



BRAUNSTONE TOWN COUNCIL

SEXUAL AND GENERAL HARASSMENT POLICY & PROCEDURE

Purpose and Scope

1. The aim of this Policy & Procedure 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.
2. This policy applies to all employees of Braunstone Town Council, including both paid staff (permanent, agency, temporary or casual), and volunteers.

Principles

3. Braunstone Town 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.
4. 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.
5. 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.
6. Whatever form it takes, personal harassment is always taken seriously and is totally unacceptable.
7. Braunstone Town 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.
8. The Council deplores all forms of personal harassment and seeks to ensure that the working environment is sympathetic to all employees.
9. The Town Council recognises that it has a duty to implement this Policy & Procedure and all employees are expected to comply with it.

Examples of personal harassment

10. 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:
- a) insensitive jokes and pranks
 - b) lewd or abusive comments
 - c) deliberate exclusion from conversations
 - d) displaying abusive or offensive writing or material
 - e) abusive, threatening or insulting words or behaviour
 - f) name-calling
 - g) picking on someone or setting them up to fail
 - h) exclusion or victimisation
 - i) undermining their contribution/position
 - j) demanding a greater work output than is reasonably feasible
 - k) blocking promotion or other development/advancement.
11. These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of personal harassment.

Examples of sexual harassment

12. 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:
- a) lewd or abusive comments of a sexual nature such as regarding an individual's appearance or body
 - b) unwelcome touching of a sexual nature
 - c) displaying sexually suggestive or sexually offensive writing or material
 - d) asking questions of a sexual nature
 - e) sexual propositions or advances, whether made in writing or verbally.
13. 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.

Examples of victimisation

14. 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.

Third party harassment

15. Braunstone Town Council operates a zero tolerance policy in relation to harassment perpetrated against one of its employees by a third party, such as a resident, customer, user or visitor. All employees are encouraged to report any and all instances of harassment that involve a third party in line with the reporting procedure, as outlined below.
16. If the Council finds that the allegation is well-founded, steps deemed necessary will be taken 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 Council's premises
 - reporting the individual's actions to the police.

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

Responsibilities

Employee Responsibilities

17. Braunstone Town Council requires its employees to behave appropriately and professionally at all times during the working day, and this may extend to events outside of working hours which are classed as work-related such as social events. Employees should not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time.
18. 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 Council 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.
19. A breach of this policy by will be treated as a disciplinary manner.

Council Responsibilities

20. Braunstone Town Council will be responsible for ensuring all members of staff, including seniors and management, understand the rules and policies relating to the prevention of harassing and bullying behaviour at work and

during work-related social events. The Council will promote a professional and positive workplace whereby managers are alert and proactively identify areas of risk and incidents of harassment, sexual harassment and bullying.

21. The Council will also take into account aggravating factors, such as abuse of power over a more junior colleague, when deciding what disciplinary action to take.
22. 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

Informal method

23. Braunstone Town 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 an individual to raise the issue through our normal grievance procedure. In these circumstances individuals are encouraged to raise such issues with a senior colleague of their choice (whether or not that person has a direct supervisory responsibility for the individual) as a confidential helper.
24. If an individual is the victim of minor harassment, he or she should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If the victim feels unable to do this verbally then he or she should hand a written request to the harasser, and the confidential helper can assist you in this.

Formal method

25. Where the informal approach fails or if the harassment is more serious, the individual should bring the matter to the attention of their Service Manager or the Chief Executive & Town Clerk as a formal written grievance and again the confidential helper can assist in this. If possible, the individual 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.
26. Where it is not possible to make the formal complaint to the above named person (in paragraph 25 above), for example where that person is the alleged harasser, then the complaint should be raised with either the Leader or Deputy Leader of the Council; or if not possible, another Town Councillor.

27. On receipt of a formal complaint, the Council will take action to separate the individual from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter has been resolved.
28. On conclusion of the investigation, which will normally be within ten working days of the meeting with the individual making the formal complaint, a report of the findings will be submitted to the person who will Chair the Grievance Hearing.
29. The individual raising the complaint will be invited to attend a meeting, at a reasonable time and location, to discuss the matter once the persons hearing the Grievance have had opportunity to read the report. The individual has the right to be accompanied at such a meeting by a colleague or a union representative and must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.
30. You will be able to put your case forward at the meeting and the Chair of the meeting will explain the outcome of the investigation. There is a right to appeal the outcome, which is to be made to Appeals Committee within one week of receiving the outcome in writing. Appeals made after one week will be considered if the Employee has a reasonable explanation for having taken so long.
31. If the decision is that the allegation is well founded, the harasser will be liable to disciplinary action in accordance with the Disciplinary Policy & Procedure up to and including dismissal.
32. 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.

Review

33. The Council's Management Team, following advice from the Council's HR Advisor will review the Policy & Procedure annually in order to monitor its effectiveness. Where changes are needed, then a report will be made to the Council's Policy & Resources Committee and staff consulted as necessary.
34. In addition to the above, the Policy & Procedure will be reviewed formally at least every four years or following legislative changes.

DATE ADOPTED	7th November 2024	REVIEW DATE	16 th January 2025
REVISED DATE/S	16 th January 2025		