



Devizes Town Council

Anti-Harassment & Bullying Policy

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1. PURPOSE

As part of its overall commitment to equality of opportunity, the council is fully committed to promoting a positive and harmonious working environment where every employee is treated with respect and dignity and in which no member of staff feels threatened or intimidated because of age, sex, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief and sexual orientation.

The aim of this policy is to prevent harassment, provide guidance to resolve any problems should they occur, and also to prevent recurrence of any incidents.

Harassment is inappropriate behaviour at work and will be treated by the council as misconduct, which may include gross misconduct warranting dismissal. Harassment at work in any form is unacceptable behaviour and will not be permitted or condoned. All employees and members of the council are required to comply with this policy.

2. PRINCIPLES

Harassment is unwanted conduct based on age, sex, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief and sexual orientation affecting the dignity of women and men at work. This can include unwelcome physical, verbal or non-verbal conduct. Such behaviour is unacceptable;

- Where it is unwanted, unreasonable and offensive to the recipient;
- Where it is used as the basis for an employment decision;
- Where it creates a hostile working environment.

Some examples are given below but there may be other forms of behaviour which may constitute harassment, and the following is not intended to be an exhaustive list;

- Physical conduct ranging from touching to serious assault;
- Verbal and written harassment through jokes, racist remarks, offensive language, gossip and slander, threats, letters;

- Visual displays of posters, graffiti, obscene gesture, or any other offensive material;
- Isolation or non co-operation at work, exclusion from social activities;
- Coercion, including pressure for sexual favours;
- Intrusion by pestering, spying, following etc.

It should be noted that it is the actions or comments being viewed as demeaning and unwanted by the recipient which is relevant and note the motive or intent behind it.

Employee Rights

All employees have the right to work in an environment which is free from harassment, and have the right to complain about harassment should it occur. All complaints will be dealt with seriously, promptly and confidentially. Employees may elect to resolve any workplace concerns relating to alleged harassment on an informal basis, with the council's assistance, in the first instance. This may include informal meetings being facilitated between the Complainant and the Alleged Harasser to resolve matters on an informal basis.

Alternatively, an employee may elect to invoke a formal grievance against the Alleged Harasser and in this event the council's grievance and disciplinary procedures may be invoked where appropriate.

Every effort will be made to ensure that employees making complaints and others, who give evidence or information in connection with the complaint, will not be victimised. Any complaint of victimisation will be dealt with seriously, promptly and confidentially. Victimisation will result in disciplinary action and may warrant dismissal.

Council's Responsibilities

All employees and members have a responsibility to help ensure a working environment in which the dignity of employees is respected. All employees and members must comply with this policy and should ensure that their behaviour to employees and colleagues and the public does not cause offence and could not in any way be considered to be harassment.

Employees should discourage harassment by making it clear that they find such behaviour unacceptable and by supporting colleagues who suffer such treatment and are considering making a complaint. They should alert a manager or supervisor to any incident of harassment to enable the council to deal with the matter.

The following procedure outlines the stages which will be followed in the event an employee raises a formal complaint of harassment.

3. **PROCEDURE**

The council's Harassment Procedure follows the same stages as the Grievance Procedure, and should be read in conjunction with the council's Grievance Procedure.

Raising a complaint of harassment

If you feel that you wish to raise a complaint of harassment you should provide your Line Manager with a written explanation outlining the nature of your complaint, providing specific examples of the inappropriate behaviour and any further evidence to support your complaint.

Where you believe that it is inappropriate to forward your complaint to your Line Manager you may forward your complaint to another member of the management team or the Personnel Panel.

On receipt of a verbal or written complaint of harassment, the manager or Personnel Panel will confirm receipt of your letter and invite you to an initial meeting in order for you to clarify the points you have raised. You have the right to be represented by a trade union representative or work place colleague at any meetings. Informing and meeting with the Alleged Harasser.

The manager will then inform the Alleged Harasser of the complaint made against them, explain the harassment procedure, advise the individual that they will be required to attend an investigation meeting and that they will be notified in writing of the meeting and given the right to representation by a work place colleague or trade union at any future meetings in relation to the complaint.

Confidentiality

So far as is reasonably practicable, the council will keep any complaint of harassment confidential between the manager or member investigating the grievance or complaint, the employee and the person about whom the grievance or complaint is made. It is necessary to investigate the matter with any other employee or person, the employee will be so advised.

Temporary Redeployment or Suspension

It may be necessary for the manager to consider either a temporary redeployment opportunity or suspension on full pay of either or both parties if applicable to enable the investigations to proceed.

Where possible the investigation with the Alleged Harasser will take place within 14 working days of the complaint being received.

The management will meet with the Alleged Harasser to discuss the nature of the complaint and obtain any further information which may

be appropriate, and the individual will be advised of the next stage of the harassment process and any likely timescales.

No Action

Where no action is taken the complainant may have the right to appeal against this decision in accordance with the stages outlines in the council's Grievance Procedure and will be advised of their right of appeal, if applicable, in the decision letter.

The employee making the complaint has the right where no action is taken to request voluntary redeployment, which the council will endeavour to accommodate where possible. Where it is not possible to accommodate a request of voluntary redeployment, and the complaint has not been substantiated, the employee making the complaint will continue in post as usual.

Disciplinary Action

Where disciplinary action is considered, then the disciplinary procedure will be followed.