



Barrowby Parish Council

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Dignity at Work (Bullying, Harassment & Sexual Harassment) Policy

Document control

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- **Responsible officer:** Clerk / Proper Officer
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1. Purpose

Barrowby Parish Council is committed to providing a working environment in which everyone is treated with dignity, respect and courtesy.

The Council will not tolerate bullying, harassment, sexual harassment or victimisation of any kind.

This policy aims to:

- promote a culture of mutual respect and professionalism;
- ensure that employees are treated fairly and with dignity;
- prevent bullying, harassment, sexual harassment and victimisation;
- explain the Council's preventive duty to take reasonable steps to prevent sexual harassment;
- provide a clear process for raising concerns; and
- support appropriate action where concerns arise.

The Council expects all councillors, employees, contractors, volunteers and members of the public interacting with the Council to behave appropriately.

Where a welfare or conduct concern may amount to a safeguarding issue affecting a child, young person or adult at risk, the matter shall be handled in accordance with the Council's Safeguarding Policy in addition to any relevant employment procedure.

2. Scope

This policy applies to:

- employees of Barrowby Parish Council;
- parish councillors;
- contractors and consultants working with the Council; and
- volunteers acting on behalf of the Council.

It applies to behaviour occurring:

- in the workplace;
- at council meetings;
- at council-related events;
- during work-related travel, visits and inspections;
- during communications including email, phone, messaging and social media; and
- in any other circumstances connected with council business or affecting working relationships.

This policy also covers harassment of Council employees by **third parties**, including residents, service users, hirers, contractors, visitors, suppliers and other members of the public. Employers must take reasonable steps to prevent sexual harassment, including by third parties.

3. Legal Framework

This policy reflects the Council's obligations under:

- Equality Act 2010;
- Employment Rights Act 1996;
- Protection from Harassment Act 1997;
- Worker Protection (Amendment of Equality Act 2010) Act 2023; and
- relevant ACAS and EHRC guidance.

Under the Equality Act 2010, harassment related to a protected characteristic and sexual harassment are unlawful. Protected characteristics include:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

4. What is Bullying?

Bullying is offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, that undermines, humiliates or injures the recipient.

Bullying may be:

- a single serious incident; or
- a pattern of repeated behaviour.

Examples of bullying include:

- persistent criticism or undermining;
- shouting or aggressive behaviour;
- setting unrealistic deadlines or workloads;
- excluding someone from work-related activities;
- spreading malicious rumours;
- abusing authority;
- deliberately setting someone up to fail; or
- persistently undermining a person's role, competence or contribution.

5. What is Harassment?

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of:

- violating a person's dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment.

Examples may include:

- offensive jokes or remarks;
- derogatory comments;
- unwanted physical contact;
- displaying offensive material;
- repeated unwanted communication; and
- mocking or mimicking a person's disability, accent, religion or other protected characteristic.

Harassment can occur even if it was not intended, if the effect on the individual is harmful.

6. What is Sexual Harassment?

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of:

- violating a person's dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment.

Sexual harassment can include a single incident or a pattern of behaviour.

Examples may include:

- sexual comments, jokes or remarks;
- comments about a person's body, appearance or sex life;
- unwanted touching, hugging, kissing or other physical contact;
- staring, leering or sexual gestures;
- sexually suggestive messages, emails, images or social media contact;
- asking intrusive questions of a sexual nature;
- unwelcome sexual advances or propositions;
- displaying sexually offensive or suggestive material; or
- less favourable treatment because a person rejected or submitted to sexual conduct.

The Council will treat any allegation of sexual harassment seriously. The preventive duty requires employers to act proactively and not wait until sexual harassment has occurred.

7. Victimisation

Victimisation occurs when someone is treated unfairly because they:

- Raised a complaint of bullying or harassment
- Supported someone else making a complaint
- Provided evidence in an investigation

Victimisation will not be tolerated.

8. Preventive duty and Council Responsibilities

Barrowby Parish Council recognises its duty to take reasonable steps to prevent all types of bullying and harassment of workers in the course of employment. This includes harassment by colleagues, councillors and third parties.

The Council will take reasonable steps to prevent bullying, harassment and sexual harassment by:

- promoting a respectful working environment;
- adopting and reviewing appropriate policies and procedures;
- making clear that bullying, harassment and sexual harassment are unacceptable;
- ensuring reporting routes are clear;
- considering risks arising from the Council's activities, including meetings, lone working, public-facing roles, site visits and contact with third parties;
- taking complaints seriously and responding promptly;
- considering appropriate training, briefings or reminders for councillors and staff;
- keeping arrangements under review; and
- taking appropriate action where unacceptable behaviour occurs.

Policies alone are not enough; employers are expected to assess risks and take practical preventive steps.

