

Dignity at Work Policy

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1. Introduction

Boyatt Wood Parish Council (BWPC) expect all councillors, officers and the public to be polite and courteous when working for, and with the council. Civility and respect play an important role within the working environment. All representatives of the council are to uphold the principles of the Code of Conduct and its policies and procedures.

BWPC has a zero-tolerance policy towards bullying, harassment and/or offensive behaviour. Fairness and inclusion are fundamental principles of the council. BWPC values diversity, which is viewed as a strength and actively fosters tolerance and respect. This positive attitude helps shape how the council will achieve its objectives for the community.

2. Scope

This Dignity at Work Policy plays an important part in preventing employees and Councillors from experiencing bullying and harassment whilst at work and ensures all are clear about what is acceptable behaviour – [Appendix A](#)

It applies to all council members, employees, agency, and contracted staff employed or engaged by the council to carry out work on its behalf, including key stakeholders. Whilst representing the council in any forum or engaging with the council in any way, it is expected that person(s) will always behave in a courteous manner.

Councillors and staff have the right to carry out their civic duties without fear of being attacked or abused in any way. Behaving in a manner which causes another to feel embarrassed, threatened or intimidated is unacceptable.

3. Definitions

Bullying and harassment are similar as they are both about power and control, involving actions that hurt or harm another person physically or emotionally, leaving them feeling intimidated, threatened, humiliated, vulnerable or upset.

3.1 Bullying

The repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. Bullying can be physical, verbal or psychological. It can happen face-to-face or online¹

Bullying does not include robust performance management, constructive and fair feedback regarding performance is part of normal employment and management routines and forms part of the staff appraisal process.

3.2 Harassment

The Equality Act 2010 defines harassment as

‘Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual’

¹ Anti-Bullying Alliance and its members agreed shared definition.

The Act describes 3 types of harassment.

- Harassment related to protected characteristics.²
- Sexual harassment
- Less favourable treatment as a result of harassment

Harassment for the purposes of this policy extends beyond the protected characteristics and includes conduct of a similar nature which is not related to a protected characteristic.

3.3 Unacceptable behaviour

Unacceptable behaviour is any behaviour which an individual or group knows, or ought reasonably to know, could have the potential effect of offending, humiliating, intimidating or isolating an individual or group. Having regard to all the circumstances, including the recipient's perception, it was reasonable for the behaviour to have that effect.

If not challenged, it is likely to cause harm or distress to the recipient(s) and escalate into bullying or harassment.

3.4 Unwanted

It is up to the recipient of the alleged harassment to decide whether a particular type of treatment is offensive to them personally. People are different, and what one person finds funny, another may find offensive or degrading. The key issue will be the effect on the person on the receiving end of the behaviour.

3.5 Victimisation

Victimisation is less favourable treatment of an individual because they have made a complaint in good faith or intend to make a complaint about being bullied or harassed or act as a witness or provide information.

It is irrelevant whether the act is a one off or repeated course of conduct, whether it was intentional or not, or the motive, all such conduct is unacceptable. BWPC will not tolerate any form of retaliation or victimisation of any person associated with bringing a complaint of bullying or harassment to the attention of the Council.

Any complaint received by the council of bullying and harassment will be dealt with swiftly, appropriately and as far as possible confidentially.

If the course of conduct amounts to a criminal offence the matter will be referred to the relevant authorities.

Employee complaints regarding their employment will be dealt with via the Grievance and Disciplinary Policy and Procedure.

4. Aims.

² Protected characteristics are – Age, disability, gender reassignment, race, religion or belief, sex, sexual orientation.

It is recognised 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. The intention is to maintain an inclusive, safe working environment for all, where there is no fear of reprisals for reporting a concern or incident.

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.

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. Reporting concerns

All complaints received of bullying and harassment will be assumed to be made in good faith, if allegations are found to be malicious or vexatious the person raising the complaint may be subject to another course of action under the council's purview. BWPC encourage all persons to report their concerns as soon as possible, so that the matter can be addressed and investigated as soon as possible and prevent possible issues escalating.

5.1 If you are being bullied or harassed by someone with whom you come into contact at work, raise the matter with the Clerk/Councillor in the first instance. In consultation with you it will be decided how best to deal with the situation.

5.2 If you are being bullied or harassed by a councillor, raise this with the Clerk/Chair in the first instance. In consultation with you it will be decided how best to deal with the situation.

The council will consider all reasonable measures to protect your health and wellbeing and minimise the stress and discomfort of the situation.

Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

5.3 If you witness such behaviour, this should be reported in confidence to the Clerk/Chair or a councillor. The report will be treated in strict confidence as far as it is possible to do so.

