

<b>Report title</b>	<b>Bullying and Harassment Policy</b>
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<b>Department</b>	Human Resources and Organisational Development
<b>Exempt?</b>	No
<b>Exemption type</b>	Not applicable
<b>Reasons for exemption</b>	Not applicable

**Purpose of report:**

**To resolve**

**Synopsis of report:**

**To consider a proposed new employment policy on Bullying and Harassment. (Appendix 1)**

**Recommendation(s):**

**That the proposed policy be approved.**

**1. Introduction**

- 1.1 As part of an initiative to modernise all employment policies, Human Resources have developed a new policy on dealing with Bullying and Harassment in the workplace. Legislation and approaches to the topic have changed significantly since the Council's current policy was created (approved at Committee on 18 October 2000 and updated in November 2012), therefore it was necessary to prepare a new policy rather than amend the original version.
- 1.2 This new policy incorporates current legislation, modern examples and approaches to the topic. It was written in line with advice from ACAS (Advisory, Conciliation and Arbitration Service) and the CIPD (Chartered Institute of Personnel).

**2. Purpose of policy**

- 2.1 Bullying, harassment or victimisation will not be tolerated by the Council and this policy sets out the organisation's approach to identifying and dealing with this behaviour. The document provides examples of bullying, harassment, cyber bullying and sexual harassment.

- 2.2 The policy applies to all employees, agency staff and anyone else engaged to work at the Council. It clarifies that a concern about the behaviour of an Elected Member would be dealt with using the Code of Conduct for Members.
- 2.3 Bullying can be alleged in situations where an employee is being performance managed, therefore the policy sets out the difference between legitimate performance management techniques in opposition to bullying behaviours.
- 2.4 The policy sets out details of methods which endeavor to deal with the issue informally, these include an employee speaking to the alleged bully themselves, or with the support of another person; a facilitated conversation with a neutral third party or mediation with a trained mediator. This is often provided by an individual from outside the organisation.
- 2.5 Should an informal approach be unsuccessful or inappropriate, the policy explains how an employee would raise the issue formally. The process for an investigation is detailed. The document also details the factors that need to be considered before suspending an employee.
- 2.5 The policy outlines the responsibilities under the policy of the Council, Managers, Employees and the Trade Union. It closes with details on internal and external sources of support and guidance.
- 2.6 Consultees on this policy were Corporate Leadership Team, Senior Leadership Team, Unison, the Equalities Group and the Human Resources team.

### **3. Policy framework implications**

- 3.1 Updating employment policies meets one of the aims of the Organisational Development Strategy 2022-2023

### **4. Equality implications**

- 4.1 It was necessary to undertake a full equality impact assessment due the significant impact that bullying and harassment can have on those with protected characteristics.
- 4.2 The assessment considered the definitions and examples provided in the policy and found these to be wide ranging, covered all protected characteristics and were in line with the Equality Act (2010). It was noted that, should changes be made to the protected characteristics that are covered under Act, the policy would need updating and new examples provided. The informal and formal processes outlined were felt to be fair and inclusive.
- 4.3 Other than adding a review date at the end of the policy, no amendments to the content of the document were required. No summary data was available to enable the organisation to look at trends of informal or formal bullying and harassment cases, therefore HR will create a tracking spreadsheet to provide this overview. It was noted that the Council would be able to hold a much more detailed diversity profile of its employees once the new HR and Payroll system was in place.
- 4.4 Once full approval is given, a communications plan will be devised to ensure that all employees are aware of the new policy.

## **5. Appendices**

1. Bullying and Harassment Policy 2023
2. Bullying and Harassment in the workplace 2012