BULLYING AND HARASSMENT COMPLAINTS PROCEDURE

YEOVIL TOWN COUNCIL

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1. Introduction

1.1. No employee need put up with bullying or harassment. Yeovil Town Council recognises that making a complaint may be a distressing experience. However, all complaints will be taken seriously and dealt with in a sympathetic and sensitive manner.

1.2. If you feel that you are being bullied/harassed, the decision about how to pursue this will, in the first instance, rest solely with you. You have the right to redress through either the informal or formal procedure.

1.3. Only if the matter is brought to the attention of the alleged harasser/bully or your manager can action be taken to stop the behaviour.

1.4. In the interests of natural justice, a complaint should be made as close as possible to the date when the incident occurred. In a situation where, in your view, an accumulation of incidents merit a bullying/harassment complaint, this should be done as close as possible to the date when the 'final straw' incident took place.

1.5. Some acts of harassment may also amount to a criminal offence; in this situation we will speak to you about whether you wish for the matter to be reported to the police and support you to do so.

2. Stage One

2.1. If it is possible and appropriate to do so, you should ask the person who you feel is harassing or bullying you to stop such behaviour, making it clear that you find it offensive, and it is unwelcome. This can be done face-to-face or in writing.

2.2. If you feel that you cannot approach the alleged harasser/bully alone then you may wish to ask a work colleague or trade union representative to accompany you.

2.3. It is possible that some people may not have realised that their behaviour was offensive and alerting them to it will alter their behaviour.

3. Stage Two

3.1. If you feel unable to use the approach set out in Stage 1, or you feel that this is not appropriate, or if Stage 1 action fails to resolve your complaint, then you can raise this formally if you wish.

3.2. In this case you will need to put your complaint in writing to the Chief Executive / Town Clerk (or in the case of the Chief Executive / Town Clerk to the Staffing Committee), giving details of the specific actions/incidents about which you are complaining.

3.3. Once you have done this the matter will be investigated under the organisation's Grievance Procedure.

3.4. The Chief Executive / Town Clerk (or in the case of the Chief Executive / Town Clerk members of the Staffing/ Committee) will discuss your complaint with you. In line with the informal resolution stage set out in the Grievance Procedure, the Chief Executive / Town Clerk will, if appropriate, explore with you whether there are any informal measures that you feel able to pursue in order to attempt to resolve the situation before requesting that formal action is taken. These could include meetings with the alleged harasser/bully facilitated by your line manager or the Chief Executive / Town Clerk (or in the case of the Chief Executive / Town Clerk members of the Staffing Committee), or more structured mediation.

3.5. The formal process must, however, be followed if the particular concern brought to the organisation's attention is serious. For example, where the offence could be considered a criminal matter.

3.6. If informal measures are not appropriate/successful or you wish to proceed straight to the formal process, the Chief Executive / Town Clerk (or in the case of the Chief Executive / Town Clerk members of the Staffing Committee), or their representative, will thoroughly investigate the complaint in accordance with the appropriate procedure which could be Grievance or Disciplinary Procedure.

3.7. Decisions made in accordance with the relevant policy could include taking disciplinary action against the alleged bully/harasser; issuing management instructions; arranging mediation if both parties are willing to participate; making changes to working arrangements; or taking no further action. In cases where there has been abuse of power over more junior staff by the alleged bully/harasser, consideration will be given to this when deciding what disciplinary action will be taken.

3.8. It should be noted that if disciplinary action is taken against the alleged bully/harasser, you will be informed that disciplinary action is being taken but

will not be informed of the outcome of this or have a right of appeal against the decision of the disciplinary panel. Nor do you have the right to raise a grievance about any decision affecting the alleged bully/harasser following a disciplinary hearing or investigation.

4. Confidentiality

4.1. Any complaint received, either formally or informally, will be treated with as much confidentiality as possible. However, in order to enable your complaint to be investigated and/or resolved the individuals concerned will have to be made aware of your complaint, and it may not be possible to do this without identifying you.

4.2. The knowledge that a complaint has been made will be restricted to the minimum number of people necessary to investigate what happened. All those involved in any complaint must respect this and ensure that they are sensitive to the needs of both the complainant and the alleged harasser/bully.

4.3. All involved in investigating a complaint will do so impartially and make no inferences that either party is at fault until the investigation is complete. Breaches in confidentiality may result in disciplinary action.

5. Complaints About the Chief Executive / Town Clerk

5.1. If the matter involves a complaint against the Chief Executive / Town Clerk, you should inform the Chair of Staffing Committee, who will determine the most appropriate means of dealing properly with the complaint.

6. Complaints About Members

6.1. If the matter involves a complaint in relation to a member's conduct, you should inform the Chief Executive / Town Clerk, and consideration should be given regarding the need to consult the Monitoring Officer to establish the most appropriate way to deal with this matter.

7. Complaints Involving Third Parties

7.1. Bullying and harassment by third parties, such as customers, clients, suppliers and/or contractors, will not be tolerated.

7.2. If a matter involving a third party does occur, you should inform the Chief Executive / Town Clerk who will determine the most appropriate means of dealing properly with the complaint.

7.3. Action may include warning the third party about their behaviour, banning a customer, reporting any criminal acts to the police or sharing information with other branches of the business.

8. Malicious/Unfounded Complaints

8.1. This procedure is designed to protect individuals who raise their concerns. It is accepted that some allegations may arise from genuine misunderstandings. However, making a malicious and unfounded complaint may itself constitute harassment and be dealt with under the disciplinary procedure.

9. Support and Advice for Employees Affected by Bullying and Harassment, Including Sexual Harassment

9.1. You can access external support and advice such as:

- the Equality Advisory and Support Service (EASS).
- ACAS www.acas.org.uk/discrimination-and-bullying - For information and advice on all aspects of workplace relations and employment law.
- Rights of Women - Sexual harassment at work advice | Rights of Women.
- Protect (the whistleblowing charity).
- local advice centres [provide details of any local organisations].
- helplines which have been set up to deal with specific forms of harassment (such as the helplines provided to deal with sexual harassment and Rights of Women in England and Wales).
- the EHRC (Equality and Human Rights Commission) have produced technical guidance in this area: Sexual Harassment and harassment at work: technical guidance 2024: https://www.equalityhumanrights.com/guidance/sexual-harassment-and-harassment-work-technical-guidance - responding-to-harassment.
- Sexual harassment and harassment at work: technical guidance | EHRC.

Yeovil Town Council
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