

## Human Rights in the Workplace<sup>\*</sup>

*Whilst human rights has been in the public consciousness since the United Nations declaration in 1948, many of the issues related to this matter are sometimes more commonly covered by other equality areas. However, there are a number of workplace issues that, if not successfully protected against, can impact the human rights of employees. In this respect, all organisations - not just the more progressive ones - can benefit from policies and procedures that ensure these do not impact the reputation of the business.*

Human rights policies in many companies are at a very early stage of development. This is partly because areas related to human rights are sometimes incorporated into other policies, including equality and diversity and bullying and harassment. Larger organisations, particularly those with fund management and purchasing activities are sometimes more likely to have human rights policies to ensure they are not supporting work that impacts the human rights of others.

### Legislation

The *Human Rights Act 1998* gives legal effect in the UK to 16 of the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR), and makes it unlawful for a 'public authority' to act in a way which is incompatible with a these rights. The rights not only affect matters of life and death but also affect your rights in everyday life: what you can say and do, your beliefs, your right to a fair trial and many other similar basic entitlements.

Since the introduction of the *Act*, three human rights have particularly affected employment law; the right to respect for private and family life (Article 8), the right to freedom of thought, conscience and religion (Article 9), and non-discrimination (Article 14). Please note the full *Act* can be downloaded from this page.

### Business Improvement

#### Direct Gov - Human Rights in the Workplace

The Direct Gov website provides some useful information for employers and employees regarding human rights and how they relate to the working environment. It highlights how the *Human Rights Act* is intended to provide assistance and avoid discrimination.

Whilst employers able to monitor employees e-mails, internet, telephone calls and some other forms of data as long as they have been notified on this, there are limitations on monitoring on the workplace to protect human rights. For more information, please follow the link to the website.

Available at the following link:

[http://www.direct.gov.uk/en/Employment/DiscriminationAtWork/DG\\_10026574](http://www.direct.gov.uk/en/Employment/DiscriminationAtWork/DG_10026574)

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<sup>\*</sup> As with other areas of equality, there is a huge amount of information about this important issue and this page cannot reflect all issues related to the subject matter. However, we hope our focus on the key legislation, leading campaigners, business improvement and good practice tips regarding human rights in the workplace are helpful.

### **Business Link - *Monitoring and Security of Staff***

The issue of Monitoring and Security of Staff is also covered effectively by a Business Link guide. This provides guidance of when an employer is able to set up monitoring of employees, how to set up relevant policies, laws and penalties for improper monitoring, and the responsibilities of the employer.

Available at the following link:

(<http://www.businesslink.gov.uk/bdotg/action/layer?r.s=sl&topicId=1074452663>)

### **ACAS - *Bullying in the Workplace***

An individual's human rights can be severely impacted by bullying in the workplace and employers should ensure all employees are treated with dignity and respect. Bullying in the workplace can involve individual on individual (for example between line manager and team member) or involve groups of people. However, instances of bullying severely impact morale and productivity and open the employer up to considerable risk if they do not immediately address the issue. ACAS have produced a helpful leaflet providing an overview on this issue, including key information for both employees and employers.

Available at the following link: ([http://www.acas.org.uk/media/pdf/1/0/AL05\\_1.pdf](http://www.acas.org.uk/media/pdf/1/0/AL05_1.pdf))

### **Investors in People - *Equality and Diversity Handbook***

Designed to benefit all organisations, regardless of size or sector, this *Handbook* introduces the ideas behind equality, diversity and inclusion. It examines how implementing those ideas can deliver tangible benefits to an organisation.

Equally relevant to organisations working towards The Standard and beyond, this book is also a valuable guide for organisations simply wishing to develop Equality and Diversity techniques. This booklet published in 2007 is available for purchase via the [Online Shop](#).

## **Useful Links and Further Reading**

### **Legislation**

- **Human Rights Act 1998**  
(<http://www.opsi.gov.uk/ACTS/acts1998/19980042.htm>)

### **Useful Links**

- **Equality and Human Rights Commission** (<http://www.equalityhumanrights.com>)
- **Liberty** (<http://www.liberty-human-rights.org.uk>)
- **The British Institute of Human Rights** (<http://www.bihhr.org>)
- **CIPD** (<http://www.cipd.co.uk/subjects/emplaw/hmnrights/humnrighths.htm>)
- **LDA - Diversity Works for London** (<http://www.diversityworksforlondon.com>)