

MAGOR WITH UNDY TOWN COUNCIL

DIGNITY AT WORK POLICY

Purpose

Magor with Undy Town Council is committed to providing a working environment where everyone is treated with dignity, respect and courtesy.

Everyone working with the Council must contribute to a culture where people feel safe, supported and able to carry out their duties without fear of bullying, harassment or intimidation.

This policy sets out:

- the standards of behaviour expected
- how concerns should be raised
- how complaints will be investigated
- the action that may follow where unacceptable behaviour is found

This policy should be read alongside the following Council policies which will be updated and/or drafted in the coming months:

- Code of Conduct for Members
- Code of Conduct for Employees
- Member-Officer Relations Protocol
- Disciplinary Procedure
- Grievance Procedure

Records of all matters involving this policy will normally be retained for six years.

Who This Policy Applies To

This policy applies to:

- all employees of the Town Council
- all Town Councillors
- contractors, consultants, agency staff and volunteers working with the Council

The policy also applies to behaviour by third parties, including members of the public, where this affects staff in the course of Council business.

The policy applies:

- in the workplace and on Council premises
- during Council meetings and events
- during work related travel
- during training and conferences
- in emails, telephone calls and messaging
- online or on social media where conduct relates to Council roles or working relationships.

Where a complaint concerns the conduct of a Councillor acting in their official capacity, the Council cannot take disciplinary action, and the matter may need to be referred under the statutory Code of Conduct.

Complaints alleging that a Councillor has breached the Code of Conduct may be referred to the Public Services Ombudsman for Wales.

This policy applies to interactions between Councillors where the behaviour relates to their role within the Council.

The Standards Expected

Everyone working with the Council must:

- treat others with dignity and respect
- communicate professionally and courteously
- behave fairly and without discrimination
- raise concerns appropriately and lawfully
- avoid behaviour that intimidates, humiliates or undermines others

Disagreement or challenge is acceptable in a professional environment.

Bullying, harassment, intimidation or abusive behaviour is not acceptable.

Where a complaint raises safeguarding concerns or allegations of criminal behaviour, the Council will refer the matter to the appropriate external authority and suspend internal processes where necessary.

What This Policy Covers

This policy addresses:

- bullying
- harassment
- victimisation
- intimidation
- aggressive or abusive behaviour
- misuse of position or authority
- online harassment related to Council roles

It also covers unacceptable behaviour by third parties such as visitors, contractors or members of the public.

The Council has a duty of care to protect employees from bullying, harassment and unsafe working environments.

The Council will take reasonable steps to protect staff from harassment or abuse by third parties.

Anonymous complaints will be considered where sufficient information is provided to allow investigation.

Definitions

Bullying is offensive, intimidating, malicious or humiliating behaviour which undermines an individual or group. It may involve an abuse of power and may occur as a pattern of behaviour or repeated conduct.

Harassment is unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading or offensive environment.

Under the Equality Act 2010 harassment related to a protected characteristic may constitute unlawful discrimination.

Protected characteristics include:

- age
- disability
- gender reassignment
- marriage or civil partnership
- pregnancy or maternity

- race
- religion or belief
- sex
- sexual orientation

Victimisation occurs when someone is treated unfairly because they have raised a concern, supported a complaint or acted as a witness.

Examples of Unacceptable Behaviour

Examples may include:

- shouting, swearing or personal insults
- spreading rumours or malicious allegations
- ridiculing or humiliating a colleague
- persistent or unfair criticism unrelated to performance
- excluding someone from meetings or information without reason
- undermining a person in front of others
- threatening job security or reputation
- unwanted physical contact or sexual comments
- discriminatory comments or stereotyping
- hostile emails, messages or social media comments
- behaviour designed to intimidate or isolate someone

This list is not exhaustive.

Reasonable Management Action

The following actions do not normally constitute bullying when carried out appropriately:

- setting work objectives or standards
- issuing lawful instructions
- monitoring performance and/or giving constructive feedback
- addressing performance or conduct concerns
- managing workloads or reallocating work
- taking action through formal procedures

Raising Concerns

Concerns should be raised as early as possible so that issues can be addressed quickly. The Council encourages informal resolution where appropriate. Where possible, individuals should attempt to resolve issues informally. This may involve:

- asking the individual to stop the behaviour
- discussing the matter with a manager or the Clerk
- agreeing appropriate communication standards
- a facilitated discussion or mediation

Informal resolution may not be appropriate where the behaviour is serious, discriminatory or where the individual feels unsafe.

Where the concern relates to wrongdoing in the public interest, the Whistleblowing Policy may apply.

Formal Complaints

If informal resolution is not appropriate or has not resolved the issue, a formal complaint may be made.

Complaints should normally be submitted in writing and include:

- details of the behaviour complained of
- dates, times and locations
- the individuals involved
- any witnesses
- any supporting evidence
- the outcome sought

Complaints should normally be submitted to the Town Clerk.

If the complaint concerns the Town Clerk, it should be submitted to the Chair of the Council or an independent appointed person.

Concerns should normally be raised within three months of the incident.

Initial Assessment

On receiving a complaint, the Town Clerk, Chair or appointed person will assess:

- whether this policy applies
- whether immediate protective steps are needed
- whether the matter should be handled under another procedure

The Council may decide to:

- investigate under this policy
- treat the matter as a grievance
- treat the matter as a disciplinary issue
- refer the matter under the Councillor Code of Conduct
- seek external advice or appoint an independent investigator.

Investigation

Where an investigation is required the Council will appoint an Investigating Officer. This person may be (but is not limited to) a Councillor, an external HR consultant or a neighbouring Clerk.

The investigation will normally involve:

- meeting the complainant
- meeting the individual complained about
- interviewing witnesses
- reviewing relevant documents or communications
- examining Council policies or procedures

The investigator will prepare a written report setting out findings and recommendations.

In sensitive or complex cases, the Council may appoint an independent external investigator.

Investigations will normally be completed within 20-30 working days, depending on complexity. Should additional time be required the complainant will be informed and an updated investigation time period will be provided.

Interim Measures

Where necessary the Council may introduce temporary measures while an investigation takes place.

These may include:

- changes to working arrangements
- restricting contact between individuals
- temporary changes to duties or reporting lines
- guidance regarding communication

These measures are neutral and do not imply any finding.

Outcomes

Following investigation the Council may decide that:

- there is no case to answer
- informal management action is appropriate
- mediation or facilitated resolution is appropriate
- training or behavioural guidance is required
- disciplinary action should be taken

For employees, disciplinary action will be handled under the Disciplinary Procedure.

For Councillors, the matter may be referred through the Code of Conduct process or to the Public Services Ombudsman for Wales where appropriate.

Where mediation is required, a professional external mediator may be used if deemed appropriate.

Victimisation

The Council will not tolerate victimisation of any individual who:

- raises a concern
- supports a complaint
- participates as a witness

Victimisation may itself result in disciplinary action or a referral under the Code of Conduct.

False or Malicious Allegations

Deliberately false or malicious complaints will be treated seriously and may lead to disciplinary action.

A complaint that is not upheld will not automatically be regarded as malicious.

The Council may decline to consider repeated or vexatious complaints where these amount to misuse of the process.

Confidentiality

All parties involved must maintain confidentiality except where disclosure is required by law or Code of Conduct obligations.

Information will only be shared where necessary to investigate the matter and fulfil legal obligations.

Individuals may seek support from trade union representatives, legal advisers or appropriate support services.

Support

The Council will seek to support those involved in a dignity at work complaint.

Support may include:

- a workplace companion or union representative
- wellbeing support
- temporary workplace adjustments
- facilitated discussions or mediation or input from an independent external advisor.

Responsibilities

All employees and Councillors will:

- treat others with dignity and respect
- report concerns promptly
- cooperate with investigations.

Managers and Committee Chairs will:

- act promptly when concerns arise
- maintain appropriate records
- seek advice where necessary.

The Town Clerk will:

- ensure this policy is applied consistently
- appoint investigators where required
- ensure appropriate support is offered
- report learning outcomes to the Council or the relevant Committee where appropriate.

Review

This policy will be reviewed periodically to ensure it remains effective and compliant with current legislation and best practice.

Any amendments must be approved by the Council.