



- This document sets out Tedburn St Mary Parish Council's approved and agreed practices. Any deviation must be made by resolution of the full Council and recorded below.
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## **BULLYING AND HARASSMENT POLICY**

### **1. Policy Statement**

The Parish Council has a legal, moral, and ethical duty to ensure that the environment in which employees work enable them to contribute to their fullest potential and that they feel confident and comfortable about that working environment.

Tedburn St Mary Parish Council believes that its employees have the right to be treated with dignity and respect, and that harassment and bullying is totally unacceptable. The Council will deal effectively with any form of harassment or bullying and take any steps it sees fit to either stop or prevent it.

### **2. Scope of the Policy**

This policy should be read in conjunction with other Council policies and procedures such as: the Equal Opportunities Policy, Disciplinary Procedure and Grievance Procedure.

The policy covers harassment and bullying by Officers and Members of the Council. It does not cover harassment and bullying from the public or contractors. However the Council has a duty of care towards its employees and, in these cases, employees should report any such behaviour to the Chair who will decide upon the appropriate action.

### **3. Aims of the Policy**

The information given below shows how harassment and bullying can affect both individuals and the Council, and demonstrates the need for a policy. The aims of having a harassment and bullying policy are as follows:

- To ensure that all the Council's employee/s are treated with dignity and respect;

- To ensure that harassment and bullying is prevented and, if it does occur, that action is taken to stop it;
- To ensure that all of the Council's employee/s know what harassment and bullying is and what the Council's policy is;
- To explain the responsibilities of Councillors and employee/s
- To explain the procedures for dealing with harassment and bullying.

#### 4. Harassment

There are various definitions of harassment, but there are two key questions which help to define 'Harassment'. They are: 'Is the behaviour unwanted?' 'Does it undermine the dignity of the individual?' and 'Is it related to a protected characteristic?'

Harassment is defined by ACAS 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 protected characteristics are age; disability; sex or gender; gender reassignment; marriage/civil partnership; pregnancy or maternity; race (including ethnic origin, skin colour, nationality and national origin); religion or belief; and sexual orientation.

It is also unacceptable to harass any individual:

- Based on their association with another individual with a protected characteristic (e.g. an employee married to someone of a different ethnic origin); or
- Based on a perception that they have a protected characteristic (e.g. a heterosexual employee who is made fun of because his colleagues believe he is homosexual).

A definition of bullying is given in the next section of this policy, but harassment and bullying are closely linked.

Examples of harassment include:

##### Sexual harassment:

- Ridiculing someone because of their sex or sexual orientation by looks, remarks, sexual innuendo or jokes of a sexually explicit nature
- Unnecessary touching or unwanted physical conduct

##### Sexual orientation harassment:

- Homophobic remarks, innuendo, jokes
- Offensive actions and physical attack

##### Racial harassment:

- Embarrassing or derogatory remarks such as racist jokes, name-calling or nicknames
- Deliberate isolation or different treatment

Harassment on the grounds of disability:

- Name calling
- Uninvited, patronising or unnecessary assistance

Harassment on the grounds of religion or belief:

- Ridicule and religious jokes
- Scorning of belief

Age harassment:

- Negative comments generalising about the age group of the individual
- Exclusion from informal groups such as social events

## **5. Bullying**

ACAS states that bullying can be characterised as ‘offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient’.

It must be clearly understood that it is a of the Council and the Council’s Personnel Group’s responsibility to review work performance. It is also the Council’s role, when employees do not work appropriately, to ensure that corrective processes are put in place. These discussions are sometimes difficult for both parties but need to take place to ensure employees work competently. In this context, bullying will only occur when a councillor abuses his or her authority.

It should be noted that bullying does not just occur in manager/subordinate relationships, it can occur when there is unacceptable peer pressure or pressure by others in a position of ‘authority’, e.g. Councillors.

Examples of bullying behaviour can include:

- Spreading malicious rumours;
- Making the employee the butt of jokes;
- Aggressive, insulting and unco-operative attitude;
- Destructive innuendo and sarcasm;
- Constant unjustified criticism;
- Unjustifiably removing responsibilities and replacing them with trivial tasks to do instead;

- Shouting at employees;
- Unreasonable use of disciplinary/competence procedures;
- Unreasonable refusal of requests (e.g. leave or training) ;
- Deliberately ignoring or excluding individuals from activities;
- Imposing unreasonable workloads and/or unjustifiably reducing deadlines;
- Constantly undermining an employee in terms of their professional or personal standing;
- Undervaluing an employee's efforts;
- Seeking to make an employee appear incompetent, or intentionally creating an unacceptable working environment, with the object of either achieving a dismissal or of making them resign.

## **6 Victimisation**

Any employee who makes a complaint or supports someone else associated with the council, who has done so, must not be subjected to any victimisation or less favourable treatment as result. Tedburn St Mary Parish Council will not tolerate any such behaviour and will take appropriate action to stop/prevent this, which may include disciplinary action.

## **7. Responsibilities of Councillors**

The Parish Council will have the following responsibilities:

- Compliance with the Policy;
- Creating/ensuring that there is a supportive working environment;
- Making sure that their employee/s know the details of this policy and ensuring compliance with it;
- Making sure that their employee/s know what standards of behaviour are expected of them;
- Taking allegations of harassment and/or bullying seriously and dealing with them as quickly as possible;
- Ensuring that victims of harassment and/or bullying receive appropriate support which might include counselling.
- Dealing with complaints under the Bullying and Harassment Complaints Procedure (see below);
- Ensuring that matters are dealt with confidentially and impartially;
- Ensuring that their employee/s attend any training requirement; and
- Liaising with the Clerk on how to deal with cases that arise.

## **8. Employees**

Employees have the following responsibilities:

- Compliance with the policy;
- Treating their colleagues with dignity and respect;
- Having an awareness of their own standards of behaviour;
- Making it clear that they find harassment and bullying unacceptable;



- Reporting harassment and supporting management with the investigation of complaints; and
- Intervening to stop harassment and/or bullying and give support to victims.