

# Dignity and Respect at work – anti-bullying

## Summary

The council is committed to creating a working environment where you are treated fairly, with dignity and respect, free from bullying and harassment. The purpose of this policy is to develop an environment where these types of behaviour are known to be unacceptable. You should have the confidence to report bullying and harassment knowing your concerns will be dealt with appropriately and fairly.

This Dignity and Respect at Work – Anti Bullying Policy and Procedure does not form part of any employee's contract of employment and is entirely non-contractual. It may be amended, withdrawn, suspended or departed from at the discretion of the Council at anytime. Everyone should ensure that they take the time to read and understand the content of this policy and procedure and act in accordance with its aims and objectives. If you need support reading and/or understanding this policy and procedure, please speak with your line manager. All staff must ensure that they are familiar with and comply with and support the council's policies, procedures and guidance.

## Quick Glance

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Who does this policy apply to?

It applies to all employees (except schools – there is a separate model policy based upon these principles which governing bodies can adopt), elected members, visitors and anyone carrying out duties on behalf of the council.

What is harassment?

Harassment is any unwanted behaviour that violates the dignity of a person or creates an intimidating, hostile, degrading, humiliating or offensive environment.

The key consideration is the impact on the individual experiencing harassment, not the intention of the person they are complaining about.

Harassment can take many forms. It may involve non-verbal, verbal or physical abuse and could be based on;

- sex
- race
- religion or belief
- sexual orientation
- gender reassignment
- disability
- age
- marriage and civil partnership
- pregnancy and maternity

What is bullying?

Bullying is a form of harassment when someone abuses their authority or power, damaging dignity, self-confidence or self-esteem. Examples may include:

- using someone as a scapegoat when anything goes wrong.
- constantly and unnecessarily finding fault with someone.

- intimidating or humiliating someone.
- persistently singling someone out and treating them less favourably.
- homophobic bullying.

Everyone has a right to be treated with respect at work. Managers are responsible for setting and monitoring reasonable standards of behaviour, performance and objectives. Objective feedback, designed to improve performance is expected and necessary and is separate from unjustified bullying.

What should I do if I believe I am being bullied or harassed?

You should speak to your manager on an informal basis straight away. If you prefer, you may speak with your next level of manager, [Dignity at Work Network member](#), HR or your trade union representative.

You should do this as soon as reasonably practical, normally no later than three months after any incident has taken place. This minimises the negative impacts, leaves more scope to resolve the situation informally, prevents working relationships from breaking down and may raise levels of understanding.

It may be possible for you to have a confidential discussion with the other party and agree written outcomes.

If the informal approach is unsuccessful in resolving the issue then the following options are available:

### **Mediation**

Mediation may be offered with the aim of securing a lasting solution to the complaint. Mediation can only happen with full agreement of both the complainant and the person complained about. HR can supply an ACAS Trained and Accredited Mediator. For information about mediation, see the [Mediation Policy](#).

### **Grievance Procedure**

You should try to resolve your grievance informally in the first instance. If this process fails, you should lodge a written account of your grievance with your manager, or next level manager. The account must detail your allegation and set out how you wish the situation to be resolved. In some circumstances your manager may advise you that the concerns you raise will be better managed through an alternative procedure e.g. if your concerns have arisen through action under another policy/procedure. Otherwise a grievance resolution

meeting will then be arranged and the outcome communicated to you.

For details, see the [Grievance Policy](#).

What is victimisation?

Victimisation is when an individual is intimidated or discriminated against because they have raised a complaint about any aspect of their employment *or* they have given evidence to support a colleague's complaint. This is a form of harassment and may also be unlawful.

What is the council's position as an organisation?

Gloucestershire County Council will not tolerate any form of harassment or bullying. It is a clear breach of the employee code of conduct and can also result in breaking the law.

Any employee who is found to have harassed, bullied or victimised another person may be subject to disciplinary action under the [Disciplinary and Dismissals Procedure](#)

Who is legally responsible for acts of harassment?

In cases of harassment on the grounds of race, disability, religion or belief, sexual orientation, age, gender including gender reassignment, legal proceedings could be brought against the person complained about as well as an organisation. Claims which are found to be proven in these cases have no upper limit for compensatory payments.

Whose responsibility is it to ensure you have a safe working environment without bullying and harassment?

It is everyone's responsibility, your manager, you and your colleagues. Unacceptable behaviour by visitors and service users will also not be tolerated.

How will malicious claims of bullying or harassment be treated?

As allegations of harassment and bullying are very serious, the council will also treat very seriously any allegations proven to be malicious. Complainants making malicious allegations may also be subject to disciplinary action under the [Disciplinary and Dismissals Procedure](#).

Will any complaint remain confidential?

Confidentiality will be maintained as far as possible. However, if an employee decides not to take action to deal with the problem and the circumstances described are very serious, the council reserves the right to investigate the situation. The council has a duty of care to ensure the safety of all

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employees and service users who may be adversely affected by the alleged behaviour.