

**AGENDA ITEM 9  
REPORT NO. VAL/29/16**

**The Highland & Western Isles Valuation Joint Board**

**Harassment at Work Policy**

**1. Introduction**

Harassment at work can have a high cost. For the employee it can manifest itself in physical fear, stress and anxiety, absenteeism and low morale. For the employer it can lead to absenteeism, poor work, high turnover, low morale, legal action and risk to public image.

**2. Aims**

The aim of this policy is to identify and address claims of harassment quickly and effectively.

**3. Principles**

The Board is committed to tackle harassment in the workplace and to deal with complaints and allegations in a fair, consistent and sensitive way.

Any incident of harassment will be regarded as extremely serious, and could be grounds for disciplinary action which could include dismissal.

All employees will be made aware that harassment (whether intentional or not) will not be tolerated or deemed acceptable by the Board.

An employee can raise a complaint of harassment confidentially without fear of ridicule and reprisal.

All employees will be aware of who to contact and what action is open to in the case of an incident of harassment.

Employees should complain of behaviour that they find offensive even if it is not directed at them. The complainant need not be subject to the harassment themselves.

Where an employee alleges harassment by someone who is not an employee of the Board the matter will be reported to the Assessor for action.

**Definition**

Harassment is behaviour which causes offence or makes a person feel uncomfortable. Harassment does not depend simply on the intention of the offender, but also the impact of their behaviour on the victim.

Harassment can take a number of forms including:

- Physical contact (from touching to serious assault)
- Sexual abuse
- Verbal and written (e.g. offensive language, sexual innuendo, jokes, slander, malicious gossip)
- Visual (e.g. posters, graffiti, gestures)
- Isolation/non-co-operation (e.g. exclusion from social activities etc.)
- Coercion (e.g. pressure for sexual favours, pressure to join a political group, etc.)
- Intrusion (e.g. pestering, spying, following)
- Victimisation (e.g. for making a claim for harassment)
- Bullying

Harassment can be caused by colleagues, supervisors, elected members, clients, members of the public, contractors, etc. Third party harassment is where an employee is harassed by someone who is not an employee of the Board (for example a customer or a contractor).

### **Employee Action**

In many instances it is possible for the complaint to be resolved quickly by the employee explaining directly to the harasser the effect their behaviour is having and that they want it to stop.

The employee can make it clear that if the behaviour continues a formal complaint will be made.

If the behaviour of a person is aggressive it may be necessary to walk away making it clear you do not wish to be spoken to in that way.

If the employee feels unable to raise his or her concerns with the person directly, he or she could write to them stating that they feel harassed, state where and when this occurred and how he or she wishes to be treated. The employee should keep a copy.

The employee can keep a diary of all incidents including details of dates, times, any witnesses and how they were personally affected. Copies of any documents that may be relevant, for example reports, emails, notes of any meetings that relate to the issue should be kept.

### **Procedure**

#### **Counselling**

Where possible, complaints of harassment should be dealt with informally. If the employee is unable to raise the matter directly with the harasser, the employee should, either raise the matter confidentially with the Office and Support Manager or with a harassment counsellor at Highland Council.

Officers within the Highland Council will be nominated as harassment councillors and may act as an initial contact for Board employees claiming harassment. Personnel at Highland Council will hold the list of harassment councillors.

The incidents or allegations will be discussed with the complainant. The discussion will be confidential and further action will not be taken without the complainants express permission.

Support and information outlining options to the employee will be provided where this is appropriate. This is likely to produce solutions which are speedy, effective and minimise embarrassment and the risk of breaching confidentiality.

### Mediation

Mediation is recognised as a useful tool in resolving appropriate harassment claims and can be arranged through the Board's Personnel Adviser. Once contacted, a Personnel representative will discuss and agree with the employee whether mediation should be appropriate.

### Formal Complaints

Where it has not been possible to resolve the matter informally, the decision whether to progress a complaint rests with the individual employee.

However, where the employee is reluctant to take formal action despite alleging serious harassment, the harassment counsellor has an obligation to inform the Assessor who must take action.

In these circumstances the harassment counsellor must discuss the circumstances with a Board's Personnel Adviser and must advise the employee of his/her intention to escalate the matter to the Assessor.

Formal complaints of harassment should be made in writing and will be considered by the Assessor in accordance with the Board's Disciplinary Procedures.

### **Guidance**

Guidance and information relating to the management of grievance matters can be found on the Board's website.

### **Legislation**

The development and application of this policy is guided by:

- Equalities Act 2010

### **Monitoring**

A record of the complaint and investigation will be kept by the Board's Personnel Adviser, including the names of parties, dates, nature and frequency of incidents, action taken, follow-up and any monitoring to be implemented. This information will be anonymised and used for statutory reporting.

The Office & Support Manager will liaise with the personnel adviser in order to identify general trends, areas of concern, and to ensure that the policy is implemented consistently.