



Royal College  
of Midwives

# Respect at Work Policy and Procedure

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## 1. Introduction

### **Purpose:**

i. The RCM takes seriously its responsibility to protect RCM employees from bullying, victimisation or harassment at work. This policy and procedure covers instances where RCM employees experience bullying, harassment or victimisation by members of the RCM, including its elected representatives and activists, to ensure that a clear procedure is in place to support all parties and protect the interests of the RCM as a whole.

ii. Broader consideration of the RCM's expectations of the behaviours of accredited representatives and activists can be found in the RCM Branch Governance Handbook:

<https://www.rcm.org.uk/media/6603/rcm-branch-governance-handbook-a4-76pp-2023.pdf>

iii. Reasonable steps will be taken to encourage constructive and respectful dialogue.

iv. Unacceptable behaviour towards an RCM employee will not be tolerated and the RCM will support our employees as appropriate.

v. This procedure should be followed in the event that an RCM employee raises issues of bullying, victimisation or harassment from an RCM member in fulfilling their duties or because of the duties they fulfil.

vi. RCM members and accredited representatives are reminded that if you are unhappy with the service you are receiving, you can access the RCM's complaints procedure, which is on the RCM's website:

[https://www.rcm.org.uk/media/5640/complaints\\_procedure\\_.pdf](https://www.rcm.org.uk/media/5640/complaints_procedure_.pdf)





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## 2. Responsibilities

1. All **RCM employees** have a duty to comply with this policy.
2. All **RCM members** have a duty to comply with standards of conduct that would not bring the RCM in to disrepute. This includes following the NMC code.
3. All **RCM activists and elected representatives** have a duty to comply with the standards of conduct set in the RCM Branch Governance Handbook.
4. All **RCM line managers** are responsible for promoting a positive working environment, and for seeking to eliminate bullying, victimisation or harassment when they become aware of it. They should ensure that all incidents are dealt with promptly and fairly, and in strict confidence wherever possible.
5. RCM recognised **trade union representatives** are able to assist their members and support them in raising concerns.

## 3. Definitions

### a) Bullying

- i. Bullying can be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means which lead to or result in undermining, humiliating, denigrating or injuring the recipient. It can take many forms, for example (**not exhaustive**):
  1. Derogatory remarks
  2. Insensitive jokes or pranks
  3. Insulting or aggressive behaviour
  4. Ignoring or excluding an individual
  5. Frequently setting unrealistic deadlines
  6. Public criticism
  7. Substituting responsible tasks with menial or trivial ones
  8. Withholding necessary information





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- ii. Bullying may not necessarily take place face-to-face, it may be conducted through written communications, e-mail, social media or via the telephone. The examples listed above must be viewed in terms of the distress they cause the individual. It is primarily the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

### **b) Harassment**

- i. Where there is unwanted conduct, related to one of the protected characteristics under the Equality Act 2010, that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- ii. It may be persistent or an isolated incident. The key factor is that the actions or comments are viewed as demeaning and unacceptable to the recipient.
- iii. Individuals may not always realise that their behaviour constitutes harassment, but they must recognise that what is acceptable to one person may not be acceptable to another. Harassment may take many forms, from relatively minor abuse to actual physical violence.
- iv. Examples of harassment include (**not exhaustive**):
  1. Insensitive jokes and pranks
  2. Deliberate exclusion from conversations
  3. Abusive, threatening or insulting words and behaviour
  4. Displaying abusive writing and pictures.
  5. Lewd comments about appearance
  6. Unwanted bodily contact





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7. Displays of sexually offensive material
  8. Speculation about a person's private life and sexual activities
  9. Threatened or actual sexual violence
  10. Threat of dismissal, loss of promotion, etc. for refusal of sexual favours
- v. LGBT specific harassment may include homophobic, biphobic or transphobic conduct such as:
1. Purposefully using incorrect pronouns or the wrong name to address or refer to a trans individual.
  2. Spreading rumours or gossip about someone's gender identity or sexual orientation.
  3. The use of homophobic, biphobic or transphobic language.
  4. Outing someone in the workplace as LGBT.
  5. Rude or inappropriate comments about someone's partner or personal life.
- vi. Harassment may not necessarily take place face-to-face; it may be conducted through written communications, social media, e-mail or via the telephone. The examples listed above must be viewed in terms of the distress they cause the individual. It is primarily the perceptions of the recipient that determine whether any action or statement can be viewed as harassment.

