



DIGNITY AT WORK/BULLYING AND HARASSMENT POLICY

1. Purpose and Scope

1.1 Statement

In support of our value to respect others Hope Community Council will not tolerate bullying or harassment by, or of, any of its employees, officials, members, contractors, visitors to the council or members of the public from the community which we serve. The Council is committed to the elimination of any form of intimidation in the workplace.

This policy reflects the spirit in which the council intends to undertake all of its business and outlines the specific procedures available to all employees in order to protect them from bullying and harassment. It should be read in conjunction with the council's policies on Grievance and Disciplinary handling and the Elected Members Code of Conduct.

The Council will issue this policy to all employees as part of their induction and to all members as part of their Welcome Pack. The Council may also wish to share this policy with contractors, visitors and members of the public.

1.2 Definitions

Bullying

"Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse of this use of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress."

Harassment is

"Unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment." This usually covers, but is not limited to, harassment on the grounds of sex, marital status, sexual orientation, race, colour, nationality, ethnic origin, religion, belief, disability or age.

These definitions are derived from the ACAS guidance on the topic.

Bullying and Harassment are behaviours which are unwanted by the recipient. They are generally evidenced by a pattern of conduct, rather than being related to one-off incidents.

Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, mental health issues, lack of respect for others, turnover, damage to the Council's reputation and ultimately, legal proceedings against the Council and payment of legal fees and potentially unlimited compensation.

Approved by the Council on: ____4th January 2023_____

This Policy was reviewed and adopted by the Council at its Meeting held on 1st May 2024



Disciplinary Procedure

1. Purpose and scope

This procedure is designed to help and encourage all employees and members of the council to achieve and maintain standards of conduct, attendance and job performance. The aim is to ensure consistent and fair treatment for all in the organisation.

2. Principles

Informal action will be considered, where appropriate, to resolve problems.

No disciplinary action will be taken against an employee until the case has been fully investigated.

For formal action the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made at a disciplinary meeting.

Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.

At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.

No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.

An employee will have the right to appeal against any disciplinary action.

The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

3. The procedure

First stage of formal procedure

This will normally be either:

- an improvement note for unsatisfactory performance if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for **6 months**, but will then be considered spent – subject to achieving and sustaining satisfactory performance

or

- a first warning for misconduct if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning will be kept, but it will be disregarded for disciplinary purposes after a specified period (eg, six months).

Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given to the employee. This will give

details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after **6 months** subject to achieving and sustaining satisfactory conduct or performance.

Dismissal or other sanction

If there is still further misconduct or failure to improve performance the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension or transfer (as allowed in the contract of employment). Dismissal decisions can only be taken by the full council, and the employee will be provided in writing with reasons for dismissal, the date on which the employment will terminate, and the right of appeal.

If some sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of the written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after **6 months** subject to achievement and sustainment of satisfactory conduct or performance.

Gross misconduct

The following list provides some examples of offences which are normally regarded as gross misconduct:

- theft or fraud
- physical violence or bullying
- deliberate and serious damage to property
- serious misuse of an organisation's property or name
- deliberately accessing internet sites containing pornographic, offensive or obscene material
- serious insubordination
- unlawful discrimination or harassment
- bringing the organisation into serious disrepute
- serious incapability at work brought on by alcohol or illegal drugs
- causing loss, damage or injury through serious negligence
- a serious breach of health and safety rules
- a serious breach of confidence.

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

Appeals

An employee who wishes to appeal against a disciplinary decision must do so within five working days. The Vice Chairman will hear all appeals and his/her decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

This Policy was reviewed and adopted by the Council at its Meeting held on 1st May 2024



Equality, Diversity and Inclusion Policy

Hope Community Council is committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination.

The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The organisation - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

The policy's purpose is to:

- provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time
- not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation
- oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities

The organisation commits to:

- Encourage equality, diversity and inclusion in the workplace as they are good practice and make business sense
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

This commitment includes training managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public

- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

- Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
- Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.
- Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.

Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

The equality, diversity and inclusion policy is fully supported by the council.

You will be provided with details of the organisation's grievance and disciplinary policies and procedures.

Use of the organisation's grievance and/or disciplinary procedures does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

This Policy was reviewed and adopted by the Council at its Meeting held on 1st May 2024



Grievance Procedure

Dealing with grievances informally

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your Chairman. You may be able to agree a solution informally between you.

