

LYTHE PARISH COUNCIL BULLYING/HARRASSMENT POLICY

Introduction

Lythe Parish Council (the council) represents the interests of the majority of its parishioners. Whilst the council aims to take into account the needs and views of all members of the community, it is there to make a decision which best serves the interests of the community as a whole, even if it may not serve the interests of an individual or of a small group.

The council listens to as many views as possible, even if they are not able to act in a way that satisfies everyone. Ultimately, having heard the views, the council is charged with making a responsible, legal and informed decision.

The council operates within the community that they serve and the local knowledge that the councillors and clerk can offer. However, this closeness and openness to scrutiny can leave the council in a vulnerable position when individuals and/or groups take up personal opposition to decisions of the council or the way that the council operates. They may engage in behaviour that effectively amounts to harassing/bullying of either the clerk and/or council members.

Definition

ACAS (Advisory, Conciliation and Arbitration Service) characterises bullying as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

The impact on the individual can be the same as harassment and the words bullying and harassment are often used interchangeably in the workplace” - June 2014.

If it is the clerk who is receiving harassment then the council has a statutory duty, as an employer, to prevent this happening and there is a separate policy for this.

Rights of the public and of electors

Attendance at meetings

The main right available to any member of the public is to attend meetings of the council and its committees and to observe the proceedings. If any person, whether an elector or not, or even a member of the council, behaves in a way which disrupts the meeting then the council has a legal right to protect itself and its deliberations and may exclude that person. These processes are covered in the council’s Standing Orders.

Inspection of documents

Members of the public also have right to inspect certain documents lodged with the clerk and these documents can also be found on the website www.lytheparishcouncil.org.

They can also inspect the accounts, ask questions of the auditor and purchase a copy of the statement of accounts on completion of the audit each year.

Electors also have a right to inspect the minutes of the council, i.e. an elector may arrange to see specific past minutes of the council and may make copies of them. On request, a copy of the appropriate minutes can be sent electronically, and where the minutes have not been approved by the council, it is made clear to the elector that the minutes are draft.

Adopted by Lythe Parish Council at the meeting on 13 April 2014. Reviewed and revised May 2017, this version confirmed at the Annual Parish Council meeting on 8 May 2017, minute reference 8.7.

Where the elector does not have access to receive an electronic copy, an appointment should be agreed with the Clerk and a Councillor at a reasonable time, for the elector to inspect the minutes at a mutually agreed venue. The elector should be fairly precise about which sets of minutes s/he wishes to view or the particular subject. The council is not obliged to provide copies of the minutes for an elector although if it chooses to do so, it is entitled to make a reasonable charge to recover the costs of producing copies.

Contacting the council

Where an individual, and/or group exhibits behaviours and/or actions that are deemed to be harassing/bullying towards the clerk, the council can, and if necessary should, prohibit an individual from contacting clerk at home. This might extend to refusing telephone calls and insisting that all communications are put in writing to the clerk, in paper or electronic format, this should be confirmed in writing to the individual.

The situation is a little more difficult for councillors, but they are not obliged to receive communications from an individual or to talk to an individual and/or group either directly or by telephone. In such cases, it is advisable for a councillor to indicate to the individual and/or group that they are not prepared to discuss matters and that if that individual and/or group has any issues or complaints they should be put in writing to the clerk.

Where an individual raises a matter with the council, there is no obligation to deal with it in the way requested, e.g. there is no obligation to place an item on an agenda for the council. If there is no willingness on the part of any members of the council to put a matter forward then there is little point in it going on an agenda, however there must be sound justification behind the decision.

It is advisable to acknowledge receipt of communications but that need not be an individual reply to each one, e.g. if an individual is contacting the council several times a week, then a single letter at the end of that week listing the communications and stating that the council acknowledges receipt of them would be sufficient.

It is then for the chairman/clerk, possibly in consultation with other members, to decide whether the matter should go on an agenda. If the pressure from an individual persists after the council has made it clear that it is not prepared to reconsider a particular item, then there is no requirement to respond to any further communication on that matter.

Summary

The council listens to as many views as possible, even if they are not able to act in a way that satisfies everyone. The council will not tolerate any behaviour and/or action that may be deemed as harassment/bullying to the clerk, any employees or councillors.