



People, Performance and Development Committee
27 February 2023

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Surrey County Council Ending Bullying and Harassment Policy

Purpose of the report:

To update the Committee and seek the approval of the newly created Ending Bullying and Harassment Policy. This newly created policy is an extension to the already existing Grievance Policy.

This report is being brought to People, Performance and Development Committee under its delegated powers in accordance with Section 2, para 6.13 (a) of the Constitution:

“determine policy on pay and contractual terms and conditions of employment of all staff”.

Recommendations:

1. It is recommended that the Committee agree the publication of the newly created Ending Bullying and Harassment Policy.

BACKGROUND:

1. In 2010 the council had a separate Ending Bullying & Harassment policy, further reviews and simplification of employment policies saw the Ending Bullying and Harassment Policy brought back into the Grievance policy.
2. The Grievance Policy was formally reviewed and updated in July 2022. Upon undertaking the Grievance Policy review in 2022, it was felt that there was very little in the existing policy wording to acknowledge the council's commitment to creating a safe and inclusive workplace for all.

3. The Grievance Policy was agreed for publication by SCCTU and made available internally in November 2022. The final version of the policy is available on the intranet, 'Our Surrey'.
4. The creation of the new Ending Bullying and Harassment policy highlights the council's position on dealing with, both informally and formally, concerns relating to bullying, harassment, victimisation and discrimination.
5. The creation of the Ending Bullying & Harassment Policy will act as an initial framework for other policies to feed into. For example, the creation of a Corporate Transitioning at Work Policy and the impending updated statutory Code of Practice which is due to be published nationally this year (no confirmed date) detailing an employer's responsibility to prevent harassment in the workplace.
6. The Ending Bullying and Harassment Policy details our duty to protect our employees from 3rd party harassment and to investigate concerns, taking action as appropriate, even where statutory services responsibilities are in place.
7. The custodian of the policy is the Director of People and Change. All policies and inter-relationships are centrally reviewed by the HR Policy and Reward Board and Surrey County Council Trades Unions, whose role it is to act as one body and represent the interests of its constituent bodies and their members in response to Surrey County Council proposals.

DOCUMENT DETAIL:

1. To approve the Ending Bullying and Harassment Policy, a brief description of the policy content is below:

- 2.

- **Policy Statement:**

Details the intent of the policy, which is designed both to help eliminate bullying or harassment in any form and to offer support to any employee of the council who feels that they are being bullied or harassed by another council employee or by a third-party.

- **Equality Impact Statement**

This statement appears in a number of our employment policies. The statement has been introduced to encourage employees and line managers to engage in meaningful equality, diversity and inclusion (EDI) conversations around the possible solutions which could be implemented (or barriers removed) to enable an employee to fully engage with a process. The EDI conversation could be related to a disability, religious or cultural needs, caring responsibilities, interpreters, specific location access, specialists or modified equipment.

- **What is Harassment?**

A definition of what is considered harassment under the Equality Act 2010 is provided along with a number of examples of behaviours which may constitute as harassment. This is to help individuals identify behaviour or actions which could be deemed as harassment in order to address the concerns.

- **Third Party Harassment**

A definition of who constitutes as a third party in relation to the council is provided along with information on how to raise concerns surrounding third party harassment are provided.

- **What is Bullying?**

A definition of what is considered bullying is provided which is in line with the ACAS definition, as there is no legal definition. A number of examples of behaviours which may constitute as bullying are also provided.

- **Employee Wellbeing Support**

Information on where an individual can seek support, other than from their line manager, is provided. This section of the policy directs individuals to the wellbeing hub where additional information regarding the Employee Assistance Programme (EAP) can be found along with other additional supportive resources.

- **Reporting Bullying & Harassment**

In addition to raising concerns with a member of management, employees (or a manager on an employee's behalf) should report all incidents of bullying and/ or harassment on OSHENS, the council's online incident reporting tool. This section of the policy also directs individuals the Health and Safety manual for more information on the council's approach to minimising risks to health and safety from violence, including aggressive behaviour.

- **Informal Procedure**

It may be appropriate in some circumstances to manage incidents of bullying or harassment informally. It is recognised that sometimes an individual may not be aware how their behaviour or conduct is impacting another individual. Making that individual aware may be sufficient to stop the bullying or harassment, therefore this section outlines some initial action that can be taken to address the concerns.

- **Formal Procedure**

This section outlines when concerns around bullying and harassment should be addressed formally. At this point an individual can raise a formal grievance and the process will be handled in line with the grievance resolution procedure.

- **Victimisation**

This section details that as a council we do not tolerate any form of victimisation for speaking up or raising concerns. The section provides information on what employees should do if they feel they are being victimised.

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Sources/background papers: