

## PERSONNEL COMMITTEE 20 December 2109



Report sponsor: Paul Simpson, Strategic Director  
- Corporate Resources  
Report author: Ann Webster – Lead on Equality  
and Diversity

## Tackling Bullying, Harassment and Victimisation Policy

### Purpose

- 1.1 We have produced a new Tackling Bullying, Harassment and Victimisation Policy to replace the previous outdated Statement. The new Policy is attached.
- 1.2 The new Policy forms part of our suite of Policies around equality and diversity which are our Equality, Dignity and Respect Policy, Accessible Information Protocol and Tackling Hate Crime Together Protocol.

### Recommendation

- 2.1 For Committee to approve the new Tackling Bullying, Harassment and Victimisation Policy.
- 2.2 For Committee to agree that a question on bullying and harassment is included in the next colleague survey we do.

### Reason

- 3.1 Bullying, harassment and victimisation can have a devastating effect on our colleagues' lives and so we need to do all we can to prevent it happening. Having a robust policy in place will help get our zero tolerance approach embedded more thoroughly in our working practices. We will also be designing appropriate training to colleagues and a Communication Plan so that everyone knows about our policy.

### Supporting information

- 4.1 Our last Bullying, Harassment and Victimisation Policy Statement dates back to 2007, so was well overdue for a refresh. This new Policy has been updated and also includes The International Holocaust Remembrance Alliance working definition of antisemitism. This definition was adopted by Full Council on 27 September 2018 and it seemed appropriate to include it in this Tackling Bullying, Harassment and Victimisation Policy.
- 4.2 Our 2018/19 employment statistics show that we received seven grievances about bullying and harassment – the year before it was six. The statistics are not broken down into reasons of protected characteristics, so it's difficult to measure. HR is looking at amending the form so we can access this information easily. These figures are low, but there may be more colleagues who haven't reported this type of behaviour

against them. We hope the new policy, proposed publicity campaign and appropriate training will encourage more colleagues to tell us about their experiences.

- 4.3 Our Colleague Soapbox Survey did not have a specific question around bullying and harassment this year and so we are unable to measure this. We did ask a couple of questions around equality ...
- I feel the Council takes diversity and inclusion seriously and I am able to report any issues that are of concern to me – 72% agreed with the statement, 7.5% disagreed and the rest were neutral.
  - When I need support there is someone at the Council who cares about me – 67.5% agreed with this statement, 11.4% disagreed and the rest were neutral.
- 4.4 We know that many bullying and harassment complaints are dealt with informally and these are not recorded anywhere centrally at the moment. We need to find a system so that these are recorded and monitored somehow. It will be a challenge, but we will explore options.
- 4.4 The new Policy includes the Council's values of **Bold, Strong, Great People Working as One Team and We Care**. Just by all of us working to our values and being kind to one another, we can reduce bullying, harassment and victimisation for all our colleagues.

## Public/stakeholder engagement

- 5.1 The draft Policy was circulated to our three Employee Networks and also our external Race Equality Hub. We have incorporated their comments into the Strategy. We also took the Policy to the Policy Group and included their comments too.

## Other options

- 6.1 Do nothing. This is not an option as we need a robust Bullying, Harassment and Victimisation policy to comply with our Public Sector Equality Duty and the Equality Act 2010.

## Financial and value for money issues

- 7.1 Preventing bullying, harassment and victimisation results in a more satisfied workforce where colleagues can be themselves without fear – often colleagues who are being bullied or harassed find they need to take time off work as it may not be a very nice environment for them to be in – this costs the Council money. Tackling bullying and harassment at an early stage and doing all we can to prevent it will save us money in legal and absence costs.

## Legal implications

- 8.1 We have a responsibility for the health and safety of our colleagues under the Health and Safety at Work Act 1974, the Equality Act 2010 and the Protection from

Harassment Act 1997. There are also a number of possible legal actions that can be taken in bullying and harassment cases...

- Failure by an employer to deal with stress and bullying-related issues may result in a breach of an employee's contract.
- Where bullying involves an element of unlawful discrimination related to protected characteristics, the colleague may bring a complaint under the Equality Act 2010.
- Colleagues may also bring civil claims under the Public Order Act and the Protection from Harassment Act.

### Other significant implications

9.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	N/a	
Finance	N/a	
Service Director(s)	Nicola Sykes, Director of HR and OD	
Report sponsor	Paul Simpson, Strategic Director - Corporate Resources	
Other(s)		

Background papers	None
List of appendices:	None