

## **DIGNITY AT WORK POLICY**

### **STATEMENT OF COMMITMENT**

Godalming Town Council fully supports the right of all people to be treated with respect and dignity in the workplace. The Council recognises that bullying is not only unacceptable on moral grounds and harassment on legal grounds, but that either can have a negative effect on both individuals and the organisation. Prolonged harassment or bullying can cause both serious psychological and physical health problems, such as stress and depression. Godalming Town Council is, therefore, committed to having a workplace which is free from harassment and bullying and to ensure that all employees, contractors and others who come into contact with the Council are treated with dignity and respect.

This policy and procedure is intended to assist Godalming Town Council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

### **THE POSITION ON BULLYING AND HARASSMENT**

All employees are required to help create a working environment in which bullying and harassment are unacceptable. Employees should, in particular, ensure that they do not collude with bullying or harassing behaviour and that they fully cooperate with any complaints' procedure. Managers are responsible for raising awareness of the issue, responding constructively to any complaints, and challenging and stopping bullying and harassment at work.

Godalming Town Council will not tolerate bullying or harassment in the workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or a repeated course of conduct, and whether done purposefully or not. The Council will not tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Employees should also be aware that if a court or tribunal finds that an act of bullying or harassment has occurred, in some circumstances that treatment may amount to a crime punishable by a fine or imprisonment.

The Council will take appropriate action if any employees or contractors are bullied or harassed by our stakeholders or suppliers.

If, after an investigation, it is decided that an employee has harassed or bullied another employee or contractor, then the employee may be subject to disciplinary action, up to and including dismissal. Retaliation or victimisation will also constitute a disciplinary offence, which may, in appropriate circumstances, lead to dismissal.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and as far as possible, confidentially. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

## WHAT TYPE OF TREATMENT AMOUNTS TO BULLYING OR HARASSMENT?

Bullying and harassment may occur 'face-to-face', in meetings, through written communications including email, by telephone and through automatic supervision methods.

**Bullying** is generally behaviour that is identified as a misuse of power. Bullying is primarily intimidating in nature, but may also be insulting, offensive or malicious. It is frequently recognised through the abuse or misuse of power through means intended to undermine, humiliate, denigrate or create a detriment for the employee. Bullying may occur as an isolated incident, but is commonly persistent.

**Harassment** is unwanted conduct related to relevant protected characteristics, which include, but are not limited to, marriage and civil partnership, pregnancy and maternity, sex, gender identity, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief, physical characteristics and age, that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

Examples of **bullying and harassment** include (but are not limited to):

- spreading malicious rumours, or verbal abuse or offensive comments, jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation;
- deliberate exclusion from conversations or work activities;
- unfair treatment;
- rifling through, hiding or damaging personal property;
- unwelcome sexual advances — lewd or suggestive comments, touching, standing too close, display of offensive materials;
- subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others;
- preventing individuals progressing by intentionally blocking promotion or training opportunities;
- physical abuse such as hitting, pushing or jostling;
- abusing a position of power

(this list is not exhaustive)

It is important to note that bullying does not include appropriate criticism of an employee's behaviour or proper performance management.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

## PREVENTION OF BULLYING AND HARASSMENT

**What should an employee do if they feel that they are being Bullied or Harassed by a Stakeholder or Supplier (as opposed to a colleague)?**

If an employee is being bullied or harassed by someone with whom they have come into contact with at work, they must raise this with the Town Clerk (or the Chair or Vice Chair of the Staffing Committee

in the case of the Town Clerk) in the first instance. A decision will then be made as to how best to deal with the situation, in consultation with the employee who has raised the concern.

### **What should an employee do if they are being Bullied or Harassed by a Colleague?**

If an employee is being bullied or harassed by another employee or contractor, there are two possible avenues for the individual to consider, informal or formal.

#### **Informal Approach**

If an employee is being bullied or harassed by another employee or contractor, the employee may be able to resolve the situation independently by informing the perpetrator(s) that their behaviour is unacceptable, contrary to the Council's policy and must stop immediately. Alternatively, it may be that the individual may obtain support from a colleague.

In either case, the employee can approach the Town Clerk for advice and support. If the employee being bullied or harassed is the Town Clerk, he/she can approach the Chair or Vice Chair of the Staffing Committee for advice and support. If the above approach is unsuccessful or if the employee does not want to try to resolve the situation in this way, or if the employee is being bullied by the Town Clerk, the employee should raise the issue with the Chair or Vice Chair of the Staffing Committee. The request for help will be treated confidentially.

The Chair of the Staffing Committee or the Town Clerk will discuss with the employee the option of trying to resolve the situation informally by:

- informing the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a fellow employee;
- that such behaviour is contrary to the Council's policy;
- that the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible for the Town Clerk, Chair or Vice Chair of the Staffing Committee to have this conversation with the alleged perpetrator. The Town Clerk, Chair or Vice Chair of the Staffing Committee will only share information that has been agreed with the employee. Complete anonymity cannot always be guaranteed in all circumstances as the employee may be identifiable from the matter being discussed. The Town Clerk, Chair or Vice Chair of the Staffing Committee will also ensure that the perpetrator is aware that the conversation is confidential.

In certain circumstances the Council may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Town Clerk, Chair or Vice Chair of the Staffing Committee will discuss this with the employee if it is appropriate.

If the complaint is resolved informally, the alleged perpetrator(s) will not be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of sexual or racial harassment, or in cases where a problem has happened before) the Council may decide to investigate further and take more formal action notwithstanding that the matter had been raised informally. The Council will consult with the employee before taking this step.

#### **Raising a Formal Complaint**

If informal resolution is unsuccessful or inappropriate, the employee can make a formal complaint through the Grievance Procedure.

The alleged perpetrator(s) would normally need to be informed of the name of the employee making the complaint and the details of the grievance in order for the issue to be investigated properly. However, the Council will carry out the investigation as confidentially and sensitively as possible.

When carrying out any reviews or monitoring, an individual's personal data must be handled in accordance with the Data Protection Policy.

If, at any stage, from the point at which a complaint is raised and it is believed that there is 'a case to answer' and a disciplinary offence might have been committed, the Council will instigate the formal disciplinary procedure. The employee will be kept informed of the outcome.

### **False Allegations of Bullying or Harassment**

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. If it is found that an employee has made a false allegation of bullying or harassment for malicious reasons, this will be investigated and dealt with fairly and objectively under Godalming Town Council's Disciplinary Procedure. This will not include ill-founded allegations that were made in good faith.

This is a non-contractual policy.

### **Linked policies and procedures:**

- Dignity at Work
- Equality & Diversity Policy
- Grievance Procedure
- Disciplinary Procedure
- Equality Act 2010