

# **Bullying and Harassment: Policy Statement**

---

## **Policy Statement**

The County Council's employees play a key role in providing quality services to the people of Northumberland. To make the best use of their talents and to protect their well-being, the County Council strives to provide a working environment where members of staff are treated with dignity, courtesy and respect. Showing greater sensitivity in the way we address others can help tackle prejudice and stereotyping and build more positive workplace relationships

This Policy emphasises the duty on every employee to behave appropriately at all times and seeks to prevent harassment, discrimination, bullying, victimisation and all other forms of unwarranted or improper behaviour in the workplace. Any work related events which take place away from the work-place are considered an extension of normal work and are therefore covered by this policy. This includes conduct at work-related social events or when using social networking sites such as Facebook and Twitter. Every employee, therefore, is expected to maintain standards which are consistent with the terms of this policy at all such events and in all work, or work-related, settings

## **Bullying**

1. Bullying is inappropriate and unwelcome behaviour which is offensive, intimidating, malicious or insulting to an individual or group of individuals. Bullying can be directed at anyone, which can have the effect of making someone feel undermined, humiliated or injured.
2. Bullying usually results from a misuse of power derived from status/position, physical strength or force of personality.

There are similarities with harassment but the reasons for bullying behaviour may be much broader than the grounds on which it is unlawful to harass someone. For example, you may be bullied because you are new to a team or someone feels a need to assert power or control by undermining someone else.

## **Harassment**

The Equality Act 2010, protects people from harassment related to any of the following:

- age
- sex
- disability
- gender (including gender reassignment)
- pregnancy and maternity (this will be considered as discrimination)
- race (this includes nationality and ethnic group including gypsy/Roma/Travellers)
- religion or belief (beliefs such as vegetarianism or humanism are included)
- sexual orientation

## **The Equality Act defines harassment as:**

- Unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant, or violating the complainant's dignity
- Unwanted conduct of a sexual nature (sexual harassment)

## **Bullying and Harassment: Policy Statement**

---

Harassment can take the form of improper comments or actions that are considered unwelcome, objectionable or demeaning by the recipient. It is the impact of the action upon the recipient rather than the intention of the perpetrator that principally (though not exclusively) defines acceptable or unacceptable behaviour. Harassment on any of the grounds above is against the law and could leave both the County Council and the harasser open to prosecution. Harassment can be directly targeted at an individual but it can also be caused indirectly for example when someone is telling sexist or homophobic jokes in an office and other people feel offended and uncomfortable about being in an environment in which this behaviour is taking place

Victimisation is treating a person less favourably than other people because they have:

- made, in good faith, a claim of discrimination, harassment or bullying
- helped another person who is making such a claim, perhaps by providing evidence or some other form of support to that person.

Victimisation is entirely unacceptable behaviour which can have a profound effect upon the working environment and lead to a reluctance to report acts of discrimination, bullying, victimisation or harassment. Victimisation is not lawful and could lead to the prosecution of the perpetrator and the Council.

### **Effects & Implications**

Bullying, harassment and other forms of improper behaviour cause distress and can harm the health of the person suffering the harassment. It may lead to anxiety, stress, increased sickness absence and ultimately, to an individual resigning from their post. Invariably, job performance is affected and work relations suffer. Work colleagues may be reluctant to get involved as they may fear the consequences for themselves. They may even collude with the bully as a tactic to avoid being bullied themselves. Ignoring or condoning harassment can therefore reduce efficiency, damage morale and increase staff costs. Research from the Department of Health indicates that stress-related sickness absence costs more than £5 billion a year and Amicus suggests that bullying, a major cause of stress, costs the UK economy £1.3 billion a year

Employers are responsible for the health, safety and welfare at work of all employees, which includes tackling bullying and harassment. Breaches of this Policy are serious offences that will leave offenders open to disciplinary action including dismissal. However, the prime objective is to draw attention to and thereby prevent improper behaviour in the workplace. All allegations will receive serious and confidential consideration.

