

ADVICE NOTE FOR COUNCILLORS ON BULLYING AND HARASSMENT with examples

Harassment is any unwelcome behaviour or conduct which makes someone feel offended, humiliated, intimidated, frightened and / or uncomfortable at work. Harassment can be experienced directly or indirectly (such as being in the room while unacceptable conduct is being displayed and being affected by it), and can occur as an isolated incident or as a course of persistent behaviour.

It is also important to note that even if behaviour is unintentional, it can still be classed as a form of harassment. Harassment is essentially about what the recipient deems to be offensive, not about what was intended. You should be aware, therefore, of the impact of your conduct on others and that what may seem harmless to you can be offensive to someone else.

Harassment can occur through verbal or written comments (including ones made online). The following list provides some examples but it is, by no means, exhaustive:

- a. Unwelcome physical contact such as touching or invading 'personal space';
- b. Inappropriate remarks or questioning such as comments about someone's appearance, lewd comments, and offensive jokes (such as ones of a racial, sexual or sectarian nature);
- c. Intrusive questioning, including the persistent discussion of a person's sexual practices, misogynistic behaviour, sexual orientation or religious beliefs (either directly or with others); and
- d. Sending unwelcome emails, messages or notes; circulating or displaying explicit or inappropriate images.

Bullying is inappropriate and unwelcome behaviour which is offensive and intimidating, and which makes an individual or group feel undermined, humiliated or insulted. Again, it is the impact of any behaviour rather than the intent which is the key.

Bullying usually arises as a result of an individual misusing their power (usually derived from status or some other position of strength) and, again, can occur through all means of communication. Bullying tends to be a pattern of behaviour or can be a one off serious incident that becomes objectionable or intimidating. The examples in the following list are, by no means, exhaustive:

- a. Unwelcome physical, verbal or non-verbal conduct;
- b. Intimidatory behaviour including verbal abuse or the making of threats;
- c. Making someone's working life difficult;
- d. Disparaging, ridiculing or mocking comments and remarks;
- e. Physical violence; and
- f. Deliberately excluding an individual from conversations, work or social activities, in which they have a right or legitimate expectation to participate.