

SALISBURY  
CITY COUNCIL



## **Dignity at Work Policy** Bullying & Harassment Procedure

Policy No.	Author	Date Reviewed	Review Due	Review Team	Changes made:
HR09	KAB	11/12	08/14	HR/EMT	None
HR09	KAB	08/14	08/17	Hr/EMT	
HR09	TA	02/08/2019	02/08/2020	TA/AC	Sections 2-8 reworded to provide further clarity
HR09	TA	25/10/23	25/10/24	Worknest	No legislative changes Definitions clarified around bullying and harassment and sexual harassment
HR09	TA	10/2024	10/2025	Worknest	Amended to include new duty to prevent sexual harassment (Worker Protection (Amendment of Equality Act 2010) Act 2023

**Distribution**

Internal: All SCC Staff

External (if requested): Website/Councillors/Partners

**Yellow text is new text.** Existing text that has changes is crossed through with new suggested text.

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## Dignity at Work Policy

### 1. Aim

- 1.1. To provide all employees with a working environment that ensures all are treated fairly and with respect, regardless of their background or ability. The Council is committed to valuing all people as individuals and recognising their personal abilities and strengths in order to gain from the diversity of its employees.

### 2. Purpose

- 2.1. The Council recognises that not only is it in the interests of individuals, but it makes good business sense to ensure all employees are treated with dignity and respect in order that they may feel comfortable and confident in their working environment.
- 2.2. The procedure has also been written within the context of the Council being a parish council and small organisation.
- 2.3. It has been created in consultation with the Trade Unions and is supported by both management and those Trade Unions.
- 2.4. This policy is designed to ensure that SCC has a workplace culture that is free from hostility
- 2.5. We expect all staff (whether permanent or casual) to adhere to the following:
  - 2.5.1 Treat colleagues, and service users, with dignity and respect
  - 2.5.2 Be aware of the effect that own behaviour, and activities can impact on others
  - 2.5.3 Dress appropriately for the workplace
  - 2.5.4 Set a positive example to all colleagues
  - 2.5.5 Consider language, attitudes and culture of colleagues, service users
  - 2.5.6 Think before making personal comments to or about others and
  - 2.5.7 Promote dignity and respect in the workplace
  - 2.5.8 Banter can increase Health & Safety risks by reducing focus and attention, which may lead to accidents. Additionally, banter that causes stress could prevent the Council from fulfilling its duty of care to protect staff wellbeing and manage workplace stress effectively.
- 2.6 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.

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### 3. Commitment from Senior Management

- 3.1 Message from the **Chief Executive Officer**:

Our employees are the heart of the Council. Without the staff members carrying out essential roles, there would not be a Salisbury City Council. Each and every person who wears the city's logo must feel respected and give respect. This policy is designed to ensure that everyone understands

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*the types of behaviour expected of all. Importantly it also sets out those forms of behaviour, which is unacceptable. It is the hope of this Council that everyone understands what is expected of them and that they have a right to challenge any type of behaviour. It is essential in order to both create a healthy working environment and to achieve our standards of service, that all of our employees feel comfortable and respected in the workplace. This policy is designed to ensure that everyone understands the types of behaviour expected of all employees, and those forms of behaviour, which the Council finds unacceptable. Because each employee is an individual it is understandable that what one person may find acceptable another may feel very uncomfortable about. So the purpose of this policy is to ensure that all employees understand what is expected of them and that they have a right to challenge behaviour that they find unacceptable.*

*The Senior Management team are aware of the contents of this policy and are committed to listening to and taking seriously all complaints made. It is important to make clear that if an employee feels it necessary to make a complaint against a member of the Senior Management Team, or a Council Member then their complaint will be dealt with fairly and objectively.*

#### **4. Scope**

- 4.1. This policy covers all employees at all levels within the council. It also applies in circumstances where employees may feel that they have cause for complaint against elected council members although certain adjustments may have to be made to comply with the Members' Code of Conduct if a formal complaint is made against a Councillor. Councillors have a duty to treat all employees with respect and dignity at all times (see SCC Member's Code of Conduct)
- 4.2. It does not cover members of the public or other third parties or suppliers with whom the Council works in conjunction but who are not employed by the Council. However, there are other policies that cover these aspects such as SCC Complaints policy.
- 4.3. All employees have a duty to treat all third party operatives and suppliers with dignity and respect at all times.
- 4.4. If an employee is subject to bullying or harassment by a third party not employed by the Council, they can still raise a complaint about the situation as the Council has a duty of care to protect its employees, where possible, from this type of behaviour. Where a complaint is raised, the relevant Manager or the senior officer managing the contract on behalf of the Council, will discuss the matter with those responsible for managing that third party in order to determine what action is appropriate.
- 4.5. This policy has been reviewed to include Worker Protection (Amendment of Equality Act 2010) Act 2023 duties on an employer to prevent sexual harassment.