### **c) Victimisation**

Victimisation broadly refers to bad treatment directed towards someone who has made or is believed to have made or supported a complaint under the Equality Act 2010. It includes situations where a complaint hasn't yet been made but someone is victimised because it's suspected they might make one. If an individual gives false evidence or makes an allegation in bad faith, they are not protected from victimisation under the Act.





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#### 4. Informal action

- a) People should normally be given the opportunity to change their behaviour before formal action is taken, so where possible and appropriate, an RCM employee who believes they have been bullied, victimised or harassed should, either verbally or in writing:
1. Ask the person to stop the behaviour.
  2. Make it clear what aspect of their behaviour is unacceptable and
  3. the effect it is having.
- b) If the RCM employee feels unable to approach the person responsible directly, this initial approach can be made with the help of the RCM employee's line manager, another appropriate work colleague or trade union representative. There should be no pressure on the RCM employee who believes they have been bullied, harassed or victimised to address the issue informally rather than through the formal process if they do not wish to.
- c) Confidential advice is available for RCM employees from the HR team or union representatives. The RCM's employee assistance programme is available and details can be obtained from the HR team or on the RCM's intranet. Requests for counselling support can also be reviewed through the RCM's employee occupational health service.

#### 5. Formal procedure

- i. If informal action does not achieve the desired result and/or the RCM employee wishes to make a more formal complaint about the behaviour of an RCM member, the following procedure should be followed.





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- ii. All referrals to this formal Respect at Work procedure will be handled and investigated in a timely and confidential manner. Confidentiality will be maintained in so far as is consistent with progressing the investigation.
- iii. Consideration will be given to whether another RCM employee needs to be assigned to supporting the RCM member for any representation or support for other matters during the course of the investigation. The RCM member will be informed in writing if their RCM representative has changed for this reason and a new point of contact given.
- iv. **Procedure**
  - 1. An RCM employee who believes they have been the subject of bullying, harassment or victimisation by an RCM member should formally report this to their line manager or the HR team.
  - 2. The complaint should be made in writing, and where possible, state:
    - i. The name of the person against whom the complaint is made.
    - ii. The nature of the bullying, harassment or victimisation.
    - iii. Dates and times when the bullying, harassment or victimisation occurred.
    - iv. Names of witnesses to any incidents of bullying, harassment or victimisation.
    - v. Any action already taken by the complainant to stop the bullying, harassment or victimisation.
    - vi. What resolution the complainant would like and how they think this may be possible.
  - 3. A copy of the complaint should be forwarded to the HR team.







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4. An appropriate RCM manager will be appointed to investigate the matter as Investigating Officer. This will usually be the RCM employees line manager.
5. The Investigating Officer will arrange to interview firstly the complainant and secondly the person against whom the complaint has been made, with a representative if requested. Both interviews should be conducted wherever possible within ten working days of the receipt of the formal complaint.
6. A written response will be given to the complainant, the person against whom the complaint was made, by the Investigating Officer within ten working days of the end of the two interviews.
7. The response of the Investigating Officer will consider the following possible recommendations:
  - i. The complaint should not proceed further (i.e., because of lack of evidence).
  - ii. The alleged perpetrator may have RCM representation removed taking into consideration the terms of the Representation Assistance Agreement signed by the RCM member.
  - iii. The alleged perpetrator may have RCM status removed, with consideration of deselection and removal if they are an accredited representative (see the RCM's Branch Governance Handbook for more information on this procedure) or removal of RCM membership.
  - iv. Another procedure is invoked e.g., if the RCM employee lodging the complaint is referred to the RCM's internal Disciplinary Procedure for appearing to deliberately make a vexatious complaint i.e., one that is pursued, regardless of its merits,





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solely to harass, annoy or subdue someone, without foundation, frivolous, unwarranted and/or burdensome.

- v. An attempt should be made to resolve the matter informally e.g., through mediation.
- vi. If the complaint related to a protected characteristic and is upheld, the complainant should be advised of what arrangements are in place to ensure a safe working environment.

Any questions relating to this policy and procedure can be sent to [hr@rcm.org.uk](mailto:hr@rcm.org.uk).

[End of policy and procedure]

