

Dignity at Work Policy & Procedure

(for dealing with cases of bullying and harassment)



EAST CAMBRIDGESHIRE
DISTRICT COUNCIL

Dignity at Work Policy & Procedure

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Dignity at Work Policy **(for dealing with Harassment and Bullying)**

1. Statement

- 1.1 As part of its overall commitment to equality for a diverse workforce, the Council recognises the right of all employees to be treated with dignity and respect in all working relationships, whether with other staff (at all levels of the organisation), clients, Councillors and members of the public. The Council acknowledges that incidents of harassment and bullying in the workplace may place the recipient in a threatening and intimidating environment as well as adversely affecting their performance, health and well being.
- 1.2 The Policy applies to all staff employed by the Council and the East Cambs Trading Company, contractors and employees of other organisations who are on site, volunteers and visitors to the Council.
- 1.3 The Policy does not apply to Members of the Council who are required to comply with the Member's Code of Conduct and with the Protocol on Member/Officer Relations within the Council's Constitution. Where a Member fails to comply, it may be necessary to notify the Council's Monitoring Officer, who will discuss referring a complaint to the Standards Committee. Staff will still however retain the right to raise a grievance if they do not feel that the matter has been dealt with appropriately.
- 1.4 The aims and objectives of this policy are to:
 - ✓ Ensure a working environment which is free from hostility and protects the dignity of all staff;
 - ✓ Enable any employee of the Council to pursue a concern that they are being subjected to harassment or bullying;
 - ✓ Ensure that incidents of harassment and bullying are effectively dealt with;
 - ✓ Eliminate inappropriate behaviour and inappropriate use of power.
- 1.5 The Council views harassment and bullying as wholly unacceptable behaviour, which contravenes the Council's Equality, Diversity and Inclusion Policy. Such behaviour will not be tolerated and may result in disciplinary action or legal action against the perpetrator.
- 1.6 The Council recognises its duty to ensure that all employees are aware of the importance of a harassment free workplace.

2. Guiding Principles

- 2.1 When investigating and dealing with allegations of harassment and bullying the Council will act in accordance with legislation, and follow the definitions and guidance given in this Policy and Procedure.
- 2.2 The Council will investigate sensitively all known allegations of harassment or bullying and take appropriate action when incidents are believed to have occurred.
- 2.3 If an allegation of bullying and harassment is raised against the Chief Executive of the Council, an independent person will be appointed to conduct a comprehensive investigation and to prepare a report of their findings. The report shall be presented to a Member Sub-Committee, constituted from three Members

of the Council's Finance and Assets Committee who will make a final recommendation to the full Finance and Assets Committee. The complainant may be accompanied by a Trade Union representative or work colleague at such an interview.

- 2.4 Any action by the Council shall be dealt with promptly and with careful consideration of the needs of the individual who has been harassed or bullied, to regain the trust of the employee. This Policy and Procedure will aim to offer the employee a choice of sources of support and provide for a fair and objective assessment of the situation and a reasonable outcome.
- 2.5 Harassment and bullying are forms of behaviour, which, though unacceptable, may be unintentional and unknown to the alleged harasser/bully at the time. Therefore the dignity of the alleged harasser/bully should be considered at all stages of the procedure. However, where the alleged harasser/bully was unaware of the impact of their actions, they may still be held responsible for their conduct. The Council should consider whether the alleged harasser/bully acted reasonably under the circumstances.
- 2.6 The Council recognises that bullying and harassment can occur at all levels of the organisation, and can come from the top of the hierarchy down, or from the bottom of the hierarchy up. Line managers can be affected by bullying and harassment from members of their team in the same way that employees may feel bullied/harassed by their line managers.
- 2.7 Victimisation (see 4.4), is as unacceptable as harassment and bullying and will be treated under the same procedure.