#### **5.1 Employees**

5.2 SCC 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 or posts on social media where your contacts include colleagues. Employees should not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time. A breach of this policy by will be treated as a disciplinary manner

5.3 Disciplinary action may also be taken where a person is victimised (treated badly) as a result of things such as:

- 5.3.1 Making a claim or complaint of discrimination (under the Equality Act)
- 5.3.2 Helping someone else to make a claim by giving evidence or information.
- 5.3.3 Making an allegation that you or someone else has breached the Act
- 5.3.4 Doing anything else in connection with the Act

#### 5.4 Managers

5.5 SCC will be responsible for ensuring all members of staff, including seniors and those within management positions, understand the rules and policies relating to the prevention of harassing, bullying or victimising behaviour at work and during work-related social events. We 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.

5.6 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 within in a sensitive and confidential manner.

5.7 Ensuring there is an up to date, communicated and implemented risk assessment relating to risks and control measure to reduce potential sexual harassment.

## 6 Harassment

6.1 Harassment is any unwanted physical, verbal or non-verbal **conduct** that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.

6.2 Unlawful harassment may involve **conduct:**

- **related to a protected characteristic** of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation;
- of a sexual nature (**sexual harassment**); or

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- of treating someone less favourably because they have submitted, or refused to submit to, sexual harassment or harassment related to sex or gender reassignment e.g. where a manager gives a junior employee a poor performance review because they rejected the manager's sexual advances.

6.3 Harassment is unacceptable even if it does not fall within any of these categories.

6.4 Harassment may include (this is a non-exhaustive list), for example:

- a. racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group, religion or belief, or gender;
- b. disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes;
- c. offensive e-mails, text messages or social media content; or
- d. mocking, mimicking or belittling a person's disability.

6.5 Sexual harassment does not need to be sexually motivated; it only needs to be sexual in nature and may include (this is a non-exhaustive list), for example:

- a. unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- b. continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- c. sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- d. unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- e. intrusive questions about a person's private or sex life or a person discussing their own sex life; or
- f. sending sexually explicit e-mails or text messages or sexual posts/contact on social media.

6.6 A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment; or sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

6.7 Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

- a. Bringing proceedings under the Equality Act 2010.
- b. Giving evidence or information in connection with proceedings under the Equality Act 2010.

- c. Doing any other thing for the purposes of or in connection with the Equality Act 2010.
- d. Alleging that a person has contravened the Equality Act 2010.

6.8 Victimisation may include (this is a non-exhaustive list), for example:

- a. Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment/sexual harassment.
- b. Excluding someone because they have raised a grievance about harassment/sexual harassment.
- c. Failing to promote someone because they accompanied another staff member to a grievance meeting.
- d. Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.

**6.9 Harassment/sexual harassment and victimisation are unlawful and will not be tolerated.** They may lead to disciplinary action up to and including dismissal without notice if they are committed:

- a. In a work situation.
- b. During any situation related to work, such as at a social event with colleagues.
- c. Against a colleague or other person connected to us outside of a work situation, including on social media.
- d. Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.

6.10 We will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

6.11 If any harassment/sexual harassment or victimisation of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.

**6.12** Third-party harassment occurs where a person is harassed/sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, derogatory comments about a person's age, disability, pregnancy, colour, religion or belief, sex or sexual orientation, or unwelcome sexual advances, from a client, customer or supplier visiting the employer's premises, or where a person is visiting a client, customer or supplier's premises or other location in the course of their employment.

6.13 Third-party harassment can result in legal liability and will not be tolerated. All staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy. Any harassment by a member of staff against a third-party may lead to disciplinary action up to and including dismissal.

6.14 We will take active steps to try to prevent third-party harassment of staff. Action [may include: [warning notices to customers or recorded messages at the beginning of telephone calls;

information in terms and conditions; providing regular training for managers and staff to raise awareness of rights related to sexual harassment and of this policy;

-provide specific training for managers to support them in dealing with complaints;

take steps to minimise occasions where staff work alone;

where possible ensure that lone workers have additional support;

carry out a risk assessment when planning events attended by clients/customers and/or suppliers.]

If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police, and sharing information with other branches of the business.]

~~6.1 Harassment can range from extreme cases like violence to less obvious actions like deliberately ignoring a colleague. Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Whatever the form of harassment, if the recipient finds the behaviour offensive, unpleasant, unreasonable or just unwelcome then it is unacceptable for the perpetrator/s to continue with it. Employees may not always realise that their behaviour constitutes harassment.~~

~~A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.~~

~~Personal harassment is unwanted behaviour by one employee towards another and examples of harassment include:~~

- ~~6.1.1 insensitive jokes and pranks~~
- ~~6.1.2 lewd or abusive comments~~
- ~~6.1.3 deliberate exclusion from conversations~~
- ~~6.1.4 displaying abusive or offensive writing or material~~
- ~~6.1.5 abusive, threatening or insulting words or behaviour~~
- ~~6.1.6 name-calling~~
- ~~6.1.7 picking on someone or setting them up to fail~~
- ~~6.1.8 exclusion or victimisation~~
- ~~6.1.9 undermining their contribution/position~~
- ~~6.1.10 demanding a greater work output than is reasonably feasible~~
- ~~6.1.11 blocking promotion or other development/advancement.~~



~~6.2 These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of personal harassment.~~

