

DIGNITY AT WORK POLICY

Date adopted: 22nd April 2021

Minute reference number: 232.1

Date of review: April 2023

Signed: Cllr Peter Rayson
Date: 22 April 2021

HOCKLEY HEATH PARISH COUNCIL

Introduction

Hockley Heath Parish Council is committed to creating a harmonious environment by ensuring equal opportunities and fair treatment for every employee in the workplace. One of the key aims of the policy is to ensure we provide a positive working environment in which all staff feel comfortable and in which everyone is treated with respect and dignity, regardless of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief or any other personal factor or quality.

This policy aims to ensure that there is no bullying and harassment of and by any employee, contractor, or anyone else engaged to work on our premises.

The purpose of this policy is to provide you with both protection and a procedure to raise and effectively deal with a complaint either informally or formally, if you believe you have been harassed or bullied.

Bullying and Harassment

Bullying or harassment will constitute unlawful discrimination where it relates to one of the 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. Serious bullying or harassment may amount to other civil or criminal offences, e.g. a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate, or injure another person. Examples, though not an exhaustive list, which may constitute bullying are:

- threats, abuse, teasing, gossip and practical jokes
- humiliation and ridicule either in private, at meetings or in front of the public
- name calling, insults, devaluing with reference to age, appearance
- setting impossible deadlines
- excessive monitoring
- removing responsibilities
- withholding information.

Harassment, in general terms, is unwanted conduct related to a relevant protected characteristic, that:

- violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person
- is reasonably considered by a person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something which is meant to be 'banter' may offend another person. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to him or her and to have his or her feelings respected by others. Harassment may also occur where an individual is subjected to unwanted conduct due to his/her association with another individual who has a protected characteristic.

HOCKLEY HEATH PARISH COUNCIL

Harassment may also occur where a person engages in unwanted conduct towards another because he/she has a mistaken perception that the recipient has a protected characteristic. Harassment may also occur where an individual is subjected to unwanted conduct from a third party, such as a member of the public.

If you feel that you have been bullied or harassed by members of the public, suppliers or visitors, you should report any such behaviour to Hockley Heath Parish Council in order that we can take appropriate action.

Bullying or harassment of the public will be dealt with through the disciplinary procedure. For the avoidance of doubt, we will treat a single incident as harassment if it is sufficiently serious.

All bullying and harassment is misconduct and is a disciplinary offence which will be dealt with under our disciplinary and dismissal procedure. Bullying or harassment will often be gross misconduct, which can lead to dismissal without notice. Examples, though not an exhaustive list, of behaviour which may constitute harassment are:

- physical contact ranging from touching to serious assault
- verbal and written harassment through jokes, offensive language, gossip and defamatory references
- unwanted nicknames related to a protected characteristic
- excluding an individual from social activities due to his/her association with someone with a protected characteristic
- intrusion by pestering, spying, following etc

Hockley Heath Parish Council will treat all such complaints of harassment and bullying seriously and will investigate them promptly, efficiently and in confidence. The main aim of this policy is to provide a framework for resolving complaints of harassment or bullying and for stopping any behaviour that is causing offence or distress.

Responsibilities

All parties to the council have a responsibility to ensure that their conduct towards others does not harass or bully or in any way demean the dignity of others. If unacceptable behaviour is observed, then each individual can challenge the perpetrator and ask them to stop.

Raising a Complaint

You have a right to complain if you are treated in a manner that you believe constitutes harassment or bullying. This will include behaviour that has caused you offence, humiliation, embarrassment or distress. Apart from complaints about the behaviour of colleagues, you also have the right to complain if you believe that you have been bullied or harassed by a third party, for example a member of the public. If you raise a complaint under this policy, you are automatically protected and under no circumstances will you be subjected to any unfavourable treatment or victimisation as a result of making a complaint. However, if it is established that you have made a knowingly false or malicious complaint against another person about harassment or bullying, serious disciplinary action will be taken against you which may result in your dismissal.

HOCKLEY HEATH PARISH COUNCIL

If you witness an incident that you believe to be the harassment or bullying of another member of staff, you should report the incident in confidence to the Clerk. Hockley Heath Parish Council will consider all such reports seriously and will treat the information in strict confidence, as far as it is reasonably possible to do so.

Reporting a Complaint

Before raising a formal complaint, you are encouraged in the first instance to talk directly and informally to the person whom you believe is harassing you and explain clearly what aspect of the person's behaviour is unacceptable, or is causing offence to you, and request that it stop. It may be that the person whose conduct is causing offence is genuinely unaware that their behaviour is unwelcome or objectionable and that a direct approach may resolve the matter without the need for formal action. If you would like support in making such an approach, you should contact your line manager or the Clerk. However, if you feel unable to take this course of action, or if you have already approached the person to no avail, or if the harassment is of a very serious nature, you may decide to raise a formal complaint.

Formal complaints may be raised, in writing, with The Clerk or, if preferred, the Chairman of the Council. When lodging your complaint of harassment/bullying, you should state:

- the name of the person whose behaviour you believe amounts to harassment or bullying where known
- the type of behaviour that is causing offence, together with specific examples if possible
- dates and times when incidents of harassment or bullying occurred, and where they occurred
- the names of any employees who witnessed any incidents, or who themselves may have been the victims of harassment or bullying by the same person
- any action that you have already taken to try to deal with the harassment or bullying

Management Responsibility

When Hockley Heath Parish Council receive a complaint of harassment or bullying, there is a duty to investigate the matter thoroughly and objectively and to take corrective action in order to ensure compliance with the Dignity at Work Policy. Hockley Heath Parish Council will be responsive and supportive towards anyone who raises a genuine complaint of harassment or bullying.

Hockley Heath Parish Council's industry advisers will assist the Clerk in dealing with complaints of harassment or bullying. Hockley Heath Parish Council reserve the right, at our discretion, to suspend staff from duty, pending investigation for harassment or bullying for a temporary period whilst investigations are carried out. Such suspension will be for as short a time as possible and will be on full pay.

Dissatisfaction with the Outcome of an Investigation

A complainant who is dissatisfied with the way that a complaint has been investigated may raise their concerns using the Council's Grievance Procedures.