



# **Lostwithiel Town Council**

## **Dignity at Work Policy**

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| <b>Approved</b>     | <b>07/07/26</b> |
| <b>Minute ref:</b>  | <b>091/26</b>   |
| <b>Review:</b>      | <b>Annually</b> |
| <b>Next Review:</b> | <b>July-27</b>  |

## **1. Introduction**

Lostwithiel Town Council is committed to ensuring that all employees, councillors, contractors, volunteers and others who come into contact with the Council are treated with dignity, respect and courtesy. Civility and respect are essential to a positive working environment, and all representatives of the Council are expected to behave professionally, politely and courteously at all times.

The Council has signed the Civility and Respect Pledge, demonstrating its commitment to respectful behaviour in all interactions, including verbal communication, written communication and conduct in meetings.

The Council recognises that concerns can escalate if not addressed early. This policy therefore emphasises early resolution, mediation where appropriate, and constructive dialogue, while ensuring that all complaints of bullying, harassment or victimisation are taken seriously and addressed promptly.

This policy aims to:

- uphold dignity and respect in the workplace;
- explain how the Council will respond to complaints of bullying, harassment or victimisation;
- ensure concerns are managed sensitively, promptly and fairly;
- support employees and councillors in understanding the behaviours expected of them.

## **2. Purpose**

The purpose of this policy is to:

- promote a working environment where everyone is treated with dignity and respect;
- prevent bullying, harassment and victimisation;
- provide clear definitions and examples of unacceptable behaviour;
- set out the process for raising and addressing concerns;
- ensure compliance with the Equality Act 2010, ACAS guidance and relevant employment legislation.
- Support the Council's commitment to the Civility and Respect Pledge

## **3. Scope**

This policy applies to:

- all employees of Lostwithiel Town Council;
- the Town Clerk;
- councillors when interacting with staff or representing the Council;
- contractors, agency workers and volunteers when working on behalf of the Council.

Complaints relating to other employment matters will be managed under the Council's Grievance Policy.

Where concerns relate to the behaviour of a councillor, any formal complaint alleging a breach of the Councillors' Code of Conduct must be referred to Cornwall Council's Monitoring Officer in accordance with the *Ledbury* ruling.

The Council will take appropriate action if any employee is bullied or harassed by councillors, colleagues, contractors, members of the public or suppliers.

## **4. Definitions**

### **4.1 Harassment**

Harassment is defined in the Equality Act 2010 as 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 and sexual orientation.

Harassment may also occur based on perceived or associated characteristics.

### **4.2 Bullying**

Bullying is behaviour that:

- is offensive, intimidating, malicious or insulting;
- involves misuse of power;
- leaves the recipient feeling threatened, humiliated, undermined or vulnerable.

Bullying does not need to be linked to a protected characteristic.

### **4.3 Victimisation**

Victimisation occurs when a person is subjected to a detriment because they have:

- raised a concern or complaint in good faith;
- supported someone else to raise a concern;
- participated in an investigation.

Victimisation is prohibited and may lead to disciplinary action.

#### 4.4 Sexual Harassment and Preventative Duty

Sexual harassment is unwanted conduct of a sexual nature that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

The Council will take reasonable steps to prevent sexual harassment of employees and workers in the course of their work, including harassment by councillors, colleagues, contractors, volunteers, service users, suppliers or members of the public. This includes assessing risks, setting clear standards of behaviour, providing training, responding promptly to concerns and reviewing preventative measures.

#### 5. Examples of Bullying and Harassment

Examples include (but are not limited to):

- unwelcome physical contact or assault;
- unwelcome sexual advances or suggestive comments;
- threats or promises in exchange for sexual favours;
- demeaning comments about appearance;
- verbal abuse, offensive jokes or derogatory remarks;
- unwanted nicknames;
- spreading malicious rumours;
- deliberate exclusion from work activities;
- withholding information needed to perform a role;
- practical jokes or inappropriate initiation rituals;
- damaging personal property;
- displaying offensive images or materials;
- abusing a position of power;
- humiliating or ridiculing someone in public or private.

