

## DIGNITY AT WORK POLICY

Adopted Parish Council 5 October 2022

### Introduction

The 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 keys aims of the policy is to 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 Parish Council 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, outlined above. 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 customers or clients;
- 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 creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- 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.



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Harassment may occur where an individual is subjected to unwanted conduct due to his/her association with another individual who has a protected characteristic.

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 client or customer. If you feel that you have been bullied or harassed by customers, suppliers, vendors or visitors, you should report any such behaviour in order that appropriate action is taken. Bullying or harassment of customers, suppliers, vendors or visitors or others will be dealt with through the disciplinary procedure.

For the avoidance of doubt the Parish Council will treat a single incident as harassment if it is sufficiently serious.

All bullying and harassment are misconduct and is a disciplinary offence which will be dealt with under the disciplinary 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;
- ignoring an individual because he/she has a protected characteristic when in fact he/she does not have the perceived protected characteristic;
- intrusion by pestering, spying, following etc.

The 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.

### **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 customer, client or supplier.

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.



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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 your manager who 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 to 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 manager or the Parish 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 your manager or, if preferred, the Parish Clerk. You may feel more comfortable speaking to them about it before putting it in writing, which is quite acceptable.

When lodging your complaint of harassment/bullying, you should state:

- the name of the person whose behaviour you believe amounts to harassment or bullying;
- 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; and
- any action that you have already taken to try to deal with the harassment or bullying.

### **Management Responsibility**

When a complaint of harassment or bullying is received, 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.

The Parish Council will be responsive and supportive towards anyone who raises a genuine complaint of harassment or bullying. The Parish Clerk will assist any manager in dealing with complaints of harassment or bullying.

The Parish Clerk may suspend you 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.

If you are accused of harassment or bullying you will be informed of the exact nature of the complaint against you and afforded a full opportunity to challenge the allegations and put forward an explanation for your alleged behaviour in a confidential interview, with a companion present if you choose. It will not be presumed that following an allegation of harassment you are guilty.

All forms of harassment and bullying will be regarded as serious misconduct, and if you are found to have harassed or bullied a colleague you will be liable to serious disciplinary action up to and including summary dismissal.



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Although not always necessary, if a complaint against you is not upheld, a voluntary transfer of either of the parties may be offered, if that is practicable. Such transfers will be consensual.

If it is agreed neither party will move, the Parish Clerk will monitor and check the situation in terms of our duty of care to determine whether there has been any form of victimisation or retaliation.

Alternatively, where a complaint is upheld it may be necessary, if practicable to relocate or transfer one of the parties to another department or function.

Following the meeting, you will be informed in writing of the outcome within 7 working days and told of any actions as a result of your complaint. If you are dissatisfied with the outcome, you may make an appeal. Your appeal should be made in writing to the Parish Clerk. You should clearly state the grounds of your appeal, i.e. the basis on which you say that our findings were inaccurate or inappropriate. This should be done within 7 working days of the written notification of the outcome of the grievance. An appeal meeting will normally be arranged to take place within 5 working days of the submission of your appeal. Following the appeal hearing, you will be informed of the outcome within 5 working days.

The Parish Clerk will maintain records of investigations into alleged incidents of harassment or bullying, the outcome of the investigations and any corrective or disciplinary action taken. These records will be maintained in confidence and in line with the provisions of the Data Protection legislation.

### **Exploitation of Workers**

There is an obligation on employers under the Modern Slavery Act (2015) to address the issues of slavery and human trafficking, and to commit to the prohibition and avoidance of the violation of human rights (not only within the employer's own operations, but also in relation to those businesses with which products and services are provided or received).

The Council is forthright and steadfast in complying with these obligations, and fully embraces not only the legal aspects of these issues, but also the moral and ethical duties and responsibilities in identifying and, where necessary, eliminating potential breaches of basic human rights.

It is therefore the policy of the Council that practices such as forced labour, debt-bonded labour, and human trafficking are totally unacceptable and will not be tolerated.

Similarly, inhumane treatment such as corporal punishment or other inhumane threats are also viewed as totally unacceptable and will not be tolerated.

Furthermore, we expect corresponding standards, duties, and responsibilities to be upheld and maintained by all our officers and members, guests, sub-contractors, and business associates.

Through our existing policies and procedures, we will always seek to promote the highest moral standards and will voluntarily and wholeheartedly support all statutory legislation and regulatory guidelines aimed at eliminating these totally unacceptable and inhumane practices.

We encourage all those within our organisation and services, whether directly or indirectly, to report (without fear of prejudice or recrimination) any issues or concerns relating to the potential breaches of human rights.

### **Stress and Anxiety at Work**



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Workplace anxieties and stress are issues that could impact on the health, safety and welfare of individuals, and it is important to identify potential situations that could escalate normal everyday situations into excessive pressures and anxieties. (see also Health and Safety Policy).

The Health and Safety Executive (HSE) defines stress as “the adverse reaction people have to excessive pressure or other types of demand placed on them”. This definition makes an important distinction between pressure, which can be a positive state if managed correctly; and stress, which can be detrimental to health and welfare.

The Council will therefore seek to identify situations that could lead to excessive stress or anxiety, with a view to eliminating, or controlling and minimising, the risks. To achieve this, we will:

Encourage interaction and consultation between management and staff, with a view to identifying and preventing excessive stress levels;

- Encourage good management practices and appropriate information sharing;
- Offer impartial support (for instance, via our HR advisers) for staff affected by stress, whether in work or externally;
- Only undertake fundamental procedural changes within the organisation following appropriate consultation with staff members;
- Ensure staff members are fully capable of carrying out their role and duties;
- Monitor workloads to ensure that staff members are not struggling and overloaded;
- Monitor contractual working time and overtime to ensure that staff members are not struggling and overworking;
- Monitor holiday leave to ensure that staff members are taking their full annual entitlement;
- Ensure that, where available and appropriate, staff members are provided with meaningful role development opportunities;
- Consider training in management practices, and health, safety and welfare;
- Be vigilant, and offer additional support to individual employees who may be experiencing stress issues outside work (e.g. bereavement, divorce, family issues);
- Support staff members who have been off sick with stress, and plan a structured and considerate return to work.