raising a Formal Complaint

If the problem has not been resolved by informal means, or the employee or Service User feels it cannot be resolved through informal means, then they may submit a formal complaint.

Formal complaint procedures can be found in the Comfort Home Care Service User Guide 2018

### Reporting concerns to Police

Where an employee or Service User identifies a breach of this policy which constitutes a criminal offence or an immediate threat to safety, they should report the matter to the Police. Individuals should also inform the company through the relevant route.

## Discrimination

Discrimination means treating an individual unfairly because the individual has, or is perceived to have a protected characteristic, or because of their association with someone who has a protected characteristic. The protected characteristics are:

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

Discrimination can be direct or indirect. Indirect discrimination can occur when the company has a policy or practice that applies to everyone but particularly disadvantages people who share a protected characteristic.

## Harassment

Harassment is defined by the Equality Act 2010 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.”

The relevant protected characteristics are:

* Age
* Disability
* Gender reassignment
* Race
* Religion or belief
* Sex
* Sexual orientation

Staff and Service Users need not possess the relevant characteristic themselves but may be subjected to unacceptable behaviour because they are wrongly perceived to have a protected characteristic, or because of their association with a person who has a protected characteristic. In addition, staff and Service Users have the right to complain of behaviour that they find offensive even if it is not directed at them.

**Victimisation** is a type of harassment. This occurs when an individual is treated less favourably because he/she has, in good faith, made an allegation of harassment, or has assisted another person in bringing forward such an allegation, or participated in an investigation of a complaint or disciplinary hearing.

## Bullying

Bullying is not defined in law but for the purposes of this policy is defined as:

“Offensive, intimidating, malicious or insulting behaviour which intentionally or unintentionally undermines, humiliates, denigrates or injures the recipient.”

Bullying is normally characterised by a pattern of behaviour but a single incident could be considered as bullying behaviour.

Bullying is to be distinguished from the legitimate exercise of managerial responsibilities where these responsibilities are carried out in a respectful, reasonable and appropriate manner.