

Policy

Dignity at Work Policy

This Procedure is a document that sets out the organization's approved and agreed practices. Any deviation must be discussed with the originating author.

DOCUMENT NO:	PCD019
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Ratified by	Full Council
Ratification date:	11 May 26
Due Review date:	May 27
Version no:	7

Version Control and Revisions:

1	First Published	Feb 2016	
Version	Point	Description of change	Date
2	All	Review and format change	May 2021
3		Annual Review. No changes	Jul 22
4	All	Complete review iaw LALC revised policy and Civility and Respect pledge.	Apr 23
5		Annual Review. No changes	May 24
6	Various	Annual Review. Amended in line with NALC 24 bullying and harassment policy	May 25
7		Annual review. No changes	May 26

THIS IS A CONTROLLED DOCUMENT

Whilst this document may be printed, the electronic version maintained on the Billingham Parish Council website is the controlled copy. Any printed copies of this document are not controlled.

1. DOCUMENT CONTROL SHEET

Purpose of document:	To provide guidance to manage and address issues of bullying and harassment in the workplace.
Dissemination:	This policy will be disseminated to all staff and council members and be made available on the parish website
Implementation:	This document will be accessible via the parish council website and is applicable to all staff and council members.
Review:	This document will be reviewed in 2027 unless there are significant changes in legislation or practice in which case it will be reviewed earlier.
Documents replaced or superseded by this document:	
This document supports (enter Standards and Legislation:	Equality Act 2010
Key related documents:	PCD004 Code of Conduct PCD018 Grievance Policy PCD017 Disciplinary Policy PCD016 Complaints Policy PCD038 Equality and Diversity Policy
Financial Implications:	This document has no financial implications for the Billingham Parish Council.
Key word search	Bullying, harassment, discrimination, intimidation, victimization, abuse.

Table of contents

1. Document Control Sheet	2
2. Table of contents	3
3. Introduction	3
4. Policy Scope	3
5. The position on bullying and harassment	4
6. Definitions of bullying or harassment?	4
7. What Type of Treatment amounts to Bullying or Harassment?	4
8. Reporting concerns	5
9. Informal resolution	6
10. Raising a formal complaint	7
11. Victimisation	8
12. False Allegations	8
13. Disclosure and Confidentiality	8
14. Use of the disciplinary procedure	8

3. Introduction

- a. Billingham Parish Council (hereafter referred to as the Council) believes that civility and respect are important in the working environment, and expect all councillors, officers and the public to be polite and courteous when working for, and with the council.
- b. All staff should be able to work in an environment free from harassment and bullying and be treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability.
- c. In support of this objective, the Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available on the NALC & SLCC sites.
- d. This policy provides guidance on what to do if you are concerned about bullying or harassment and what to expect if you raise concerns. It applies to all staff (whether permanent, fixed term, or casual), contractors and agency staff.

4. Policy Scope

- a. This policy covers bullying and harassment of and by clerks and all employees engaged to work at The Council. Should agency staff, or contractors have a complaint connected to their engagement with The Council this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the council the complaint should be raised to the Chair of the HR Committee.
- b. Agency staff, or contractors are equally expected to treat council colleagues, and other representatives and stakeholders with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

c. Complaints about other employment matters will be managed under the council's grievance policy.

d. It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. employees, contractor, councillor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

5. The position on bullying and harassment

a. The Council does not tolerate bullying or harassment in the workplace. This is the case for work-related events that take place within or outside of normal working hours, on council property or elsewhere, whether the conduct is a one-off act or repeated course of conduct and whether done purposefully or not.

b. All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. The Council does not tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal. 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.

c. We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, civility and respect pledge, equality opportunities policy, and all other policies and procedures set by the Council.

d. We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

e. The council will take appropriate action if any of our staff are bullied or harassed by staff, councillors, members of the public or suppliers.

6. Definitions of bullying and harassment

a. **Bullying.** Behaviour that is offensive, intimidating, threatening, malicious or insulting and / or an abuse or misuse of power that undermines, humiliates or injure the person on the receiving end.

b. **Harassment.** This is unwanted conduct related to relevant 'protected characteristics', which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Harassment amounts to unlawful discrimination if it relates to a 'protected characteristic'.

7. What Type of Treatment amounts to Bullying or Harassment?

a. Examples of bullying and harassment include:

- i. 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
- ii. Lewd or suggestive comments.
- iii. Deliberate exclusion from conversations or work activities.
- iv. Withholding information a person needs in order to do their job.
- v. Practical jokes, initiation ceremonies or inappropriate birthday rituals.
- vi. Physical abuse such as hitting, pushing or jostling.
- vii. Rifling through, hiding or damaging personal property.
- viii. Subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others.
- ix. Abusing a position of power.

b. 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.

c. Bullying does not include appropriate criticism of an employee's behaviour or proper performance management.

8. Reporting concerns

a. What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)

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

b. What you should do if you feel you are being bullied or harassed by a councillor:

i. If you are being bullied or harassed by a councillor, please raise this with the clerk or the chair of the council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

c. The council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work

location, not attending meetings with the person about whom the complaint has been made etc.

d. What you should do if you witness an incident you believe to harassment or bullying:

i. If you witness such behaviour you should report the incident in confidence to the clerk or a councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

e. What you should do if you are being bullied or harassed by another member of staff:

i. If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

9. Informal resolution

a. If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the clerk, a colleague or another councillor to put this on your behalf or to be with you when confronting the perpetrator(s).

b. If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own manager, you should raise the issue with the chair of the council. (If your concern relates to the chair, you should raise it with the chair of the HR committee). The chair (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by:

i. 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 member of staff.

ii. That such behaviour is contrary to our policy

iii. That for employees, the continuation of such behaviour could amount to a serious disciplinary offence.

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

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

e. If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of harassment or in cases where a problem has happened before) the council 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.

10. Raising a formal complaint

- a. If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the council's grievance procedure. You should raise your complaint to the clerk or the chair of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.
- b. The clerk or the chair of the council will appoint someone to investigate your complaint in line with the grievance policy. You will need to co-operate with the investigation and provide the following details (if not already provided):
 - i. The name of the alleged perpetrator(s).
 - ii. The nature of the harassment or bullying.
 - iii. The dates and times the harassment or bullying occurred.
 - iv. The names of any witnesses.
 - v. Any action taken by you to resolve the matter informally.
- c. Where the complaint is against a colleague or contractor 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 possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.
- d. Where the complaint is against a member of the public or supplier we will investigate the complaint as far as possible by contacting the member of public or the supplier's employer and asking for a response to the allegations.
- e. Where the complaint is against a councillor formal concerns regarding potential breaches of Code of Conduct breaches will be investigated by the Monitoring Officer.
- f. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee has harassed or bullied another employee, then the employee may be subject to disciplinary action, up to and including dismissal.
- g. The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the grievance policy for further information, and details of your right to be accompanied).
- h. After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting you may be accompanied by a fellow worker or a trade union official.

i. Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.

11. Victimisation

a. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

12. False Allegations

a. 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.

13. Disclosure and confidentiality

a. We will treat personal data collected during this process in accordance with the data protection policy. Information about how data is used and the basis for processing data is provided in the employee privacy notice.

14. Use of the disciplinary procedure

a. Harassment and bullying constitute serious misconduct. 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. Any employee found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.