



Horley Town Council

Prevention of Sexual Harassment and General Harassment Policy and Procedures

1. PURPOSE

Horley Town Council (the Council) is committed to providing an inclusive, supportive and safe environment in the workplace, free from harassment, bullying and sexual harassment, fostering a culture of respect, dignity and equality. The Council promotes equality and has a number of legal obligations under equality legislation. This policy aims to prevent, address and eliminate sexual harassment, personal harassment and bullying in all council related activities and interactions. The Council will treat all such incidents seriously through prompt investigation of allegations made and the appropriate steps taken as set out in our Action Plan below.

2. SCOPE

Everyone associated with council-related activities has the right to be treated with dignity and respect at work. Any form of sexual harassment, general harassment or bullying at work will not be tolerated. We all have a part to play in being aware of, preventing and occurrences. This policy sets out the expectations for the behaviour of councillors and staff, as well as what we can do to protect colleagues from harassment, bullying or sexual harassment. This policy applies to:

- All council employees, councillors, volunteers, contractors and stakeholders.
- All activities and events organised, sponsored, or affiliated with the Council.
- Interactions in-person, written, online, and through any digital communication channels.

It will be communicated using various methods, including training as appropriate together with the provision of information documents.

3. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment includes any unwanted conduct of a sexual nature that violates an individual's dignity or creates an intimidating, hostile, degrading, or offensive environment. Examples include but are not limited to:

- Unwelcome physical contact or advances
- Inappropriate sexual comments, jokes, or gestures
- Displaying or sharing sexually explicit material
- Requests for sexual favours, whether explicit or implicit
- Bullying or intimidation linked to gender or sexual orientation

4. DEFINITION OF GENERAL HARASSMENT

When unwanted behaviour is about certain protected characteristics under discrimination law, then we refer to it as 'personal harassment'. The protected characteristics which apply are:

- a Sex

- b** Sexual orientation
- c** Race
- d** Religion or belief
- e** Gender reassignment
- f** Age
- g** Disability

Unwanted behaviour can still be personal harassment even if the person being harassed does not complain or ask for it to stop. Personal harassment may be defined as behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic. Name-calling, lewd comments, excluding colleagues, making insensitive jokes and displaying pornographic material are all examples of harassment. Even if an individual did not intend to harass someone, if their behaviour has this effect on someone else, then they may be found to have harassed them.

5. DEFINITION OF BULLYING

Bullying is unwanted behaviour from a person or group that is one of the following:

- Offensive, intimidating, malicious or insulting
- An abuse or misuse of power that undermines, humiliates or causes physical or emotional harm

It can take many different forms. Examples of bullying behaviour include:

- Spreading malicious rumours about someone
- Consistently putting someone down and undermining them
- Deliberately giving someone a heavier workload than everyone else
- Excluding someone from team social events

Bullying could involve a pattern of behaviour or a one-off incident. It could happen face-to-face, online, by phone or in writing. It can be verbal and non-verbal. It is not always obvious to others. Although it is often connected to a power imbalance, that does not mean that it always involves a more senior person bullying a more junior person. It can also be directed at someone more senior than the bully. It may take the form of spreading rumours, refusing to follow instructions, undermining authority, making fun of or mocking the more senior person or spreading rumours about them. Constructive and fair feedback about your behaviour or performance from your manager or colleagues is not bullying. It is part of normal employment and management functions.

6. LEGISLATION

The Equality Act of 2010 brought together various anti-discrimination laws into one single act, so any unlawful treatment (discrimination, harassment or victimisation) relating to one of the Equality Act protected characteristics, since 2010 is covered by this area of employment law. This means that people cannot treat you in a way that violates your dignity, or creates a hostile, degrading, humiliating or offensive environment.

The law protects individuals against sexual harassment at work. Sexual harassment means the unwanted behaviour of a sexual nature which must have either:

- violated someone's dignity, whether it was intended or not.
- created an intimidating, hostile, humiliating or offensive environment for them, whether it was intended or not.

