Respectful Workplace Policy (Bullying, Harassment & Sexual Harassment)

Contents

1. Purpose and Introduction 1
2. Scope 1
3. Legal framework and employer duties (summary) 1
4. Definitions 2
5. Examples (non-exhaustive) 2
6. Prevention and risk reduction 3
7. Reporting and support 3
8. Informal resolution 4
9. Formal investigations 4
10. False allegations and malicious reports 4
11. Victimisation and protection of witnesses 5
12. Third-party harassment 5
13. Data protection and confidentiality 5
14. Record keeping, monitoring and review 5
15. Links to other procedures 5
16. Responsibilities 5

Issue No	Date	Details of amendments
1	August 2025	New policy – amalgamated bullying, harassment & sexual harassment policy

1. Purpose and Introduction

1.1 East Grinstead Town Council (EGTC) is committed to providing a workplace where everyone is treated with dignity, respect and fairness. This single policy covers bullying, harassment (including harassment related to protected characteristics) and sexual harassment, and sets out the standards of behaviour we expect and the procedures for reporting and resolving concerns.

1.2 This policy reflects the Council's legal obligations under the **Equality Act 2010** and the **Worker Protection (Amendment of Equality Act 2010) Act 2023** and follows best practice guidance from the Equality and Human Rights Commission (EHRC) and ACAS on preventing and responding to workplace harassment and bullying.

2. Scope

2.1 This policy applies to:

- All employees (permanent, fixed-term, casual), workers, volunteers, agency workers, contractors and consultants engaged by EGTC.
- Councillors where behaviour relates to council business (and to councillors' conduct where relevant and actionable).
- Behaviour at all work-related events, during work-related travel, and conduct online or on social media where it relates to work or affects working relationships or the Council's good name.
- Third-party interactions (customers, suppliers, members of the public) where relevant to the safety and wellbeing of staff.

3. Legal framework and employer duties (summary)

3.1 **Equality Act 2010**: Prohibits harassment and discrimination related to protected characteristics, and recognises sexual harassment as unlawful. Protected characteristics include sex, gender reassignment, race, disability, sexual orientation, religion or belief, age, pregnancy and maternity, marriage and civil partnership.

3.2 **Worker Protection (Amendment of Equality Act 2010) Act 2023**: Reinforces and extends protections and employer duties to take reasonable steps to prevent harassment and provide appropriate redress (policy must state the Council's commitment to those duties).

3.3 **EHRC / ACAS guidance:** Employers should adopt proportionate prevention measures (risk assessment, training, incident logs), ensure prompt, impartial investigations, protect confidentiality where possible, and guard against victimisation.

3.4 EGTC will take all reasonable steps to prevent bullying, harassment and sexual harassment; to investigate complaints promptly and fairly; and to take disciplinary or other action where necessary.

3.5 Note: staff may have a right to bring a claim to an employment tribunal. Relevant time limit: claims of discrimination/harassment must normally be presented to a tribunal within three months less one day from the date of the last act complained of (or from the date of knowledge of a continuing series of acts). (This policy does not replace legal advice.)

4. Definitions

4.1 **Bullying:** Offensive, intimidating, malicious or insulting behaviour, misuse or abuse of power that undermines, humiliates or injures the recipient. Can be physical, verbal, non-verbal or online.

4.2 **Harassment:** Unwanted conduct related to a protected characteristic that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

4.3 **Sexual harassment:** Unwanted conduct of a sexual nature (physical, verbal, non-verbal or digital) that violates dignity or creates an offensive or hostile environment.

4.4 **Victimisation:** Detrimental treatment because someone has made (or is believed to have made) a complaint or supported a complaint under this policy.

4.5 **Third-party harassment:** Harassment committed by someone who is not an employee (e.g., a member of the public, contractor, supplier).

5. Examples (non-exhaustive)

5.1 Unwelcome touching, indecent exposure, sexual propositions or pressure for sexual favours.

5.2 Sexual comments, jokes, innuendo, or sharing pornographic material.

5.3 Displaying offensive images, graffiti, or using derogatory nicknames.

5.4 Exclusion from work-related communications, withholding information, setting unrealistic deadlines.

5.5 Persistent unwanted contact by digital means: abusive emails, texts, social media posts.

5.6 Coercion (threats relating to job/security in exchange for sexual favours).

5.7 Any other conduct a reasonable person would regard as humiliating, intimidating or hostile.

6. Prevention and risk reduction

6.1 EGTC will take reasonable steps to prevent and reduce the risk of harassment and bullying:

- Include bullying/harassment prevention in induction, role-specific training and regular refresher training.
- Train managers in handling reports and conducting fair investigations.
- Carry out risk assessments for roles or activities with elevated risk (e.g., lone working, events, public-facing roles).
- Maintain a confidential incident log to identify patterns and repeat offenders.
- Communicate this policy widely and ensure easy access for all staff.
- Where appropriate, make reasonable workplace adjustments for victims (per Equality Act duties).

