



Dignity At Work (Staff) Policy

Anti- Harassment and Bullying in the Workplace

November 2013

Revision History

Date	Section/Paragraph Changed	Reason for Change
Nov 2013	Original Document	Adopted by Hayle Town Council at Full Council 7 November 2013, Minute 381

1 Introduction and Policy Statement

1.1 Hayle Town Council recognises that all members of staff have the right to be treated with dignity and respect at work.

1.2 All forms of harassment including bullying will not be tolerated.

1.3 The Town Council believes that it is the impact of misconduct on an individual and the intent of the perpetrator that are the key principles for consideration of complaints, although the former is more important than the latter.

2 Application of the Policy and Procedure

2.1 The policy applies to all staff employed by the Council. It also applies to all Councillors and members of working parties or other committees where there is an interface with members of staff.

3 Examples of Harassment

3.1 Sexual Harassment

Sexual harassment takes many forms, from sexual banter to an actual sexual assault. A person may not always realise that their behaviour constitutes sexual harassment, but must recognise that what is acceptable to one person may not be acceptable to another. Examples of sexual harassment include:

- Sexual jokes, innuendos and pranks
- Lewd comments about appearance
- Unnecessary bodily contact
- Displays of sexually offensive material, eg pin-ups
- Making sexually suggestive gestures
- Requests for sexual favours
- Intrusive questions or speculation about a person's private life and sexual activities
- Threatened or actual sexual assault
- Threat of dismissal, loss of promotion, etc for refusal of sexual favours.

3.2 Racial Harassment

Racial harassment can also take many forms, from insensitive jokes to actual physical violence. Examples of racial harassment include:

- Jokes related to race
- Practical jokes
- Deliberate exclusion from conversations
- Ignoring, excluding or not cooperating with people from different racial groups
- Displaying abusive writing and pictures
- Abusive, threatening or insulting words and behaviour.

3.3 Bullying

Bullying affects not only the individuals involved but the organisation as a whole since staff members working in a climate of fear and resentment do not give their best. Bullying at work can take many forms ranging from isolated incidents of bad temper to a systematic usage of unacceptable behaviour. The following are just some of the most common ways:

- Shouting at a colleague, negative attacks on a colleague's personal or professional performance, criticising a colleague in front of others
- Spreading malicious rumours/making malicious allegations
- Setting objectives with impossible deadlines or unachievable tasks
- Removing and replacing areas of responsibility with menial or trivial tasks
- Undervaluing a colleague's contribution, placing unreasonable demands on and/or over-monitoring a colleague's performance
- Withholding information with the intent of deliberately affecting a colleague's performance
- Excluding colleagues by talking solely to third parties to isolate another
- Abusive, threatening or insulting words or behaviour
- Demeaning or humiliating treatment of a colleague.

3.4 Line managers are responsible for ensuring that the members of staff who report to them perform to an acceptable standard. Bullying does not therefore include legitimate, justifiable, firmly but appropriately and fairly applied criticism of a member of staff's behaviour, job performance or attendance.

3.5 The examples above are not exhaustive. Threatened or actual sexual violence and abusive, threatening or insulting words and behaviour are clear examples of gross misconduct which may lead to summary dismissal under the Disciplinary Procedure but other examples may constitute gross misconduct depending on the circumstances of the case in question.

3.6 Harassment and bullying through face to face contact, written communication, telephone, mobile phone, text messaging, or email are covered by this policy and procedure. Any examples of written, email or text messages that the person considers are a form of harassment or bullying should be preserved as evidence to support the complain if at all possible.

4 The Environment

4.1 The Town Council prohibits the display of sexually offensive material, eg pin-ups and posters, and will, if necessary, ensure that workplaces are inspected and offending material removed.

4.2 All new staff will be informed of the policy and procedure on harassment and bullying at induction and will be issued with a copy.

5 Complaints Procedure

5.1 This policy is separate from the Councillors' Code of Conduct. However, where the results of an investigation that has been carried out under this procedure suggest that a

complaint to the standards board should be made the Mayor may invoke such procedure.

6 Informal Resolution

- 6.1** It is recommended that persons who consider that they are victims of alleged acts of sexual or racial harassment or bullying try, in the first instance, to resolve the issue informally if this is feasible. However, an informal stage is not compulsory.
- 6.2** As soon as possible after a person considers that an incident of harassment, bullying or victimisation has occurred, they should make it clear to the alleged offender(s) that they find the behaviour unacceptable and distressing and want it to stop. This should be done verbally or, if the person feels unable to speak to the alleged offender, may be done in writing. Alternatively they could arrange for a friend or colleague to be present when the matter is discussed if s/he does not wish to be alone with the alleged offender.
- 6.3** If the person feels unable to take action personally, or wishes to make a formal complaint immediately, or has asked the alleged offender to stop their behaviour but it persists, they are advised to raise any issues with the Mayor in writing/email except where the complaint is about the Mayor, where the issue should be raised with the Deputy Mayor or Chair of Resource or Chair of Personnel. The Mayor or other as above may invoke the formal procedure.

7 Formal Procedure

- 7.1** Where informal methods fail, or a person considers that serious harassment or bullying has occurred and consequently requires more effective intervention, then a formal complaint may be made.

The complaint should be made in writing and state as far as the person can recall:

- The name of the alleged harasser or bully
- The nature of the alleged harassment
- Dates and times when alleged harassment or bullying occurred
- Names of witnesses to any incidents of alleged harassment or bullying
- Any action already taken by the complainant to stop the alleged harassment or bullying, including a record of any written material relevant to the complaint
- Where a physical assault or serious threat has been made the matter will be reported to the police.

- 7.2** The Mayor or other will take appropriate action which may include action under the disciplinary procedure for staff or such sanctions as are allowed against Councillors or third parties.