



WESTON-SUPER-MARE TOWN COUNCIL

Preventing Harassment and Bullying in the Workplace Policy

Date	Version	Author	Origin of Change e.g. TU request, change in legislation	Changed by
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This policy applies to Weston-super-Mare Town Council

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1. Policy Statement

Weston-super-Mare Town Council is committed to providing a working environment in which councillors, employees, contractors, volunteers and members of the public are treated with dignity, fairness and respect. Bullying, harassment, sexual harassment and victimisation are unacceptable and will not be tolerated in any aspect of council activity.

The Council has legal and ethical responsibilities to ensure that those working with or for the Council can do so in a safe and respectful environment. Behaviour that undermines the dignity or wellbeing of others can damage working relationships, affect the effectiveness of local governance and have a negative impact on individuals and the wider community.

The Council will therefore take reasonable steps to prevent harassment and to address inappropriate behaviour where it occurs. This includes the duty placed on employers to prevent sexual harassment under the **Worker Protection (Amendment of Equality Act 2010) Act 2023**.

The Council expects all individuals involved in council business to demonstrate professionalism, courtesy and respect in their conduct and communications.

2. Scope

This policy applies to all individuals involved in council activities. This includes council employees, elected councillors, contractors, agency workers, volunteers and, where relevant, members of the public interacting with the Council.

The policy applies to behaviour occurring in any context connected to council business, including:

- Council offices or workplaces
- Council or committee meetings
- Training sessions and conferences attended on behalf of the Council
- Council events or community activities
- Written or verbal communications relating to council business, including email, online meetings and social media.

The Council operates within close community settings, interactions between councillors, employees and members of the public may occur in both formal and informal contexts. Regardless of the setting, individuals representing the Council are expected to maintain appropriate professional standards.

3. Legislative and Guidance Framework

This policy is informed by relevant UK legislation and recognised governance guidance.

Key legislation includes:

- Equality Act 2010
- Worker Protection (Amendment of Equality Act 2010) Act 2023
- Protection from Harassment Act 1997
- Employment Rights Act 1996
- Health and Safety at Work etc. Act 1974
- Human Rights Act 1998

- Public Interest Disclosure Act 1998
- Local Government Act 1972
- Localism Act 2011
- Employment Rights Act 2025

The policy also reflects recognised guidance and best practice including:

- Equality and Human Rights Commission (EHRC) Code of Practice on Employment
- ACAS guidance on bullying and harassment at work
- ACAS Code of Practice on disciplinary and grievance procedures
- Governance guidance issued by the National Association of Local Councils (NALC) and county associations.

4. Definitions

Harassment

Under the Equality Act 2010, harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Protected characteristics include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Harassment may occur through behaviour, spoken words, written communication, images or gestures and may take place in person or through electronic communication.

Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

The Council has a duty to take reasonable steps to prevent sexual harassment of employees, including harassment carried out by councillors, colleagues, contractors or members of the public.

Bullying

Bullying is generally understood as offensive, intimidating, malicious or insulting behaviour or an abuse or misuse of power that undermines, humiliates or injures the person experiencing it.

Examples may include persistent criticism, hostile behaviour during meetings, undermining individuals, or inappropriate communications.

Victimisation

Victimisation occurs where an individual is treated unfairly because they have made or supported a complaint under discrimination or harassment legislation.

5. Roles and Responsibilities

The Council as a corporate body is responsible for ensuring that this policy is implemented effectively. This includes promoting a respectful workplace culture, ensuring appropriate governance arrangements are in place and responding appropriately to concerns when they arise.

Councillors are expected to demonstrate the highest standards of conduct in their role as elected representatives. Councillors must comply with the Councillor Code of Conduct and treat staff, fellow councillors and members of the public with courtesy and respect.

The CEO/Town Clerk, and other senior officer where applicable, plays an important role in supporting the implementation of this policy. The CEO/Town Clerk will normally act as a first point of contact for staff concerns and may provide guidance to councillors regarding appropriate conduct.

