

STANDARDS

Advice on Bullying and Harassment 18th September 2017

Report of the Monitoring Officer

PURPOSE OF REPORT

To advise the Committee on the definition of bullying.

This report is public

RECOMMENDATIONS

(1) That the report be noted.

1.0 Introduction

1.1 At the meeting on the 19th January 2017 the Monitoring Officer was requested to ascertain how other local authorities define bullying and report back, to a future meeting.

2.0 Legal Background

The Government Guidance Notes on the Equality Act 2010 provides a helpful overview of bullying and harassment and defines it as follows:

“behaviour that makes someone feel intimidated or offended”

Examples of bullying or harassing behaviour include:

- Spreading malicious rumours;
- Unfair treatment;
- Picking on someone;
- Regularly undermining a competent worker;
- Denying someone training or promotion opportunities.

Bullying and harassment can happen:

- Face to face;
- By letter;
- By email;
- By phone.

Bullying itself is not against the law, but harassment is. This is when the unwanted behaviour is related to one of the following:

- Age;
- Sex;
- Disability;
- Gender;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sexual orientation.

3.0 Employers' responsibilities

Employers are responsible for preventing bullying and harassment and are liable for any harassment suffered by their employees.

ACAS has produced a useful guide on this which is attached.

The Council has a Dignity at Work Policy & Procedure and an Equality & Diversity Policy which mirrors the provisions of the Act. Other Councils in the North West area have similar provisions, e.g. Preston City Council (Equalities Policy) defines bullying as:

'offensive, intimidating, malicious or insulting behaviour, abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.'

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):
None directly arising from this report.
LEGAL IMPLICATIONS
None directly arising from this report.
FINANCIAL IMPLICATIONS
None directly arising from the report.
SECTION 151 OFFICER'S COMMENTS
The Section 151 officer has been consulted and has no further comments on this report.

MONITORING OFFICER'S COMMENTS

This report is in the name of the Monitoring Officer

BACKGROUND PAPERS

none

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