Berryfields Parish Council

Dignity at Work Policy

This policy is based on the NALC/SLCC model Dignity at Work Policy, adapted for Berryfields Parish Council.

Berryfields Parish Council believes that civility and respect are important in the workplace and expects all councillors, officers and members of the public to be polite and courteous when working for or with the council.

Purpose

BPC is committed to creating a working environment where all council employees, councillors, contractors and others who come into contact with us through our work are treated with dignity, respect and courtesy. We have zero tolerance for bullying and harassment.

In support of this commitment, BPC has signed up to the Civility and Respect Pledge, promoting respect, politeness and courtesy in our behaviour, speech and written communications. Further information about the Civility and Respect Pledge is available from NALC & SLCC

We recognise that concerns left unaddressed can escalate into more complex issues. This policy explains how concerns will be managed, with an emphasis on resolving matters informally and through mediation where appropriate, rather than adopting an adversarial approach.

This document:

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

Scope

This policy covers bullying and harassment of and by the Parish Clerk and all employees working at BPC. Agency staff or contractors who wish to raise a complaint relating to their work with BPC should contact their nominated contact, manager or the Chair of the Council in the first instance. If the complaint concerns the Chair, it should be raised with the Clerk or Vice Chair.

Agency staff or contractors are also expected to treat Council colleagues, representatives and stakeholders with dignity and respect. The Council may take appropriate action, including termination of a contract where justified, in response to allegations of bullying or harassment.

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

The way a complaint is handled may depend on who is involved, for example an employee, contractor or councillor. However, the Council will take appropriate action where its employees experience bullying or harassment by other employees, councillors, members of the public, suppliers or contractors.

The position on bullying and harassment

All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. BPC 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 harm is intended or not. Neither will we tolerate

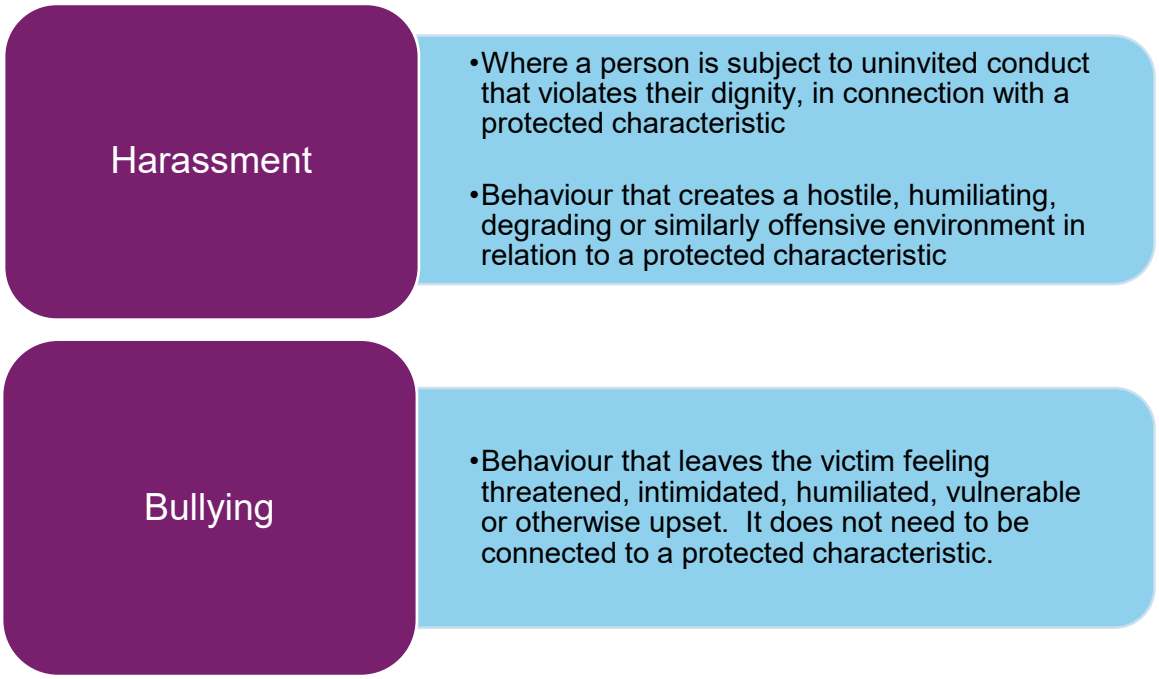
retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

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 and Diversity policies, and all other policies and procedures set by the Council.

