HAMBLEDEN PARISH COUNCIL

ANTI BULLYING, HARASSMENT AND SEXUAL HARASSMENT POLICY

Approved By Hambleden Parish Council

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Review Frequency Annual

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Version 1.0

1. Purpose and Scope

Hambleden Parish Council is committed to providing an environment in which everyone is treated with dignity and respect. Bullying, harassment and sexual harassment will not be tolerated.

This policy applies to employees, councillors, volunteers, contractors, visitors, suppliers, members of the public and other third parties involved in Council business. It covers conduct:

- on Council premises;
- at meetings, events, training and work-related social activities;
- during working and non-working hours where the conduct is connected with Council business;
- in written and verbal communications; and
- through email, telephone, social media, messaging platforms and other online or electronic communications.

The policy should be read alongside the Council's Code of Conduct and other relevant policies.

2. Council Commitment

The Council operates a zero-tolerance approach to bullying, harassment and sexual harassment. All concerns will be taken seriously and addressed fairly, sensitively and as promptly as reasonably practicable.

The Council will take reasonable steps to prevent unacceptable behaviour, including harassment by third parties. It will communicate this policy, assess relevant risks, provide appropriate information or training and review its preventative measures regularly.

3. Legal Framework

This policy supports the Council's obligations under applicable legislation, including the Equality Act 2010, the Employment Rights Act 2025, the Health and Safety at Work etc. Act 1974 and the Protection from Harassment Act 1997.

The Equality Act 2010 places a duty on employers to take reasonable steps to prevent sexual harassment. Certain forms of harassment or threatening behaviour may also constitute a criminal offence.

4. Definitions

4.1 Bullying

Bullying is offensive, intimidating, malicious, insulting or humiliating behaviour, or a misuse of power, authority or influence, which undermines an individual or group.

Bullying may be persistent or may consist of a serious single incident. It may affect a person's dignity, confidence, wellbeing or ability to carry out their role.

4.2 Harassment

Harassment is unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Harassment may relate to a protected characteristic, including age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

When deciding whether conduct has had this effect, the Council will consider the perception of the person affected, the circumstances of the case and whether it was reasonable for the conduct to have that effect.

4.3 Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

It also includes less favourable treatment because a person has submitted to, or rejected, unwanted conduct of a sexual nature.

4.4 Victimisation

Victimisation is treating someone less favourably because they have raised a concern, made or supported a complaint, provided evidence or participated in proceedings relating to bullying, harassment, discrimination or sexual harassment.

Victimisation and retaliation will not be tolerated.

5. Examples of Unacceptable Behaviour

Unacceptable behaviour may include, but is not limited to:

- spreading malicious rumours or insulting someone;
- ridiculing, demeaning or deliberately undermining a person;
- exclusion, isolation or unfair treatment;
- threatening behaviour or unfounded threats concerning a person's position;
- persistent unwanted criticism or belittling;
- overbearing supervision or misuse of authority or influence;
- coercion or pressure to take a particular course of action;
- deliberately overloading someone with work or setting them up to fail;
- intentionally blocking access to training or other opportunities;

- offensive jokes, language, images, gestures, messages or written material;
- unwanted physical contact;
- unwelcome advances, suggestive remarks or requests for favours;
- making decisions based on whether advances are accepted or rejected;
- offensive or intrusive conduct by email, telephone, social media or other electronic means; and
- conduct relating to, or perceived to relate to, a protected characteristic.

Reasonable and constructive management action, legitimate scrutiny, appropriate performance management and respectfully expressed differences of opinion will not normally amount to bullying or harassment.

6. Third-Party Harassment

The Council will take reasonable measures to prevent and address harassment by members of the public, contractors, suppliers, visitors and other third parties.

Anyone experiencing or witnessing third-party harassment in connection with Council business should report it through the routes set out in this policy. Appropriate action may include warnings, changes to working arrangements, restrictions on contact, termination of contractual arrangements or referral to another authority.

7. Roles and Responsibilities

Everyone covered by this policy is expected to:

- treat others with dignity and respect;
- avoid conduct that could reasonably be regarded as bullying, harassment or sexual harassment;
- challenge or report unacceptable behaviour where it is safe and appropriate to do so;
- cooperate with investigations; and
- maintain appropriate confidentiality.

The Council is responsible for promoting a respectful environment, responding to concerns, assessing risks and reviewing the effectiveness of preventative measures.

