



Document Reference – BCSPC POL 21

Brightwell Cum Sotwell Parish Council
Sexual and General Harassment Policy and Procedure

Version	Release Date	Distribution	Notes	Reviewed Date	Date Adopted
BCSPC21 Sexual and General Harassment Policy	October 2024			15 October 2024	15 October 2024

Document Sign Off & Adoption

This document was distributed to Councillors prior to the 15th October 2024 Parish Council Meeting. The Policy was discussed at the meeting. No revisions were required and the Policy was formally adopted (Ref: 6c of the minutes of that meeting).

Adoption Witnessed by the Clerk to Brightwell Cum Sotwell Parish Council

Name: _____ Gabrielle McEvoy _____

Signature: _____ *G. U. McEvoy* _____

Date: _____ 15/10/24 _____

Policy

1. The Parish Council and the Parish Clerk (The PC) recognises that harassment and victimisation is unlawful under the Equality Act 2010. As such, harassment or victimisation on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation is unacceptable and will not be tolerated.
2. Personal harassment takes many forms ranging from tasteless jokes and abusive remarks to pestering for sexual favours, threatening behaviour and actual physical abuse. For the purposes of this policy, it also includes bullying.
3. Bullying is understood to be targeted and persistent offensive, intimidating, malicious or insulting behaviour and can include the abuse, misuse or power to undermine, humiliate, denigrate or injure the recipient.
4. Whatever form it takes, personal harassment is always taken seriously and is totally unacceptable.

5. The PC recognises that personal harassment can exist in the workplace, as well as outside, and that this can seriously affect people's working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.
6. The PC deplors all forms of personal harassment and seeks to ensure that the Council's working environment is sympathetic to all users. The aim of this policy is to inform both Councillors and employees of the type of behaviour that is unacceptable and victims of personal harassment with a means of redress.
7. The PC recognises it has a duty to implement this policy and all Council members/employees are expected to comply with it. This policy will be reviewed at regular intervals in order to monitor its effectiveness.

Examples of personal harassment

8. Personal harassment takes many forms and persons may not always realise that their behaviour constitutes harassment. Personal harassment is unwanted behaviour by one person towards another and examples of harassment include:
 - Insensitive jokes and pranks
 - Lewd or abusive comments
 - Deliberate exclusion from conversations
 - Displaying abusive or offensive writing or material
 - Abusive threatening or insulting words or behaviour
 - Name-calling
 - Picking on someone or setting them up to fail
 - Exclusion or victimisation
 - Undermining of another's contribution/position
 - Demanding a greater work output than is reasonably feasible
 - Blocking promotion or other development/advancement
9. These examples are not exhaustive and disciplinary action at the appropriate level will be taken against those persons committing any form of personal harassment.

Examples of sexual harassment

10. Sexual harassment can take place in many forms within the workplace and can go undetected for a period of time where persons do not understand that particular behaviour is classed as sexual harassment. Sexual harassment is unwanted behaviour related to sex, or of a sexual nature, by one member of the PC towards another. Examples of sexual harassment include
 - Lewd or abusive comments of a sexual nature such as regarding the individual's appearance or body
 - Unwelcome touch of a sexual nature
 - Displaying sexually suggestive or sexually offensive writing or material
 - Asking questions of a sexual nature
 - Sexual propositions or advances, whether made in writing or verbally.

11. Sexual harassment can also take place where a member of the PC is treated less favourably because they have rejected, or submitted to, the unwanted conduct that is related to sex or is of sexual nature. Whether less favourable treatment occurs as a result will be examined broadly and includes areas such as blocking promotion and refusal of training opportunities or other development opportunities.

Examples of Victimisation

12. Victimisation takes place when PC member is treated unfavourably as a direct result of raising a genuine complaint or discrimination or harassment. Furthermore, any member of the PC who supports or assists another person to raise a complaint is also subjected to victimisation if they are treated unfavourably.

Third Party Harassment

13. The PC operates a zero tolerance policy in relation to harassment perpetrated against one of the members of the PC by a third party, such as a parishioner/contractor or visitor to the PC. All members of the PC are encouraged to report any and all instances of harassment that involve a third party in line with our reporting procedure as outlined below.

14. If we find that the allegation is well-founded, we will take steps deemed necessary in order to remedy the complaint. This can include, but is not limited to:

- Warning the individual about the inappropriate nature of their behaviour
- Banning the individual from the PC's premises/meetings
- Reporting the individual's actions to the police

In addition to this the PC will endeavour to take all reasonable steps to deter and prevent any form of harassment from third parties taking place.

15. Responsibilities

Employee Responsibilities

- 15.1 The PC requires its members to behave appropriately and professionally at all times whilst carrying out Council business. Members of the PC should not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time.
- 15.2 Any form of harassment or victimisation may lead to disciplinary/legal action.
- 15.3 A breach of this policy will be treated as a disciplinary/legal matter.

16. Parish Council's Responsibilities

- 16.1 The PC will be responsible for ensuring all its members understand the rules and policies relating to the prevention of harassing and bullying behaviour whilst carrying out PC duties.
- 16.2 The PC will take into account aggravating factors, such as abuse of power when deciding what action to take.

- 16.3 Where an incident is witnessed, or a complaint made under this policy, the PC will take prompt action to deal with this matter. All incidents will be deemed serious and dealt with in a sensitive and confidential manner.

Complaining about harassment and/or bullying

17. Informal Method

- 17.1 The PC recognise that complaints of personal harassment, and particularly of sexual harassment, can sometimes be of a sensitive and intimate nature. In these circumstances you are encouraged to raise such issues with the Councillor responsible for Staffing and/or the Chair of the PC.
- 17.2 If you are the victim of a minor harassment you should make it clear to the harasser, on an informal basis, that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should make a written request to the harasser (the Staffing Councillor and/or Chair can assist you in this).

18. Formal Method

- 18.1 Where the informal approach fails, or if the harassment is more serious, you should bring the matter to the attention of The Chair as a formal written grievance. If possible you should keep notes of the harassment so that the written complaint can include:
- The name of the alleged harasser
 - The nature of the alleged harassment
 - The dates and times when the alleged harassment occurred
 - The names of any witnesses
 - Any action already taken by you to stop the alleged harassment.
- 18.2 Where it is not possible to make the formal complaint to the above names person you may wish to take your complaint outside the immediate members of the Parish Council and would suggest you seek further advice from the Oxfordshire Association of Local Councils (OALC).
- 18.3 On receipt of a formal complaint the PC will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place.
- 18.4 On conclusion of the investigation, which will normally be within 14 days of the meeting with you, a report will be shared during a grievance meeting.
- 18.5 You will be invited to attend a meeting, at a reasonable time and location, to discuss the matter. You will have the right to be accompanied at the meeting. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.
- 18.6 You will be able to put your case forward at the meeting and the outcome of the investigation will be explained.
- 18.7 If the decision is that the allegation is well-founded, the harasser may be asked to resign from the Council.
- 18.8 The PC is committed to ensuring its members are not discouraged from using this procedure and no employee will be victimised for having brought a complaint.