

CATTON PARISH COUNCIL

SEXUAL AND GENERAL HARASSMENT POLICY AND PROCEDURE

Policy Statement

Catton Parish Council (the Council) is committed to providing a safe, respectful and inclusive environment in which all employees, volunteers (for the purposes of insurance and policies known as employees), Councillors and third parties (for example contractors and visitors) can work free from harassment, bullying and discrimination.

This policy outlines the council's stance on sexual harassment and bullying. The procedures for reporting concerns, and the steps to address complaints in compliance with the Equality Act 2010, the Worker Protection (Amendment of Equality Act 2010) Act 2023, the Localism Act 2011, and the Health and Safety at Work etc. Act 1974.

Please note that any complaint made against a Councillor must be made to the Monitoring Officer at East Riding of Yorkshire Council. This is in accordance with the Localism Act 2001 and R (Harvey) v Ledbury Town Council. That said, anyone making a complaint against a Councillor should follow this policy and procedure and they will be given support in making the complaint.

1.0 Introduction

- 1.1 The Council recognises that harassment and victimisation are unlawful. 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.
- 1.2 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.
- 1.3 Bullying is understood to be targeted and persistently offensive, intimidating, malicious or insulting behaviour and can include the abuse or misuse of power to undermine, humiliate, denigrate or injure the recipient.
- 1.4 Whatever form it takes, personal harassment is always taken seriously and is totally unacceptable.
- 1.5 The Council recognises that personal harassment can exist in the workplace, as well as outside, and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.
- 1.6 The Council deplores all forms of personal harassment and seeks to ensure that the working environment is safe for all. The aim of this policy is to inform employees of the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment with a means of redress.
- 1.7 This policy covers all areas of the Council.
- 1.8 The Council recognises that it has a duty to implement this policy and all employees are expected to comply with it. It will review this policy at regular intervals to monitor its effectiveness.

2.0 Examples of personal harassment

- 2.1 Personal harassment takes many forms and employees may not always realise that their behaviour constitutes harassment. Personal harassment is unwanted behaviour by one employee 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.

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

3.0 Examples of sexual harassment

3.1 Sexual harassment can take place in many forms within the workplace and can go undetected for a period of time where employees 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 employee 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.

3.2 Sexual harassment can also take place where an employee 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. 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.

4.0 Victimisation

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

5.0 Third party harassment

5.1 The Council operates a zero-tolerance policy in relation to harassment perpetrated against one of its employees by a third party, such as a client/customer or visitor. All employees are encouraged to report all instances of harassment that involve a third party in line with the reporting procedure, as outlined below.

5.2 If the Council finds that the allegation is well-founded, it will take steps deemed necessary 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 all 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.

6.0 Responsibilities

Employee responsibilities

- 6.1 The Council requires its employees to behave in a respectful and professional manner. This may extend to events outside of working hours which are classed as work-related.
- 6.2 Employees should refrain from any actions that could constitute discrimination, harassment, bullying, or victimisation.
- 6.3 Report concerns promptly through the appropriate channels
- 6.4 Any form of harassment or victimisation may lead to disciplinary action up to and including dismissal if it is committed:
- in a work situation
 - during any situation related to work, such as a social event
 - against a colleague or other person connected to the employer outside of a work situation, including on social media
 - against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.
- 6.5 A breach of this policy will be treated as a disciplinary matter.

Council responsibilities

- 6.6 The Council will be responsible for ensuring all members of staff, Councillors and volunteers are aware of this policy and provide appropriate training to all.
- 6.7 It will promote a professional and inclusive environment whereby managers are alert and proactively identify areas of risk and incidents of harassment, sexual harassment and bullying.
- 6.8 The Council will also consider aggravating factors, such as abuse of power over a more junior colleague, when deciding what disciplinary action to take.
- 6.9 Where an incident is witnessed, or a complaint is made under this policy, the Council will take prompt action. All incidents will be deemed serious and be dealt with in a sensitive and confidential manner.
- 6.10 Review this policy regularly to ensure its effectiveness.

----- End of Policy -----

Reporting and Resolution Procedures

- 7.0 There are two processes that could be used to address the complaint.

Informal resolution

- 7.1 The Council recognises that some issues can be of a sensitive or intimate nature. You may not feel it appropriate to raise the issue through the normal grievance procedure. In these circumstances a trusted colleague or other person within the Council may assist in addressing the issue as a 'confidential helper'.
- 7.2 If possible, individuals are encouraged to address minor harassment informally by explaining to the harasser that their actions are unwelcome. If you feel unable to make a verbal explanation, then a written request to the harasser could be made. A 'confidential helper' could assist with this.

Formal complaint

- 7.3 Where the informal approach fails or if the harassment is more serious, a formal written grievance should be submitted to the line manager, again the 'confidential helper' can assist with this. If possible, notes should be kept 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 to stop the alleged harassment.

- 7.4 In some cases, it might not be possible to make a formal complaint to the line manager, for example where they are the alleged harasser. In such cases you would submit your written complaint to the Deputy Town Clerk, Town Clerk or Chair of the Personnel Committee.
- 7.5 The council will act promptly and confidentially to investigate complaints, ensuring separation of parties where necessary. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter is resolved.
- 7.6 Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter
- 7.7 On conclusion of the investigation, which will normally be within 10 working days of the meeting with the employee, a report of the findings will be submitted to the person/s who will hold the grievance meeting.
- 7.8 You will be invited to attend a meeting, at a reasonable time and location, to discuss the matter once the person/s hearing the grievance has had opportunity to read the report. You will have the right to be accompanied by a colleague, union representative or a friend/family member and must take all reasonable steps to attend.
- 7.9 You will be able to put your case forward at the meeting and the person/s having read the report will explain the outcome of the investigation. You have the right to appeal the outcome, which is to be made to the Town Clerk within 10 days of receiving the outcome. The Town Clerk will pass it on to the appropriate person.
- 7.10 If the decision is that the allegation is well founded, the harasser will be liable to disciplinary action in accordance with the Council's disciplinary procedure up to and including dismissal.
- 7.11 The Council is committed to ensuring employees are not discouraged from using this procedure and no employee will be victimised for having brought a complaint.
- 7.12 Complaints made in bad faith or with malicious intent will be treated as misconduct and may result in disciplinary action. This does not apply to complaints raised in good faith that are not upheld.

This is a non-contractual procedure which will be reviewed from time to time.

Date of policy: 2nd April 2026

Approved by: Full Council

Date of meeting: 2nd April 2026

Date for next review: April 2027