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BULLYING AND HARASSMENT POLICY

1 Introduction

1.1 All members of staff are entitled to be treated with dignity and respect in their place of work. This means freedom from bullying, harassment, sexual harassment and victimisation, feeling safe and supported, and having access to redress if such behaviour does arise.

1.2 Bullying, harassment and sexual harassment can take many forms. Harassment and sexual harassment are unlawful under the Equality Act 2010, as amended, and Pontypool Community Council will not tolerate such behaviour.

1.3 The law requires employers to take reasonable steps to prevent sexual harassment of their workers. The Council takes action to prevent bullying, harassment, sexual harassment and victimisation from occurring and has clear reporting procedures for staff to raise concerns or make a complaint.

1.4 From 30 October 2026, the Employment Rights Act (2025) strengthens the Council's legal responsibilities. The Council will take all reasonable steps to prevent sexual harassment of its workers, including harassment by third parties such as customers, contractors, service users and members of the public, and will take all reasonable steps to prevent other unlawful harassment by third parties. A worker who reports sexual harassment may also have protection under whistleblowing law. The Council will assess relevant risks, maintain appropriate preventative measures and training, provide clear reporting routes, and review the effectiveness of its arrangements regularly.

1.5 The Clerk has overall responsibility for the operation of this policy but may delegate elements of implementation or decision making to Managers. Managers will maintain an open-door policy and all staff have a responsibility to behave in line with this policy.

2 Scope

2.1 This policy applies to employees, workers, agency workers, volunteers and contractors in all areas of Pontypool Community Council. It also applies to interactions with third parties, including customers, suppliers, members of the public, service users, contractors, visitors and any other people encountered in connection with work.

3 Definitions

3.1 Bullying

3.1.1 Bullying is unwanted behaviour from a person or group that is offensive, intimidating, malicious or insulting, or an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm. It may be a serious one-off incident or a pattern of behaviour.

Bullying has no specific statutory definition, although it can amount to unlawful harassment or discrimination when connected to a protected characteristic.

3.2 Harassment

3.2.1 Harassment is unwanted conduct related to a relevant protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

3.2.2 Protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex and sexual orientation.

3.3 Sexual Harassment

3.3.1 Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It also covers treating someone less favourably because they have submitted to, or refused to submit to, unwanted conduct of a sexual nature, or conduct related to gender reassignment or sex.

3.3.2 Sexual harassment may be committed by a fellow worker, an agent of the organisation or a third party. It does not need to occur in person and can occur via digital means, including social media or messaging channels, it may be a one-off incident or repeated behaviour.

3.4 Victimisation

3.4.1 Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do an act protected under discrimination and harassment laws. This includes making or supporting a complaint under the Equality

Act 2010, giving evidence or information, making an allegation that the Act has been breached, or doing anything else connected with the Act.

4 Examples of Unacceptable Behaviour

4.1 Examples of bullying, harassment or sexual harassment may include, but are not limited to:

- spoken or written words, banter, jokes, pranks, mimicry or comments that offend, intimidate or humiliate;
- posts, messages, images or contact on social media, messaging platforms or other digital channels;
- isolation, exclusion, limiting communication, unreasonable scrutiny or unreasonable criticism of work;
- behaviour designed to belittle, undermine confidence or cause anxiety;
- aggression, physical gestures, facial expressions, graffiti or acts affecting a person's surroundings;
- sexual comments or jokes, suggestive looks, staring or leering, propositions or sexual advances;
- making promises in return for sexual favours, sexual gestures or intrusive questions about a person's private or sex life;
- spreading sexual rumours or sending sexually explicit emails, text messages or social media messages; and
- unwelcome touching, hugging, massaging or kissing.

5 Standards of Work Behaviour

5.1 All staff are expected to maintain standards of everyday behaviour that support mutual respect and individual dignity. This includes:

- showing courtesy, consideration and understanding towards colleagues;
- maintaining a temperate tone and using appropriate language in verbal and written communication;
- avoiding foul language and behaviour that may reasonably offend, intimidate or humiliate others;
- being aware of the impact of language and conduct on colleagues and third parties; and
- obtaining express or implied permission before adopting familiarity in conduct or language.

6 Circumstances Covered

6.1 This policy covers behaviour occurring during working hours, in the course of work, outside normal working hours where related to work, at work-related social events, business trips or meetings, on social media or digital channels, and outside work where the incident is relevant to a person's suitability to carry out their role.

7 What to do if you are subject to Bullying, Harassment, Sexual Harassment or Victimisation

7.1 The Council is committed to ensuring that there is no bullying, harassment, sexual harassment or victimisation in the workplace. Allegations will be treated seriously and may be addressed as disciplinary matters, with each situation considered individually and in accordance with the Council's grievance and disciplinary procedures.

7.1 Informal Complaint

7.1.1 Where appropriate, and if the person affected feels comfortable doing so, they may make it clear to the person responsible that the behaviour is unwelcome and ask them to stop. If they feel unable to do this verbally, they may provide a written request. A confidential helper may assist with this.

7.1.2 Complaints of harassment, and particularly sexual harassment, can be sensitive or intimate in nature. In these circumstances, staff are encouraged to raise the issue with a senior colleague of their choice as a confidential helper. This person cannot be the same person who will investigate the matter if it becomes a formal complaint.

