

## LANDFORD PARISH COUNCIL STANDARD OPERATING PROCEDURE

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| <b>TITLE</b>             | Bullying and Harassment Procedure |
| <b>NUMBER</b>            | HR 5                              |
| <b>DATE EFFECTIVE</b>    | 25 March 2019                     |
| <b>DATE LAST REVISED</b> | June 2024                         |
| <b>DATE OF MEETING</b>   | 10 <sup>th</sup> July 2024        |

### 1. INTRODUCTION

Landford Parish Council (“the Council”) supports a working environment for individuals in which dignity at work is paramount. Everybody has a right to be treated with dignity and respect to realise their potential and to achieve the Council’s objectives. This procedure applies to all employees, Councillors, contractors, casual workers and volunteers.

The purpose of this procedure is to support a working environment and culture in which bullying and harassment of any kind will not be tolerated. There are two routes for dealing with allegations of bullying and harassment: 1) Informal Process and 2) Formal Process.

In the first instance, the normal expectation is for the person concerned to pursue the informal process. However, it is recognised that there may be circumstances, when the matter should be progressed through the formal route at the outset.

Individuals who invoke the harassment and bullying procedure against a Councillor, who is in the course of managing issues of capability or conduct through formal procedures, will have their complaint addressed in line with the Grievance Procedure (SOP HR 6). If the complaint is found to be without foundation and/or malicious, it will be investigated and dealt with fairly and objectively under the Disciplinary Procedure (SOP HR 7).

### 2. INFORMAL PROCESS

The informal process provides the opportunity to resolve allegations of bullying or harassment quickly. Some people may not be aware that their behaviour in some circumstances is being perceived as bullying or harassment. Using the informal approach gives the alleged perpetrator the opportunity to stop if directly approached by the complainant or line manager/Chair.

It is important that individuals who feel subjected to harassment or bullying raise the issue with an appropriate person at the time the incident(s) occur, or as soon as reasonably possible, in order that matters can be dealt with swiftly and that further potential harassment is prevented.

If the individual feels able, they should raise the problem with the alleged perpetrator, either verbally or in writing, making it clear that the behaviour is offensive and unwelcome, and ask for it to stop. However, if the individual does not feel comfortable raising the issue directly, he/she should inform his/her line manager/Chair who can raise the allegations informally on behalf of the complainant.

Where a resolution is reached through the informal process, with both parties' agreement, a copy of the outcome should be given to both parties. The line manager/Chair should arrange for ongoing monitoring of the situation along with arranging a follow up meeting no later than two months after the decision.

Where a resolution is not achieved through the informal process, an individual can pursue a complaint through the formal process.

### **3. FORMAL PROCESS**

The first stage of the formal process will be for the complainant to submit a formal complaint in writing to his/her line manager/Chair, detailing the cause of the allegations as soon as practically possible after the event or realisation of the problem or the attempted resolution.

The line manager/Chair will acknowledge receipt of the formal complaint in writing within five working days of receipt of the complaint, and propose a meeting date with the employee as soon as is practically possible.

The line manager/Chair should confirm the outcome of the meeting in writing, outlining the agreed outcome and the next steps to be taken which will include an investigation into the allegations.

The investigation must be carried out in a timely manner to ensure a swift conclusion. The Investigating Councillor will keep both parties informed of the progress of the investigation. Where a counter complaint is made by the alleged perpetrator, this will be dealt with as part of the same investigation.

At any stage of the formal procedure, the complainant may decide to attempt to resolve the situation through an informal approach instead. They will be supported in this decision wherever possible.

The Investigating Councillor will meet separately with the complainant and the alleged perpetrator, and take written signed statements from both. The alleged perpetrator will be informed of the allegations made against him/her and receive a copy of the written complaint.

The Investigating Councillor may also need to meet with witnesses that can provide evidence about the allegations. It should be made clear that any statements form part of an investigation and may be used as evidence. Written statements must be signed by the person providing the statement.

The Investigating Councillor will invite the complainant to a meeting to share a summary of the investigation's findings and discuss the outcome; outlining the rationale for drawing his/her conclusions and decision. Potential outcomes include:

- i) complaint not substantiated; or
- ii) evidence of unacceptable behaviour that may be dealt with through the Disciplinary Procedure (SOP HR 7 Disciplinary Procedure).