

Isle of Wight Council
**BULLYING AND
HARASSMENT
DIGNITY AT WORK AND
PREVENTION**

Policy Information	
Policy Title	Dignity at Work – Prevention of Harassment and Bullying Version 4
Policy Purpose	To set out the standards required to be adhered to by all employees to ensure we attain our commitment to providing a safe, dignified workplace for all.
Policy Contact	Rosalyn Langley - roselyn.langley@iow.gov.uk
Policy Date	November 2022
Supersedes	• Harassment and Bullying Policy V3, April 2018
Consultation	Not yet Consulted and agreed with all recognised Trade Unions or list names of each trade union consulted and/or state if consulted and not agreed with Trade Unions
Scope	This policy applies in its entirety to all Council employees, including schools where adopted. Where appropriate, this policy will be updated to account for any changes in legislation without further consultation This policy is non-contractual and therefore does not form part of the employee's contract of employment (and the Council reserves the right to amend or replace this policy at any time).

If you have difficulty understanding this document, please contact us on 01983 821000 and we will do our best to help you.

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1 DOCUMENT INFORMATION

1.1 POLICY STATEMENT

This policy aims to ensure that all staff are treated, and treat others, with dignity and respect, in an environment free from harassment and bullying. We believe that having a culture that is diverse, equitable and inclusive is core to everything that we strive to achieve and to the organisational environment we wish to protect.

One key to protecting our culture and our people is seeking to eradicate bullying or harassment at work. This policy supports this aim by setting out the steps we will take to investigate and deal with complaints of bullying or harassment, and how we support those affected.

1.2 SCOPE

The policy applies to all individuals working for us, at any of our premises irrespective of status, level or grade. It therefore includes all Councillors, staff, trainees, schools, volunteers, interns, apprentices, consultants, contractors, sub-contractors, casual and agency staff. It also covers suppliers and those providing services under contract with the council/school.

The policy also relates to job applicants and is relevant to all stages of the employment relationship. The content of this policy covers harassment or bullying which occurs both in and out of the workplace, such as business trips, events or work-related social functions. For guidance in relation to behaviour by third parties or visitors to our premises please refer to the Unacceptable Behaviour [Policy](#).

If a member of staff who has submitted a grievance is treated unfairly as a result of their having done so this is known as victimisation and will be treated as a disciplinary matter or in the case of Councillors will be dealt with by the Assistant Director of Corporate Services. The Assistant Director of Corporate Services is Chris Potter christopher.potter@iow.gov.uk.

1.3 OUR COMMITMENT TO YOU

We believe that a culture of equality, diversity and inclusion not only benefits our organisation but supports wellbeing and enables our people to work better because they can be themselves and feel that they belong.

We are committed to promoting a working environment based on dignity, trust and respect, and one that is free from discrimination, harassment, bullying or victimisation.

A toxic workplace culture, where bullying or harassment is tolerated, is harmful to the wellbeing of the workforce as well as the wider organisation.

We will take your concerns seriously and launch an investigation as soon as is practicable once a complaint under this policy has been made.

1.4 WHAT WE EXPECT FROM YOU

We expect every one of our people to take personal responsibility for observing, upholding, promoting and applying this policy. Whatever your job is, this is part of your role.

Any dealings you have with third parties, including customers, suppliers, contractors, agency staff and consultants, must be free from discrimination, harassment, victimisation or bullying.

We therefore adopt a zero-tolerance approach to instances of bullying or harassment. a responsible attitude is expected of everyone and appropriate action will be taken (which may include disciplinary action) against anyone whose actions are proven to amount to bullying and/or harassment.

There is no justifiable reason to bully or harass someone else. For example, observing a particular religion is not a legitimate reason for bullying or harassing a colleague. Even if you do not intend to bully or harass someone else, this does not legitimise your behaviour as it is the impact on the recipient that is important. You should be aware that you can be personally liable for harassment.

If you experience bullying or harassment, we encourage you to speak up without delay and to ask for appropriate support.