7.1.3 Staff may also raise concerns during regular communication with their manager, including one-to-one (Support & Mentoring) meetings. Managers will listen and take concerns seriously and may encourage staff to follow the formal reporting procedure where appropriate. In the case of a complaint against the Clerk, the complaint should be made to the Chair and/or Leader of the council.

7.2 Formal Complaint

7.2.1 Where the informal approach fails, is not appropriate, or the matter is more serious, the complaint should be brought to the attention of the Clerk as a formal written complaint. The Clerk will acknowledge the complaint within two working days. In the case of a complaint against the Clerk, the complaint should be made to the Chair and/or Leader of the council.

7.2.2 Where possible, the written complaint should include the name of the alleged harasser, the nature of the alleged behaviour, the dates and times when it occurred, the names of any witnesses and any action already taken to stop the behaviour.

7.2.3 On receipt of a formal complaint, the Council will consider appropriate steps to separate the complainant from the alleged harasser to enable an uninterrupted investigation. This may include a temporary transfer or suspension with contractual pay until the matter has been resolved.

7.2.4 The person dealing with the complaint will invite the complainant to attend a meeting, normally within five working days of acknowledgement of the complaint, to discuss the matter and carry out a thorough investigation. The complainant has the right to be accompanied by their confidential helper or another work colleague of their choice.

7.2.5 On conclusion of the investigation, which will normally be within ten working days of the meeting, the investigator's findings will be sent in writing. Those involved in the investigation are expected to act in confidence and any breach of confidence may be dealt with under the disciplinary procedure.

7.2.6 The complainant has the right to appeal against the findings. If they wish to appeal, they must inform the Clerk within five working days (the Chair and/or Leader if the complaint is in respect of the Clerk). They will then be invited to a further meeting. Following the appeal meeting, the final decision will normally be confirmed in writing within ten working days.

7.2.7 Regardless of the outcome, the Council is committed to providing appropriate support. This may include mediation or other measures to manage the ongoing working relationship.

8 What to do if you witness Bullying, Harassment, Sexual Harassment or Victimisation

8.1 If you witness bullying, harassment, sexual harassment or victimisation, you are encouraged to take appropriate action to address it, provided this does not put you at risk of harm. This may include intervening where safe, offering support to the person affected, encouraging them to report the incident, or reporting the incident yourself.

8.2 If reporting an incident, you should bring the matter to the attention of the Clerk in writing. Concerns will be handled sensitively, and the person affected will be consulted about how they wish the matter to be handled where appropriate.

9 Third-Party Harassment and Sexual Harassment

9.1 Third-party harassment or sexual harassment occurs when a member of the Council's workforce is subjected to harassment or sexual harassment by someone who is not part of the workforce but who is encountered in connection with work. This includes customers, suppliers, members of the public, service users, visitors, contractors, friends or family of colleagues, delegates at events and other external contacts.

9.2 Third-party harassment and sexual harassment of the Council's workforce will not be tolerated. The Council will take reasonable steps to prevent sexual harassment by third parties and will take appropriate action where incidents are reported.

9.3 To help prevent third-party sexual harassment, the Council may display signage in workplace areas, inform suppliers and other third parties of its zero-tolerance approach, and inform callers through recorded messages or other appropriate communication channels.

9.4 If a third party harasses or sexually harasses a member of the workforce, the Council may warn the individual about their behaviour, restrict or cease services where appropriate, and report any criminal acts to the police.

9.5 The Council will not tolerate bullying, harassment or sexual harassment by any member of its workforce against a third party. Instances of this kind may lead to disciplinary action, including termination of employment.

10 Disciplinary Action

10.1 If the decision is that an allegation is well founded, the person responsible may be liable to disciplinary action in accordance with the Council's disciplinary procedure, up to and including summary dismissal. An employee who receives a formal warning or who is dismissed may appeal using the relevant disciplinary appeal procedure.

10.2 When deciding on the level of disciplinary sanction to apply, the Council will take into account any aggravating factors, including an abuse of power over a more junior colleague.

10.3 No one will be victimised for bringing a complaint or supporting a complaint. However, if an investigation concludes that a complaint is both untrue and has been brought with malicious intent, disciplinary action may be taken.

11 Training

11.1 The Council will provide training to staff to ensure there is a clear understanding of bullying, harassment, sexual harassment and victimisation, how such behaviour may occur, expected standards of behaviour, how incidents can be reported and how complaints will be handled.

11.2 The Council will ensure that managers and those responsible for implementing this policy receive appropriate training on preventing and managing bullying, harassment, sexual harassment and victimisation, and on the procedure to follow if an allegation is reported.

11.3 The Council will regularly review the effectiveness of training and provide refresher training as appropriate.

12 Policy Review

12.1 This policy will be reviewed regularly to ensure it remains up to date, legally compliant and effective. Any changes required will be implemented and communicated to the workforce.

13 External Sources of Help

13.1 External organisations that can provide advice and support include:

- The Equality Advisory and Support Service: https://www.equalityadvisoryservice.com/
- Protect: www.protect-advice.org.uk
- Victim Support: www.victimsupport.org.uk
- Rape Crisis: www.rapecrisis.org.uk
- Rights of Women: www.rightsofwomen.org.uk