Sexual harassment can be carried out or experienced by anyone, regardless of gender. The Equality Act 2010 protects people against sexual harassment and personal harassment

related to protected characteristics. For example, a person's sex. Someone could experience both types of harassment at the same time or separately. An individual could experience sexual harassment from anyone encountered because of their job, including someone they work with, a manager, supervisor, or someone else in a position of authority, high profile or influential. An individual can also experience sexual harassment from a customer, client or a member of the public.

The person engaging in unwelcome behaviour does not have to intend to be sexually harassing the other person for the behaviour to be considered sexual harassment. Regardless of what was intended, sexual harassment is defined by the nature and the impact of the behaviour, not the intention behind it. When dealing with harassment at work, prevention is of fundamental importance. By actively engaging with employees and councillors on the issue and raising awareness of the Council's stance on unacceptable behaviour, is key to avoiding instances of sexual harassment in the workplace.

7. AIMS

The aims of this policy are to:

- (i) Reinforce our commitment to take prompt and appropriate action in response to any allegation of harassment, bullying or sexual harassment.
- (ii) Ensure everyone understands what this means and can openly and confidently discuss concerns about inappropriate behaviour in the workplace and are clear on the policies and procedures for prevention.
- (iii) Educate and inform line managers about the potential signs and impact of harassment, bullying or sexual harassment in the workplace and how they can support individuals at work.
- (iv) Show the Council's important role in setting a wider example to our communities.

8. RESPONSIBILITIES

All employees and councillors have a responsibility to:

- Treat others with respect and refrain from behaviour that could be considered sexual harassment.
- Report any incidents of sexual harassment promptly.
- Co-operate in investigations and respect confidentiality.
- Foster an inclusive and respectful environment and demonstrate appropriate behaviour.
- Take personal responsibility and raise any concerns, whether this was experienced personally or witnessed.
- Contribute to a respectful and productive working environment.
- Treat any allegations or complaints confidentially.
- Ensure that an individual is not victimised for making or being involved in a complaint.

All line managers have a responsibility to:

- Undertake appropriate training to ensure they understand what sexual harassment is and their responsibilities for eliminating this in the workplace.
- Monitor the workplace environment to ensure that as far as practicable, expected standards of conduct are always maintained.
- Promote awareness and the complaints procedures with respect to sexual harassment as set out in this policy.
- Treat complaints seriously and taking immediate action as appropriate through the Council's complaint process.
- Ensure that an individual is not victimised for making, or being involved in, a complaint of sexual harassment.

The Chief Executive Officer has a responsibility to:

- Investigate reports of sexual harassment, personal harassment or bullying promptly and appropriately. In cases where they relate to senior officers, then the investigation will be carried out by the Council Chair or Vice-Chair.
- Undertake appropriate training to ensure there is clear understanding of their role and responsibilities in relation to the prevention of sexual harassment, personal harassment or bullying in the workplace.
- Ensure there are clear processes in place for raising complaints.
- Promote positive working relationships with the Council and amongst employees and councillors.
- Identify potential risk factors and take prompt, reasonable action to minimise those risks.
- Ensure information and training to support the effective implementation of this policy is accessible.
- Set out clear policies and procedures to prevent sexual harassment, personal harassment or bullying in the workplace for Council approval.
- Monitor and continually evaluate their effectiveness.
- Ensure all employees, councillors and stakeholders are aware of this policy and give guidance as required.

9. REPORTING AND COMPLAINTS PROCEDURE:

Individuals experiencing or witnessing sexual harassment, personal harassment or bullying can report the incident through the following steps:

- (i) **Informal Resolution:** If comfortable, individuals are encouraged to address the behaviour directly with the person responsible, explaining its impact.
- (ii) **Formal Complaint:** If the issue persists or the individual is uncomfortable with informal resolution, they can report the incident confidentially to the Chief Executive Officer at: joan.walsh@horleysurrey-tc.gov.uk; or in writing to the council offices, for the attention of: **Chief Executive Officer, Horley Town Council, 92 Albert Road, Horley RH6 7HZ and marked 'Strictly Confidential'**.
- (iii) [In cases where allegations are made towards a senior officer, these will be delegated to the Council Chair or Vice-Chair, as appropriate.]
 - Complaints should include details of the incident(s), including dates, times, locations and any witnesses.
- (iv) **Confidentiality:** All complaints shall be handled confidentially and sensitively.