1.5 WHO IS PROTECTED FROM HARASSMENT?

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

- disability;
- sex;
- gender reassignment;
- marital or civil partnership status;
- race;
- religion or belief;
- sexual orientation; and
- age.

Although pregnancy and maternity and marriage and civil partnership are not specifically protected under the legal provisions on harassment, we consider harassment on any ground to be unacceptable.

Meaning of harassment

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of:

- violating someone else's dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for someone else.

Harassment can occur where someone perceives another person to have a protected characteristic, for example a perception that someone is transgender even if they are not.

Harassment can also arise by association, where someone is harassed because they are associated with someone with a protected characteristic, for example having a family member of a particular religion.

Examples of harassment

Harassment can occur in many forms and can take place either at work or outside work. While this is not an exhaustive list, examples include:

- "banter", jokes, taunts or insults that are sexist, racist, ageist, transphobic, homophobic or derogatory against any other protected characteristic;
- unwanted physical behaviour, for example, pushing or grabbing;
- excluding someone from a conversation or a social event or marginalising them from the group;
- derogatory comments about pregnancy, maternity leave or IVF treatment;
- mimicking or making fun of someone's disability;
- derogatory or offensive comments about religion;
- unwelcome comments about someone's appearance or the way they dress that is related to a protected characteristic;
- "outing" (i.e. revealing their sexual orientation against their wishes), or threatening to "out", someone;
- consistently using the wrong names and pronouns following the transition of a person's gender identity;
- displaying images that are racially offensive; and
- excluding or making derogatory comments about someone because of a perceived protected characteristic, or because they are associated with someone with a protected characteristic.

Meaning of sexual harassment

Harassment may be sexual in nature. The law defines sexual harassment as:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

Examples of sexual harassment

Sexual harassment can occur in many forms. While this is not an exhaustive list, examples include:

- physical conduct of a sexual nature, unwelcome physical contact or intimidation;
- persistent suggestions to meet up socially after a person has made clear that they do not welcome such suggestions;
- showing or sending offensive or pornographic material by any means (eg by text, video clip, email or by posting on the internet or social media);
- unwelcome sexual advances, propositions, suggestive remarks, or gender-related insults;
- offensive comments about appearance or dress, innuendo or lewd comments;
- leering, whistling or making sexually suggestive gestures; and
- gossip and speculation about someone's sexual orientation or transgender status, including spreading malicious rumours.

Bullying

There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating or injuring the recipient.

Bullying can be physical, verbal or non-verbal conduct. It is not necessarily face to face and can be done by email, phone calls, online (cyber-bullying) or on social media. Bullying may occur at work or outside work.

If the bullying relates to a person's protected characteristic, it may also constitute harassment and will, therefore, be unlawful.

Examples of bullying

While this is not an exhaustive list, bullying may include:

- physical, verbal or psychological threats;
 - excessive levels of supervision; and
 - inappropriate and derogatory remarks about a person's performance.
- It is important to understand that legitimate, reasonable and constructive criticism of a person's performance or behaviour, or reasonable instructions given to people in the course of their employment, will not of themselves amount to bullying.

Microaggressions

Microaggressions - sometimes called micro-incivilities - are statements, actions, or incidents that are regarded as indirect, subtle, or unintentional discrimination against members of a marginalised group such as a racial or ethnic minority. They are sometimes referred to as "death by a thousand cuts". Microaggressions generally take one of three forms:

- **Micro-assaults:** Conscious and obvious insults made verbally or non-verbally to a marginalised individual or group, for example directing limp-wristed hand gestures towards a gay colleague and saying, "It's just a joke".
- **Micro-insults:** Unintentionally insensitive remarks or assumptions based on stereotypes, for example saying to a person with a disability "You don't look disabled to me".
- **Micro-invalidations:** Where a person denies, or seeks to cancel, the feelings and lived experiences of a marginalised individual or group, for example a white person saying, "I don't think the UK has a problem with racism - some people are just too sensitive".