We expect everyone to show respect by listening to others, considering their feelings, following agreed procedures, showing appreciation and courtesy, and treating others kindly.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the Grievance Policy for further details regarding the process. 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. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council's disciplinary procedure.



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 can 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, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Unwanted nicknames, especially related to a person's 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 or gestures
- 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
- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
- The use of obscene gestures
- Abusing a position of power

Bullying and harassment may take place face to face or verbally, but can also occur through written material, emails, or other electronic communications and social media.

Behaviour that one person finds acceptable may be unacceptable to another, and harassment can occur even where no offence was intended. Some behaviour, such as unwanted sexual touching, is clearly unacceptable. Other conduct may be less obvious, but continuing behaviour after someone has made clear that it is unwelcome may amount to harassment.

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example). See the council's equality and diversity policies.

All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines and should not be interpreted as anything different.

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.

If you raise a complaint or support someone else's complaint in good faith, you should not be victimised. The Council will take appropriate action in response to allegations of victimisation, which may include disciplinary action against anyone found to be responsible.

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.

Reporting Concerns

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):

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your nominated manager in the first instance or, with the Parish Clerk or a councillor. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

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

If you are being bullied or harassed by a councillor, please raise this with the Parish 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.

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.

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

If you witness such behaviour, you should report the incident in confidence to the Parish 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.

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

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.

Informal resolution
If you feel you are being bullied or harassed, you may wish to try to resolve the matter informally by explaining to the person concerned that their behaviour is unacceptable and asking them to stop. If you would prefer not to approach them directly, you can ask the Parish Clerk, your line manager or a colleague to support you or raise the matter on your behalf.

If this approach is unsuccessful, or you do not feel comfortable addressing the matter directly, you should raise your concerns with the Chair of the Council. If your complaint concerns the Chairman, you should approach another councillor. The person dealing with your concerns will discuss the options for informal resolution with you, including approaching the person concerned to explain that:

- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff
- such behaviour is contrary to our policy
- for employees, the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible to speak to the person concerned without revealing your name, if that is your preference. Whoever deals with the matter will also make clear that the discussion is confidential.

In some circumstances, an independent third party (a mediator) may help resolve the matter. The Chair, or another appropriate person, will discuss this option with you where suitable.

If your complaint is resolved informally, the person concerned will not normally face disciplinary action. However, where allegations are particularly serious or similar behaviour has occurred before, the Council may decide that further investigation or formal action is necessary, even if the matter was raised informally. We will consult you before taking this step.

Raising a formal complaint
If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying or harassment under the Council's Grievance Policy. Formal grievances must be submitted in writing to the Chair of the Council. A complaint may ultimately lead to disciplinary action against an employee where appropriate.

The Council will arrange for your complaint to be investigated in accordance with its Grievance Policy. You will be asked to cooperate with the investigation and provide the following information, if not already supplied:

- The name of the alleged perpetrator(s)
- The nature of the harassment or bullying
- The dates and times the harassment or bullying occurred
- The names of any witnesses
- Any action taken by you to resolve the matter informally.

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.

Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds.

Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.

The Council will discuss how best to protect your health and wellbeing during the investigation. Depending on the allegations, the investigator may meet with you to better understand your complaint. The Grievance Policy provides further information, including your right to be accompanied.

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.

Following the hearing, the panel will write to you with its decision and explain your right to appeal if you are dissatisfied with the outcome. Any appeal should be submitted in writing, setting out your reasons, and will be dealt with under the appeal process in the Grievance Policy.

The use of the Disciplinary Procedure

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 time.

Document History

Version	Date Approved	Changes/Action	Approved By	Minute Ref
1.0		New BPC policy. Based on the NALC/SLCC model Dignity at Work Policy, adapted for Berryfields Parish Council.		