



Anti-Bullying and Harassment Policy

Ilfracombe Town Council

1 Introduction

It is the aim of Ilfracombe Town Council to provide a working environment that respects the rights of each employee and where colleagues treat each other with respect. Any behaviour that undermines this aim is unacceptable.

Ilfracombe Town Council does not tolerate any form of bullying and harassment under any circumstances. While implementing and upholding the policy is the duty of line managers and supervisors, all employees have a responsibility to ensure that harassment does not occur in Ilfracombe Town Council.

2 Principles and Procedures

The following procedure has been designed to inform employees about the type of behaviour that is unacceptable and provides employees who are victims of bullying and harassment with a means of redress. Ilfracombe Town Council will not tolerate bullying or harassment of:

- Job applicants
- Employees
- Contractors
- Volunteers
- Agency workers
- The self-employed
- Ex-employees

This policy also applies to work related functions which are held outside of normal working hours, either on or off Ilfracombe Town Council premises, such as Christmas Parties, leaving celebrations, working lunches, etc.

3 Bullying

Bullying is a gradual wearing down process comprising a sustained form of psychological abuse that makes victims feel demeaned and inadequate. Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, which has the purpose, or effect of intimidating, belittling and humiliating the recipient, leading to loss of self-esteem for the victim and ultimately self-questioning his or her worth in the workplace and society as a whole.

Examples of bullying

Workplace bullying can range from extreme forms such as violence and intimidation to less obvious actions, like deliberately ignoring someone at work. These can be split into two categories:

The obvious:

- Shouting or swearing at people in public and private
- Persistent criticism
- Ignoring or deliberately excluding people
- Persecution through threats and instilling fear
- Spreading malicious rumours
- Constantly undervaluing effort

- Dispensing disciplinary action that is totally unjustified
- Spontaneous rages, often over trivial matters.

The less obvious:

- Withholding information or supplying incorrect information
- Deliberately sabotaging or impeding work performance
- Constantly changing targets
- Setting individuals up to fail by imposing impossible deadlines
- Levelling unfair criticism about performance the night before an employee goes on holiday
- Removing areas of responsibility and imposing menial tasks
- Blocking applications for holiday, promotion or training.

The actions listed must be viewed in terms of the distress they cause to the individual. It is the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

4 Harassment

Harassment is unwanted conduct related to a relevant protected characteristic (an area covered by discrimination legislation) which has the purpose or effect of violating and individual's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive working environment for them.

Harassment will also occur where a colleague is treated less favourably because he or she has rejected or refused to submit to sex-based harassment, sexual harassment of gender reassignment harassment.

Where it cannot be established that there was an intention to offend, conduct will only be regarded as violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment if, taking all the circumstances into account it would be reasonable to come to that conclusion.

People can be subjected to harassment on a wide variety of grounds. Some examples are:

- Sex-based (purely because of gender) or sexual (sexual in nature)
- Sexual orientation
- Trans-sexualism (gender reassignment)
- Being married or a civil partner
- Race, nationality, ethnic origin, national origin or skin colour
- Disability itself or a reason relating to it
- Age
- Employment status, e.g. part-time, fixed term
- Membership or non-membership of a trade union
- Carrying out health and safety duties
- Religion or religious beliefs or lack of them
- Political beliefs
- Criminal record
- Health, e.g. aids/HIV sufferers
- Physical characteristics
- Social class
- Willingness to challenge harassment – being ridiculed or victimised for raising a complaint.

Harassment is normally characterised by more than one incident of unacceptable behaviour, particularly if it reoccurs, once it has been made clear by the victim that they consider it offensive. One incident may constitute harassment, however, if it is sufficiently serious. Harassment on any grounds, including the above, will not be tolerated.

Harassment at work is unlawful under the Equality Act 2010.

Ifracombe Town Council together with line managers or supervisors who fail to take steps to prevent harassment or investigate complaints may be held liable for their unlawful actions and be required to pay damages to the victim, as will the employee who has committed the act of harassment. There is no limit to the compensation that can be awarded in employment tribunals for acts of harassment.

Ifracombe Town Council will also be liable for harassment that comes from a third party (e.g. customer or supplier) if that harassment occurs on at least two occasions, the organisation is aware that it has happened and does nothing to stop it happening.

Harassment on any grounds is also a criminal offence, primarily under the Protection From Harassment Act 1997. This means that colleagues who suffer harassment may contact the police, in the case of harassment from fellow employees or harassment by third parties. Those found guilty face fines or periods of imprisonment of up to two years.

Additionally, an employee harassed by a colleague may sue that colleague personally for the damage and distress caused. Ifracombe Town Council may be held vicariously liable under the Protection from harassment Act for any harassment perpetrated by an employee whenever the behaviour in question is closely connected to the employment relationship.

Examples of harassment

Employees must recognise that what is acceptable to one employee may not be acceptable to another.

Examples of harassment include:

- Verbal – crude language, open hostility, offensive jokes, suggestive remarks, innuendoes, rude or vulgar comments, malicious gossip and offensive songs.
- Non-verbal – wolf-whistles, obscene gestures, sexually suggestive posters/calendars, pornographic material (both paper based and generated on a computer, including offensive screen-savers), graffiti, offensive letters, offensive emails, text messages on mobile phones and offensive objects.
- Physical – unnecessary touching, patting, pinching or brushing against another employee's body, intimidating behaviour, assault and physical coercion.
- Coercion – pressure for sexual favours (e.g. to get a job or be promoted) and pressure to participate in political, religious or trade union groups, etc.
- Isolation or non-cooperation and exclusion from social activities.
- Intrusion – following, pestering, spying, etc.

5 The impact of bullying and harassment

Bullying and harassment can lead to illness, absenteeism, an apparent lack of commitment, poor performance and resignation.

The damage, tension and conflict that bullying and harassment creates should not be underestimated. The result is not just poor morale, but higher labour turnover, reduced productivity, divided teams, poor service and poor product quality.

Public image can be badly damaged when incidents of bullying and harassment occur, particularly when they attract media attention. This can result in a loss of customers.

6 Enforcement

Any bullying and harassment will be classed as gross misconduct, for which employees may be summarily dismissed.

All employees will be informed of Ilfracombe Town Council policy towards bullying and harassment at induction training. It will be stressed that all complaints of harassment will be treated seriously.

Ilfracombe Town Council expects all line managers and supervisors to ensure that this policy and procedure is adhered to at all times and expects all employees to respect the dignity of their colleagues.

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