



**TENTERDEN TOWN COUNCIL**

**RESPECT, BULLYING & INTIMIDATION POLICY  
FOR MEMBERS**

**DATED 10<sup>TH</sup> FEBRUARY 2020**

**REVIEW DATE: FEBRUARY 2021**

## **1. Purpose and Scope**

- 1.1 In support of its value to respect others Tenterden Town Council (the council), will not tolerate bullying or intimidation of or by, any of its employees, officials, members, contractors, visitors to the council or members of the public.
- 1.2 The council is committed to the elimination of any form of disrespect, bullying or intimidation in the workplace or outside the workplace when its employees, officials, members or contractors act, claim to act or give the impression of acting as a representative of the council.
- 1.3 This policy reflects the spirit in which the council intends to undertake all of its business.
- 1.4 The council will issue this policy to all members when they are appointed onto the council. The council may also wish to share this policy with contractors, visitors and members of the public.

## **2. Members**

- 2.1 Members undertake on accepting office to comply with the provisions of the Local Code of Conduct. The Code contains certain obligations such as:
- 2.2 He/she shall behave in such a way that a reasonable person would regard as respectful.
- 2.3 He/she shall not act in a way which a reasonable person would regard as bullying or intimidation.
- 2.4 Members will carry out some of their duties in the workplace and will come into contact with the Councils' employees. Members will also carry out some of their duties outside the workplace when acting, claiming to act or giving the impression of acting as a representative of the council. Members will be expected to conduct themselves in a way that is consistent both with the provisions of their Code and, the contents of this Policy.

## **3. Definitions**

- 3.1 **Respect** – this requirement is not intended to stifle political debate. Ideas and policies may be robustly criticised, but individuals should not be subject to personal attack. This particularly applies to dealing with the public and officers.
- 3.2 **Bullying** – Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour, an abuse of power or authority which tends to undermine an individual or a group of individuals,

gradually eroding their confidence and capacity, which may cause them to suffer stress.

- 3.3 **Intimidation** – implies inducing fear or a sense of inferiority into another. Generally, proof of fear is not required in order to establish intimidation. It may be inferred from conduct and words. It can imply a cowering through arrogant, scornful or contemptuous treatment. The behaviour usually takes place in order to persuade others to do something that the perpetrator wants them to do.

#### 4. **Examples of Unacceptable Behaviour**

4.1 This list is not exhaustive

- Spreading rumours or gossip.
- Insulting someone.
- Unwanted physical contact, including unnecessary touching, patting or brushing against a person, assault, coercing sexual behaviour, physical threats, insulting or abusive behaviour or gestures.
- Display or circulation of material which is sexually or racially offensive or degrading.
- Verbal remarks about appearance, derogatory or lewd comments, innuendoes, persistent name calling, statements which are suggestive, unwelcome, abusive and offensive.
- Humiliating or ridiculing others about their work.
- Shouting.
- Pointing your finger, invading personal space, shoving, blocking or barring the way.
- Suggesting that others should leave the organisation.
- Being hostile to others.
- Ignoring the views of others.
- Exclusion or victimisation.
- Unfair treatment.
- Making threats about job security.
- Undermining a competent worker by uncalled for criticism.

- Preventing an individual's promotion or training opportunities.
- Causing embarrassment by disciplining staff in public.
- Behaviour that denigrates or ridicules; intimidation or physical abuse; making threats; attempts to stir up hatred against an individual or group.

## **5. Legal Position**

- 5.1 Councils have a duty of care towards all their workers under Employment legislation and the Health and Safety at Work Act 1974. Under Equalities legislation bullying and intimidation may be considered unlawful.
- 5.2 A member of the public who feels he/she has been disrespected, bullied or intimidated by any officer(s) of the council should use the council's official Complaints Procedure.
- 5.3 Employees are able to use the council's Grievance Procedure which may result in disciplinary action being taken against the perpetrator of the alleged action/behaviour.
- 5.4 If any person feels that they have been disrespected, bullied or intimidated by a Member whilst that Member was undertaking council activities, they can raise a complaint to the Monitoring Officer of the appropriate Borough Council on the basis that there has been an alleged breach of the Code of Conduct. The legislation covering Member misconduct is contained within the Localism Act 2011.
- 5.5 The Monitoring Officer can convene an Investigation into the alleged complaint. The Investigation may result in a Hearing taking place to decide whether there has been a breach of the Code of Conduct in which case sanction(s) may be applied. Alternatively, the Monitoring Officer may decide to try and resolve the complaint informally either before or after Investigation.

## **6. Responsibilities**

All parties to the council have a responsibility to ensure that their conduct towards others does not demonstrate disrespect, bullying and or intimidation. The council undertakes to share its policy with all members and workers and requests that each party accepts its terms. All new members and employees will be provided with a copy of this policy.