### **Examples of Behaviour the Policy Seeks to Prevent**

Legislation and/or County Council policies offer protection from discrimination to all service users and employees. Harassment may occur in a face-to-face setting, by telephone or in written or electronic communications. Although not exhaustive, these are some examples of inappropriate behaviour;

- Unwelcome comments such as innuendo, teasing, jokes or verbal abuse relating to gender, race, sexual orientation, age, disability, religion or belief, pregnancy, marital or Civil Partnership status.

## **Bullying and Harassment: Policy Statement**

---

- Offensive comments about a person's dress or appearance.
- Display of pin-ups or other sexually offensive material.
- Unwelcome touching or other physical contact.
- Demands for sexual favours.
- Behaviour that ridicules or berates others.
- Graffiti or the display or circulation of offensive material.
- Insults, threats, malicious rumours or physical assault.
- Asking Intrusive questions about someone's personal beliefs, religion or sex life
- Making stereotypical assumptions
- Spreading rumours or gossip about an individual's sexual orientation or gender identity
- Outing an individual as LGBT without their permission
- Deliberate isolation or non co-operation.
- Deliberately interfering with or preventing a reasonable adjustment being made for a disabled person
- Using offensive or inappropriate language
- Intimidation, victimisation or belittling of through the misuse of power or position.
- Deliberate undermining, overloading and constant unfair criticism.
- Exclusion from usual work social communication.
- Persecution or unfavourable treatment given in reprisal against someone who has complained or given evidence under the terms of this Policy.

### **What Can You Do?**

If you think you are being bullied, harassed or victimised there **is** something you can do about it.

- ***Ask the person to stop***
- ***Ask for help***

Staff members who experience bullying, victimisation or harassment can raise their concerns through a number of different channels. They should not feel compelled or restricted to using the formal Grievance Procedure. Wherever possible, staff are encouraged to raise any concerns with their line manager but it is understood that, sometimes, individuals may not feel able to use this approach. Any employee unsure about how to make a harassment complaint can contact the Employee Relations section of the Personnel and Administration Directorate Correct term? for independent advice about the procedure.

### **Informal Action**

Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease. It may be that the individual will choose to do this themselves, or they may need support from human resources, a manager, an employee representative, or a counsellor. Some individuals will feel confident enough to face their harasser directly. If so you could try the following steps but avoid putting yourself in any difficult, frightening or dangerous situations.

- Tell the harasser you want the behaviour to stop.
- Say that if it does not you will take further action.
- Be firm, assertive and polite.

## **Bullying and Harassment: Policy Statement**

---

- If the behaviour does not stop, put it in writing and keep a copy.
- Keep written notes of dates, places, times, incidents and any witnesses.

If you, as an employee, are told that your own behaviour is unacceptable in some respect you must:

- Try to remain calm and listen carefully to the complaint and to the particular concerns expressed, remembering that it is the other person's reaction to the behaviour which is important, not the reaction you think s/he should have;
- Respect the right of all members of staff to work in an environment which is free from harassment, victimisation or bullying;
- Try to agree, with the complainant or with others discussing or raising the complaint with you, on ways to deal with the situation productively, taking full account of this policy and the associated complaints procedures; and
- Review your behaviour more generally with a view to making sure that you are not causing offence

All members of staff:

- Must ensure that they are familiar with and comply with the terms of this policy;
- Must treat all individuals with courtesy and respect when carrying out their duties;
- Must not participate in or condone acts of harassment, discrimination, victimisation or bullying;
- Must draw it to the attention of the appropriate manager if they feel that a workplace culture is developing which is likely to lead to harassment, bullying or victimisation. In the event that it is perceived the manager has contributed to the development of such a culture the matter should be drawn to the attention of the next person in the management structure

If you are unsure about facing your harasser alone you could ask someone to accompany you or to act on your behalf. The Staff Welfare Officer, or your trade union are there to help and advise you.

A second option would be to report the issue to your manager who could arrange for you and the other party to be counselled regarding the situation. This would be intended to put a stop to the behaviour which had upset you and help you to work successfully again with the other party. If your manager is involved in bullying or harassment report to a manager above your manager or contact Human resources for advice.

### **Formal Action**

You will need specific details if you decide to pursue a formal complaint. Keep an accurate diary and monitor any changes in the work pattern or attitude of the harasser. Formal complaints are made through the Council's Grievance Procedure, which if upheld, may result in proceedings against the alleged perpetrator under the Capability and Disciplinary Procedure. Grievances are initially made to your supervisor or to the next level in the management structure where the immediate supervisor is the subject of the complaint.

The County Council will instigate a discrete and impartial investigation into each complaint under the Grievance Procedure. All matters relating to this procedure will receive confidential treatment. Victimisation or retaliation against a complainant or a witness constitutes a disciplinary offence.

## **Bullying and Harassment: Policy Statement**

---

### **Training**

The Training and Development Section of the Personnel and Administration Directorate provides assertiveness training and a range of other relevant training opportunities which you may find useful. Contact your supervisor or training co-ordinator for details.

### **Problems with Third Parties**

The County Council's commitment to protect its staff does not only extend to improper or inappropriate behaviour by other employees. The Council will take all reasonable steps to protect staff from the foreseeable risks of improper behaviour from any third party that they come into contact with during their normal day to day duties. If you are harassed or suffer ill-treatment by a member of the public, a service user or any other third party, notify your supervisor immediately or seek other help and advice.

### **Malicious & Unfounded Allegations**

Allegations made purely out of malice will result in disciplinary action being taken against someone who makes a false or unfounded allegation. Managers and supervisors have a duty to manage performance, attendance and conduct issues, and to instruct staff to carry out legitimate tasks associated with their role. They must provide employees with accurate feedback, which may be critical, and to take steps to achieve an improvement in performance, conduct or attendance where that is required. Exercising these functions, is not considered to be bullying, unless the manager adopts an unduly aggressive or intimidating manner.

### **Advice and Support**

Informal and confidential advice is available from a number of sources including;

The Welfare Officer Dorothy Clark can provide confidential advice to all staff with concerns at work or difficulties with personal relationships. For much of the time the Welfare Officer is out of the office visiting clients. She therefore operate a 24 hour voicemail service. If you leave a message and contact details the Welfare Officer will return your call.

- The Welfare Officer is based at County Hall, Morpeth, NE61 2EF Telephone 01670 623123 or email at [dorothy.clark@northumberland.gov.uk](mailto:dorothy.clark@northumberland.gov.uk)
- Welfare visits are arranged by agreement
- Welfare Clinics throughout the County are run throughout the year at various locations
- The Council also operates an out of hours confidential Personal Counselling Helpline (telephone 0117 934 2121). This available to all staff including LGBT staff

The health advocates many of whom have received training in dealing with the stress that can be caused by bullying and harassment and have training on the particular barriers to accessing

## **Bullying and Harassment: Policy Statement**

---

health services for LGBT staff they can offer support with health concerns and refer people to other sources of support.

Trade Union representatives can provide support to their members.

The LGBT staff group can offer support to LGBT staff and have produced guidance for staff and managers. For confidential support or more information about the LGBT staff group please see the council's Equality and Diversity webpage or contact our Joint LGBT Staff Group Equality Champion [Patrick.Price@northumbria-healthcare.nhs.uk](mailto:Patrick.Price@northumbria-healthcare.nhs.uk)

Additional advice can be obtained through the ACAS national helpline (tel 08457 47 47 47).

Support is also available from the NCC/Northumbria Care Trust Disability and LGBT Staff Networks contact

The Equality and Human Rights Commission (EHRC).  
Bullying help sites can also be found on the Internet — search under 'Workplace bullying'.