

COLWICH PARISH COUNCIL



PD019 CIVILITY AND RESPECT

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CIVILITY AND RESPECT

Civility and Respect Policy – PD019

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CIVILITY AND RESPECT

CONTENTS

1	POLICY STATEMENT	4
2	PURPOSE	4
3	SCOPE	4
4	THE POSITION ON BULLYING AND HARASSMENT	5
5	WHAT TYPE OF TREATMENT AMOUNTS TO BULLYING OR HARASSMENT	5
6	VICTIMISATION	7
7	REPORTING CONCERNS	7
8	INFORMAL RESOLUTION	8
9	RAISING A FORMAL COMPLAINT	9
10	THE USE OF THE DISCIPLINARY PROCEDURE	10
	PLEDGE	11
	SIGNATURES	12

CIVILITY AND RESPECT

1. POLICY STATEMENT

- 1.1 Colwich Parish Council (the Council) believes that civility and respect are important in the working environment, and expect all colleagues and the public to be polite and courteous when working for, and with, the Council.
- 1.2 Any reference to “colleague” refers to either a Councillor or an official.

2. PURPOSE

- 2.1 The Council is committed to creating a working environment where all colleagues, contractors and others who encounter it in the course of its work, are treated with civility, respect and courtesy. The Council aims to create a workplace where there is zero tolerance for harassment and bullying.
- 2.2 In support of this objective, the Council has signed the Society of Local Council Clerks (SLCC) and the National Association of Local Councils’ (NALC) Civility Pledge, as a commitment to civility and respect in its work, and politeness and courtesy in behaviour, speech, and in the written word. The Council will renew this commitment annually, as part of the review of this policy. Further information about the Civility and Respect Pledge is available from the SLCC or NALC.
- 2.3 The Council recognises that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed however the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.
- 2.4 This document:
 - 2.4.1 Explains how we will respond to complaints of bullying or harassment.
 - 2.4.2 Ensures that we respond sensitively and promptly.
 - 2.4.3 Supports our colleagues in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

3 SCOPE

- 3.1 This policy covers bullying and harassment of and by any colleague undertaking Council business. Should agency staff, or contractors, have a complaint connected to their engagement with the Council this should be raised to their nominated contact, the Chief Officer, or the Chairman of the Council, in the first instance. Should the complaint be about the Chairman of the Council the complaint should be raised to the Vice Chairman of the Council, who is also the Chairman of the Employment and Complaints Committees.
- 3.2 Agency staff, or contractors, are equally expected to treat colleagues, and other representatives and stakeholders with civility and respect, and the Council may terminate their contract, without notice, where there are suspicions of harassment or bullying.
- 3.3 Complaints about other employment matters will be managed under the Council’s grievance policy (PD125).

CIVILITY AND RESPECT

- 3.4** It is noted that the management of a situation may differ depending on to whom the allegation relates e.g., official, contractor, Councillor. However, the Council will take appropriate action if any of its colleagues are bullied or harassed by any colleague, member of the public, suppliers or contractors.

4. THE POSITION ON BULLYING AND HARASSMENT

- 4.1** All colleagues and council representatives are entitled to civility, respect and courtesy whilst undertaking Council business and to not experience any form of discrimination. The Council will not tolerate bullying or harassment. Neither will it tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Bullying or harassment in some circumstances may amount to a crime punishable by a fine or imprisonment.
- 4.2** The Council expects all colleagues and representatives of the Council to treat each other with respect and uphold the values of the code of conduct (PD012), civility and respect pledge, equality opportunities policy (PD102), and all other policies and procedures set by the Council.
- 4.3** The Council expects all colleagues and representatives of the Council to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.
- 4.4** Allegations of bullying and harassment (PD123) will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the Grievance policy (PD125) for further details regarding the process. Colleagues who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.
- 4.5** False accusations of bullying or harassment can have a serious effect on innocent individuals. Colleagues and others have a responsibility not to make false allegations. While the Council will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint will be subject to appropriate action under the Code of Conduct (PD012) or Disciplinary policy (PD124).

5. WHAT TYPE OF TREATMENT AMOUNTS TO BULLYING OR HARASSMENT?

- 5.1** 'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.
- 5.2** Bullying:
- 5.2.1** Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.

