

Over Parish Council Bullying & Harassment Policy

1. Introduction

Over Parish Council (OPC) has a statutory obligation to safeguard the health, safety, and welfare at work of all employees and in support of our value to respect others in the community for which we serve, OPC will not tolerate bullying or harassment by, or of, any of its Council members, employees, contractors, volunteers, or members of the public.

2. Purpose

OPC is committed to the elimination of any form of intimidation in the workplace and activities under the control of OPC.

It is in OPC's and everyone's interests to promote a safe, healthy, and fair environment in which people can work and participate in activities under the control of OPC productively.

3. Scope

This policy reflects the spirit in which OPC intends to undertake all its business and outlines the specific procedures available to Council members, employees, contractors, volunteers, or members of the public to protect them from bullying and harassment.

OPC will issue this policy to all Council members as part of their Welcome Pack and to all employees as part of their induction. OPC will also share this policy with contractors, volunteers, and members of the public via its web site.

Responsibilities

All parties to OPC have a responsibility to ensure that their conduct towards others does not harass or bully or in any way demean the dignity of others. If unacceptable behavior is experienced or observed the person (s) exhibiting such behavior should be asked to stop it.

Definitions - Bullying and Harassment

These definitions are derived from the ACAS (Advisory, Conciliation and Arbitration Service) guidance on the topic.

Bullying may be characterized as:

offensive, intimidating, malicious, insulting, or humiliating behaviour; an abuse or misuse of power or authority which undermines, humiliates, denigrates, or injures an individual or a group of individuals, eroding their confidence and capability.

Harassment is:

unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

This policy covers but is not limited to harassment on the grounds of gender, marital status, sexual orientation, race, colour, nationality, ethnic origin, religion, belief, disability, or age.

Both bullying and harassment are behaviours which are unwanted by the recipient. Bullying and harassment can lead to poor morale, low productivity and poor performance, sickness absence, lack of respect for others, damage to OPC's reputation.

Examples of unacceptable behaviour are as follows (this list is not exhaustive):

Spreading malicious rumours

Insulting someone

Ridiculing or demeaning someone

Exclusion or victimisation

Unfair treatment

Overbearing supervision or other misuse of position or power

Unwelcome sexual advances, eg touching, standing too close, display of offensive materials, asking for sexual favours, making decisions based on sexual advances being accepted or rejected

Making threats about job security

Deliberately undermining a competent worker by overloading work and/or constant criticism

Preventing an individual's promotion or training opportunities.

Examples of how bullying and harassment may occur (this list is not exhaustive):

Face-to-face, in meetings, through written communication, including e-mail, by telephone or through supervision methods. It may occur on or off work premises/activity sites, during work/participation hours or non-work/non-participation time.

In extreme cases harassment can constitute a criminal offence and could lead to a fine and/or a prison sentence as a penalty and a right to damages for the victim.

OPC will take legal advice, if such a matter arises.

Where the complaint has been made to the Monitoring Officer then the Monitoring Officer will determine the disciplinary sanctions.

There may also be a referral to the Police under the Protection from Harassment Act 1997, in the most extreme cases.

False or malicious allegations of harassment or bullying which damage the reputation of an employee/member will not be tolerated and will be dealt with as specified below and/or a referral to the Monitoring Officer.

Process for Dealing with Complaints of Bullying and Harassment

Informal approach

Anyone - Council members, employees, contractors, volunteers, or members of the public. - who feels he or she is being bullied or harassed, whether by another Council member, employee, contractor, volunteer, member of the public 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 that their conduct is unacceptable, offensive, or causing discomfort.

Formal approach

Council Member:

Where a Council member feels unable to resolve the matter informally, any complaint about harassment or bullying can be raised confidentially, initially with the OPC Chairman.

If the complaint is about the OPC Chairman, or if otherwise more appropriate, matter(s) can be raised with another OPC Councillor or the Clerk

It may be appropriate for the complaint to be put in writing by the complainant after the initial discussion and/or any notes taken by the Chair/Clerk/Councillor to form the basis of an investigation to enable formal action to be invoked.

Employees:

Where the employee feels unable to resolve the matter informally, any complaint about harassment or bullying can be raised confidentially, initially with the OPC Chairman.

If the complaint is about the OPC Chairman, or if otherwise more appropriate, matter(s) can be raised with another OPC Councillor or the Clerk

It may be appropriate for the complaint to be put in writing by the complainant after the initial discussion and/or any notes taken by the Chair/Clerk/Councillor to form the basis of an investigation to enable formal action to be invoked.

Contractors:

Where a contractor feels unable to resolve the matter informally then they should contact the Clerk for guidance and use OPC's official Complaints Procedure.

If a complaint is about a Council member then they should contact the Monitoring Officer

Volunteers:

Where a Volunteer feels unable to resolve the matter informally then they should contact the Clerk for guidance and use OPC's official Complaints Procedure.

If a complaint is about a Council member then they should contact the Monitoring Officer

Members of the public:

Where a member of the public feels unable to resolve the matter informally then they should contact the Clerk for guidance and use OPC's official Complaints Procedure

If a complaint is about a Council member then they should contact the Monitoring Officer.

Useful Contacts

The Monitoring Officer Is employed by the District Council. He/she has the duty to ensure that the District Council, and the Parish Councils within its area, maintain the highest standards of conduct in all they do.

The Monitoring Officer has three main roles:

1. To report on matters he/she believes are, or are likely to be, illegal or amount to maladministration.
2. To be responsible for matters relating to the conduct of councilors and officers.
3. To be responsible for the operation of the District Council's constitution.

Monitoring Officer:

South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Great Cambourne, Cambourne, Cambridge CB23 6EA

0345 045 0500

ACAS: www.acas.org.uk Tel: 0845 7474747

Equality and Human Rights Commission: www.equalityhumanrights.com

Direct Gov Website. www.gov.uk

GLOSSARY OF TERMS

Employer – Over Parish Council

Council Member – Parish Councillor

Monitoring Officer – See above

Policy Review

A review of the policy shall be undertaken each year (or as appropriate) and necessary amendments will be undertaken by the Parish Clerk and reported to OPC for approval.

Adoption History

Approved and Adopted agenda item 2021/04-08 8.1