

POLICY ON BULLYING AND HARASSMENT AT WORK

1. INTRODUCTION

The term 'employee' in this policy includes the Parish Clerk.

Bullying and Harassment at work is acknowledged as a workplace stressor by the Health and Safety Executive (HSE) and this Council state that it will **not tolerate** such unacceptable behaviour.

Wraxall and Failand Parish Council will, so far as is reasonably practicable, ensure that people are treated fairly and that bullying and harassment of those who seem not to "fit in" will not be allowed.

The true size of the problem will remain hidden until Management recognise that it is an issue which needs to be managed; until working people feel confident that their grievances will be addressed fairly.

Where it has been established when an individual has been bullying or harassing a colleague or colleagues, it shall be recognised as a **gross misconduct** offence as part of the Council's Disciplinary Procedures.

2. DEFINING BULLYING AND HARASSMENT

The Oxford Dictionary defines a bully as "a persons using strength or power to coerce others by fear", and harassment as "to distress, wear out; to annoy, pester".

UNISON has defined workplace bullying as "pressure on subordinates beyond that necessary to achieve objectives".

Bullying and harassment is when there is prolonged conflict between individuals, where staff is treated with contempt or indifference.

3. RECOGNISING A BULLY OR HARASSER

Bullying and harassment can occur in a number of different ways. Some are obvious and easy to identify. Others are subtle and difficult to explain. Bullies and harassers include anyone who:

- Makes life difficult for those who have the potential to do the bully's job better than the bully.
- Punishes others for being too competent by constant criticism, or by removing their responsibilities, often giving them trivial tasks to do instead.
- Refuse to delegate because they feel they can't trust anyone but themselves.
- Persistently picks on people in front of others.

- Insists their way of doing things is always right.
- Keeps individuals in their place by blocking their promotion.
- If someone challenges their authority, they overload them with work and reduce the deadlines, hoping that they will fail at what they do.
- If they feel envious of another's professional or social ability, they set out to make them appear incompetent or make their lives miserable, in the hope that this ever-present reminder of their own inadequacy will either give cause for dismissal or simply resign.
- Discrimination against an individual on the grounds of colour, race, nationality, ethnic or national origin, sex, being married, or disability.

The bully or harasser can be a woman or a man, and bullying or harassment happen to men and women almost equally.

4. EFFECT ON HEALTH

Stress and ill health become part of the daily life of the bullied and harassed. Symptoms are:-

- anxiety
- sleeplessness
- skin rashes
- ulcers
- various other illnesses or organs such as the kidney and so on
- loss of self confidence
- suicide etc.

People find themselves in positions where they feel they have no choice but to leave their jobs and in this current economic climate that means they are probably giving up their income security. Others become totally indecisive and less competent and therefore vulnerable to discipline.

5. MANAGEMENT RESPONSIBILITY

5.1 Wraxall and Failand Parish Council recognises the seriousness of the issue and the detrimental effect on the staff of the Authority. Members and Managers will have responsibility to ensure that bullying and harassment does not occur in the area of work for which they are responsible.

5.2 Members and Managers will, with the involvement and advice of external bodies, be responsive and supportive to any member of staff who have grievances about bullying or harassment. They will seek and provide full and clear advice on the procedures to be adopted, maintain confidentiality, and ensure that no further problem of bullying or harassment will occur after the complaint has been received, whilst being investigated, or when resolved.

5.3 **Council will set up:**

(a) **Procedures for:-**

(i) Reporting and recording incidents;

- (a) when approached by an employee, all initial discussions will be treated in strict **confidence** until the employee requests that further action be taken once all evidence and statements have been collated.
- (b) keep a written record of incidences and approaches made by individuals who have been bullied. Liaise with the North Somerset County Council Human Resources section for guidance on procedures to follow in investigating grievance and/or disciplinary procedures

(ii) Dealing with incidents.

