

Discrimination, Bullying and Harassment



If you feel that you need additional support or counselling you can contact the Council's Employee Assistance Programme. (Username: Westminster, password: Council)

Summary

In line with The Westminster Way, Westminster City Council believes everyone is valued. The Council is committed to creating a work environment where everyone is treated with respect, dignity and free of any kind of discrimination, bullying or harassment. The Council will take all necessary steps to protect employees and managers from such behaviour.

This policy sets out the guidance and the support available for employees or managers who encounter discrimination, bullying, harassment or victimisation during their work.

Key Definitions

Discrimination, bullying and harassment is about the effect on the individual, not just the intent of the perpetrator. Discrimination, bullying and harassment could occur in a face to face meeting, a telephone call, voicemail message, email or letter. It could be a 'one-off' incident or a pattern of behaviour, that builds up over time.

Protected Characteristics

Protected characteristics as stated by The Equality Act (2010) are:

- age
- disability
- gender reassignment
- pregnancy and maternity

- race
- religion or belief
- sex
- sexual orientation
- marriage or civil partnership

These characteristics are often the basis of discrimination, bullying and harassment.

Bullying

Here is a useful [definition with workplace examples of bullying](#), by ACAS (Advisory, Conciliation and Arbitration Service). Westminster City Council observes this best practice.

Harassment

Here is a useful [definition with workplace examples of harassment](#), by ACAS (Advisory, Conciliation and Arbitration Service). Westminster City Council observes this best practice.

Harassment is a form of discrimination which has either the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Discrimination

Discrimination can be direct or indirect:

- *direct discrimination* - treating someone with a protected characteristic less favourably than others
- *indirect discrimination* - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage

Victimisation

Victimisation is a form of discrimination, which occurs when someone is treated unfairly or subjected to a detriment because they support or make a complaint of discrimination, that is to do with a protected characteristic.

Microaggressions

Commonly, bullying and harassment is manifested in subtle, less obvious and everyday behaviours experienced as harassment, bullying or discrimination. These more nuanced behaviours are commonly referred to as 'microaggressions'. Microaggressions can be fuelled by [Unconscious Bias](#). Microaggressions can lead to the victim feeling invisible, inferior, and disrespected. Examples include being ignored, or having judgement or expertise questioned as a consequence of directly or indirectly having a protected characteristic.

Expected Standards

All employees are expected to treat their fellow colleagues with respect and contribute to a working environment that is free from bullying and harassment. All employees and managers are expected to familiarise themselves with this policy and the behaviours expected of working at Westminster City Council and be aware of how your own behaviour may affect others.

Employee responsibilities

Employees must;

- Always treat fellow employees, Members and customers with dignity and respect.
- Read, understand and comply with the Council's [Code of Conduct](#), [Disciplinary](#), and Discrimination, Bullying and Harassment Policy.
- Be aware of your own behaviour and how your actions may affect other people.
- Make every effort to resolve matters informally where possible.
- Utilise the formal grievance procedure if the informal procedure has not resolved matters or if the nature of the complaint is serious enough to start at this stage.
- Do not accept behaviour that may be offensive when directed against you or others and take positive action to ensure that it is challenged and/or reported.
- Be supportive of colleagues who may be subject to bullying and/or harassment. Please see our eLearning on how to be an [effective bystander](#).

Line Manager Responsibilities

Line Managers must;

- Set a positive example by treating others with dignity and respect.
- Actively promote a working environment that is free from discrimination, harassment, victimisation and bullying.
- Deal with a complaint promptly, with no unreasonable delay to meetings, decisions or confirmation of the decisions.
- Act consistently when dealing with allegations of bullying, discrimination and harassment.
- Carry out necessary investigations to establish facts. Whereby a formal complaint is raised this will be dealt with under the grievance policy.
- Make sure that staff know what standards of behaviour are expected of them
- Remind employees of the support that is available, e.g. [Employee Assistance Programme](#). (Username: Westminster, password: Council)

Dealing with bullying and harassment

Informal Resolution – Creating a work environment where everyone is treated with respect and dignity

The Westminster Way encourages everyone to be a leader. Some employees may say or do things that other employees perceive to be hurtful or disrespectful, even though this was not their intention. Each situation is different; some employees may feel like they can approach the employee themselves, or with a manager or [alternative means of support](#). We acknowledge that the bullying or harassment may come from someone's line manager. If this is the case, you could approach another manager for support. Employees may feel the best course of resolution involves calmly explaining to the employee that's engaged in the unwanted activities that their behaviour is unwelcome, unacceptable, causing offence, or makes them uncomfortable. An informal conversation, making the employee aware of the effect of their behaviour, may allow them to realise it was unwelcome or upsetting.

Mediation

Mediation may be appropriate, depending on the nature of the issue. Mediation will be used only where all parties involved in the issue agree, and if either side does not wish to participate in mediation this will not be considered to be an indication of either blame or intent. It is envisaged that both parties involved in the issue will be encouraged to consider using the mediation process before progressing to the formal stage.

How does Mediation work?

For more information on how Mediation works, please refer to our [Mediation Policy](#).

Formal Procedure – Raising a Grievance

If the informal procedure has been unsuccessful in finding a resolution or the bullying or harassment is of a more serious nature, the employee is able to raise a [Grievance](#). If they have read and understood the scope of the policy, they can trigger the procedure using the [Grievance Form](#). Remember to give as much detail as possible when completing the grievance form.

Bullying and Harassment from Third Parties

If you believe you have experienced discrimination, bullying or harassment from a third party (eg Customers or Service Users), the [Violence and Aggression Policy](#) applies. In the first instance, you should report the incident(s) to your line manager. This also applies to our suppliers who will be held to account. Any concerns raised with regards to a supplier should be notified to your manager or can be raised with the [Employee Relations Team](#) within People Services.

Supporting those affected by Discrimination, Bullying, and Harassment

The Council is committed to creating a work environment where everyone is treated with respect and dignity. We will not tolerate any kind of discrimination, bullying or harassment.

If you feel you have been affected by discrimination, bullying or harassment in any way there are a wealth of resources available to support you:

- [Staff Networks](#) (The Family Loop, LGBTQ+, BAME, ABLE, Multi-Faith and Women's).
- [Trade Unions](#) (UNISON, GMB)
- [HR Business Partners](#)
- [Employee Relations](#)
- [Wellbeing Pioneers](#)

Recommended eLearning

- [Unconscious Bias](#)
- [Bullying and Harassment](#)
- [Challenging Behaviour](#)
- [Banter in the Workplace](#)
- [Creating an Environment Based on Respect](#)
- [The effective bystander](#)
- [Inclusive Language and Communication](#)

We also have our [Career Zone](#), which offers a wealth of resources about these topics as well that are available to all staff.

See also

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[Wellbeing Hub](#)

[Mediation Policy](#)

[Violence and Aggression Policy](#)

[Grievance Policy](#)

[Diversity and Inclusion Hub](#)

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Key definition

Safeguarding and Raising Concerns