The Clerk, Chair, Vice-Chair and councillors with responsibilities under this policy must act impartially and without unreasonable delay. A person who is the subject of a complaint must not manage or influence the handling of that complaint.

8. Raising a Concern

A concern may be raised with the Clerk, Chair, Vice-Chair or another appropriate councillor. If the concern involves a councillor, it may also be appropriate to contact the Monitoring Officer.

A person raising a genuine concern in good faith will not be penalised, even if the concern is not upheld.

Where possible, a person raising a concern should provide:

- details of the conduct;
- relevant dates, locations or communications;
- the names of those involved;
- details of any witnesses; and
- the outcome or support being sought.

A person does not need to confront the individual concerned before raising a complaint.

9. Informal Resolution

Where appropriate and where the person affected feels able to do so, a concern may first be addressed informally. This may include explaining that the behaviour is unwanted and asking for it to stop.

Informal resolution may also involve support from the Clerk, Chair or another appropriate person, mediation, facilitated discussion, agreed boundaries or changes to working arrangements.

Informal action is not required where the matter is serious, repeated, involves a significant imbalance of power or where the person affected does not feel able to address it directly.

10. Formal Complaints and Investigation

Where informal action is inappropriate or has not resolved the matter, a formal complaint may be made in writing.

Complaints involving employees will normally be considered under the Council's Grievance and, where appropriate, Disciplinary Procedures. Employees may be accompanied at formal meetings in accordance with those procedures.

Complaints involving councillors may be considered under the Code of Conduct arrangements and may be referred to the Monitoring Officer.

Complaints from members of the public or other third parties will normally be considered under the Council's Complaints Procedure or another appropriate process.

The Council will:

- appoint an impartial person to consider or investigate the complaint;
- give the person complained about a fair opportunity to respond;
- consider relevant documents, communications and witness evidence;
- aim to complete the process without unreasonable delay;
- use an external investigator where this is appropriate to preserve objectivity; and
- inform the relevant parties of the outcome, subject to confidentiality and data protection requirements.

Interim measures may be introduced while a matter is being considered. These are precautionary and do not indicate that any conclusion has been reached.

11. Outcomes and Further Action

Where a complaint is upheld, appropriate action will be taken in accordance with the relevant procedure.

Action may include:

- mediation, guidance, counselling or training;
- an apology or agreed standards of future conduct;
- changes to duties, contact arrangements or working practices;
- disciplinary action against an employee;
- action available under the Code of Conduct or other arrangements applying to councillors;
- restrictions applying to a contractor, supplier, visitor or member of the public;
- referral to the Monitoring Officer, police or another appropriate body; or
- any other proportionate action available to the Council.

Bullying, harassment or sexual harassment by an employee may amount to gross misconduct and could result in dismissal.

Where a complaint is not upheld, the Council will consider whether any steps are needed to restore effective working relationships or address wider workplace concerns.

12. Support

The Council will consider reasonable and appropriate support for anyone affected by a concern or complaint. This may include welfare support, temporary adjustments, changes to contact arrangements, mediation or signposting to relevant services.

Support will also be considered for witnesses and for the person who is the subject of a complaint while the matter is being investigated.

13. Confidentiality and Record Keeping

Information will be shared only where necessary to consider the concern, conduct a fair investigation, take appropriate action or comply with a legal obligation.

Absolute confidentiality cannot be guaranteed, particularly where there is a safeguarding concern, a possible criminal offence or a need to take action to protect another person.

Confidential records will be retained securely and handled in accordance with data protection requirements and the Council's retention arrangements.

14. False or Malicious Allegations

A complaint made in good faith will not result in action against the complainant merely because it is not upheld.

However, allegations that are found to have been deliberately false or malicious may be addressed under the procedure relevant to the person who made them.

15. Training, Communication and Prevention

The Council will make this policy available to employees, councillors, volunteers and relevant contractors. Appropriate information, guidance or training will be provided and reviewed periodically.

The Council will consider risks arising from meetings, lone working, public contact, online communications, events and other Council activities, and will take reasonable preventative action.

16. Review

This policy will be reviewed annually and following any significant incident, relevant legal change or identified concern about its effectiveness.

Any amendments will be reported to the Council for approval.

17. Related Policies and Procedures

This policy should be read alongside the:

- Councillor Code of Conduct;
- General Data Protection Policy;
- any other relevant Council policy or procedure.