

Dignity Policy

Adopted February 2024

Statement In support of our value to respect others Campton and Chicksands Parish Council Parish Council ('the Council') will not tolerate bullying or harassment by, or of, any of its officers, members, contractors, volunteers, visitors to the Council or members of the public.

The Council is committed to the elimination of any form of intimidation in the workplace. This policy reflects the spirit in which the Council intends to undertake all of its business and outlines the specific procedures available to all employees in order to protect them from bullying and harassment. It should be read in conjunction with the Council's policies on grievance and disciplinary handling and the Members' Code of Conduct. The Council will issue this policy to all officers as part of their induction and to all members on being elected or co-opted to the Council. The Council may also wish to share this policy with contractors, volunteers, visitors and members of the public.

1.1 Definitions:

Bullying "Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse of this use of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress

" **Harassment** "Unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment." This usually covers, but is not limited to, harassment on the grounds of sex, marital status, sexual orientation, race, colour, nationality, ethnic origin, religion, belief, disability or age. These definitions are derived from the Advisory, Conciliation & Arbitration Service (ACAS) guidance on the topic. Bullying and harassment are behaviours which are unwanted by the recipient. They are generally evidenced by a pattern of conduct, rather than being related to one-off incidents. Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, mental health issues, lack of respect for others, turnover, damage to the Council's reputation and ultimately, legal proceedings against the Council and payment of legal fees and potentially unlimited compensation.

1.2 **Examples of unacceptable behaviour** are as follows: (this list is not exhaustive) Spreading malicious rumours, insulting someone, ridiculing, or demeaning someone, exclusion or victimisation, unfair treatment, overbearing supervision or other misuse of position or power, unwelcome sexual advances, making threats about job security, making threats of physical violence against a person or their family, deliberately undermining a competent worker by overloading work and/or constant criticism, blaming a person for others' mistakes, preventing an individual's promotion or training opportunities. Bullying and harassment may occur face-to-face, in meetings, through written communication, including electronic communication such as e-mail or on social media, by telephone or through automatic supervision methods. It may occur on or off work premises, during work hours or non-work time.

1.3 **Penalties** Bullying and harassment by any employed persons can be considered examples of serious misconduct which will be dealt with through the disciplinary procedure at gross

misconduct level and may result in summary dismissal from the Council. If elected members are bullying or harassing officers, contractors, fellow councillors or others then a referral through the standards process in place at the time, reported as a contravention of experiencing bullying or harassment from a third party, the Council will act reasonably in upholding its duty of care towards its own employees. In extreme cases harassment can constitute a criminal offence and the Council should take appropriate legal advice (sometimes available from the Council's insurer) if such a matter arises.

- 1.4 The legal position** Councils have a duty of care towards all their employees and liability under common law arising out of the Employment Rights Act 1996 and the Health and Safety at Work Act 1974. If an employer fails to act reasonably with regard to this duty of care by allowing bullying or harassment to continue unchallenged an employee may decide to resign and claim 'constructive dismissal' at an Employment Tribunal.

1.5 Process for dealing with complaints of bullying and harassment

- 1.6 Informal approach** Anyone; employee, contractor, member, volunteer or visitor, who feels they are being bullied or harassed should try to resolve the problem informally, in the first instance. It may be sufficient to explain to the person(s) involved in the unwanted behaviour, or an intermediary, that their conduct is unacceptable, offensive or causing discomfort. Anyone concerned about being bullied or harassed is encouraged to maintain a journal or other record of the incidents.

- 1.7 Formal approach** Where the officer feels unable to resolve the matter informally any complaint about harassment or bullying can be raised confidentially and informally, initially with the Chairman or another councillor if more appropriate. It may be appropriate for the complaint to be put in writing after the initial discussion, as this will enable the formal grievance procedure to be invoked. The officer will be expected to provide evidence of the conduct about which they are complaining.

Any other party, other than an officer, who feels they are being bullied or harassed should raise their complaint with the Clerk or Chairman of the Council, where possible, if an informal notification approach has been unsuccessful at resolving the problem. The complaint should then be investigated, and a meeting held to discuss the facts and recommend a way forward.

A member of the public who feels they have been bullied or harassed by any members or officers of the Council should use the Council's official Complaints Procedure. It is important that the member(s) being complained about do not prevent the Council operating impartially in its investigation and decision-making in this regard.

- 1.8 False or malicious allegations.** False or malicious allegations of harassment or bullying which damage the reputation of a fellow employee/member will not be tolerated and will be dealt with as serious misconduct under the disciplinary procedure and/or a referral to the standards process.

- 1.9 Responsibilities** All individuals 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 an individual can challenge the perpetrator and ask them to stop. Effective management of performance will usually include feedback based on objective evidence, with dialogue occurring on a face-to-face basis in confidential surroundings. Bullying is more likely to be complained about when individual members criticise officers, often without objective evidence, without the mandate from the corporate body of the Council and in environments which are open to the public or other employees or by way of social media comments or verbal conversations locally. The Council undertakes to share its Code of conduct policy with all members and officers. A review of the policy shall be undertaken each year (or as appropriate) and necessary amendments will be undertaken by the Clerk and reported to the full Council for approval. The Council will undertake to ensure that its members and workers are trained in the processes required by this policy as deemed appropriate.