CIVILITY AND RESPECT

- 5.3** Harassment:
- 5.3.1** Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic.
 - 5.3.2** Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic.
- 5.4** Examples of bullying and harassment include:
- 5.4.1** Physical conduct ranging from unwelcome touching to serious assault.
 - 5.4.2** Unwelcome sexual advances.
 - 5.4.3** The offer of rewards for going along with sexual advances e.g. promotion, access to training.
 - 5.4.4** Threats for rejecting sexual advances.
 - 5.4.5** Demeaning comments about a person's appearance.
 - 5.4.6** Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation.
 - 5.4.7** Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation.
 - 5.4.8** Spreading malicious rumours or insulting someone.
 - 5.4.9** Lewd or suggestive comments or gestures.
 - 5.4.10** Deliberate exclusion from conversations, work activities or social activities.
 - 5.4.11** Withholding of information a person needs in order to do their job.
 - 5.4.12** Practical jokes, initiation ceremonies or inappropriate birthday rituals.
 - 5.4.13** Physical abuse such as hitting, pushing or jostling.
 - 5.4.14** Rifling through, hiding or damaging personal property.
 - 5.4.15** Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person.
 - 5.4.16** Isolation or non-cooperation at work.
 - 5.4.17** Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others.
 - 5.4.18** The use of obscene gestures.
 - 5.4.19** Abusing a position of power.
- 5.5** Bullying and harassment can occur through verbal and face to face interactions but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.
- 5.6** It is important to recognise that conduct which one person may find acceptable, another may find unacceptable, and behaviour could be harassment when the person had no intention to offend. Some behaviour will be clear that it is likely to offend – for example sexual touching. Other examples may be less clear.
- 5.7** Harassment can also occur where the unwanted behaviour relates to a perceived characteristic or due to their association with someone else. See the Council's Equal Opportunities Policy (PD102)
- 5.8** All colleagues must treat each other with respect and appropriate sensitivity and be able to challenge behaviour that they find offensive even if it is not directed at them.

CIVILITY AND RESPECT

- 5.9** It is important to recognise that bullying does not include appropriate criticism of an official's behaviour or effective management. Constructive and fair feedback about officials' behaviour or performance is not considered bullying. It is part of normal employment and management routines and should not be interpreted as anything different.

6. VICTIMISATION

- 6.1** Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint.
- 6.2** This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.
- 6.3** Provided that colleagues act in good faith, they have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment. The Council will take appropriate action to deal with any alleged victimisation.
- 6.4** Making a complaint that is known to be untrue, or giving false evidence, will lead to disciplinary action.

7 REPORTING CONCERNS

- 7.1 What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)?**
- 7.1.1** If you feel you are being bullied or harassed by someone with whom you come into contact with whilst you are undertaking Council business, please raise this with your nominated manager in the first instance or, with the Chief Officer or Chairman of the Council. Any such report will be taken seriously, and the Council will decide how best to deal with the situation, in consultation with you.
- 7.2 What you should do if you feel you are being bullied or harassed by a Councillor?**
- 7.2.1** If you feel you are being bullied or harassed by a Councillor, please raise this with the Chief Officer or the Chairman of the Council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.
- 7.2.2** The Council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location, not attending meetings with the person about whom the complaint has been made etc.

CIVILITY AND RESPECT

7.3 What you should do if you witness an incident you believe to harassment or bullying?

7.3.1 If you witness such behaviour, you should report the incident in confidence to the Chief Officer or the Chairman of the Council. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

7.4 What you should do if you are being bullied or harassed by an official?

7.4.1 If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

8 INFORMAL RESOLUTION

8.1 If a colleague is being bullied or harassed, they may be able to resolve the situation themselves by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the Council's policy and must stop. Alternatively, they may wish to ask the Chief Officer, their nominated manager or a colleague to put this on their behalf or to be with them when confronting the perpetrator(s).

8.2 If the above approach does not work, or if they do not want to try to resolve the situation in this way, they should raise the issue with the Chairman of the Council. (If their concern relates to the Chairman, they should raise it with the Vice Chairman who is also the Chairman of the Employment and Complaints Committees). The Chairman (or another appropriate person) will discuss with them the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

8.2.1 There has been a complaint that their behaviour is having an adverse effect on a colleague.

8.2.2 Such behaviour is contrary to the Council's policy.

8.2.3 The continuation of such behaviour could amount to a serious disciplinary offence.

8.3 It may be possible for this conversation to take place with the alleged perpetrator without revealing the complainants name, if this is what they want.

8.4 In certain circumstances the Council may involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Chairman (or another appropriate person) will discuss this with the complainant if it is appropriate.