7. Reporting and support

If you experience or witness bullying/harassment:

- If safe and appropriate, tell the person their behaviour is unacceptable and ask them to stop. You may do this directly or ask a colleague/manager to support you.
- Report the incident to your line manager. If your line manager is implicated, report to their manager or the Leader of the Council (or the Town Clerk where appropriate).
- For complaints involving councillors, report to the Clerk or the Chair of the Council as applicable.

Support available:

- A trusted manager or colleague
- Employee Assistance Programme
- Trade union or nominated representative
- Referral to occupational health or counselling where appropriate

7.1 EGTC will treat complaints sensitively and confidentially as far as practicable, while recognising that a proper investigation may require disclosure to those who need to know.

8. Informal resolution

8.1 Where appropriate and with the complainant's consent, EGTC will offer informal resolution options:

- Direct conversation (with or without a supporter present).
- Mediation or facilitated discussion by a trained neutral.
- Manager intervention to clarify expected behaviour and set boundaries.

8.2 Informal resolution will not be used in cases involving alleged criminal conduct, serious sexual misconduct, or where the complainant does not agree to an informal route.

9. Formal investigations

Making a formal complaint

9.1 Submit the complaint in writing to your line manager or to the nominated alternative if the line manager is implicated. Give full details, dates, witnesses and any supporting evidence.

Investigation

9.2 Complaints will be acknowledged promptly and in line with our Grievance Policy. Investigations will be impartial, proportionate and timely.

9.3 Investigations may include interviews with the complainant, the alleged perpetrator, and witnesses, and review of relevant documents or electronic evidence.

9.4 Investigations will be conducted by trained investigators, or externally where impartiality is a concern.

Outcomes

9.5 If the complaint is upheld, disciplinary action (up to and including dismissal) may be taken. For contractors/agency staff, engagements may be terminated.

9.6 If a complaint is not upheld, the Council will consider remedial steps to restore working relationships where appropriate.

9.7 Both complainant and respondent will be informed of the investigation outcome (subject to confidentiality and data protection constraints).

10. False allegations and malicious reports

10.1 Allegations made in good faith will be supported. Malicious or knowingly false allegations are a disciplinary matter and may lead to sanctions.

11. Victimisation and protection of witnesses

11.1 EGTC will not tolerate any victimisation of complainants or witnesses. Any retaliation is itself misconduct and subject to disciplinary action.

11.2 Where a complainant or witness fears retaliation, the Council will consider protective measures (e.g., temporary change of duties, supervised contact, alternative working arrangements).

12. Third-party harassment

12.1 The Council will take reasonable steps to prevent third-party harassment (e.g., customer/supplier) and to protect staff. Measures may include warnings to third parties, banning individuals from Council premises, or seeking police involvement if criminal behaviour is suspected.

13. Data protection and confidentiality

13.1 Personal data collected during investigations will be handled in accordance with EGTC's Data Protection Policy and the Employee Privacy Notice. Records will be kept securely for a defined retention period in line with legal and operational requirements.

14. Record keeping, monitoring and review

14.1 The Council will maintain an incident log (anonymised where appropriate) to monitor patterns and the effectiveness of prevention measures.

14.2 This policy and related procedures will be reviewed regularly or when new legislation or guidance requires changes.

15. Links to other procedures

15.1 Disciplinary Procedure

15.2 Grievance Procedure

15.3 Code of Conduct for Councillors (where applicable)

15.4 Lone Working policy / Health & Safety policies

15.5 Employee privacy and data protection policies

16. Responsibilities

16.1 **Employees:** treat colleagues with respect, report incidents, cooperate with investigations.

16.2 **Managers:** take reports seriously, act promptly, maintain confidentiality, ensure fair handling.

16.3 **Town Clerk / Leader of the Council:** ensure training, monitor compliance, and keep records.

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