Formal grievance

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your Chairman. You should stick to the facts and avoid language that is insulting or abusive.

Where your grievance is against your Chairman and you feel unable to approach him or her you should talk to the Vice Chairman.

Grievance hearing

Your Chairman will call you to a meeting, normally within five days, to discuss your grievance. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting the Chairman will give you a decision in writing, normally within 24 hours.

If it is necessary to gather further information before making a decision your Chairman will inform you of this and the likely timescale involved.

Appeal

If you are unhappy with your Chairman's decision and you wish to appeal you should let your Chairman know.

You will be invited to an appeal meeting, normally within five days, and your appeal will be heard by members of the Personnel Advisory Committee. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting a Member of the Personnel (Advisory) Committee will give you a decision, normally within 3 working days, followed by written notice normally within 7 working days. The decision of the Personnel (Advisory) Committee is final.

This Procedure was reviewed and adopted by the Council at its Meeting held on 1st May 2024



HEALTH AND SAFETY POLICY

This is the Health and Safety Policy Statement of Hope Community Council:

Hope Community Council recognises and accepts its responsibility for providing a safe and healthy environment for its members; staff; volunteers; visitors; and for anyone affected by its activities.

The Council maintains this policy for the management of health and safety as its top priority and will do all that is reasonably practicable to ensure effective organisation and planning are established and maintained. The Council will also ensure that appropriate and effective audit and review mechanisms are used to inform the work of the Council, which undertakes to commit appropriate resources to manage health and safety.

Our statement of general policy, below, is based upon that required by virtue of the Health and Safety at Work etc. Act 1974. Although the Council has a single employee, the principles of the Act and its underpinning Regulations as later published are taken by the Council as a minimum requirement for the safe and effective management of the Council and its activities.

Our statement of general policy is:

- To provide adequate control of the health and safety risks arising from our activities;
- To consult with our staff on matters affecting their health and safety;
- To provide and maintain safe equipment;
- To provide sufficient information, instruction, and supervision of staff, volunteers and visitors as far as is reasonably practicable;
- To ensure all staff and volunteers are competent in their Council-related activities, and to provide adequate training as far as is reasonably practicable;
- To prevent accidents and activity-related ill health as far as is reasonably practicable;
- To maintain safe and healthy conditions for conducting the Council's business and the public facilities it provides; and
- To continue to follow all relevant Government legislation on Health and Safety;
- To review and revise this Policy as necessary at regular intervals, but at least annually.

This Policy was reviewed and adopted by the Council at its Meeting held on 1st May 2024

LONE WORKING POLICY

Introduction

There is often confusion/concern about the circumstances in which it is, or is not, safe to work alone. There is no general legal prohibition on working alone, but risk assessments should specifically consider whether the fact that a person is likely to undertake a task alone creates an unacceptable level of risk.

Establishing safe working for lone workers is no different from organising the safety of other employees, but it is necessary to consider any particular additional hazards of lone working. The end result should be that lone workers are at no greater risk than other workers.

This document gives general guidance on working alone. It offers advice on how to comply with duties towards lone workers under the Health and Safety at Work Act 1974 (HSW Act) and the Management of Health and Safety at Work (MHSW) Regulations 1999.

The Council's Policy

The Council is responsible for the health, safety and welfare at work of its employees, visitors and contractors and safety of those affected by the work, e.g. members of the public.

These responsibilities cannot be transferred to people who work alone. It is the Council's duty to assess risks to lone workers and take steps to avoid or control risk where necessary.

Employees have responsibilities to take reasonable care of themselves and other people affected by their work and to co-operate with the Council in meeting its legal obligations.

Who Are Lone Workers?

Lone workers are those who work by themselves without close or direct supervision. They are found in a wide range of situations

- Where only one person works on the premises, such as in an office, home workers.

Issues to be considered

The main issues to be considered in the risk assessment are:-

- Is there risk of violence?
- Is the person medically (and psychologically) fit to work alone?
- Is any special training required?
- Are the individual(s) concerned and any necessary safe working practices adequately monitored?
- Are there adequate arrangements in the event of an emergency?
- Can all plant, substances and equipment involved in the work be safely handled and/or operated by one person?

Assessing the risks

Although there is no general legal prohibition on working alone, the broad duties of the Health and Safety at Work, etc. Act 1974 and Management of Health and Safety of Work Regulations 1999 still apply. These require identifying the hazards of the work, assessing the risks involved and putting measures in place to avoid or control the risks.

