



KIPPAX PARISH COUNCIL

DIGNITY AT WORK / BULLYING AND HARRASSMENT POLICY

Approved: 16th April 2026

Item: 160/FC/2526c.

Review date: March 2027

M Eyre

Signed by Chair, Councillor Martin Eyre

1. PURPOSE AND SCORE

1.1 Statement

In support of our value to respect others Kippax Parish Council will not tolerate bullying or harassment by, or of, any of their employees, officials, members, volunteers, contractors, visitors to the council or members of the public from the community which we serve. The council is committed to the elimination of any form of intimidation in the workplace.

The Council does not tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

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.

The council will issue this policy to all employees, members and volunteers as part of their Welcome Pack. The council may also wish to share this policy with contractors, visitors and members of the public.

1.2 Definitions

Bullying is offensive, intimidating, threatening, malicious, or insulting behaviour; and/or an abuse of or misuse of power or authority which tends to undermine, humiliate or injure an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress.

Harassment is unwanted conduct related to relevant 'protected characteristics', which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Harassment amounts to unlawful discrimination if it relates to a 'protected characteristic'.

Sexual harassment is a form of unlawful harassment (as defined above) which entails unwanted conduct of a sexual nature. A person of any gender can be a victim of sexual harassment, and it may be committed by a person of any gender.

The use of the word 'harassment' throughout this policy includes sexual harassment.

Both bullying and harassment are behaviours which are unwanted by the recipient. Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, lack of respect for others turnover, damage to the council's reputation and ultimately, Employment Tribunal or other court cases and payment of unlimited compensation.

1.3 Examples of unacceptable behaviour are as follows; (this list is not exhaustive)

unwanted physical conduct - such as unnecessary touching, patting, pinching, brushing against another person's body; insulting behaviour or obscene gestures; physical threats, aggressive behaviour and/or assault.

unwanted verbal conduct - such as unwelcome advances; patronising titles or nicknames; offensive or insulting comments; propositions or remarks; innuendo; lewd or suggestive comments; over-familiar behaviour; slogans or songs; insensitive jokes, gossip and slander (including speculation about a person's private life and sexual activities); banter or abusive/offensive language which is either threatening or refers to a person's sex/gender, race (including colour and ethnic or national origins), disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity or gender reassignment.

unwanted non-verbal conduct - such as racially or sexually based graffiti or graffiti referring to an individual's characteristics or private life; abusive or offensive gestures; leering, whistling, creation, distribution or display of suggestive or offensive pictures, objects or written materials (including "pin-up" calendars) or videos through any means.

conduct of a sexual nature – includes unwanted physical, verbal and non-verbal conduct as discussed above; further examples include displaying pornographic or explicit images, indecent exposure, e-mails with sexual content, sexual innuendo, sexual solicitation, sexual assault; see also, coercion.

coercion - including threats of dismissal or loss of promotion etc for refusal of sexual (or other) favours (or promises made in return for sexual or other favours); pressure to participate in political or religious groups etc.

isolation or non-co-operation at work - deliberate exclusion from communications including group emails, conversations or social activities; setting unrealistic deadlines; substituting responsible tasks with menial or trivial ones; withholding information or giving false information; constantly undervaluing effort.

Victimisation - when someone is treated less favourably because they have committed, or it is believed they may commit a "protected act". "Protected acts" include bringing legal proceedings relating to harassment or discrimination against the employer or the perpetrator, or the giving of evidence at a disciplinary or grievance hearing or at tribunal, or making

complaints about the perpetrator or the employer about their alleged discriminatory and unlawful practices, etc

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

Bullying does not include appropriate criticism of an employee's behaviour or proper performance management.

Sexual Harassment - unwanted physical, verbal and non-verbal conduct of a sexual nature, displaying pornographic or explicit images, indecent exposure, using e-mail or social media to make inappropriate, derogatory or offensive content that is of a sexual nature, which can include sexual innuendos, sexual solicitation, sexual assault (this can include sharing, posting, liking or tagging someone in a post)

2. PROCESS FOR DEALING WITH COMPLAINTS OF BULLYING AND HARASSMENT

2.1 Informal approach

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 our policy and must stop. Alternatively, you may wish to ask the Clerk, a colleague or another councillor to do 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 manager, you should raise the issue with the Chair of the Council. The Chair (or another appropriate individual) will discuss with you the option of trying to resolve the situation informally by:

- Telling the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a member of staff;
- That such behaviour is contrary to our policy;
- That for employees, the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible to have the conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party to facilitate a resolution of the problem. The Chair 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 a serious allegation of harassment or in cases where a problem has happened before) the council may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

2.2 Formal approach

2.2.1 Employees: Where the employee feels unable to resolve the matter informally any complaint about harassment or bullying can be raised confidentially and informally, initially

with their Line Manager. If the employee does not want to discuss the grievance with their manager (for example, because it concerns the manager), the employee should contact the Chair of the Personnel Committee or, if appropriate, another member of the Personnel Committee. If it is not possible to resolve the matter informally the employee may submit a formal grievance in writing to the Chair of the Personnel Committee, which will be dealt with in line with the Council's Grievance Policy

2.2.2 Members of the public: A member of the public who feels s/he has been bullied or harassed by any members, volunteers or officers of the council should use the council's official Complaints Procedure.