9. Responsibilities of councillors, employees and others

Councillors must:

- treat employees and colleagues with respect;
- avoid behaviour that could be perceived as bullying, harassment or sexual harassment;
- follow the Council's Code of Conduct; and
- recognise that staff employment matters must be handled through the Clerk or Staffing Committee, not through individual councillor direction.

Employees must:

- treat colleagues, councillors and others with dignity and respect;
- raise concerns promptly where inappropriate behaviour occurs; and
- support a positive working environment.

Contractors, volunteers and third parties are expected to behave appropriately when dealing with the Council and its staff.

10. Third Party Harassment

The Council will not tolerate bullying, harassment or sexual harassment of its employees by third parties, including residents, hirers, contractors, suppliers, visitors or other members of the public.

Employees are encouraged to report any such incident promptly.

Where a complaint is well-founded, the Council may take reasonable steps such as:

- warning the individual;
- restricting or managing contact;
- requiring communication through formal channels only;
- excluding the individual from Council premises or events where appropriate;
- reporting the matter to the police; or
- taking any other reasonable step to protect staff.

11. Informal Resolution

Where appropriate, concerns may first be addressed informally.

Options may include:

- speaking directly to the individual involved, if the employee feels able to do so;
- asking the Clerk or Chair of Staffing to intervene informally; or
- requesting mediation.

However, employees will **not** be expected to try informal resolution where the matter is serious, involves sexual harassment, involves abuse of power, or where the employee does not feel safe doing so.

12. Formal Complaints

Where informal resolution is not appropriate or has been unsuccessful, a formal complaint may be made.

Complaints should normally be submitted in writing to:

- the Clerk; or
- the Chair of the Staffing Committee, if the complaint concerns the Clerk.

If the complaint concerns the Chair of the Staffing Committee or the Chair of the Council, it should be raised with another appropriate councillor or panel not previously involved.

The complaint should include, where possible:

- details of the behaviour complained about;
- dates, times and circumstances;
- names of any witnesses; and
- any documents, messages or other evidence available.

13. Immediate protective steps

Where appropriate, the Council may take immediate steps while a matter is being considered or investigated. Depending on the circumstances, this may include:

- adjusting working arrangements;
- separating those involved;
- restricting contact;
- changing meeting arrangements;
- suspending the employee complained about where justified and in line with the Disciplinary Policy;
- or
- taking other temporary steps to protect those involved.

Any such step is not a disciplinary sanction in itself.

14. Investigation

The Council will investigate complaints promptly, fairly and confidentially.

The investigation may include:

- interviews with the complainant;
- interviews with the person complained about;
- witness statements; and
- review of relevant documents or communications.

An investigating officer may be:

- the Clerk;
- a councillor from the Staffing Committee not previously involved; or
- an external HR adviser or investigator where appropriate.

If councillors are involved, matters may also be considered under the Councillor Code of Conduct and referred to the Monitoring Officer where appropriate

15. Outcomes

Following investigation, possible outcomes may include:

- no further action;
- informal resolution or mediation;
- training, guidance or management action;
- disciplinary action under the Council's Disciplinary Policy;
- referral under the Councillor Code of Conduct; or
- protective measures in relation to third parties.

16. Malicious Complaints

Complaints made in good faith will never result in disciplinary action simply because they are not upheld. However, if a complaint is found to have been made maliciously or knowingly falsely, this may itself be treated as misconduct.

17. Confidentiality

All complaints will be handled sensitively and confidentially.

Information will only be shared where necessary to investigate, protect those involved, comply with legal obligations or resolve the matter properly.

18. Support

The Council recognises that bullying, harassment and sexual harassment can be distressing.

Employees may seek support from:

- the Clerk;
- the Staffing Committee;
- a trade union representative;
- external support services where appropriate; or
- another appropriate source of support.

19. Councillor / Staff Protocol – Respectful Working Relationships

Barrowby Parish Council recognises that maintaining positive and professional working relationships between councillors and employees is essential for the effective operation of the Council.

Councillors and staff have distinct roles within the Council:

- councillors are responsible for policy, decision-making and representing the community; and
- employees are responsible for the day-to-day administration and implementation of council decisions.

To support respectful working relationships:

- councillors must not direct or instruct employees individually, except where such direction forms part of an agreed management structure;
- all employment matters relating to staff must be handled through the Staffing Committee or the Council's agreed management arrangements;
- employees should not be subject to undue pressure, criticism, bullying, harassment or sexual harassment from councillors; and
- concerns regarding councillor conduct towards staff may be raised with the Chair of the Council or the Monitoring Officer at South Kesteven District Council, in accordance with the Councillor Code of Conduct.

16. Monitoring and Review

This policy will be reviewed periodically to ensure compliance with current legislation and best practice.

