



Corfe Mullen Town Council

Dignity at Work Policy



1. Introduction

Corfe Mullen Town Council (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.

2. Purpose

The Council is committed to creating a working environment where all Council employees, Councillors, contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. The Council aims to create a workplace where there is zero tolerance for harassment and bullying.

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 [NALC](#) & [SLCC](#)

The Council recognises that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed. However, the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.

This document:

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

3. Scope

This policy covers bullying and harassment of and by the Clerk 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 with the Chair of the Staffing Committee.

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.

Complaints about other employment matters will be managed under the Council's Grievance Policy.

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.

Aims of the Policy

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The information set out in sections 4 and 5 show how harassment and bullying can affect both individuals and the Council, and demonstrates the need for a policy. The aims of having a Dignity & Respect policy are as follows:

- To ensure that all of the Council's employees are treated with dignity and respect;
- To ensure that harassment and bullying is prevented and, if it does occur, that action is taken to stop it;
- To ensure that the working environment is such that each employee feels confident and comfortable about the way they will be treated whilst at work;
- To ensure that all of the Council's employees know what harassment and bullying is and what the Council's policy is;
- To explain the responsibilities of Councillors, and employees; and
- To explain the procedures for dealing with harassment and bullying.

4. 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. The Council will not tolerate bullying or harassment in its 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 the Council 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.

The Council expects all its representatives to treat each other with respect and uphold the values of the code of conduct, Civility and Respect Pledge, Equality & Diversity Policy, and all other policies and procedures set by the Council.

The Council expects all its representatives 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.

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 the Council 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.

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.

5. 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, 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 can occur through verbal and face to face interactions but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable, and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear; however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.

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 Diversity & Equality Policy.

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.

6. 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 Council 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.

Responsibilities of Managers, Employees, and Members

○ Managers

Managers will have the following responsibilities:

- Compliance with the policy;
- Creating/ensuring that there is a supportive working environment;
- Making sure that their employees know the details of this policy and ensuring compliance with it;
- Making sure that their employees know what standards of behaviour are expected of them;
- Taking allegations of harassment and/or bullying seriously and dealing with them as quickly as possible;
- Ensuring that victims of harassment and/or bullying receive appropriate support which might include counselling. (Note: consideration should be given as to whether the harasser/bully should also be given access to counselling, as the employee who has been accused of bullying/harassment can find this a stressful situation);
- Dealing with complaints of bullying and harassment;
- Ensuring that matters are dealt with confidentially and impartially;
- Ensuring that their employees attend any training requirement; and
- Liaising with the Town/Deputy Clerk on how to deal with cases that arise.

○ Employees

Employees will have the following responsibilities:

- Compliance with the policy;
- Treating their colleagues with dignity and respect;
- Having an awareness of their own standards of behaviour;
- Making it clear that they find harassment and bullying unacceptable;
- Reporting harassment and supporting management with the investigation of complaints; and
- Intervening to stop harassment and/or bullying and give support to victims.

Councillors

Councillors will have the following responsibilities:

- Compliance with the policy; and
- Treating employees with dignity and respect.

7. Reporting Concerns

7.1. 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 line manager in the first instance or, with the Town Clerk/or Chair of Staffing Committee Any such report will be taken seriously, and the Council will decide how best to deal with the situation, in consultation.

7.2. 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 Town Clerk or the Chair of the Council in the first instance. They will then decide how best to deal with the situation, in

consultation. There are two possible avenues, 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.

7.3. The Council will consider reasonable measures to protect everyone's 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.

7.4. **What you should do if you witness an incident you believe to harassment or bullying:** If witnessing such behaviour, you should report the incident in confidence to the Town Clerk or the Chair of the Staffing Committee. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

7.5. **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, informal or formal. These are described below.

8. Informal resolution

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 Town/Deputy Clerk, your line manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

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 line 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 Staffing Committee). The Chair (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, 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 the Council's policy
- for employees, the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible for this conversation to take place with the alleged perpetrator without revealing names, if this is what you want. The person dealing with it will also stress that the conversation is confidential.

In certain circumstances the Council may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Chair of the Council or Chair of the Staffing Committee (or another appropriate person) will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegation 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. The Council will consult with you before taking this step.

9. Raising a formal complaint

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 Town Clerk or the Chair of the Council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The Town 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):

- 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 and
- any action taken by you to resolve the matter informally

The alleged perpetrator(s) would normally need to be told the name and the details of the grievance in order for the issue to be investigated properly. However, the Council will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, the Council 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, the Council will ensure that individuals' personal data is handled in accordance with the data protection policy.

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).

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 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.

Malicious/Unfounded Complaints

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This procedure is designed to protect individuals who raise their concerns. It is accepted that some allegations may arise from genuine misunderstandings. However, making a malicious and unfounded complaint may itself constitute harassment and be dealt with under the disciplinary procedure.

10. The use of the Disciplinary Procedure

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

Confidentiality

Any complaint received, either formally or informally, will be treated with as much confidentiality as possible. However, in order to enable your complaint to be investigated and/or resolved the individuals concerned will have to be made aware of your complaint, and it may not be possible to do this without identifying you.

The knowledge that a complaint has been made will be restricted to the minimum number of people necessary to investigate what happened. All those involved in any complaint must respect this and ensure that they are sensitive to the needs of both the complainant and the alleged harasser/bully.

All involved in investigating a complaint will do so impartially and make no inferences that either party is at fault until the investigation is complete. Breaches of confidentiality may result in disciplinary action.

11. Review

This Dignity at Work Policy was presented to the Full Council, for approval and adoption on 28 May 2024 minute no. TC 24/34.

Future reviews will be carried out annually or when any changes are made, whichever is sooner.

12. References

- National Association of Local Councils (NALC)
- Society of Local Councils & Clerks (SLCC)
- Dorset Association of Parish & Town Councils (DAPTC)
- South West Councils Bullying and Harassment Policy checked April 2023

Appendix 1 –

Protected Characteristics

A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

Examples of harassment related to a protected characteristic could include;

- Making assumptions about someone's ability due to their **age** or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.
- Making fun or mimicking impairments related to a health condition or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a **disability** to participate in.
- Refusing to treat a person as their new gender, or disclosing information about their gender identity could be harassment on the grounds of **gender reassignment**.
- **Pregnancy/Maternity** harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant persons stomach.
- Harassment based on **race** could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.
- **Gender** harassment could include not considering people for a job based on gender stereotyping roles, or implementing practices that disadvantage one gender over another. Rude, explicit jokes, even if not directed at an individual, or comments on individuals dress or appearance.
- Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on **religion/belief**.
- Excluding same sex partners from social events could be both **sexual orientation** and **marriage/civil partnership** discrimination, as could not offering the same work-related benefits.