- (a) informally interview work colleagues to establish evidence and facts on what/where/with whom are the problems with prior to proceeding with the investigation.
- (b) write to the bully/harasser inviting him/her/them to an informal meeting to discuss the allegations. Any reply received will be added as evidence, as will a refusal to respond. Keep copies of all correspondence.
- (c) always stick to the facts to avoid any hint of character assassination which might be interpreted as ill feeling, malice or envy.
- (d) where there are substantive grounds of a case of bullying or harassment, the bully or harasser may be moved, or, may be suspended in accordance with North Somerset's disciplinary procedures.
- (e) encourage the bullied person to speak to colleagues. This person may not be the only person suffering bullying from an individual. A group complaint could carry more weight.
- (f) consider a change of duties which may erase the problem of bullying/harassment, or instigate disciplinary procedures once it has been established that bullying/harassment has occurred.
- (g) employees bringing forward grievances of bullying or harassment will be protected against consequent victimisation and retaliation.
- (h) instances of subsequent intimidation and victimisation by the bully or his/her colleagues will also be disciplinary offences.
- (i) Perpetrators of bullying and harassment may be dismissed where misconduct is serious. Certain types of bullying and harassment are also criminal offences (e.g. assault).

(b) Members will authorise and request the Chairman of the Parish Council to undertake or instruct a fellow councillor to undertake on their behalf, audits within the Parish on:

- Moral levels;
- Sickness absence levels;
- Sickness presence (i.e. when people work, whilst being sick, because they feel their role security would be at risk if they did not)

- Any unexpected changes of behaviour
- Patterns of turnover of staff and/or councillors

(c) The cost of bullying/harassment to the Council.

It is important to understand that there are high costs of failing to carry out these actions. Directly the Council could lose in terms of:

- Lost time because staff are ill;
- Lost incentive because morale is low;
- Lost resources (trained and experienced) because people leave;
- Culture of the Council; and
- Financial losses as a result of employees taking legal action.

6. EMPLOYEES RESPONSIBILITY

6.1 Employees have a duty themselves under Section 7 and 8 of the Health and Safety at Work etc. Act 1974:

- *to take reasonable care for their own health and safety and that of others who may be affected by what they do or do not do;*
- *co-operate with their employer on health and safety; and*
- *not interfere with or misuse anything provided for their health, safety and welfare.*

6.2 Any employee/s who are aware that a colleague or colleagues are being harassed or bullied, have a duty under Section 7 and 8 above, to bring it to the attention of their supervisor/manager. This may be done secretly or formally, and such information will be treated confidentially at all times.

6.3 Instances of subsequent intimidation and victimisation by the bully or his/her colleagues against the informer are disciplinary offences. Any such behaviour will be dealt with under North Somerset Council's grievance and disciplinary procedures.

6.4 Where any member of staff who feels that he/she is bullied/harassed, they should be encouraged to:

- (i) keep a written record or diary of all incidents when they have felt bullied/harassed or threatened, or of any attacks made on their character or personal competence. This should include dates and time, details of what happened and named of witness/es, if any. This will be important when the bully/harasser is confronted.
- (ii) informally approach your Manager, your Trade Union Representative or even a colleague initially, who will speak on your behalf. All reports of bullying/harassment shall be treated **confidentially** until the individual is ready to proceed on a formal basis.
- (iii) Try speaking initially and/or write to the bully or harasser following any incident, denying or correcting their remarks. Any reply will add to the evidence, as will a refusal to respond. Keep copies of all correspondence.
- (iv) Where formal grievances are made, all allegations will be investigated swiftly, fairly, and confidentially under the Council's grievance and disciplinary procedures.

- (v) discuss the issue with colleagues. You may not be the only person suffering bullying/harassment from this person. A group complaint should carry more weight, and support from fellow workers is important in challenging a bully.

7. COUNSELLING

The Council recognises the special roles of counselling services for those who have problems as employees or as Councillors and confidential and impartial counselling is available from professional organisations. The Council must consider how they will help employees and Councillors alike to make use of the counselling services should the need arise.

8. CONCLUSION

The operation of this policy will be periodically reviewed, if amendments are considered necessary and after consultation with Trade unions recognised by the Council, all relevant external bodies and employees will be advised of the amendments and the date when they will come into effect.

This policy was adopted on 11th April 2017 and amended on 10th September 2019.