3. Legal Obligations

- 3.1 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. Under the Act, people are not allowed to discriminate, harass or victimise another person because they have any of the nine 'protected characteristics'. These protected characteristics are: age, disability, race, sex, sexual orientation, gender re-assignment, marriage and civil partnership, religion or belief, and pregnancy or maternity.
- 3.2 There is also protection against discrimination where someone is perceived to have one of the protected characteristics or where they are associated with someone who has a protected characteristic.
- 3.3 Additionally the Council has a responsibility under Health and Safety legislation to ensure, as far as is reasonably practicable, the health, safety and welfare at work of all its employees.
- 3.4 Where an individual is alleged to have committed a criminal offence the Council recognises its duty to notify the Police if it is considered appropriate to do so. However, responsibility to pursue such claims rests with the victim of the offence.
- 3.5 It is possible that the Council could be found liable under law for incidents of harassment or bullying behaviour in the workplace. The alleged harasser/bully could also be personally liable either for acts of harassment, discrimination or assault. Managers could be personally liable for failure to deal effectively with complaints relating to these.

4. **Definitions**

- 4.1 Actions or intentions from a person, whether open, implied or suggestive, may be unwanted, unwelcome and not returned by the recipient and therefore amount to some form of **harassment, bullying, victimisation or discrimination**.

4.2 **Harassment**

4.2.1 **General**

Harassment is defined as:

“unwanted conduct related to a relevant protected characteristic under the Equality Act 2010 (other than pregnancy and maternity and marriage and civil partnership), that has the purpose of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person”.

Harassment can be deliberate and conscious, or it can be unintentional. Whilst the intention of the perpetrator may provide an explanation for the harassment, it can never be an excuse. It is the perception and interpretation of the person who feels harassed that must be central to the consideration of any complaint.

4.2.2 **Sexual Harassment**

Any conduct of a sexual nature that is unwanted by the recipient, including verbal and physical behaviours, and which violates the person’s dignity or creates an intimidating, hostile or degrading environment for them.

4.2.3 **Racial Harassment**

Racial harassment can either be blatant discrimination and/or harassment of an individual or it can be more subtle which is equally distressing. As with sexual harassment, it can take the following forms: racist jokes, banter, insults, taunts, gibes, literature, graffiti, shunning people because of their race, colour, nationality or ethnic background, making racist insinuations, being condescending about dress or the way someone speaks etc.

4.2.4 **Examples of Harassment**

- Verbal or written comments of an offensive nature, spreading malicious rumours;
- Lewd, suggestive or over familiar behaviour;
- Displaying or circulating sexually suggestive material or other offensive material;
- Insulting, ridiculing or subjecting a person to any other detriment because of his or her colour, race, nationality, ethnic or national origin, gender, sex marital status, sexual orientation, disability, religion or philosophical belief, age, HIV/AIDS status or class;
- Criminal acts such as indecent exposure, physical attack or sexual assault.

4.3 Bullying

Acas characterises bullying as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.”

4.3.1 Examples of Bullying

- Using abusive language;
- Unreasonably removing areas of responsibility;
- Continually ignoring or excluding an individual;
- Deliberately undermining a competent worker by overload and constant criticism;
- Picking on one person when there is a common problem;
- Frightening someone with physical or other threats;
- Shouting at or humiliating an individual in front of colleagues or in private;
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

4.4 Victimisation

Victimisation is when an employee suffers what the law terms a ‘detriment’ - something that causes disadvantage, damage, harm or loss because of:

- making an allegation of discrimination; and/or
- supporting a complaint of discrimination; and/or
- giving evidence relating to a complaint about discrimination; and/or
- raising a grievance concerning equality or discrimination; and/or
- doing anything else for the purposes of (or in connection with) the Equality Act 2010, such as bringing an employment tribunal claim of discrimination.

Victimisation may also occur because an employee is suspected of doing one or more of these things, or because it is believed they may do so. A ‘detriment’, for example, might include the employee being labelled a ‘troublemaker’, being left out and ignored, being denied training or promotion, or being made redundant because they supported a discrimination claim.

