

LEDBURY TOWN COUNCIL

POLICY AND PROCEDURES FOR DEALING WITH HARASSMENT

Adopted 13th November 2008

1. Harassment Policy Statement

- 1:1 As part of its overall commitment to equality of opportunity Ledbury Town Council is fully committed to promoting a good and harmonious working environment where every employee is treated with respect and dignity and in which no worker feels threatened or intimidated.
- 1:2 The aim of this policy and the accompanying procedure is to develop a working environment in which harassment in the workplace is known to be unacceptable and where individuals are confident enough to bring forward concerns or complaints without fear of ridicule or reprisal. The Town council's aim is to provide support and guidance to resolve any problem should it occur and prevent recurrence.
- 1:3 Harassment is inappropriate behaviour at work and will be treated by the Council as misconduct, which may include gross misconduct warranting dismissal. All employees must comply with this policy.

2. Definition of Harassment

- 2:1 Harassment may take many forms. It can range from extreme forms such as violence and bullying to less obvious actions such as ignoring someone at work. Whatever the form of harassment, it will involve unwanted behaviour which is unwelcome and unpleasant to the recipient. Forms of harassment may include:-
- physical conduct ranging from touching to serious assault
 - verbal and written harassment through jokes, racist remarks, homophobic comments, offensive language, gossip and slander, sectarian songs, threats, letters, emails
 - visual displays of posters, graffiti, obscene gestures, flags, bunting or emblems or any other offensive material
 - isolation or non-co-operation at work, exclusion from social activities
 - coercion, including pressure for sexual favours, pressure to participate in political/religious groups
 - intrusion by pestering, spying, following etc.
 - an incident in which it appears that the actions of those involved are based on racial grounds, or contain an element of racial motivation.

It should be noted that it is the impact of the behaviour which is relevant and not the motive or intent behind it.

3. Procedure for Dealing with Complaints of Harassment

3:1 Any employee who believes that he/she has suffered any form of harassment is entitled to raise the matter with any colleague of their choice, including any Town Councillor, for a confidential discussion before deciding on the appropriate course of action.

Alternatively, the staff member may contact an independent advisor of their choice before commencing any of the steps outlined below.

3:2 Extreme forms of harassment, such as sexual, or racial assault, which constitute offences under criminal law, are clearly recognisable. However, whilst harassment may involve an overt abuse of power, coercion or violence, it can also appear in far more subtle guises. In some cases it can be unintentional on the perpetrator's part. In view of this following procedures should be adopted.

3:2:1 So far as is possible, the individual who believes they have been or are currently the subject of harassment should record the date(s) and details of the appropriate actions or statements directed against them.

3:2:2 The individual who believes that he or she is experiencing harassment should initially inform the person responsible that their behaviour is offensive and unwelcome and that they wish it to stop. In some cases it may be possible and sufficient to explain clearly to the person engaging in the unacceptable activities that such behaviour is not welcome, and this may be enough to ensure the behaviour is not repeated.

In circumstances where it is too difficult or embarrassing for this to be done on a one to one basis, the initial approach to the harasser may be made by letter.

3:2:3 Should the harassment continue or some employment consequences result, (eg. victimisation, discrimination), the individual should enter into formal grievance procedure.

3:2:4 In all cases, the individual reporting the alleged act(s) must be prepared to provide full information in order that the incident(s) can be formally investigated. In such circumstances it can be helpful if a diary of actions or remarks etc. has been maintained.

3:2:5 All complaints will be handled in a prompt manner, with sensitivity and strict confidentiality, ensuring due respect for the rights of both the complainant and the alleged harasser.

3:2:6 If an investigation reveals that the complaint is valid, the perpetrator will face disciplinary action designed to stop the harassment immediately and prevent any recurrence. Where relocation proves necessary, every effort will be made to relocate the harasser and not the complainant. A valid complaint against a member of staff will be

regarded as a serious breach of trust and may possibly lead to a requirement to resign.

3:2:7 Staff members will be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against a staff member for complaining about harassment will be regarded as a serious offence.

3:2:8 If it is proved that a complaint regarding alleged harassment is false, and that the intention behind the complaint was malicious, the complainant will be regarded as having committed gross misconduct making them liable for serious disciplinary action.

4. Responsibilities of Staff

4:1 All members of staff are responsible for maintaining a high standard of professional conduct between all colleagues and for abiding by all aspects of this policy.

4:2 All managers are responsible for eliminating any form of harassment or intimidation of which they are aware. Failure to do so will be considered to be a failure to fulfil the responsibilities of their position.

4:3 No member of staff will threaten or insinuate, either explicitly or implicitly, that anyone's rejection of sexual advances will be used as a basis for any decision affecting that person. Such conduct will be treated as a serious disciplinary offence.

5. Advice and Counselling

5:1 Wherever possible the person who has been harassed and the harasser will be offered counselling. Where a complaint has not been upheld, training and/or counselling may also be offered. This will be provided by a trained member of staff or by an external provider, as appropriate.

6. Monitoring and Review

6:1 The Council is responsible for ensuring the implementation of this policy and for arranging any training required.

6:2 The Council will review this policy at least every three years, and any amendments necessary will be submitted for Council approval.