

# Sleaford Town Council

## CONSTITUTION Chapter 21 Bullying and Harassment



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## **BULLYING & HARASSMENT POLICY.**

### **1. GENERAL STATEMENT OF COMMITMENT.**

Sleaford 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 operational efficiency. Under the Health & Safety at Work Act 1974 employers have a general duty of care to protect employees' health, safety and welfare whilst at work. Sleaford Town Council is committed to promoting a working environment free from any form of bullying or harassment and has a duty to implement this policy.

All employees will be made aware of the Town Council's policy forbidding bullying and all employees are expected to adhere to this policy. Bullying and harassment will not be tolerated by anyone at Sleaford Town Council. Appropriate disciplinary action may be taken against employees who breach this policy. This policy applies to staff both on and off the premises, as well as Councillors.

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

The Town Council also recognises that it has a responsibility under The Equality Act 2010 to protect employees from bullying or harassment at work by members of the public. This is defined as third-party harassment and the employer must take reasonable steps to prevent it from happening.

Definitions of Bullying and Harassment. Bullying is primarily intimidating in nature, but can also be insulting, offensive or malicious. Examples of bullying can be:

- a) physical violence against a person
- b) damage or theft of personal belongings
- c) spreading malicious rumours
- d) ridiculing or demeaning someone \* exclusion or victimisation
- e) persistent, unnecessary criticism
- f) making inappropriate personal comments
- g) shouting at colleagues in public or in private
- h) overbearing supervision \* blocking leave or training applications without valid reasons
- i) making threats or comments about job security without foundation
- j) inappropriate use of social media

When harassment arises from people not directly employed by the Council – e.g. the public – such complaints will be taken seriously and will be pursued with the third party concerned, exercising whatever sanctions are available.

### **2. PREVENTION OF BULLYING AND HARASSMENT.**

Some people are unaware that their behaviour is unacceptable and an informal discussion may lead to greater understanding and an agreement that the behaviour will stop. The individual may choose to make this approach themselves, or they may obtain support from a colleague or an external source in the case of a Councillor. It is the duty of the Town Council to take action on any harassing or bullying behaviour that it becomes aware of before it results in a complaint.

The outcome at this informal stage may be that the complaint or allegation is:

- a) unfounded,
- b) is not proceeded with, or
- c) can be resolved through an apology or some other means,
- d) is founded but is sufficiently minor that it requires no further action other than advice, guidance, training and monitoring through the normal supervisory processes. In this event a note of the action being taken will with the offender's knowledge, be placed on their personal file. This record may be used as evidence by the alleged offender at some subsequent stage.

### **3. DISCIPLINARY PROCEDURES**

All complaints, or information relating to such complaints, will be taken seriously and dealt with fairly, sensitively and confidentially. Colleagues who witness another colleague being harassed or bullied will be able to report it to the appropriate manager without fear of reprisal. Victimisation arising from making a complaint will not be tolerated.

### **4. GRIEVANCE PROCEDURE**

In the event that an employee wishes to make a formal complaint, the Council's Grievance Procedure will be implemented immediately and complaints will be investigated swiftly in an objective and independent manner. Appropriate disciplinary action may be taken following Sleaford Town Council's Disciplinary Procedure.

### **5. GRIEVANCE PROCEDURE PROCESS**

The employee is required to discuss the matter with their Line Manager; this may not be appropriate if it is the immediate manager who is conducting the bullying/harassment. The employee may approach a designated "Contact Officer/Member" should they wish, who will be able to:

- a) provide sympathetic assistance to the employee
- b) explain how the Grievance Procedure works
- c) establish the main details of the complaint
- d) channel the complaint to the appropriate manager for action if the employee decides to take the matter further.

The Contact Officer/Member will discuss cases in complete confidence and will not divulge information to any other person without the agreement of the employee. All parties will endeavour to keep the matter confidential and it should be made clear by the Contact Officer/Member that open discussion about the complaint is not acceptable and may not be lawful.

An employee who talks to the Contact Officer/Member is not under any obligation to take further action. An employee may initiate the Council's Grievance Procedure with or without having approached a Contact Officer/Member.

The designated Contact Officer/Member for Sleaford Town Council are:

- a) The Town Mayor
- b) The Town Clerk

## **6. BULLYING OR HARASSMENT BY COUNCILLORS.**

If the Grievance Procedure has proven that a Councillor has bullied or harassed an employee, the Council has sanctions to:

- a) Admonish and receive an undertaking that the conduct will not be repeated.
- b) Ban the Councillor from all Panel/Working Groups of the Council and representation on all outside bodies.
- c) Make a formal Complaint by the Council to the District Council's Monitoring Officer, which is also the prerogative of the aggrieved employee.

## **7. UNFOUNDED ALLEGATIONS OF BULLYING OR HARASSMENT.**

If an employee makes an unfounded allegation of bullying or harassment for malicious reasons, this will be investigated and dealt with fairly and objectively under Sleaford Town Council's Disciplinary Procedure.

## **8. GENERAL**

Whenever a case of bullying or harassment arises, the Town Council will take the opportunity to examine its policy, procedures and working methods to see if they can be improved.