

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	12 October 2016
Subject:	Anti-Bullying and Harassment Policy
Report of:	Graeme Simpson, Head of Corporate Services
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor Mrs E J MacTiernan
Number of Appendices:	Two

Executive Summary:

The Anti-Bullying and Harassment Policy has been refreshed to ensure that it is fit for purpose.

Recommendation:

That the amendments to the current Anti-Bullying and Harassment Policy be AGREED, to take effect from 1 November 2016.

Reasons for Recommendation:

The policy must give employees who believe that they have been bullied or harassed at work a route to raise the issue either informally or formally and it is important that the policy is fit for purpose, so that there are changes in behaviour. There are legal liabilities that can arise from a failure to act and there can be serious consequences for the health and wellbeing of individuals. This policy supports the right of all people to be treated with dignity and respect at work and provides procedures to deal with any issues of bullying or harassment in the Council.

Resource Implications:

These are contained within the body of the report.

Legal Implications:

The policy assists the Council in having a clear and fair procedure in place to deal with allegations of bullying and harassment. In accordance with the Equality Act 2010, certain forms of harassment at work will amount to unlawful discrimination. Harassment will amount to discrimination if it relates to a "relevant protected characteristic". Specifically, harassment is unlawful if it relates to: sex; gender reassignment; race, which includes colour, nationality, ethnic or national origins; religion or belief; sexual orientation; disability; or age. It is important that the authority has an anti-bullying and harassment policy, in order to make sure that all employees know that bullying and harassment at work will not be tolerated and instances of such behaviour will be viewed as misconduct leading to disciplinary action up to and including summary dismissal.

Risk Management Implications:

The policy gives all staff, who believe that they have either been bullied or harassed, guidelines on what action can be taken to mitigate the risk of further incidents of bullying or harassment.

Performance Management Follow-up:

The issues raised are monitored by the Human Resources section. The policy will be kept under review and updated in accordance with changes in equalities legislation and good practice.

Environmental Implications:

None arising directly from this report.

1.0 INTRODUCTION/BACKGROUND

1.1 Bullying or harassment of any nature is always unacceptable; it could result in increased staff turnover, high levels of stress and anxiety, reduced job performance, undermine morale and affect the personal lives of those who suffer. This policy provides a way to heighten awareness of the need for fair treatment, for individuals to raise issues about bullying or harassment and have these issues dealt with quickly, fairly, sympathetically and confidentially.

1.2 The current policy was agreed on 6 June 2012. The amendments to the policy are highlighted in the attached Appendix.

2.0 ANTI-BULLYING AND HARASSMENT POLICY

2.1 The Council is committed to creating a work place environment that is free from bullying and harassment, where everyone is treated with dignity and respect. This policy sets out the Council's commitment to adopting a zero-tolerance approach towards bullying and harassment, and how employees can raise issues formally and the procedures in place for dealing with them. The aim of the policy is to change behaviour and to ensure that staff comply with our core values and behaviours.

3.0 OTHER OPTIONS CONSIDERED

3.1 None.

4.0 CONSULTATION

4.1 Trade Unions and Management.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 HR Strategy, HR Service Plan, Whistleblowing Policy, Absence Management Policy and Disciplinary and Grievance Procedures.

6.0 RELEVANT GOVERNMENT POLICIES

6.1 The key areas of legislation are the Equality Act 2010, the Data Protection Act 1998 and the Employment Rights Act 1996, and the Health and Safety at Work Act 1974.

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 These are contained within the body of the report.

8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

8.1 None.

9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

10.1 An equality impact assessment has been carried out.

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 None.

Background Papers: None.

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Appendices:

1. The Anti-Bullying and Harassment Policy.
2. Equality Impact Assessment.