4.5 Discrimination

Under the Equality Act, there are four main types of discrimination:

- 1) Direct discrimination
- 2) Indirect discrimination
- 3) Harassment (see 4.2); and
- 4) Victimisation (see 4.4)

4.5.1 Direct Discrimination

Direct discrimination occurs where someone is treated less favourably than others because of:

- a) a protected characteristic they possess – this is ordinary direct discrimination; and/or
- b) a protected characteristic of someone they are associated with, such as a friend, family member or colleague – this is direct discrimination by association; and/or

- c) a protected characteristic they are thought to have, regardless of whether this perception by others is actually correct or not – this is direct discrimination by perception.

4.5.2 Indirect Discrimination

This type of discrimination is usually less obvious than direct discrimination and is normally unintended. In law, it is where a 'provision, criterion or practice' involves all these four things:

- 1) the 'provision, criterion or practice' is applied equally to a group of employees/job applicants, only some of whom share a certain protected characteristic;
- 2) it has (or will have) the effect of putting those who share the protected characteristic at a particular disadvantage when compared to others without the characteristic in the group;
- 3) it puts, or would put, an employee/job applicant at that disadvantage; and
- 4) the employer is unable to objectively justify it - what the law calls showing it to be 'a proportionate means of achieving a legitimate aim'.

The Equality Act does not define a 'provision, criterion or practice'. However, the term is most likely to include an employer's policies, procedures, requirements, rules and arrangements, even if informal, and whether written down or not. Examples might include recruitment selection criteria, contractual benefits, a redundancy scoring matrix or any other work practice.

In some limited circumstances, indirect discrimination may be justified if it is 'a proportionate means of achieving a legitimate aim'.

- 4.6 In all cases, it will be for the recipient to define what appropriate behaviour is and when the behaviour of another is unacceptable. It is not the intention of the perpetrator that is important in deciding whether harassment or bullying has occurred.

5. Effects

- 5.1 It is important to know the effects of harassment and bullying since the conduct itself may well go unnoticed for some time. Many incidents will occur when no witnesses are present and recipients of such behaviour may not wish to inform anyone of the situation. Harassment and bullying may be very subtle and do not always leave visible scars.
- 5.2 Some of the indicators of potential harassment or bullying in the workplace are:
 - poor or deteriorating morale or self-esteem;
 - poor or deteriorating work performance;
 - high staff turnover;
 - high absence levels;
 - apparent lack of commitment.
- 5.3 Symptoms of stress may also be an indication that the individual is a recipient of harassing or bullying behaviour.

6. Roles and Responsibilities

6.1 Managers

All managers have a duty to prevent harassment/bullying taking place. Managers have a responsibility to set the standards of acceptable behaviour expected of staff. They should ensure their own behaviour cannot be construed as personal harassment/bullying by acting with fairness and equity. This includes using their judgement to correct standards of conduct or behaviour, which could be seen as harassment, and to remind staff of these standards. It is a part of a manager's responsibility to act before waiting for a complaint to be registered.

Failure to manage harassment and bullying in line with the guidance within this policy, including failure to take note of harassment and bullying, may constitute a disciplinary offence.

6.2 Employees

All employees have an equal responsibility to contribute towards a working atmosphere free from harassment and bullying and to report to their manager any instances of these in the workplace in line with this policy. Each member of staff carries responsibility for their own behaviour.

Employees should appreciate that behaviour that is acceptable to some is not always acceptable to others and the perceptions and feelings of the recipient must be considered.

Employees have responsibility for having an insight into their own behaviour and how it affects others. Each individual should be expected to accept fair and reasonable feedback on how their behaviour is perceived by or affects others. This should be done through mechanisms such as 1:1 meetings and the Council's appraisal process, which would be conducted usually by the line manager.

Whilst the Council takes seriously all cases of harassment, bullying or victimisation, employees should not make complaints of a frivolous or vexatious nature, or from linking this policy to other matters regarding their employment circumstances which are unrelated to harassment, bullying or victimisation.

Staff whose behaviour breaches this policy may themselves be subject to disciplinary action.