Serious microaggressions can amount to unlawful harassment, bullying or discrimination but even less serious microaggressions can negatively impact the health and wellbeing of the person experiencing them.

2 PROCEDURE/PROCESS

2.1 WHAT TO DO IF YOU ARE BEING BULLIED OR HARASSED INFORMAL ROUTE

Bully/harasser is a colleague

If you feel able to, you may decide to raise the issue with the individual themselves, to make clear that their behaviour is not welcome and to ask them to stop. They may not be aware that their behaviour is offending you. You should take action as soon as possible after the offending behaviour has occurred and preferably within 20 working days of the incident or the last incident. Grievances about behaviour that ceased more than 2 months ago will not normally be accepted as undue delay is inappropriate and the alleged harasser is likely to ask why the complainant has not brought matters to their attention before.

Alternatively, if you do not feel up to speaking directly to the individual, you may consider asking your manager, a colleague, or HR for support.

You may or may not want them to talk to the individual on your behalf and, where possible, we will respect your wishes. However, if the welfare or safety of you or others is at risk or where your allegations are particularly serious, we may have to approach the individual and instigate a formal investigation. In such a case we will, where possible, discuss this with you first.

If you would prefer not to discuss the issue with anyone at work, help and support is also available through our employee assistance programme (EAP). You can use our EAP to speak to an independent adviser on a confidential basis about any issue that is troubling you. See [Wightnet | Health and Wellbeing \(iow.gov.uk\)](http://Wightnet | Health and Wellbeing (iow.gov.uk)) for details of all our wellbeing support and how to access our EAP.

Bully/harasser is a third party

If you are experiencing bullying or harassment by a third party, for example a client or a supplier, we encourage you to report this to your manager or the HR team without delay so that they can advise and support you on the best course of action.

It is important to note that managers are required to manage staff performance. Managers are expected to treat staff fairly, communicate effectively and use appropriate measures to deal with those who are struggling to deliver to target or take appropriate action where misconduct is apparent. Reasonable management action includes giving reasonable instructions, performance appraisals, informal reprimands and fairly instigating capability or disciplinary procedures. Legitimate, reasonable and constructive criticism of your performance or behaviour, or reasonable instructions given to you in the course of your employment will not amount to harassment or bullying on their own provided they are addressed in a professional manner in the correct setting, i.e. a private meeting and that clear guidance and expectations are given. Whilst it is correct that bullying is subjective an investigation will consider whether the manager's actions and behaviour whilst carrying out their functions were reasonable or if they crossed over into the arena of one of the examples above.

2.2 MEDIATION

You may also consider whether mediation would be an appropriate resolution option. [Mediation](#) is a voluntary, confidential and informal method of helping people who don't see eye to eye sort through their differences. The process involves an impartial person facilitating conversations between those in dispute to assist them in developing mutually acceptable agreements to move forward and improve their future working relationship.

To find out more about mediation as a possible resolution option please contact your HR Adviser.

2.3 FORMAL ROUTE

If you are not happy with the outcome of an informal process, or if you feel it is not appropriate to approach the issue informally, you may decide to raise it formally. For allegations against a Councillor please refer to Appendix A for the process that should be followed.

To make a formal complaint, you should discuss this first with your line manager. If your complaint is about your line manager, you should raise this with their line manager or your HR Adviser.

While you can raise a formal complaint of bullying or harassment under our Grievance procedure, you may prefer to do so under this policy because it is specifically aimed at dealing with such issues. You should be aware that you cannot raise a complaint under this policy if you have raised a complaint about the same issue already under the Grievance procedure.

