



Sexual and General Harassment Policy & Procedure

Agreed Minute 49/25

Applicability

This policy applies to all of Sunningwell Parish Council which, for the purposes of this document, is defined as Councillors and other volunteers, and employees and contractors working for the council.

Policy

1. Sunningwell Parish Council 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 or misuse of 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. Sunningwell Parish Council deplors all forms of personal harassment and seeks to ensure that all council business is sympathetic to all involved. The aim of this policy is to detail the type of behaviour that is unacceptable and the means of redress available to any victims of personal harassment.
6. Sunningwell Parish Council recognises that it has a duty to implement this policy and all councillors, volunteers, employees and contractors working for the council are expected to comply with it. We will also endeavour to review this policy at regular intervals in order to monitor its effectiveness.

Examples of personal harassment

7. Personal harassment takes many forms and people 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 their contribution/position
- demanding a greater work output than is reasonably feasible
- blocking promotion or other development/advancement.

These examples are not exhaustive and action at the appropriate level will be taken against anyone committing any form of personal harassment.

Examples of sexual harassment

8. Sexual harassment can take place in many forms and can go undetected for a period of time where people 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 person towards another and examples of sexual harassment include:

- lewd or abusive comments of a sexual nature such as regarding an individual's appearance or body
- unwelcome touching 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.

Sexual harassment can also take place where a person is treated less favourably because they have rejected, or submitted to, the unwanted conduct that is related to sex or is of a sexual nature.

Examples of victimisation

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

Third party harassment

10. Sunningwell Parish Council operates a zero-tolerance policy in relation to harassment perpetrated against its members by a third party, such as a parishioner, contractor or visitor. All

members are encouraged to report any and all instances of harassment that involve a third party in line with our reporting procedure, as outlined below.

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

- warning the individual about the inappropriate nature of their behaviour
- banning the individual from council premises
- reporting the individual's actions to the police.

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

11. Individual Responsibilities

11.1 Sunningwell Parish Council requires its members behave appropriately and professionally at all times including at events which are council-related such as social events. Members should not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time.

11.2 Any form of harassment or victimisation may lead to action if it is committed:

- in a council situation
- during any situation related to the council, such as a social event
- against a colleague or other person connected to the council outside of a council situation, including on social media
- against anyone outside of a council situation where the incident is relevant to their suitability to carry out the role.

11.3 Where any breach of this policy involves a council employee this will be treated as a disciplinary matter

12. Council Responsibilities

12.1 The Council will be responsible for ensuring all members, including those in authority positions, understand the rules and policies relating to the prevention of harassing and bullying behaviour. We will promote a professional and positive environment where all are alert and proactively identify areas of risk and incidents of harassment, sexual harassment and bullying.

12.2 We will also take into account aggravating factors, such as abuse of power over a more junior colleague, when deciding what action to take.

12.3 Where an incident is witnessed, or a complaint is made under this policy, the Council 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

13. Informal method

13.1 Sunningwell Parish Council recognises that complaints of personal harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a colleague of your choice as a confidential helper.

13.2 If you are the victim of 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 hand a written request to the harasser, and your confidential helper can assist you in this.

14. Formal method

14.1 Where the informal approach fails or if the harassment is more serious, you should bring the matter to the attention of the Chair of Sunningwell Parish Council as a formal written grievance and again your confidential helper can assist you in this. 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.

14.2 Where it is not possible to make the formal complaint to the above-named person, for example where they are the alleged harasser, we would encourage you to raise your complaint to the Vice-Chair of the Council, or failing that to another councillor of your choosing.

14.3 On receipt of a formal complaint we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place.

14.4 On conclusion of the investigation, which will normally be within 28 days of the meeting with you, a report of the findings will be submitted to the Chair (or designated deputy) who will hold the grievance meeting.

14.5 You will be invited to attend a meeting, at a reasonable time and location, to discuss the matter once the person hearing the grievance has had opportunity to read the report. You have the right to be accompanied at such a meeting by a colleague and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence.

14.6 You will be able to put your case forward at the meeting. The Chair will explain the outcome of the investigation. You have a right to appeal the outcome, which is to be made to the Chair within 28 days of receiving the

outcome.

14.7 If the decision is that the allegation is well founded, the harasser will be liable to such action as is available and proportionate in the circumstances, up to and including dismissal in the case of employees.

14.8 Sunningwell Parish Council is committed to ensuring that all are not discouraged from using this procedure and no employee will be victimised for having brought a complaint.