



ECCLESFIELD PARISH COUNCIL

Serving your Community Since 1894

SEXUAL AND GENERAL HARASSMENT POLICY AND PROCEDURE (FOR EMPLOYMENT)

Ecclesfield Parish Council ('the 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.

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.

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.

Whatever form it takes, personal harassment is always taken seriously and is totally unacceptable.

The 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.

The Council deplores all forms of personal harassment and seeks to ensure that the working environment is sympathetic to all its employees. The aim of this policy 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.

This Policy covers all areas of the Council other than allegations of sexual or other forms harassment alleged by one Councillor against another Councillor. Such incidents should be dealt with in accordance with the Council's Code of Conduct scheme.

The Council recognises that it has a duty to implement this Policy and all employees are expected to comply with it. The Council will review it at regular intervals, at least formally bi-annually, in order to monitor its effectiveness. It may also be considered and reviewed at Council team meetings, staff one to ones and similar formats.

Examples of Personal Harassment

Personal harassment takes many forms and employees may not always realise that their behaviour constitutes harassment. Personal harassment is unwanted behaviour by one person towards another, and examples of harassment include:

- Insensitive jokes and pranks
- Lewd or abusive comments
- Displaying abusive or offensive writing or material
- Abusive, threatening or insulting words or behaviour
- Name-calling
- Picking on someone or setting them up to fail
- Deliberate exclusion or victimisation
- Undermining their contribution/position
- Demanding a greater work output from employees than is reasonably feasible
- Blocking promotion or other development/advancement of employees.

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

Sexual harassment can take place in many forms 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 person towards another and examples of sexual harassment include:

- Lewd or abusive comments of a sexual nature such as regarding an individual's appearance or body
- Unwelcome touching of a sexual nature
- Displaying sexually suggestive or sexually offensive writing or material
- Asking questions of a sexual nature
- Sexual propositions or advances, whether made in writing or verbally.

Sexual harassment can also take place where a person 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

Victimisation takes place when a person 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

The Council operates a zero-tolerance policy in relation to harassment perpetrated against one of its employees by a third party, such as a member of the public or visitor to any Council premises. Employees who feel that they are affected by this are encouraged to report any and all instances of harassment that involve a third party in line with the Council's reporting procedure, as outlined below.

If the Council finds that the allegation is well-founded, it will take steps it deems necessary in order to remedy this complaint. This can include, but is not limited to:

- Warning the individual about the inappropriate nature of their behaviour.
- Banning the individual from Council premises.
- Reporting the individual's actions to the police.

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

Responsibilities

Employee Responsibilities

The Council requires its employees to behave appropriately and professionally at all times during the working day or on Council business, and this may extend to events outside of working hours or meetings, 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.

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 employer 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.

A breach of this Policy by an employee will be treated as a disciplinary matter.

Council Responsibilities

The Council will be responsible for ensuring all employees and Councillors understand the rules and policies relating to the prevention of harassing and bullying behaviour at work and during work-related social events. It will promote a professional and positive workplace whereby employees and Councillors are alert and proactively identify areas of risk and incidents of harassment, sexual harassment and bullying.

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.

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.

Complaining about Harassment and/or Bullying

Informal Method

The 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 employees to raise the issue through its normal grievance procedure. In these circumstances employees are encouraged to raise such issues with the Chair of the Council, Chair of the Finance, Premises and Staffing Committee or any Councillor that they feel that they can trust (whether that person has a direct supervisory responsibility for the employee) as a confidential helper.

If an employee is the victim of minor harassment, they should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If the employee feels unable to do this verbally then they should hand a written request to the harasser, and their confidential helper can assist the employee in this.

Formal Method

Where the informal approach fails or if the harassment is more serious, the employee should bring the matter to the attention of the Council's Finance, Premises and Staffing Committee (via its Chair in the first instance) as a formal written grievance and again their confidential helper can assist them in this. If possible, the employee 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 the employee to stop the alleged harassment.

Where it is not possible to make the formal complaint to the Finance, Premises and Staffing Committee, for example where the alleged harasser is the Chair of that committee, the Council encourages the employee to raise their complaint to the Chair of the Council, Vice-Chair of the Finance, Premises and Staffing Committee or another trusted Councillor.

Where the complaint relates to the actions of a Councillor, it must also be reported to the Monitoring Officer at Sheffield City Council as a potential breach in the Council's Code of Conduct Scheme for them to investigate and take action as appropriate. This will be in addition to any action the Council may take.

On receipt of a formal complaint to the Council, action will be taken to separate the employee from the alleged harasser to enable an uninterrupted investigation to take place.

On conclusion of the investigation, which will normally be within 10 workings days of the meeting with the employee, a report of the findings will be submitted to the Finance, Premises and Staffing Committee (or a sub-committee of it) which will then follow the procedure set out in the Council's Grievance Policy.

The employee 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 employee has the right to be accompanied at such a meeting by a colleague, or a union representative, and the employee 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 and or Code of Conduct matter (where it relates to a Councillor).

The employee will be able to put their case forward at the meeting and the Chair of the hearing panel will explain the outcome of the investigation. The employee has a right to appeal the outcome, which is to be made to the Chair of the Finance, Premises and Staffing Committee within 14 days of receiving the outcome.

If the decision is that the allegation is well founded, appropriate action will be taken. This may include disciplinary action in accordance with the Council's disciplinary procedure up to and including dismissal

The Council is committed to ensuring employees are not discouraged from using this procedure and that no employee will be victimised for having brought a complaint forward.

Adopted by Council: October 2025

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