Bullying and harassment may occur face-to-face, in writing, by email, through social media or via other electronic communication.

Constructive and fair performance management, delivered professionally and reasonably, **does not** constitute bullying.

## **6. Reporting Concerns**

### **6.1 Concerns involving members of the public or suppliers**

Employees should report concerns to the Town Clerk. The Council will determine appropriate action.

### **6.2 Concerns involving councillors**

Concerns should be raised with the Town Clerk or the Mayor. Where the concern relates to the Mayor, it should be raised with the Town Clerk.

Formal complaints alleging a breach of the Code of Conduct must be referred to Cornwall Council's Monitoring Officer.

The Council will consider reasonable measures to protect the employee's health and safety during any investigation, including temporary adjustments to duties or working arrangements.

### **6.3 Concerns involving colleagues or contractors**

Concerns may be raised informally or formally as set out below.

### **6.4 Witnessing unacceptable behaviour**

Anyone who witnesses bullying or harassment should report it confidentially to the Town Clerk.

## **7. Informal Resolution**

Where appropriate, individuals are encouraged to resolve concerns informally by:

- explaining to the person that their behaviour is unacceptable; or
- asking the Town Clerk to raise the issue on their behalf.

The Council may also consider mediation using a neutral third party.

Informal resolution will not normally result in disciplinary action unless the behaviour is serious or repeated.

## **8. Formal Complaints**

If informal resolution is unsuccessful or inappropriate, a formal complaint may be raised under the Council's Grievance Policy.

A formal complaint should include:

- the name of the alleged perpetrator(s);
- details of the behaviour complained of;
- dates, times and locations of incidents;
- names of witnesses;
- steps taken to resolve the matter informally (if any).

The Council will appoint an investigator in accordance with the Grievance Policy. Investigations will be conducted promptly, sensitively and confidentially, and in accordance with data protection requirements.

Where the complaint relates to a councillor, Cornwall Council's Monitoring Officer will investigate (see 13. Complaints Against Councillors).

A grievance panel will consider the findings and notify the complainant in writing of the outcome and their right of appeal.

## **9. Disciplinary Action**

If the investigation indicates that a disciplinary offence may have been committed, the Council's Disciplinary Policy will be invoked.

## **10. Confidentiality and Record-Keeping**

The Council will handle all complaints as confidentially as possible. Information will be shared only where necessary to ensure a fair process.

Records will be kept securely and retained in accordance with the Council's Data Protection Policy and statutory requirements.

## **11. Support During the Process**

The Council has a duty of care to all parties involved. Support may include:

- temporary adjustments to duties or working arrangements;
- access to a neutral "listening ear";
- signposting to support services;
- regular check-ins during the investigation.

## **12. Responsibilities**

All staff, councillors and representatives of the Council are responsible for:

- treating others with dignity, respect and courtesy;
- challenging unacceptable behaviour;
- raising concerns promptly;
- cooperating with investigations.

Leaders (councillors, the Town Clerk) are responsible for:

- modelling respectful behaviour;
- promoting a positive culture;
- addressing concerns in a timely and appropriate manner;
- ensuring compliance with this policy.

## **13. Complaints Against Councillors**

In accordance with the *Ledbury* ruling, any formal complaint alleging a breach of the Code of Conduct must be referred to Cornwall Council's Monitoring Officer.

Where an employee raises concerns about a councillor, the Town Clerk will agree reasonable measures to protect the employee's wellbeing while the investigation is ongoing.

## **14. False or Malicious Allegations**

The Council assumes all complaints are made in good faith. However, knowingly making false allegations or providing false evidence may result in disciplinary action.

## **15. Review**

This policy will be reviewed annually or sooner if required by legislation or organisational need.