Under the formal procedure within this policy, we will usually:

- ask you to set out your complaint in writing and include as much detail as possible, for example the alleged bully/harasser's name, the nature of the bullying/harassment, the dates of the alleged acts of bullying/harassment, names of any witnesses, and details of any action taken to address the matter so far;
- hold a meeting with the alleged bully/harasser to ascertain their response to the allegations;
- carry out further investigations where necessary, including interviewing potential witnesses who we will instruct to keep the matter confidential;
- invite you to a meeting to discuss your complaint in full and where you will have the right to be accompanied by a colleague or trade union representative;
- hold a meeting with you to enable us to ask you further questions in light of any information we have gathered from the alleged bully/harasser and/or witnesses;
- consider all the evidence in full and make a decision; and
- inform you of our decision and, if we uphold the complaint, instigate disciplinary action up to and including dismissal against the bully/harasser.

We will investigate fully every formal complaint in an objective and confidential way, while also ensuring that we respect your rights as well as the rights of the alleged bully/harasser.

We will use every effort to complete an investigation into bullying or harassment as quickly as possible.

Where the alleged bully/harasser is a third party, we may need to adjust the procedure under this policy to ensure we conduct appropriate investigations and we will discuss this with you.

2.4 APPEALS

If you are not satisfied with the outcome of the formal investigation, you have the right to appeal.

Should you wish to appeal, you should write to the HR Adviser who was at the meeting, setting out what aspects of the decision you are unhappy with and the reasons why. Appeals should be submitted without unreasonable delay and usually no longer than five working days after we inform you of the decision.

A meeting will be arranged with you with a more senior manager to the one who chaired the initial meeting to discuss your appeal in full and to try and reach a satisfactory solution. You must take all reasonable steps to attend this meeting and you may be accompanied by a colleague or trade union representative.

The manager of the meeting will write to you within five working days of the hearing to confirm the outcome of the appeal, which will be final. There is no further right of appeal.

3 PROTECTION AND SUPPORT FOR THOSE INVOLVED

Staff who submit grievances or who participate in good faith in any investigation conducted under this policy must not suffer any form of retaliation or victimisation as a result. Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. However, an employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

If you believe you have suffered any such treatment you should inform your manager (or your manager's manager where appropriate). If the matter is not remedied you should raise it formally using the Isle of Wight Council's Grievance Procedure.

Anyone found to have condoned harassment and bullying behaviour, retaliated against someone or victimised someone for making a grievance or assisting in good faith with an investigation under this procedure will be subject to formal disciplinary action under the Isle of Wight Council's Disciplinary Procedure.

If you feel you cannot continue to work in close contact with the alleged bully/harasser, we will consider seriously any requested changes to your working arrangements during our investigation into the matter.

Regardless of the outcome of your complaint, we will consider carefully how to best approach any ongoing working relationship between you and the individual concerned. For example, depending on the specific circumstances, we may consider amending the job duties, location or reporting lines of either you or the other person. Alternatively, we may decide workplace mediation or counselling is appropriate.

We offer access to confidential individual counselling, which is available via our Employee Assistance Programme called Health Assured. This is an incredibly valuable resource for all Council employees. For confidential telephone counselling support phone: **0800 030 5182** and for online access to practical self-help information and wellbeing tools to support you, go to: www.healthassuredeap.com and login using the below details:

Username: **Isle**
Password: **Wight**

In addition, Appendix B provides guidance for those who are accused of bullying or harassment.

3.1 SENSITIVITY AND CONFIDENTIALITY

Anyone involved with an informal or formal complaint about bullying or harassment, including witnesses, must keep the matter strictly confidential and act with appropriate sensitivity to all parties.

Information about a grievance by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with the Isle of Wight Council's Data Protection Policy.

If you are found to have breached confidentiality or acted without due care or sensitivity in a case of bullying or harassment, we may take disciplinary action against you up to and including dismissal (or other appropriate action for non-employees).

3.2 TRAINING

All new starters must attend equality, diversity and inclusion training as part of their onboarding programme and it is their line manager's responsibility to ensure this is done.

Regular equality, diversity and inclusion training should also be undertaken on at least a bi-annual basis or more often where deemed appropriate.

