

PIRBRIGHT PARISH COUNCIL

DIGNITY AT WORK POLICY

1. PURPOSE

PPC will not tolerate the bullying, harassment, victimisation or sexual misconduct of its Members, staff & volunteers by other employees, Members, volunteers, visitors to the Council or members of the public. This policy explains how bullying & harassment are defined and outlines the procedures available to support dignity at work.

2. DEFINITIONS

Bullying & harassment are behaviors that are unwanted by the recipient, and are generally evidence of a pattern or course of conduct, rather than being 'one off' incidents.

Bullying

Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse 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

Harassment may be characterised as 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.

3. LEGAL POSITION

PPC has a duty of care towards its employees 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.

In addition, the Criminal Justice and Public Order Act 1994 and the Protection from Harassment Act 1997 created a criminal offence of harassment with a fine and/or prison sentence, and a right to damages for the victim. An individual causing harassment may be personally liable to pay damages if a victim complains to an Employment Tribunal on the grounds of discrimination.

4. PROCEDURES

This policy:

- Supports and sustains a positive working environment for all members, staff & volunteers, free from any form of inappropriate or unacceptable behaviour;
- Makes it clear that harassment is unacceptable and that all Members, staff & volunteers, have a role to play in creating a thriving environment for everyone, free from harassment;
- Provides a framework for respect & good conduct to prevent and eliminate all forms of bullying & harassment, including sexual harassment & misconduct;

- Provides a mechanism by which complaints can, wherever possible, be addressed in a timely way;
- Sets out the responsibilities for managing and supporting members, staff & volunteers when concerns are raised under the Dignity at Work Policy.

The Parish Council expects all Members, staff & volunteers to treat each other with respect, courtesy and consideration at all times. All members, staff & volunteers of the Parish Council are expected to behave professionally and have the right to expect professional behaviour from others. Members have particular responsibility for setting standards and they should set a good example and ensure concerns raised are acted upon.

Members, staff & volunteers of the Parish Council have a **personal responsibility** for complying with this Policy and Procedure and demonstrate active commitment to it by:

- Treating others with dignity and respect.
- Discouraging any form of harassment by suitably challenging inappropriate behaviour, making it clear that such behaviour is unacceptable (and raising concerns with others where appropriate so these can be dealt with).
- Supporting any member, staff, or volunteer of the Parish Council who feels they have been subject to harassment, including supporting them to make a formal complaint if appropriate.
- Anyone who feels 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. If an informal approach does not resolve the situation, then the matter should be reported in accordance with PPC's grievance procedure.
- If unacceptable behaviour is observed by a third party, it is the duty of the person observing the behaviour to challenge the perpetrator and ask them to stop. If the person witnessing the incident feels unable to confront the perpetrator (for example, where it is likely that the observer will themselves be subjected to harassment or bullying by the perpetrator), then the matter should be reported in accordance with the PPC's complaints procedure.

5. PENALTIES

PPC considers bullying & harassment to be examples of serious misconduct that could result in disciplinary proceedings for employees and in some cases to charges of gross misconduct and summary dismissal. Any complaint made against an employee will be investigated under PPC's complaints procedure.

Allegations of bullying & harassment by Members of PPC may result in referral as a contravention of the Members' Code of Conduct. If an employee is experiencing bullying or harassment from a third party, PPC will act reasonably in upholding its duty of care towards its employees. Harassers may in addition lay themselves open to personal legal action for serious harassment. In extreme cases, harassment can constitute a criminal offence in which case PPC would take appropriate legal advice.

*This Dignity at Work Policy does not form part of & is not intended to vary the contract of employment or worker's contract.
The policy will be monitored and reviewed annually.*