

# **TORPOINT TOWN COUNCIL**



## **DIGNITY AT WORK POLICY**

**(BULLYING AND HARASSMENT)**

**DATE: - January 2024**

**NEXT RENEWAL DATE: - January 2026**

**Reviewing Body – Personnel Committee**

## **COUNCIL STATEMENT OF INTENT**

"In support of our value to respect others, Torpoint Town Council will not tolerate bullying or harassment by, or of, any of its employees, officials, Members, contractors, visitors to the council or members of the public from the community which we serve. The council is committed to the elimination of any form of intimidation in the workplace".

The Dignity at Work Policy plays an important part in preventing staff from experiencing bullying and harassment whilst work and ensuring all staff are clear about what is acceptable behaviour in the workplace. All employees are to be treated with dignity, respect and courtesy and to experience no form of discrimination.

Dignity at work is the principle of maintaining a healthy, safe and enjoyable place to go about your employment, it can only be achieved once each of these points is met: -

- The workplace is free from bullying, harassment and victimisation;
- All staff are considerate of each other and treat each other with respect;
- Unlawful discrimination in any form is never experienced;
- All employees' skills and abilities are valued and championed.

## **Definitions of Bullying and Harassment**

### **Bullying**

"Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse of this use of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress."

### **Harassment is**

"Unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment." This usually covers, but is not limited to, harassment on the grounds of sex, marital status, sexual orientation, race, colour, nationality, ethnic origin, religion, belief, disability or age.

These definitions are derived from the ACAS guidance on the topic.

Torpoint Town Council has a duty of care towards all their workers and liability under common law arising out of the Employment Rights Act 1996 and the Health and Safety at Work Act 1974. If an employer fails to act reasonably with regard to this duty of care by allowing bullying or harassment to continue unchallenged an employee may decide to resign and claim 'constructive dismissal' at an Employment Tribunal.

Under the Equality Act 2010 bullying or harassment related to one of the protected characteristics covered by the Act (age, gender, marital status, sexual orientation, race, religion, belief, colour, disability) can be considered unlawful discrimination which could lead to an Employment Tribunal claim for discrimination.

## **Process for dealing with complaints of Bullying and Harassment**

**Informal approach** – Anyone; employee, contractor, member or visitor, who feels he or she is being bullied or harassed should try to resolve the problem informally, in the first instance. It may be sufficient to explain to the person(s) involved in the unwanted behaviour, or an intermediary, that their conduct is unacceptable, offensive or causing discomfort. Anyone concerned about being bullied or harassed is encouraged to maintain a journal or other record of the incidents.

**Formal approach**

**Employees:** Where the employee feels unable to resolve the matter informally, the Employment Grievance Policy should be referred to. The employee will be expected to provide evidence of the conduct about which s/he is complaining.

**Others**

Any other party to the council who feels he or she is being bullied or harassed, should raise their complaint with the council, where possible, if an informal notification to a member has been unsuccessful at eliminating the problem. Any other party to the council who feels he or she is being bullied or harassed, should raise their complaint with the council, where possible, if an informal notification to a member has been unsuccessful at eliminating the problem. The Resolution Policy may be appropriate under these circumstances. The complaint should then be investigated and a meeting held to discuss the facts and recommend the way forward. The Complaints Policy may be appropriate under these circumstances.

The Council will undertake to ensure that its members and workers are trained in the processes required by this policy as deemed appropriate.