2.2.3. Others: Any other party to the council, other than an employee (e.g. members, contractors and volunteers) who feels he or she is being bullied or harassed should raise their complaint with the Clerk or Chair of the Council, unless the complaint is against a Councillor, in which case it should be raised with the Monitoring Officer at Leeds City Council. The complaint should then be investigated and hearing held to discuss the facts and recommend the way forward as per the procedure below.

2.2.3.1. Investigation

The Clerk or the Chair of the Council will appoint a Councillor from the Hearing/Appeals Panel Pool to investigate the complaint. 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 need to be told your name and the details of your complaint for the issue to be investigated properly. However, the investigator will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

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 better understand your complaint. At the meeting you may be accompanied by another person

2.2.3.2. Hearing

The Clerk or the Chair of the Council will appoint three Councillors from the Hearing/Appeals Panel Pool to a Hearing Panel. After the investigation, the panel will meet with you in a hearing to consider the complaint and the findings of the investigation. At the meeting you may be accompanied by another person.

After the meeting 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 within five working days of the hearing meeting.

2.2.3.2. Appeal

If you decide that your complaint has not been satisfactorily resolved by the Hearing Panel, you may submit a written appeal within five working days of receiving the Hearing Panel decision and must specify the grounds of appeal, for example:

- a failure to follow Council Policies
- the decision was not supported by the evidence
- the action proposed by the Hearing Panel was inadequate/inappropriate
- new evidence has come to light since the Hearing meeting.

The appeal will be heard by an Appeal Panel, made up of the three members of the Hearing/ Appeal Panel Pool, appointed by the Clerk or Chair of the Council. The appeal panel will appoint a Chair from one of its members. At the meeting you may be accompanied by another person

After the meeting the panel will write to you to inform you of the decision and the panel's reasons within five working days of the appeal meeting.

The decision of the Appeal Panel is final.

2.3 Disciplinary Action – Following a Grievance Hearing or investigation into allegations of bullying or harassment a full report will be made to all parties and this may result in disciplinary action being taken against the perpetrator of the alleged action/behaviour.

For an employee found to have been bullying/harassing others this will follow the Council's Disciplinary Procedure, under the Employment Act 2002 provisions and would normally be treated as gross misconduct.

For members who the council reasonably believe have been bullying or harassing another person(s) whilst undertaking council activities the action taken must be reasonable and in some cases counselling or training in appropriate skill areas e.g. interpersonal communication, assertiveness, chairmanship etc., may be more appropriate than a penalty.

The range of disciplinary sanctions available to the council, where a member has been involved in bullying/harassment include; admonishment and an undertaking not to repeat the process, removal of opportunities to further harass/bully, banning from committees of the council, participation in council activities and representation on any outside bodies. There may also be a referral to the Police under the Protection from Harassment Act 1997, in the most extreme cases. This list is not exhaustive.

3. RESPONSIBILITIES

All parties to the council have a responsibility to ensure their conduct towards others does not harass or bully or in any way demean the dignity of others. If unacceptable behaviour is observed then each individual can challenge the perpetrator and ask them to stop.

3.1. Victimisation

Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

3.2. False allegations

False or malicious allegations of harassment or bullying which damage the reputation of innocent individuals will not be tolerated. Staff and others have a responsibility not to make

false allegations. False allegations made in bad faith will be dealt with as serious misconduct under the Disciplinary Procedure and/or a referral to the Standards Board.

3.3. Disclosure and confidentiality

We will treat personal data collected during this process in accordance with the Data Protection Policy. Information about how data is used and the basis for processing data is provided in the Council's privacy notices.

3.4. Awareness and training

The council undertakes to share its policy with all members, volunteers and employees and request that each party signs to demonstrate acceptance of its terms.

The council will undertake to ensure that its members and workers are trained in the processes required by this policy as deemed appropriate.

3.5. Review

A review of the policy shall be undertaken each year by the Personnel Committee, and they will recommend to full council to approve any proposed amendments.

ACKNOWLEDGEMENT

I acknowledge that I have received a copy of The Bullying and Harassment Policy and I have read and understood its provisions and agree to accept its terms.

Signed Date

Role: