PORINGLAND PARISH COUNCIL

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Worker Protection Policy

Policy Reference	PPC 12
Version Number	1
Associated Documents	PPC3 Code of Conduct – councillors PPC8 Code of Conduct – staff PPC13 Dignity at Work inc Bullying PPC11 Equality and Diversity PPC2 Grievance
Last Review Date	March 2025
Frequency of Review	Annually
Approved by	Full Council
Date for Next Review	March 2026

This is a non-contractual policy that does not require approval from employees before changes are made. Staff will remain bound by amended non-contractual policies.

Worker Protection Policy

1. Purpose

The purpose of this policy is to ensure a safe and respectful workplace environment by preventing and addressing workplace sexual harassment. From October 2024 employers will have a new legal obligation to protect workers from sexual harassment. The Worker Protection Act (2024) is an amendment to the existing Equality Act 2010. This policy outlines the Parish Councils commitment to protecting employees from sexual harassment and the steps it will take to prevent such behaviour.

2. Scope

This policy applies to all employees, contractors, volunteers, and anyone else who interacts with the Parish Councils. It covers all workplace settings, including offices, remote work locations, and any work-related events.

3. Definitions

Sexual Harassment: Unwanted conduct of a sexual nature that violates an individual's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment.

4. Preventative Measures

Risk Assessment: Conduct regular risk assessments to identify potential areas of concern and take proactive steps to mitigate risks.

Training: Provide mandatory training on sexual harassment prevention for all employees, including managers and supervisors.

Reporting Mechanisms: Establish clear and accessible reporting mechanisms for employees to report incidents of sexual harassment without fear of retaliation.

Support Services: Offer support services, such as counselling and legal advice, to employees who experience sexual harassment.

5. Responsibilities

Employers: Ensure compliance with this policy, conduct regular reviews, and take appropriate action to address any incidents of sexual harassment.

Managers and Supervisors: Lead by example, enforce the policy, and provide support to employees who report incidents.

Employees: Participate in training, adhere to the policy, and report any incidents of sexual harassment they witness or experience.

6. Reporting and Investigation

What you should do if you feel you are being harassed by a member of the public or supplier (as opposed to a colleague)
If you are being harassed by someone with whom you come into contact at work, please raise this with your nominated manager in the first instance or, with the clerk/or a councillor. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

What you should do if you feel you are being harassed by a councillor: If you are being harassed by a councillor, please raise this with the clerk/chief officer or the chair 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.

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.

What you should do if you witness an incident you believe to harassment: If you witness such behaviour you should report the incident in confidence to the clerk/chief officer or a councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

What you should do if you are being harassed by another member of staff: If you are being harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

<u>Informal resolution</u>
If you are being harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the clerk/chief officer, your nominated manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).
If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being harassed by your own nominated manager, you should raise the issue with the chair of the council. (If your concern relates to the chair, you should raise it with the chair of the personnel/staffing committee). The chair (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff
- such behaviour is contrary to our policy
- for employees, the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The chair (or another appropriate person) will discuss this with you if it is appropriate.

If your 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) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about harassment through the council's grievance procedure. You should raise your complaint to the clerk/chief officer or the chair of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The clerk/chief officer or the chair of the council will appoint someone to investigate your complaint in line with the grievance policy. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment,
- The dates and times the harassment,
- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.

Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds.

Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.

The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your compliant (see the grievance policy for further information, and details of your right to be accompanied).

After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting you may be accompanied by a fellow worker or a trade union official.

Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.

Action: Appropriate disciplinary action will be taken against individuals found to have engaged in sexual harassment, up to and including termination.

7. Confidentiality
The Parish Council is committed to maintaining the confidentiality of all parties involved in a sexual harassment complaint to the greatest extent possible.

8. Non-Retaliation
Retaliation against individuals who report sexual harassment or participate in an investigation is strictly prohibited and will result in disciplinary action.

9. Policy Review and Updates
This policy will be reviewed annually and updated as necessary to ensure it remains effective and compliant with legal requirements.

10. Contact Information
For more information or to report an incident, please contact the Clerk at clerk@poringland-pc.gov.uk

Policy Created: March 2025
Reviewed: Annually