

MAESTEG TOWN COUNCIL

Anti-harassment and bullying policy

Policy

Harassment or victimisation on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation is unacceptable.

Personal harassment takes many forms ranging from tasteless jokes and abusive remarks to pestering for sexual favours, threatening behaviour and actual physical abuse. For the purposes of this policy, it also includes bullying. Whatever form it takes, personal harassment is always taken seriously and is totally unacceptable.

The Town Council recognises that personal harassment can exist in the workplace, as well as outside, and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.

The Town Council deplores all forms of personal harassment and seeks to ensure that the working environment is sympathetic to all of its employees. The aim of this policy is to inform employees and councillors of the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment with a means of redress.

The Town Council recognises that it has a duty to implement this policy and all employees and councillors are expected to comply with it.

Examples of personal harassment

Personal harassment takes many forms and employees/councillors may not always realise that their behaviour constitutes harassment. Personal harassment is unwanted behaviour by one employee towards another or councillor towards one of his/her colleagues or to an employee and examples of harassment include:

- insensitive jokes and pranks
- lewd or abusive comments about appearance
- deliberate exclusion from conversations
- displaying abusive or offensive writing or material
- unwelcome touching
- abusive, threatening or insulting words or behaviour
- name-calling
- picking on someone or setting them up to fail
- exclusion or victimisation
- undermining their contribution/position
- demanding a greater work output than is reasonably feasible
- blocking promotion or other development/advancement.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of personal harassment. Councillors should be aware that their own contravention of this policy is a Code of Conduct matter which may be reported to the Public Service Ombudsman for Wales.

Complaining about personal harassment

Informal method

The Town Council recognises that complaints of personal harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through the normal grievance procedure. In these circumstances you are encouraged to raise such issues with a designated member of the Town Council (whether or not that person has a direct supervisory responsibility for you) as a confidential helper.

If you are the victim of minor harassment you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should hand a written request to the harasser, and your confidential helper can assist you in this.

Formal method

Where the informal approach fails or if the harassment is more serious, you should bring the matter to the attention of the Town Clerk and in the case of the Town Clerk she/he should bring the matter to the attention of the Mayor as a formal written grievance and again your confidential helper can assist you in this. If possible, you should keep notes of the harassment so that the written complaint can include:

- the name of the alleged harasser
- the nature of the alleged harassment
- the dates and times when the alleged harassment occurred
- the names of any witnesses
- any action already taken by you to stop the alleged harassment.

On receipt of a formal complaint the Town Council will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter has been resolved. If the alleged harasser is a councillor, the Mayor will request the individual to refrain from making direct contact with the employee for the required period.

On conclusion of the investigation which will normally be within 10 days of the meeting with you, a report of the findings will be submitted to the Personnel Committee that will arrange to hold the grievance meeting.

You will be invited to attend a meeting, at a reasonable time and location, to discuss the matter once the Committee has had the opportunity to consider the allegations submitted. You have the right to be accompanied at such a meeting by a colleague or trade union representative and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be considered as a breach of discipline or in the case of councillors an alleged breach of the Code of Conduct.

You will be able to put your case forward at the meeting and the Chair of the Personnel Committee will explain the outcome of the investigation. You have a right to appeal the outcome, which is to be made to the Mayor within 5 working days of receiving the outcome.

If the decision is that the allegation is well founded, the harasser will be liable to disciplinary action (or in the case of a councillor will be reported to the Public Service Ombudsman for Wales) in accordance with the Town Council's disciplinary procedure.

The Town Council is committed to ensuring employees are not discouraged from using this procedure and no employee will be victimised for having brought a complaint.

This policy was reviewed by the Policy committee on 28/02/2023

Policy Accepted and adopted by a Hybrid meeting of the Council held on 07/03/2023

.....
Mayor

Review Date: To be reviewed during the year following an election unless any issues arise.