8.5 If the complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegation or in cases where a problem has happened before) the Council may decide to investigate further and take more formal action notwithstanding that the complaint was raised informally. The Council will consult with the complainant before taking this step.

CIVILITY AND RESPECT

9 RAISING A FORMAL COMPLAINT

- 9.1** If an informal resolution is unsuccessful, or inappropriate, the complainant can make a formal complaint about bullying and harassment through the Council's grievance procedure (PD125) or to the Monitoring Officer at Stafford Borough Council under the Code of Conduct (PD012). Code of Conduct complaints will not be dealt with by the Council. The complainant should raise their complaint to the Chief Officer or the Chairman of the Council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s).
- 9.2** The Chief Officer or the Chairman of the Council will refer the complaint to the Hearing Panel in line with the Grievance policy (PD125). The complainant will need to co-operate with the Panel's investigation and provide the following details (if not already provided):
- 9.2.1** The name of the alleged perpetrator(s).
 - 9.2.2** The nature of the harassment or bullying.
 - 9.2.3** The dates and times the harassment or bullying occurred.
 - 9.2.4** The names of any witnesses.
 - 9.2.5** Any action taken by the complainant to resolve the matter informally.
- 9.3** The alleged perpetrator(s) would normally need to be told the name of the complainant and the details of their grievance for the issue to be investigated properly. However, the Panel will carry out the investigation as confidentially and sensitively as possible. Where the complainant and the alleged perpetrator(s) undertake Council business in proximity to each other, the Council will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.
- 9.4** Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, the Panel will ensure that individuals' personal data is handled in accordance with the General Data Protection Regulations policy (PD004).
- 9.5** The Council will consider how to protect the complainant's health and wellbeing whilst the investigation is taking place and discuss this with the complainant. Depending on the nature of the allegations, the Panel may want to meet with the complainant to understand better their complaint (see the grievance policy for further information, and details of their right to be accompanied).
- 9.6** After the investigation, the Panel will meet with the complainant to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting the complainant may be accompanied by a colleague or a trade union official.
- 9.7** Following the conclusion of the hearing the Panel will write to the complainant to inform them of the decision and to notify them of their right to appeal if they are dissatisfied with the outcome. The complainant should put their appeal in writing explaining the reasons why they are dissatisfied with the decision. The appeal will be heard under the appeal process that is described in the grievance procedure (PD125).

CIVILITY AND RESPECT

10 THE USE OF THE DISCIPLINARY PROCEDURE

- 10.1 If at any stage from the point at which a complaint is raised, the Council believes there is a case to answer and a disciplinary offence might have been committed, the Council will instigate disciplinary procedures. The complainant will be informed of the outcome.

SIGNED	<i>Wendy Plant</i>
COUNCILLOR WENDY PLANT, PARISH COUNCIL CHAIRMAN	

CIVILITY AND RESPECT

Statement	Signed on behalf of the Council by the Chairman
Colwich Parish Council agrees that it will treat all colleagues, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.	
Colwich Parish Council has put in place a training programme for colleagues.	
Colwich Parish Council has a Code of Conduct for councillors (PD012).	
Colwich Parish Council has good governance arrangements in place including staff contracts and this dignity and respect policy (PD019).	
Colwich Parish Council will commit to seeking professional help in the early stages should civility and respect issues arise.	
Colwich Parish Council will commit to calling out bullying and harassment.	
Colwich Parish Council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme.	
Colwich Parish Council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	

CIVILITY AND RESPECT

I CONFIRM THAT I HAVE RECEIVED AND READ A COPY OF THE COUNCIL'S DIGNITY AND RESPECT POLICY AND BY SIGNING THIS FORM ACCEPT THE TERMS THEREIN.

COUNCILLORS:	
Cllr Bloor	
Cllr Dunn	
Cllr B Forster	
Cllr M Forster	
Cllr Hall	
Cllr Hardwick	
Cllr Hill	
Cllr Lowbridge	
Cllr Martin	
Cllr Meakin	
Cllr Mosley	
Cllr Plant	
Cllr Walters	
Cllr	
EMPLOYEES:	
Revd Mr Michael Lennon (Chief Officer)	
Mr Anthony Egan (Deputy Chief Officer)	
Mr Philip Russell (Head Lengthsman)	
Mr Ian Deans	
Mr Dan Lowbridge	
Miss Francesca Alineri-Willis	
Miss Nicola Martin	