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

6. Making a complaint

There are two mechanisms to making a complaint, Informal and Formal. All complaints will be treated in confidence as far as possible. Any records made will be retained securely in line with Data Protection Policy

6.1 Resolutions

Seeking an early resolution is key to stopping inappropriate behaviour occurring or being repeated. This minimises the anxiety to the persons concerned. There are various ways of seeking an informal resolution.

6.2 Speaking

Acts of bullying and harassing behaviour are not always intentional with individuals not being aware of the impact of their behaviour on others. By explaining clearly to the perpetrator(s) that their behaviour is uncomfortable and unacceptable, contrary to the council's policy and the behaviour must stop. Making the individual aware of the impact of their behaviour can often resolve the matter.

Alternatively, you may wish to ask the Clerk/Chair or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s). If your concern relates to the chair, you should raise it with the Clerk/Vice Chair

6.3 Mediation

Mediation is a process of conflict resolution between two individuals facilitated by a neutral third party or independent trained mediator. The purpose of mediation is to allow the individuals concerned an opportunity to explore issues of conflict with the aim of reaching a mutually agreeable solution. There needs to be willingness on the part of all parties concerned to enter into mediation on a voluntary basis. No-one can be forced into the mediation process, and the outcome will be non-binding. It can be used at any stage in the Dignity at Work process.

Electing mediation does not prevent you from progressing the complaint more formally if the matter remains unresolved i.e. the unacceptable conduct is continuing.

6.4 Informal Complaint

You can make an informal complaint to the appropriate person who will discuss 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 policy
- for employees, the continuation of such behaviour could amount to a disciplinary offence.

If the complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to further sanctions. However, in exceptional circumstances such as extremely serious allegation or previous similar cases, BWPC may decide to investigate further and

take more formal action notwithstanding that the matter was raised informally. This course of action will be taken in consultation with the complainant.

6.5 Formal Complaint

Circumstances may arise where informal approaches do not resolve the concerns i.e. the breach of dignity at work does not stop or the matter is so serious that the complainant does not consider that informal resolution is practicable.

If the complainant feels it is necessary to progress the matter more formally, the complaint must be made in writing either to the Clerk/Chair/Vice Chair of Council

- 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 to resolve the matter informally.
- Explanation of why it is not practicable for an informal approach.

6.5.1 Preliminary Meeting

On receipt of the complaint, if the recipient considers that an informal approach may assist in resolving the situation, this will be discussed with the complainant.

Otherwise, a preliminary meeting will be arranged within 14 days of receipt of the complaint. The purpose of the meeting will be to explain the basis of the complaint which will be sensitively explored to determine:

- Whether the complaint is appropriately dealt with under the Council's Dignity at Work Policy – when determining whether a matter may be considered a breach of Dignity at Work, an important factor to be considered is the perception held by the individual who is claiming to have been harassed, bullied or victimised and whether it was reasonable for them to hold that perception
- Whether all appropriate informal mechanisms to resolve the problem have been explored and the issue remains unresolved i.e. the inappropriate behaviour is continuing
- Whether the matter requires to be fully investigated as a potential disciplinary or Code of Conduct matter

The person dealing with the complaint will write to the complainant within 7 working days of the meeting to confirm their decision in relation to the course of action to be adopted.

If the complainant is not satisfied with this decision or feels dissatisfied with the conduct of any subsequent investigation or its outcome, they have the right of appeal against this decision within 10 working days of receipt of the outcome letter. Any appeal will be considered in line with the appeals stage of the Grievance Policy and Procedure

Appendix A

Examples of behaviour

The behaviour can be in any form by any individual or group, it is unwanted and can be physical, emotional, gestures, online, written, imagery, isolating. It does not need to be associated with a protected characteristic and the recipient does not need to request the conduct to stop.

Unacceptable	Bullying
Acts in an unreasonable way causing distress and discomfort	Persistent behaviour intended to hurt someone
Offensive comments/jokes/body language	Using aggression or violence
Publish/display/transmit offensive material	Being cruel or vindictive
Inappropriate physical contact	Pressuring someone

Harassment	Victimisation
More than one occurrence relating to one of the three types of harassment	Suffers a detriment due to supporting a bullying or harassment allegation.
Conduct violates an individual's dignity	Being treated less favourably
Humiliates, undermines, insults individual	Causing harm or damage to individual
Intimidating and hostile conduct	Deliberate exclusion

It is expected that those associated with the council will demonstrate respect and lead by example using acceptable behaviour at all times.

Acceptable behaviour
Listening and paying attention to others
Being considerate to other people's feelings
Showing appreciation and thanks
Following council policies, procedures and protocols
Recognising that others will have differing views, feelings and levels of sensitivity about certain matters.
Being kind to others