Employees are expected to contribute to maintaining a respectful working environment. They should treat colleagues, councillors and members of the public with dignity and professionalism and raise concerns where inappropriate behaviour occurs.

Councillor–Staff Working Relationships

The Council operates within a clear distinction between the strategic role of councillors and the operational responsibilities of staff.

Councillors collectively determine council policy and direction, while employees are responsible for implementing those decisions and managing the day-to-day operations of the council.

To maintain good governance, councillors should not attempt to direct or manage individual employees. Instructions to staff should normally be communicated through the CEO/ Town Clerk or the appropriate line manager. Concerns regarding staff performance should be addressed through the council's personnel procedures rather than through direct criticism.

Maintaining clear and respectful boundaries between councillors and staff supports effective governance and protects employee wellbeing.

6. Training and Awareness

The Council recognises that awareness and understanding are essential in preventing harassment and bullying.

Councillors and employees should therefore be familiar with the standards of behaviour expected within the Council and understand how concerns can be raised.

Training may be provided through induction, governance training programmes or through training opportunities offered by organisations such as the National Association of Local Councils, county associations or ACAS.

Promoting open discussion about standards of behaviour can help build a positive and respectful workplace culture.

7. Reporting Concerns

Harassment/sexual harassment and victimisation are unlawful and will not be tolerated. The law requires employers to take reasonable steps to prevent sexual harassment of workers in the course of their employment. All staff are encouraged to report any harassment/sexual harassment or victimisation they are a victim of, or witness, in accordance with this policy. Workers are also entitled to raise concerns about sexual harassment through the whistleblowing procedure instead if they reasonably believe the matter is in the public interest. Harassment/sexual harassment or victimisation may lead to disciplinary action up to and including dismissal without notice if they are committed:

Concerns may normally be raised with:

- the CEO/ Town Clerk
- the Chair of the Council
- the Personnel or Staffing Committee.

Where a concern relates to the behaviour of a councillor, the matter may also be referred through the Code of Conduct complaints procedure administered by the principal authority.

The Council will aim to ensure that concerns are handled sensitively, fairly and without unnecessary delay.

Protection and support for those involved

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.

Any disclosure that sexual harassment has occurred, is occurring, or is likely to occur may amount to a protected disclosure under the rules on whistleblowing if you reasonably believe the matter is in the public interest. Workers may raise concerns about sexual harassment under this policy or under our Whistleblowing Policy.

8. Procedures

When a concern is raised, the Council will seek to address the matter in a fair and transparent manner consistent with the Council's disciplinary and grievance policy and procedures.

In some circumstances it may be appropriate to attempt an informal resolution. This may involve discussion between the parties or mediation where both individuals are comfortable with this approach.

Where informal resolution is not appropriate, or where the issue is more serious, the Council may undertake a formal investigation. This may involve gathering relevant documentation, reviewing communications or meeting records and speaking with individuals involved or witnesses.

Following the investigation, the Council will consider the findings and determine whether any further action is necessary.

Depending on the circumstances, outcomes may include informal resolution, disciplinary action in relation to employees, or referral of councillor conduct concerns through the relevant standards process.

All investigations will be conducted as promptly and fairly as possible.

9. Confidentiality and Information Sharing

The Council recognises that concerns relating to harassment and bullying can be sensitive and potentially distressing.

As far as possible, information relating to complaints will therefore be handled confidentially. Information will normally only be shared with individuals who need to be involved in investigating or resolving the matter.

However, confidentiality cannot be guaranteed where disclosure is necessary to properly investigate concerns or where information must be shared in accordance with legal obligations.

Personal information will be handled in accordance with relevant data protection legislation.

10. Related Policies

This policy should be read alongside other relevant council policies, including:

- Disciplinary and Grievance Procedure
- Councillor Code of Conduct
- Equality and Diversity Policy
- Whistleblowing policy

11. Monitoring and Review

The Council will review this policy bi-annually to ensure that it remains compliant with legislation and reflects current best practice in employment and local council governance.

Reviews may take place following legislative changes, governance issues or where operational experience indicates that improvements to the policy may be required.