3.3 RECORD KEEPING

We process personal data collected in relation to bullying or harassment complaints in accordance with our data protection policy. In particular, data collected in relation to the investigation of bullying or harassment complaints is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints and conducting an investigation and is securely destroyed when no longer needed.

You should immediately report any inappropriate access or disclosure of employee data in accordance with our Data protection policy as this constitutes a data protection breach. It may also constitute a disciplinary offence, which we will deal with under our disciplinary procedure.

4 GUIDANCE

This guidance section takes the policy section above but adds more detail in respect of best practice, areas of consideration and guidance on the most common questions/queries surrounding harassment and bullying.

4.1 GENERAL

We will take all allegations made under this policy seriously and address them promptly but this does not necessarily mean going straight to the formal procedure. Except in extreme cases, informal methods of dealing with harassment and bullying are often the most successful and it would be our aim to deal with matters informally in as many cases as possible.

To cool emotions and diffuse the situation, an immediate apology is invaluable and may avoid the need to take the matter further. Where informal action fails to resolve a situation, staff can follow the Isle of Wight Council's Grievance Procedure. Inappropriate behaviour by a member of staff under this policy will be treated as misconduct under the Isle of Wight Council's Disciplinary Procedure. In some cases it may amount to gross misconduct leading to summary dismissal.

4.2 MANAGERS

You must ensure that all your staff are aware of the standards of behaviour and conduct expected of them at work and you should set an example. You must also ensure that you apply standards fairly and consistently and that you contribute to a positive organisational culture in promoting the following values – respect, openness, equality, truth, fairness and recognition.

You are expected to behave in a professional manner at all times and to be aware of how your own behaviour can adversely impact on staff. You must take appropriate action where there are any incidents of harassment of which you are aware or ought to be aware. You are to make every attempt to assist if asked with any investigation and be supportive of colleagues who are asked to do the same.

4.3 ALL STAFF

Every member of staff has rights and responsibilities, which can be summarised as:

Rights	Responsibilities
To be treated with dignity and respect.	To treat others with dignity and respect.
To have an opinion and present alternative views.	To respect the authority and the decisions of others.
To be consulted on decisions which affect their work.	To deal with conflict constructively.
To challenge and be assertive in a constructive manner.	To recognise the needs of the business and others.
To have their contribution recognised.	To thank and recognise the efforts of others.
To have regular supervision and personal development reviews.	To comply with Council policy requirements and to modify their own behaviour at work if they become aware that it is unacceptable in light of this Policy.
To feel confident and supported at work.	To support other employees.

4.4 ADVICE IF YOU BELIEVE YOU ARE BEING BULLIED OR HARASSED

It is advisable if you feel you are being subjected to unacceptable behaviour to keep records of dates, times, witnesses, feelings at the time and any relevant documentation and to seek the help and support of someone who is able to help. This may be your line manager or their line manager, a work colleague or Trade Union representative. By discussing the matter, it will help to identify problems directly resulting from harassment; enable the employee to think about what has happened; and to reach a decision on positive steps that can be taken. Further advice is available in Appendix C.

4.5 FORMAL INVESTIGATIONS

Your manager will investigate complaints in a timely manner so far as is reasonably practicable. If your manager is involved in the grievance, another person will be brought in to investigate. Individuals not involved in the grievance or the investigation should not be told about it. The investigation will be conducted by someone with appropriate experience and no prior involvement in the matter. The investigation will aim to be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned.

Where your grievance is about another employee or colleague, your manager may consider making temporary changes to working arrangements or if circumstances require, precautionary suspension (following discussion with HR) may take place pending the outcome of the investigation. This will depend on the individual circumstances of the case and the severity of the matter. The investigator will also meet with the alleged harasser or bully who may also be accompanied by a colleague or Trade Union representative of their choice to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond and they may be provided with a copy of the grievance resolution form.

Your manager will also seriously consider any request you make for changes to your own working arrangements during the investigation. For example you may ask for changes to your duties or working hours so as to avoid or minimise contact with the alleged harasser or bully.

