

THIRSTON PARISH COUNCIL - BULLYING, HARASSMENT AND INTIMIDATION POLICY

Introduction

Thirston Parish Council does not tolerate bullying, harassment or intimidation, in any form, of any of their employees or Councillors. This applies to such behaviour from members of the public and from Parish Council employees or Councillors alike.

This policy addresses actions and correspondence that can be vexatious in nature, specifically where these actions or correspondence bully, harass or intimidate Parish Council employees or Councillors.

This policy does not address violent or threatening behaviour which need an urgent response.

Bullying, harassment or intimidation

Under the Protection from Harassment Act 1997, "A person must not pursue a course of conduct which: (a) amounts to harassment of another; and/or (b) they know or ought to know amounts to harassment of the other.". Bullying, harassment or intimidation can be physical, verbal or non-verbal.

The Council defines bullying, harassment or intimidation as a pattern of offensive, malicious, insulting or humiliating action or correspondence that is intended to undermine an individual or group. These actions or correspondence, particular when repetitious, may erode a person's confidence and their capability to conduct their role as a Parish Council employee or Councillor.

Parish Councils have limited powers and funds. Counsellors are voluntary and employees are paid for only limited time. This places Parish Council employees and Counsellors in a position where bullying, harassment or intimidation can result in unacceptable stress, particularly when the actions or correspondence creates large workloads for employees and volunteers with limited time resources.

Some examples of bullying, harassing or intimidatory actions or correspondence are:

- Actions and correspondence that is unreasonable, untruthful or abusive, or undermines the character of individuals
- Actions and correspondence that pursue unmeritorious issues or trivial points, or that have unrealistic expectations
- Actions and correspondence timed to cause disruption to or a large workload for the Council
- Actions and correspondence that are frequent or repetitious, or multiple simultaneous requests for information that cause disruption to or a large workload for the Council

Managing bullying, harassing or intimidatory actions and correspondence

If a Parish Council employee or Counsellor believes they have been the subject of bullying, harassing or intimidatory action or correspondence, they should refer the complaint to the full Council under closed session. If a Parish Council employee or Counsellor is the subject of the complaint, they must excuse themselves from this full Council closed session.

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Defining actions or correspondence as bullying, harassing or intimidatory is a serious step and only undertaken as a last resort. The Council will consider such complaints seriously and only act where there is unambiguous evidence of bullying, harassment or intimidation.

If the Council agrees that the action or correspondence was bullying, harassing or intimidatory in nature, the Council will prepare a brief statement that includes:

- The persons involved
- The reason the action or correspondence was considered bullying, harassing or intimidatory in nature
- The Council's view as to the impact of the action or correspondence on employees, Councillors and/or the residents of the parish
- Where relevant, a brief description of each action or correspondence and the Council's interpretation of the meaning of each action or correspondence relevant to bullying, harassment or intimidation.

The Council will then write to the person who is the subject of the complaint. This correspondence will state:

- The reasons why the Council considers the action or correspondence was bullying, harassing or intimidatory in nature
- That employees or Counsellors will not respond to any future discussion or correspondence related to the complaint
- That there is no route of appeal against the Council's decision
- That the complaint will be reviewed within 6 months of the original Council decision. At this point, the subject of the complaint may communicate and correspond with the Council about the complaint.

Within 6 months, at a full closed Parish Council meeting (with excused members if the subject of the complaint is an employee or Counsellor), the Council will review the original complaint and any new communication and correspondence.

If the Council considers that no new and substantive issues have been raised by the complaint or the new communication and correspondence, the Council will continue to not respond to any discussion or correspondence about the complaint. If the new communication and correspondence indicates that the original complaint is no longer valid, communication and correspondence with the subject of the complaint will commence again in the normal way.

The Council will write to the subject of the complaint with this decision.

Where appropriate and if the original complaint remains valid after the review, the complaint and any new communication and correspondence related to the complaint will continue to be reviewed annually by a full closed Parish Council meeting (with excused members if the subject of the complaint is an employee or Counsellor) until the complaint is no longer valid.