Dignity at Work Procedure (for dealing with Harassment and Bullying)

1. General

- 1.1 This Procedure is based on the principles and commitments detailed in the Council's Dignity at Work Policy.
- 1.2 The Council regards harassment and bullying of staff as an act of aggression towards that individual. It is therefore viewed as a reportable incident and staff are encouraged to record it on the Harassment/Bullying Incident Form (see Appendix 2). To report the incident informally or formally, completed forms should be given in confidence to any of the following people:
 - line manager;
 - Service Lead or Director; or
 - HR.
- 1.3 Any employee who witnesses an incident of harassment/bullying should report it (in the same way as detailed above) and should support any colleagues suffering harassment/bullying. This should include, where appropriate, challenging the harasser/bully at the time of the incident, offering support in some other way and co-operating with any investigation into the matter.
- 1.4 Where the harassment/bullying is alleged to have been by a line manager, or by a member of staff towards their line manager, the complainant should report the incident to their Service Lead, Director or HR, who will appoint an alternative manager as an Investigating Officer to investigate the matter. The Chief Executive should not be involved in investigating allegations of bullying and harassment in order to ensure that they are free from bias if it later becomes a disciplinary matter.
- 1.5 If the Service Lead, Director or HR, consider that the incident may also be a criminal offence, it should be reported to the police for investigation.
- 1.6 An affected employee is either someone who has been harassed or bullied or someone who has witnessed an incident of harassment/bullying.
- 1.7 An alleged harasser/bully is an individual whose behaviour has been considered to be harassment or bullying.
- 1.8 An affected employee has a right to receive advice, support and counselling. Having taken advice, the options open to an affected employee are either through the informal or formal procedure.
- 1.9 Throughout all stages of this procedure strict confidentiality must be maintained in respect of both the affected employee and the alleged harasser/bully.

2. Informal Procedure

- 2.1 An employee who is the subject of harassment/bullying should report the incident as detailed (see Section 1.2 to 1.4). At this stage the line manager and/or HR should discuss the matter sensitively with the staff member who has been

harassed and agree the course of action – informal or formal procedure – to be followed.

- 2.2 The employee and/or the line manager may decide, based on the reasons set out in Section 3.1, to instigate formal proceedings (see Section 5).
- 2.3 If pursuing an informal approach in the first instance, the member of staff who is the subject of harassment/bullying should inform the harasser/bully that their remarks, actions or behaviour are unacceptable, causing them concern and must stop immediately. The employee may wish to be accompanied by a work colleague or Trade Union Representative to act as a witness.
- 2.4 In some instances, staff who have suffered harassment/bullying may not be sufficiently confident or feel able to tell the harasser/bully that their behaviour is unacceptable. The affected employee(s) should not be obliged to approach the harasser/bully themselves but should be entitled to have the matter dealt with informally by their manager.
- 2.5 The manager should discuss the alleged incident with the alleged harasser/bully giving the employee an opportunity to respond to the allegation. It may be appropriate for the manager to take steps to help the employee to understand the effect of their behaviour on the recipient. This could involve offering advice, direction, counselling or other support.
- 2.6 In many cases, by pointing out to the harasser that the behaviour is unacceptable, **managers should be able to put a stop to the problem without the need for further action.**
- 2.7 Consideration should always be given to the sensitivity needed in approaching the alleged harasser/bully, who may be unaware of the effect their behaviour is having. Where possible, the alleged harasser/bully should be approached in quiet and private surroundings.

3. Formal Procedure

3.1 Initiation

- 3.1.1 The employee and/or line manager should consider pursuing the matter formally if:
 - Harassment/bullying persists after the informal approaches by the individual and/or the individual's manager; **or**
 - There has been a previous incident(s) of harassment or bullying involving the same individual(s); **or**
 - The alleged act is serious enough to warrant formal proceedings.
- 3.1.2 When taking formal action, the following will need to be considered:
 - The degree to which the incident undermines the affected employee's personal dignity and the working climate.
 - Any record of previous incidents, their nature and degree of severity.
 - The effectiveness of the formal action in preventing repetition of the behaviour.
- 3.1.3 Any such complaint will be dealt with through the Formal Procedure outlined in the following sections.