It is important to talk to employees and their safety representatives as they are a valuable source of information and advice. This will help to ensure that all relevant hazards have been identified and appropriate controls chosen. Consultation with employees and their representatives on health and safety matters is a legal duty anyway.

Controlling the risk

Control measures may include instruction, training, supervision, protective equipment, mobile phones, 'calling in systems', etc. Employers should take steps to check that control measures are used and review the risk assessment from time to time to ensure it is still adequate.

When risk assessment shows that it is not possible for the work to be done safely by a lone worker, arrangements for providing help or back up should be put in place.

Where a lone worker is working at another employer's workplace, that employer should inform the lone worker's employer of any risks and the control measures that should be taken. This helps the lone worker's employer to assess the risks.

Risk assessment should help decide the right level of supervision. There are some activities which are high risk.

Safe Working Arrangements

Establishing safe working for lone workers is no different from organising the safety of other employees. Employers need to be aware of the law and standards which apply to their work activities, and may need to seek expert advice, then assess whether the requirements can be met by people working alone.

Lone workers face particular problems. Some of the issues which need special attention when planning safe working arrangements are as follows:

- Can The Risk Of The Job Be Adequately Controlled By One Person?

Lone workers should not be at more risk than other employees. This may require extra risk-control measures. Precautions should take account of normal work and foreseeable emergencies, for example fire, equipment failure, illness and accidents. Employers should identify situations where people work alone and ask questions.

- Does the workplace present a special risk to the lone worker?
- Are there a safe way in and a way out for one person?
- Is there a risk of violence?
- Are women especially at risk if they work alone?
- Is the Person Medically Fit and Suitable To Work Alone?

Check that lone workers have no medical conditions which make them unsuitable for working alone. Seek medical advice if necessary.

Consider both routine work and foreseeable emergencies which may impose additional physical and mental burdens on the individual.

- What Training Is Required To Ensure Competency In Safety Matters?

Training is particularly important where there is limited supervision to control, guide and help in situations of uncertainty. Training may be critical to avoid panic reactions in unusual situations. Lone workers need to be sufficiently experienced and to understand the risks and precautions fully. Employers should set the

limits to what can and cannot be done whilst working alone. They should ensure employees are competent to deal with circumstances which may be new, unusual or beyond the scope of their training.

Monitoring

Procedures will need to be put in place to monitor lone workers to see they remain safe. These may include:

- Regular contact between the lone worker and supervision using a mobile phone or landline phone.
- Checks that a lone worker has returned to their base or home on completion of a task.

Emergencies

What Happens If a Person Becomes Ill has an Accident, Or There Is an Emergency?

- Lone workers should be capable of responding correctly to emergencies.
- Risk assessment should identify foreseeable events.
- Emergency procedures should be established and employees trained in them. Information about emergency procedures and danger areas should be given to lone workers who visit premises.
- Lone workers should have access to adequate first-aid facilities and mobile workers should carry a first-aid kit suitable for treating minor injuries. Occasionally risk assessment may indicate that lone workers need training in first aid.

Control measures

Consider the following practical guidelines:

1. Lone workers, outside normal working hours and in isolated buildings, should telephone a Councillor or another designated person, place of work and expected duration of stay, as they leave the building by writing time span and location on the white board in office.
2. Ensure a working telephone is available.
3. Lone workers should not undertake dangerous work, for example using dangerous chemicals or operating dangerous machinery.
4. When undertaking off site visits, the checklist below must be considered prior to the visit.

Off site visit checklist for lone workers	YES	NO
Is there a risk of violence?		
Is there safe access and exit for one person?		
Is manual handling undertaken?		
Is the employee medically fit to carry out the lone working tasks?		
Is there first aid provision?		
Can an emergency service approach close enough if necessary?		
Is there a clear understanding on how long the work will take?		
Are transport arrangements to and from the workplace adequate?		
Is there a system for maintaining contact with the lone worker?		
Is there CCTV on the site being visited?		
Is the Clerk trained to deal with violence and aggression?		

Does the Clerk know how to diffuse potentially violent situations?		
Is the Clerk briefed about the areas they visit?		
Does the Clerk have all available information on those being visited?		
Has an itinerary been left?		
Have plans been made to keep in contact with Councillors?		
Has the Clerk the means to contact their Chairman?		
Does the Clerk know how to complete an incident form?		

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