

## **Dealing with Harassment and Bullying at Work Policy Statement**

1. Dacorum Borough Council (DBC) does not tolerate harassment/bullying in the workplace. This includes conduct by Council employees, Members, contractors, and members of the public. Any form of harassment/bullying is unacceptable and for employees may be regarded as Gross Misconduct. The Council values diversity and believes everyone has the right to be treated with dignity and respect. The highest standards of conduct are required of everyone regardless of status.
2. DBC recognises that harassment/bullying may take many forms. It may relate to a person's ethnic origin, religion or belief, age, sex, pregnancy or maternity leave, sexual orientation, physical or mental attributes or some other personal characteristic.
3. Harassment/bullying may involve action or inaction, behaviour, exclusion, comment or physical contact that the recipient finds objectionable or offensive. It may result in the recipient feeling threatened, humiliated, intimidated, patronised, demoralised or less confident in their ability. Condoning or knowingly allowing such conduct to continue, may be considered to be harassment in itself.
4. DBC is committed to protect complainants and witnesses from victimisation both during and following any investigation.
5. It is not possible to list all types of harassment and bullying. Examples could include:
  - any conduct, which has the purpose or effect of intimidating, degrading, humiliating or offending someone
  - verbal abuse, insulting or intimidating behaviour
  - jokes or derogatory comments about gender, religion, race, age, sexual orientation or physical or mental attributes
  - the display or circulation of inappropriate material (e.g. sexually suggestive or racially abusive)
  - bullying, coercive or threatening behaviour
  - the ridicule or exclusion of an individual on the grounds of cultural or religious differences, sexual orientation, disability or age
  - unsolicited or unwelcome conduct of a sexual nature including touching, staring, commenting or stalking
  - inappropriate comments about a person's appearance or dress
  - treating someone unfavourably because they have rejected conduct of a sexual nature.
6. If after investigation, it is believed that harassment/bullying has taken place, it may be regarded as Gross Misconduct. If this is the case it will be dealt with under the Council's Conduct Procedure. Employees may be dismissed from the Council in cases of serious harassment.

7. An allegation of harassment/bullying must not be made lightly. If after investigation, it is found that an allegation of harassment/bullying has been made maliciously then this will be regarded as Gross Misconduct.

## 8. Training

DBC will provide training for:

- employees - in order to prevent bullying, harassment, victimisation or any other inappropriate behaviour
- managers and supervisors - in order to recognise and prevent inappropriate behaviour and deal with complaints
- Investigators – in order to determine the facts by carrying out impartial investigations

## 9. Dealing with Allegations

### **Allegations made about Councillors**

An allegation made about a Councillor should be referred to the Council's Monitoring Officer. The allegation could be the subject of a complaint to the Standards Board for England.

### **Allegations made about Employees**

If an allegation is made by an employee about another employee, he/she should raise the issue by using the Council's Grievance Procedure which can be found on SharePoint/Employment Handbook/Employee Relations.

If an allegation is made by a member of the public about an employee, the complaint will be investigated under the Council's Conduct Procedure.

### **Allegations made about Contractors**

If an allegation is made about a contractor or sub-contractor, the complaint will be referred to the appropriate Contract Manager who should arrange for an investigation. The Monitoring Officer should also be informed. Depending on the outcome of the investigation, the Council may take action to terminate the contract or require the contractor to remove the individual/s concerned from the contract.

*A copy of the Dealing with Harassment and Bullying at Work Policy Statement will be issued to all Contractors at the commencement of a contract and compliance will be expected of all their employees.*

### **Allegations made about Members of the Public**

If the allegation is made about a member of the public the Group Manager will investigate. If there is reason to believe that the behaviour is unacceptable he/she will consider appropriate sanctions e.g. exclusion from an activity for an agreed period of time or withdrawal of a service. The Monitoring Officer should be consulted.

## 10. Support and Aftercare

Support is available for the person making the allegation and the person whom the allegation is against from a DBC recognised Trade Union representative, Human Resources, Occupational Health and the Employee Assistance Programme (Medigold Health) 0800 328 1437.

## 11. **Optional Mediation Between Employees**

The employee making the claim is provided with the opportunity to express the true effect that the negative behaviour had on them in mediation. Both employees will be accompanied by a HR adviser, and a Union representative, if preferred.

In mediation the following behaviours are expected;

- Respect
- Empathy
- Understanding
- To think about the result they are looking for
- An opportunity to reflect