4. Confidentiality

- 4.1 Confidentiality should be maintained as far as it is compatible with thorough investigation and the effective handling of each case. Steps should be taken to ensure that complainants and witnesses remain free from victimisation.
- 4.2 The Council has a duty of confidentiality to all employees. This therefore prevents the manager from being able to provide any detail to affected employees about specific outcomes of any case, with regard to action, if any, against the alleged harasser/bully. However where necessary, sufficient notification will be given to reassure the affected employee that appropriate action has been taken.

5. Formal Investigation

5.1 General Principles

- 5.1.1 A formal investigation will normally take place where the seriousness of the incident requires the formal procedure to be invoked, the informal procedure has been unsuccessful or the complainant prefers the formal route to resolve the incident.
- 5.1.2 The Council will reserve the right to pursue the issue formally in the interests of its employees and to honour its legal duties under Discrimination, Harassment and Health and Safety legislation, even though the affected employee may not wish to pursue the matter formally themselves or withdraws their complaint.
- 5.1.3 All formal allegations, regardless of whom they are made against, will be fully and formally investigated by an Investigating Officer, assisted by a representative from the HR department.
- 5.1.4 The Investigating Officer should not, as far as possible, have had any involvement in the incident or its handling up to that point.
- 5.1.5 During the investigation, if the Investigating Officer believes that the alleged incident may constitute an act of gross misconduct, the alleged harasser/bully must be excluded from work with immediate effect, on full pay. This should be carried out in accordance with guidelines for suspension within the Council's Disciplinary Procedure.
- 5.1.6 Where it is considered the alleged incident may amount to a criminal offence, appropriate procedures for contacting the police will be instigated.
- 5.1.7 When a complaint turns out not to be made in good faith, the manager, in consultation with HR, should decide whether the Council's Disciplinary Procedure should be invoked for the complainant.

5.2 Process for Investigation

- 5.2.1 The line manager or other recipient of the formal allegation should seek advice from HR before conducting any form of investigation.
- 5.2.2 The line manager, or an alternative appointed Investigating Officer (see Section 1.4), will collect statements and interview separately the complainant

and any witnesses. The complainant may be accompanied by a Trade Union representative or work colleague at such an interview.

- 5.2.3 The investigatory interview forms part of the investigation and is not part of a disciplinary hearing.
- 5.2.4 At the investigatory interview the Investigating Officer will seek a response about the allegations. The alleged harasser/bully may be accompanied at such an interview by a Trade Union representative or work colleague. An HR representative will also attend each investigatory interview and will keep a written record for later reference if required.
- 5.2.5 If the matter to be investigated is thought to involve possible serious misconduct, the employee may be suspended from work on full pay while the investigation proceeds. Similarly, if during the course of an investigation the Investigating Officer is of the view that a serious breach of discipline may have occurred, they may then recommend that the employee is suspended. A decision to suspend will be confirmed in writing as soon as reasonably practicable, and this will be a precautionary not a disciplinary suspension pending the outcome of the matter.
- 5.2.6 The Investigating Officer should complete the investigation in reasonable time (approximately two weeks). If this is not possible, both parties should be advised of the delay and given an indication of the likely duration.
- 5.2.7 Both parties will be notified in writing once the investigation has been concluded and, where appropriate, be informed of the next stage in the process. Confidentiality must, however, be maintained (see Section 4).

5.3 Special Leave or Temporary Transfer during an Investigation

- 5.3.1 There may be circumstances in which it is believed the relationship between the parties involved has deteriorated to the extent that it could be detrimental to service provision and/or work colleagues.
- 5.3.2 In such circumstances it may be necessary to place either party temporarily on "special leave", away from their working environment, on full pay. Alternatively, either party may be temporarily transferred to another work area on their usual terms and conditions. Special leave or temporary transfers are precautionary measures, taken without prejudice to the outcome of the investigation. Such measures must be implemented with great caution and must be discussed with HR prior to any action being taken.
- 5.3.3 When implemented, special leave or temporary transfer would not usually be expected to last longer than two weeks. This period may be extended in exceptional circumstances at the discretion of the Investigating Officer and in consultation with the relevant manager(s) and HR.

