

Harassment at Work Policy & Staff Guidance

1 SUMMARY

To propose the introduction of a Harassment at Work Policy and Staff Guidance on Harassment (attached as Appendix 1 & 2).

Harassment on the grounds of sex, race and disability is unlawful under the Sex Discrimination Act 1975, Race Relations Act 1976 and Disability Discrimination Act 1995. The Council also has duties under the Human Rights Act 1998 and a legal duty of care for employees under the Health & Safety at Work etc Act.

2 INTRODUCTION

The law requires that employers take all reasonable steps to prevent harassment in the workplace. It is regarded as a matter of good employment practice for employers to have in place a policy to deal with the issue. A policy is proof that an employer treats the matter seriously.

3. DETAILED CONSIDERATIONS

- 3.1 The Council will wish to be seen as a good employer that cares for the health and well-being of its staff.
- 3.2 The Health & Safety Executive consider that harassment and bullying in the workplace are significant potential causes of stress to employees and are the “unseen” cause of some absenteeism.
- 3.3 Council's have been set Best Value performance targets for the reduction of sickness absence by 2004/5.
- 3.4 Employees bringing cases against their employers for personal injury caused by stress at work is one of the fastest growing areas of litigation. The number of costly early retirements caused by work-related stress is also on the increase.
- 3.5 The failure to prevent harassment and bullying in the workplace or to deal effectively with complaints when made, leave an employer vulnerable to legal claims. One in four cases brought against public sector employers at tribunal resulted in a payment of compensation to the employee. In 10% of cases damages of £10,000-£20,000 were

awarded. Significant legal costs would also have been incurred in defending such claims.

4 RECOMMENDATION

It is proposed that the Committee **RECOMMENDS**
that the Council adopt the Harassment at Work Policy and Staff Guidance.

John Honey

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Background Papers:

None

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