

Henfield Parish Council

Dignity at Work Policy

Purpose

Henfield Parish Council, its Members and Officers are committed to having a workplace which is free from harassment and bullying and to ensure that all employees, contractors and others who come into contact with us in the course of our work, are treated with dignity and respect.

The Worker Protection Act (2024) is an amendment to the existing Equality Act 2010. This Act places a preventative duty on employers, meaning they now have a legal responsibility to actively prevent sexual harassment in the workplace.

The preventative duty is an anticipatory duty, requiring employers to take positive and proactive reasonable steps to prevent sexual harassment of their workers. Employers should not wait until a complaint of sexual harassment has been raised before they take any action

As Employers Henfield Parish Council will seek to be aware of what is happening in the workplace via awareness of warning signs that harassment is taking place e.g. increased sickness absence, or a change in behaviour and informal 1:1s

Henfield Parish Council are signatories to the NALC Civility and Respect Pledge which aims to prioritise civility and respect and to address bullying, harassment and intimidation within local government.

This document:

- explains how we will respond to complaints of bullying or harassment,
- ensures that we respond sensitively and promptly, and,
- supports our staff in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is also an important aspect of ensuring equal opportunities in employment.

Scope

This policy covers bullying and harassment of and by all elected or co-opted members of the Parish Council, all employees (whether full-time, part-time, fixed-term or permanent) and to job applicants, volunteers, contractors and agency workers and anyone else engaged to work at Henfield Parish Council, whether they are in a direct contractual relationship with Henfield Parish Council or otherwise.

The policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, e. g business trips and work-related social events.

Document support

If after reading this document, you need further help, please contact the Parish Clerk.

The position on bullying and harassment

We will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We will take appropriate action if any of our Members, Officers, employees or contractors are bullied or harassed by our stakeholders or suppliers.

If, after an investigation, we decide that an employee has harassed or bullied another Member, Officer, employee or contractor, then the employee may be subject to disciplinary action, up to and including dismissal. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal. If the complainant or alleged harasser is not employed by Henfield Parish Council e.g. if the worker's contract is with an agency, this policy will apply with any necessary modifications such as that Henfield Parish Council could not dismiss the worker but would instead require the agency to remove the worker, if appropriate, after investigation and disciplinary proceedings.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

Harassment

- Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic
- Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic

Bullying

- Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.

What Type of Treatment amounts to Bullying or Harassment?

'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g. promotion, access to training
- Threats for rejecting sexual advances
- Demeaning comments about a person's appearance
- Verbal abuse or offensive comments, jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Spreading malicious rumours or insulting someone
- Lewd or suggestive comments
- Deliberate exclusion from conversations, work activities or social activities
- Withholding information a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others
- The use of obscene gestures
- Abusing a position of power

Bullying does not include appropriate criticism of an employee's behaviour or proper performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues is not bullying. It is part of normal employment and management routine, and should not be interpreted as anything different.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

Victimisation

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.

Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the organisation will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

What you should do if you feel you are being bullied or harassed by a stakeholder or supplier (as opposed to a colleague)

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your manager in the first instance or, with the Parish Clerk. We will then decide how best to deal with the situation, in consultation with you.

What you should do if you are being bullied or harassed by a colleague

If you are being bullied or harassed by another employee or contractor, there are two possible avenues for you, informal or formal.

Informal resolution

If you are being bullied or harassed by another employee or contractor or third party, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop.

Alternatively, you are free to contact any member of Henfield Parish Council confidentially with your concerns even if you do not wish to pursue a formal complaint at this time.

You can approach the Parish Clerk or any member of Henfield Parish Council for advice and support. Your request for help will be treated confidentially.

Any Parish Councillor contacted should raise the issue with the Clerk (If the concern relates to the Parish Clerk, you should raise it with the Vice Chairman of Council or Chairman of Council).

Henfield Parish Council undertakes that :

The Parish Clerk (or appointed person) will discuss with you the option of trying to resolve the situation informally by:

- Telling the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a fellow employee
- That such behaviour is contrary to our policy
- That the continuation of such behaviour could amount to a serious disciplinary /legal offence

It is possible for the Parish Clerk to have this conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Parish Clerk will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of sexual or racial harassment or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step

Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint through the Grievance Procedure.

The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as is possible.

When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.

The use of the Disciplinary Procedure

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If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

This is a non-contractual policy and procedure which will be reviewed from time to times.

Version 1	March 2000	
Version 2	December 2022	review
Version 3	November 2024	Amended-Worker Protection Act (2024)

