



Response to Request for Information

Reference FOI 08153
Date 3 August 2015

Bullying and Harassment Policy and Procedure

Request:

Are there any circumstances in which the Informal Action of the council's 'Bullying and Harassment (Dignity at Work) Policy and Procedure' can be skipped? (ss. 4.1 – 4.3)

The policy states "Wherever possible, cases of **minor** misconduct should be dealt with informally." But it is equally clear that "all bullying and harassment is misconduct and is a disciplinary offence which will be dealt with under the Council's disciplinary policy" and that "Bullying or harassment will often be gross misconduct, which can lead to dismissal without notice".

Therefore, the employer's response to an allegation will very much depend on the nature of the allegation and the advice received from operational HR. In some cases an informal stage may be appropriate but not in all.

Can a member of Council staff raise a concern about another member of council staff if they have not observed any untoward behaviour, i.e. as a third party?

A complaint should prompt a management response and potentially an investigation, so must be able to be substantiated with examples. If there are concerns which they wish to discuss, they should ask to speak confidentially to HR.