6. Action following an investigation

- 6.1 It is the responsibility of the Investigating Officer to decide the outcome to a valid complaint which offers an appropriate remedy.
- 6.2 There are a range of possible outcomes after an investigation has been conducted into a formal allegation of harassment or bullying. The action taken will depend on the seriousness of any incidents under consideration, the impact on the affected employee and any other relevant factors that are considered.

- 6.3 It is the responsibility of the Investigating Officer, in consultation with HR, to decide whether the disciplinary procedure needs to be invoked for the alleged harasser.

6.4 Where Disciplinary Action is Considered Appropriate

- 6.4.1 If disciplinary action is considered appropriate, it should be dealt with under the Council's Disciplinary Procedure. The Investigating Officer will be responsible for presenting the case to the appropriate member of Corporate Management Team.

6.5 Where Disciplinary Action is Not Considered Appropriate

- 6.5.1 The outcome may be that no disciplinary action is taken, for example in cases where the Investigating Officers consider that:
- There was no incident of harassment or bullying warranting formal disciplinary action, **or**
 - Insufficient information is available to determine whether such an incident has occurred, **or**
 - An incident(s) arose out of the capability of either party or a genuine misunderstanding between the parties and is not considered to be harassment or bullying, **or**
 - It is sufficient to formulate an action plan to address behavioural issues.
- 6.5.2 In such cases, other issues may have been raised including a capability issue, a training need or an organisational issue.
- 6.5.3 Consideration must be given to restoring the working relationship between the parties involved (see section 9).

7. Notification of End of Procedure

- 7.1 After the conclusion of the investigation and, where appropriate, the disciplinary hearing, the affected employee will be advised that the Council has taken appropriate action. All confidential details of any such action must not be divulged.

8. Appeals

- 8.1 After the conclusion of the investigation and, where appropriate, the disciplinary hearing, the alleged harasser/bully may appeal if they feel that the process of investigation or subsequent application of the disciplinary procedure has been unfairly or poorly carried out or agreed.
- 8.2 The alleged harasser/bully may also appeal against the severity of the disciplinary action taken.
- 8.3 The complainant may also appeal if it is felt that the process of investigation and subsequent application, or not, of the disciplinary procedure has been unfairly or poorly carried out. There should be no appeal allowed to the complainant against the perceived severity or leniency of the disciplinary action taken.
- 8.4 For further details on the procedure to be followed at appeal hearings, please refer to the Council's Disciplinary and/or Grievance policies.

9. Coaching

- 9.1 When a formal complaint is upheld, it may be appropriate to consider coaching for the person responsible, as they may be unaware of, or insensitive to, the impact of their actions. Coaching may help to raise awareness of the issues and prevent further incidents.
- 9.2 Coaching is a form of development to enhance an individual's skills, knowledge or work performance. It focuses on specific skills and goals, although it may also have an impact on an individual's personal attributes. It provides people with the opportunity to better assess their strengths as well as their development areas.
- 9.3 Coaching should always take place away from the employee's immediate workplace and should be undertaken on a one-to-one basis. Coaching is a skilled activity, which should be delivered by people who are trained to do so. This can be line managers and others trained in coaching skills.

10. Working Relationships

- 10.1 Where an incident of harassment or bullying has occurred, the impact on the working relationship between the affected employee and the person responsible should be considered.
- 10.2 Where necessary, support should be provided to both parties to facilitate a satisfactory reconciliation. The objective of this is to restore a professional working relationship at the earliest possible opportunity in which each party respects the dignity of the other.
- 10.3 Where the working relationships between the parties involved are considered to be damaged, all reasonable steps to re-build the working relationship must be evaluated and taken. This may include team building, facilitation, counselling and setting standards.
- 10.4 Once the Council has taken appropriate steps to rebuild the relationship, it is possible that the working relationship between the parties is still damaged. In exceptional cases the Council may consider it necessary to transfer one of the parties to alternative work within the Council. However, it must be acknowledged that such action may not always be practical, desirable or feasible.
- 10.5 Before considering transferring either party, the relevant manager must seek advice from HR and all reasonable alternatives must be evaluated and where practicable carried out.