Where your complaint is about someone other than an employee, such as a contractor, customer, service user, supplier, or visitor, your manager will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, your manager will attempt to discuss the matter with the third party.

4.6 ACTION FOLLOWING THE INVESTIGATION

If the manager conducting the grievance hearing considers, on the balance of probability, that harassment or bullying has occurred, prompt action will be taken to address it.

Where the harasser or bully is an employee, the matter will be dealt with as a case of possible misconduct or gross misconduct against them under the Isle of Wight Council's Disciplinary Procedure. If you submit a grievance you will not be entitled to be informed of the outcome of any disciplinary process. You will only be informed that disciplinary action has been instigated.

Where the harasser or bully is a third party, appropriate action might include speaking or writing to the person and / or their superior about their behaviour; or, in very serious cases, banning them from the premises or terminating a contract with them.

Whether or not your grievance is upheld, your manager will consider how best to manage the ongoing working relationship between you and the alleged harasser or bully. It may be appropriate to arrange some form of mediation and / or counselling, or to change the duties, working location or reporting lines of one or both parties.

Any staff member who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to formal action under the Isle of Wight Council's Disciplinary Procedure.

APPENDIX A – HARASSMENT OF STAFF BY COUNCILLORS

The procedure outlined below should be followed in all cases where you feel it necessary to raise an allegation against a Councillor. The grievance procedure does not make provision for complaints to be made against Councillors and therefore does not apply.

The Council's Constitution contains a protocol for Member/Officer relationships and expects any dialogue between the two to be 'mutually respectful'. The Constitution also states that complaints about Councillors should be made to the Monitoring Officer. In cases of complaints of harassment of staff by Elected Member(s), the following procedure, agreed by the Assistant Director of Corporate Services, is to be followed:

Step 1

If you feel that you have been subjected to harassment by a Councillor, you should inform your manager. Your manager will ask for a written account of the incident(s) in question.

Step 2

Your manager will inform their Head of Service, who, in turn, will inform the Assistant Director of Corporate Services. The Assistant Director of Corporate Services will decide whether:

- The matter is relatively low level and therefore may be progressed by the relevant Head of Service/Director arranging a meeting with the Councillor concerned to discuss the complaint on an informal basis and, request that any unacceptable behaviour ceases. In such cases the relevant Strategic Manager will be informed of the matter and where appropriate become involved in the management of the situation in consultation with the Assistant Director of Corporate Services and/or Head of Service. It would be helpful at this stage if an apology can be obtained from the Councillor, this can then be relayed to you.

If the meeting with the Councillor does not result in an appropriate outcome, the Head of Service/Director will refer the matter back to the Assistant Director of Corporate Services, who will assume responsibility for the process.

- The matter appears to be of a more serious nature and therefore the Assistant Director of Corporate Services will assume responsibility for the process but will keep the Head of Service informed of progress. The relevant Strategic Manager will be informed and consulted on appropriate action to be taken which may include a formal complaint against the Member.

At all stages, you will be kept informed by the Assistant Director of Corporate Services.

APPENDIX B – GUIDANCE FOR THOSE ACCUSED OF HARASSMENT, BULLYING OR VICTIMISATION

If you are told that a person views your own behaviour as offensive and demeaning, or an act of victimisation, you should:

- Read this policy in full and note your own obligations under the policy.
- Respect the rights of all members of staff to work in an environment that is free from harassment, bullying or victimisation.
- Remain calm and listen carefully to the allegation and to the particular concerns expressed, remembering that in the first instance, it is the other person's reaction to the behaviour that is important, not the reaction you think they should have had.
- Try to agree on how to deal with the situation professionally and positively, taking full account of this policy and the Isle of Wight Council's Grievance Procedure.
- Consider whether the allegation can be justified in any way and whether it is appropriate for you to change your behaviour.
- Make sure that if you are in a position to change your behaviour or conduct easily, you do so immediately rather than persist with something the other person considers unwanted.
- Seek further guidance and help from your manager (or manager's manager if appropriate).