~~Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to a Protected Characteristic. Harassment is unacceptable even if it does not fall within any of these categories.~~

~~A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.~~

~~6.3 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 of a sexual nature, by one employee towards another and examples of sexual harassment include:~~

- ~~6.3.1 lewd or abusive comments of a sexual nature such as regarding an individual's appearance or body~~
- ~~6.3.2 unwelcome touching of a sexual nature~~
- ~~6.3.3 displaying sexually suggestive or sexually offensive writing or material~~
- ~~6.3.4 asking questions of a sexual nature~~
- ~~6.3.5 sexual propositions or advances, whether made in writing or verbally.~~

- ~~6.3.1 Sexual comments or jokes~~
- ~~6.3.2 Displaying sexually graphic pictures, posters or photos~~
- ~~6.3.3 Suggestive looks, staring or leering~~
- ~~6.3.4 Propositions and sexual advances~~
- ~~6.3.5 Sexual gestures~~
- ~~6.3.6 Intrusive questions about a person's private or sex life, or a person discussing their own sex life~~
- ~~6.3.7 Sexual posts or contact on social media~~
- ~~6.3.8 Spreading sexual rumours about a person~~
- ~~6.3.9 Sending sexually explicit emails or text messages~~
- ~~6.3.10 Unwelcome touching, hugging, massaging or kissing~~

~~6.4 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~~

## **7 Bullying**

7.1 Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.

7.2 It is likely to have a negative impact on the victim's confidence, self-esteem and overall wellbeing. Bullying is not necessarily overt and can be done using a number of different methods. It may take place with colleagues in public or in private, at work or socially.

7.3 Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include (this is a non-exhaustive list), by way of example: physical or psychological threats; overbearing and intimidating levels of supervision; inappropriate derogatory remarks about someone's performance;

7.4 Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

## 8 Complaining about harassment and/or bullying

### 8.1 Informal method

8.2 We recognise that complaints of personal harassment, and particularly of sexual harassment or those associated with issues of mental health, 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.

8.3 In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper.

8.4 If you do not feel able to raise this issue with a manager, we also have an anonymous communication channel on ALINE. [A link can be found on the front page of ALINE](#) You can tell us about what you have experienced or witnessed without supplying your name, if necessary.

8.4 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 could hand a written request to the harasser, and your confidential helper can assist you in this.

### 8.4 Formal method

8.5 Where the informal approach fails or if the harassment is more serious, you should [raise the matter formally under our Grievance Procedure and it will be dealt with under that procedure, taking into account the below.](#)

[We will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience](#)

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and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. We will consider whether any steps are necessary to manage any ongoing relationship between you and the person accused during the investigation.

Once the investigation is complete, we will inform you of our decision. If we consider that there is a case to answer and the harasser or bully is an employee, the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct. The outcome of our investigation may be put on hold while disciplinary action is taken. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

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bring the matter to the attention of your manager OR HR Manager 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.

8.6 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 Chief Executive Officer (CEO).

8.7 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. 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. We will carry out an investigation into the matter once the formal complaint has been received. This investigation may require holding an investigation meeting with you. A report of the findings will be submitted to the person who will hold a grievance hearing.

8.8 On conclusion of the investigation which will normally be within 10 days of the meeting with you, a report of the findings will be submitted to the manager who will hold the grievance hearing.

8.9 You will be invited to attend a grievance hearing, 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 or Union representative and you 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.

~~8.10 You will be able to put your case forward at the meeting and the manager will explain the outcome of the investigation and ask you to contribute any further information. You have a right to appeal the outcome.~~

~~8.11 If there are no grounds to substantiate the allegation that unacceptable behaviour has taken place, this outcome will be confirmed in writing to all involved.~~

~~8.12 If the decision is that the allegation is well founded, the harasser will be liable to disciplinary action in accordance with our disciplinary procedure.~~

8.13 Those involved in any formal meetings will approach the meeting sensitively and it will be conducted in confidence. Any breach of this confidence will be deemed a disciplinary matter.

8.14 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.

## 9 Malicious false allegations

9.1 Any allegations found to be both false and malicious will be taken very seriously and may result in disciplinary action up to and including dismissal.

## 10 Protection and support for those involved

~~10.1 Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.~~

~~10.2 We will review this policy regularly and monitor its effectiveness. This will include monitoring the treatment and outcomes of any complaints of harassment, sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved and workforce training is targeted where needed.~~

~~Support and guidance can also be obtained from the following external services:~~

- ~~a. The Equality Advisory and Support Service ([www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)).~~
- ~~b. Protect ([www.protect-advice.org.uk](http://www.protect-advice.org.uk)).~~
- ~~c. Victim support ([www.victimsupport.org.uk](http://www.victimsupport.org.uk)).~~
- ~~d. Rights of women (England and Wales) ([www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk)).~~

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**4011 Monitoring and record retention**

~~40.1~~ 11.1 Monitoring will be the responsibility of the ~~HR Manager~~ Head of HR who will work in conjunction with the Senior Management Team to assess the impact of the policy.

~~40~~11.2 Records will be kept in line with the retention schedule policy.

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