10. CONFIDENTIALITY

Disclosures of sexual harassment, personal harassment and/or bullying will be treated in confidence to protect an employee's privacy. However, in some instances, a matter may need to be escalated or referred onwards without agreement from the individual, particularly in circumstances which may:

- constitute a criminal offence
- constitute an occupational health and safety risk
- require disciplinary action
- If a matter needs to be escalated or referred, the person handling the matter will notify the person who made the disclosure of other parties involved who have been informed.

11. INVESTIGATION PROCEDURE

Upon receiving a formal complaint:

- (i) In cases of a complaint made about a staff member, the Chief Executive Officer

will acknowledge receipt of the complaint within five working days and carry out an investigation as the investigating officer.

- (ii) In cases of a complaint made against senior officers, these will be referred to the Council Chair or Vice-Chair, appropriate.
- (iii) A decision in consultation with the Council Chair and Vice-Chair will, where possible, be made within 30 working days and the complainant and respondent will be informed of the outcome by the investigating officer.
- (iv) Where cases have been referred to the Council Chair or Vice-Chair for investigation, then a decision in consultation with two independent Members of the Leaders Group and the Chief Executive Officer (or delegated senior officer) shall be made.
- (v) In the case of a complaint about a councillor, the complaint shall be referred to the local Monitoring Officer.

12. APPEAL PROCESS

The respondent may appeal against the outcome of a disciplinary hearing using the Council's disciplinary appeals process. The panel shall comprise two Members of the Council Leaders Group (CLG) whose decision shall be final.

The complainant may appeal against the outcome of their formal complaint using the **Council's Grievance/Appeals** process. The panel shall comprise two Members of the Council Leaders Group (CLG) whose decision shall be final.

13. DISCIPLINARY PROCEDURE

Employees found to have engaged in sexual harassment, personal harassment or bullying may face disciplinary action, including termination of employment.

Councillors may be referred to the Monitoring Officer and subjected to Code of Conduct investigations.

Contractors or volunteers may have their association with the council terminated.

14. SUPPORT FOR COMPLAINANTS

The Council will provide support to individuals affected by sexual harassment, personal harassment and/or bullying including access to:

- (i) Counselling services.
- (ii) Adjustments to work arrangements where necessary.
- (iii) External resources such as legal or advisory bodies.

15. NON-RETALIATION

The Council prohibits retaliation against anyone who reports an incident of harassment, bullying or sexual harassment, or participates in an investigation. Any acts of retaliation will result in disciplinary action.

16. TRAINING AND AWARENESS

The Council will:

- (i) Conduct regular training sessions on sexual harassment, personal harassment and bullying prevention and awareness.
- (ii) Review this policy annually to ensure compliance with relevant laws and best

practices.

17. POLICY REVIEW

This policy shall be kept under regular review by the Council, or as required by changes in legislation.

Support

Help and information is available.

- [Rape Crisis England and Wales](#)
- [The Survivors Trust](#)
- [Survivors UK](#)
- [Victim Support](#)
- [Sexual Trauma and Recovery Services \(STARS\)](#)

Find out about other [help after rape and sexual assault](#) on the NHS website.

Contact the police

Call

- 999 if you believe there is immediate danger
- 101 if it is not an emergency

Report a crime

[Report a crime online](#) When you are reporting a crime, you can speak to a specialist officer who is trained to deal with sexual violence.

This Prevention of Sexual Harassment Policy and General Harassment Policy and Procedures was adopted at the Full Council meeting held on 18 March 2025

Review Date: 2026 (or when legislation or recommended practice changes)