11. Harassment by Visitors, Employees Of Other Organisations & Members Of the Public

- 11.1 Everyone has the right to be treated with dignity and respect in the course of their work. The Dignity at Work Policy for dealing with harassment and bullying applies not only to harassment and bullying by other members of staff, but also by visitors, employees of other organisations, and members of the public.
- 11.2 Whilst managers and staff must be sensitive to the situation where a member of the public may prefer to discuss their concerns with someone of the same race, sex, religion etc, and be prepared to offer an alternative as appropriate, harassment of an employee by a member of the public will not be tolerated.

- 11.3 In some cases where harassment occurs it may be possible to rectify matters informally. Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease. It may be that the individual will choose to do this themselves, or they may need support from a manager or a colleague.
- 11.4 In some instances, staff who have suffered harassment/bullying may not be sufficiently confident or feel able to tell the harasser/bully that his or her behaviour is unacceptable. The employee(s) should report the incident to their line manager or Service Lead. It will be the responsibility of the manager/Service Lead to take prompt and appropriate action to resolve the situation.
- 11.5 All complaints should be taken seriously and investigated promptly and thoroughly.
- 11.6 In dealing with a harassment situation, the view of the recipient should be taken into account and action may include:
- For verbal harassment, prompt advice by the Service Lead to the harasser/bully making it clear that their behaviour is unacceptable.
 - For an individual objecting to the provision of service by an employee on the grounds of e.g. their race, sex, sexuality etc., prompt advice by the manager/Service Lead firmly rejecting the harasser/bully's attempt to influence the matter. Making it clear to the harasser/bully that the services provided by the member of staff being harassed are the only services available, and they should not feel that they are able to harass a staff member in the hope that a different member of staff will replace them.
- 11.7 In some instances it may be more appropriate for the harasser/bully to be contacted in writing by the Service Lead, informing them that their comments or behaviour are unacceptable.
- 11.8 If the harassment continues, the harasser/bully will be informed of the nature of further action to be taken. Specific advice should be sought from the Council's Legal department before pursuing such a course of action but this may include withdrawing services from the harasser/bully or only dealing with them in writing and not in person. If it is considered appropriate to do so, the Council will also notify the Police, however, responsibility to pursue such claims rests with the victim of the offence.

12. Monitoring and Review

- 12.1 The line manager/ Service Lead must meet with the affected employee between 3-6 weeks after the conclusion of the case to ensure the conduct has ceased, the affected employee has been appropriately supported and there has been no victimisation.

APPENDIX 1

CONFIDENTIAL
Harassment/Bullying Incident Form

It is recommended that an affected employee who wishes to report an allegation of harassment or bullying at work completes and returns this form. If required, a Trade Union representative or a member of HR will be able to provide assistance with this.

The incident should be reported as detailed in Section 1.2, 1.3 and 1.4 of the Dignity at Work Procedure.

When the form is received, the line manager and/or HR will discuss the matter sensitively and agree the appropriate course of action – informal or formal procedure – to be followed.

The matter will be handled in strictest confidence.

Name: _____ Telephone Ext: _____

Job Title: _____ Department: _____

Line Manager: _____ Telephone Ext: _____

TU Rep (where appropriate) _____ Telephone: _____

Details of incident(s) – dates, times etc. (where appropriate):

Informal action already pursued (if applicable):

Additional information that you may wish to record about your allegation of harassment or bullying:

[illegible]

If further space is necessary for any of the above questions please use a continuation sheet, numbering each page and signing them at the bottom. Please carefully read what you have written before you sign it. Please retain a copy for you own records.

Signature: _____ Date: _____