You should also bear in mind that:

- The first indication you may have that there is a problem is when a colleague tells you that they are offended or upset by certain aspects of your behaviour and want you to stop behaving in that way.
- All staff have the right to ask a person to stop behaving in a manner which is uncomfortable and unwanted.
- If approached by someone informing you that an informal or formal complaint or grievance has been made against you, remember that the complainant does not have a responsibility to raise the issue with you first and may actually feel unable or unwilling to do so as what is perceived as offensive or degrading by one person may not be or seem so to another even though you may consider your behaviour harmless. Ultimately what is important is what a third person might reasonably consider to be the nature of your conduct.

APPENDIX C – FURTHER ADVICE ON APPROACHING AN ALLEGED HARASSER

The following are tips about how to request a situation or behaviour change for those who wish to approach the alleged harasser:

Describe the other person's behaviour, or the situation being reacted to, specifically and objectively:

When you..... When..... When I

When you raise your voice and criticise my work in front of colleagues.....

Express your feelings or reaction to the other person's behaviour or the situation in an objective and unemotional way:

..... I feel belittled, embarrassed, upset and demotivated.

Specify one or two behaviour changes you would like the person to make (ask for agreement)

I would prefer I want I would like

I would prefer that we discuss work problems in a calm and rational manner in your office. I would like you to listen to my point of view and not raise your voice.

Choose the consequences you are prepared to carry through. Tell the person what you can do for them if the agreement to change is kept (positive consequences)

If you do

If you do this I am sure we will get along much better which will motivate me to achieve what you are asking of me.

If necessary, tell the person what you will do if the agreement is not kept (negative consequences)

If you don't

If your behaviour continues as it is, I feel I must take the matter further with your line manager.

Answers to common questions:

Q *I feel I am being harassed. How can I be sure about this? Should I do something about it?*

A It is always important to raise the matter, when anyone's behaviour is either threatening or causes discomfort. If possible speak directly to the person who is behaving in this way - see 2.1 Informal Steps, otherwise see section 2.3 Raising a Formal Grievance. You can also speak to your Union representative for advice. Problems tackled immediately are easier to resolve than when behaviour has been allowed to continue unchallenged for any length of time.

See the beginning of this Appendix for further guidance on how to request a situation or behaviour change.

Q *Is there anyone who will help me?*

A Yes, your line manager, or a Trade Union Representative. In addition, talk to any colleagues who have witnessed the offending behaviour towards you as you may wish them to be witnesses if you have to raise this formally. In addition, you can also refer to the help available to all employees on our [Wellbeing](#) pages.

Q *What if the informal approach does not work or if I feel my complaint is too serious to be dealt with informally.*

A You will need to lodge a formal complaint under this policy.

Q *I do not want them to lose their job – is this likely to happen?*

A Although this may worry you, it is important to realise that another employee's behaviour is not your responsibility. It is up to the employer to make a judgement and decide on appropriate action.

Q *How can I carry on working with the alleged harasser in the future? What if they bear a grudge or victimise me?*

A Such anxieties are understandable and this is why, in less serious cases, the informal approach often works best, utilising mediation and enabling people to carry on working together. However, you should be reassured of the Council's attitude on such matters. Victimisation is a disciplinary offence, will not be tolerated and will be dealt with appropriately under the disciplinary policy.

APPENDIX D – USEFUL LINKS AND INFORMATION

Further information can be obtained from:

- The Equality Act 2010 – http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf
- The Equality and Human Rights Commission (EHRC), which is a statutory body charged with enforcing anti-discrimination legislation. The EHRC helpline can provide guidance and information on discrimination and human rights issues to employees – their helpline number is 0808 800 0082 and website is <https://www.equalityhumanrights.com/en>.
- The Council's Equality and Diversity website pages: <https://www.iwight.com/Council/Working-for-the-Council/Equality-and-Diversity/Introduction>.
- ACAS information [Discrimination, bullying and harassment | Acas](#)