

# HORLEY TOWN COUNCIL

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## AGENDA

### ORDINARY MEETING OF HORLEY TOWN COUNCIL

Date / Time: Tuesday, 4 October 2022 at 7.30 pm

Venue: Horley Town Council offices, Albert Rooms, 92 Albert Road, Horley RH6 7HZ

#### SENT BY EMAIL TO ALL MEMBERS OF THE COUNCIL

Dear Councillors

You are hereby respectfully summoned to attend an **ORDINARY MEETING of HORLEY TOWN COUNCIL** to be held on Tuesday, 4 October 2022, 7:30 pm, at the Albert Rooms, 92 Albert Road, Horley RH6 7HZ. The Agenda for the meeting is attached to this Summons.

Yours sincerely

Joan Walsh  
Town Clerk

#### Members' Apologies:

If required, a Member must submit their apologies for this meeting by sending an email to: [town.clerk@horleytown.com](mailto:town.clerk@horleytown.com) or by telephoning the office on 01293 784765, by no later than noon on the day of the meeting.

#### Public Forum:

***Members of the Public and Press are welcome to attend this meeting in person or may join it remotely by requesting a Zoom link by email to: [town.clerk@horleytown.com](mailto:town.clerk@horleytown.com) or by telephoning the office on 01293 784765, by no later than noon on the day before the meeting is due to be held.***

Public and Press attendees are invited to put questions or draw relevant matters to the Council's attention and are permitted to speak once only and for five minutes maximum in respect of a business item on the agenda, at the discretion of the Chairman. If it appears that the number of speakers is likely to unreasonably delay the disposal of business items on the agenda, the Chairman may direct that a question or comment is submitted in writing which shall be answered in due course.



**An Ordinary Meeting of Horley Town Council will be held at the Albert Rooms,  
Albert Road, Horley on Tuesday, 4 October 2022, at 7.30 pm**  
All correspondence and papers referred to in the public part of the agenda are available to view  
in the Town Council Offices during normal office hours or on the website

**The meeting will be preceded by a 1-minute silence in memory of the late Queen Elizabeth II**

## **AGENDA**

- 1 Apologies and Reasons for Absence.**  
To receive apologies and reasons for absence.
- 2 Disclosable Pecuniary Interests and Non-Pecuniary Interests**  
To receive any declarations of interest in relation to any items included on this agenda.
- 3 Public Forum**
- 4 Minutes**  
To approve the Minutes of the Ordinary Council Meeting held on [26 July 2022](#).
- 5 Full Council Updates**
- 6 Committee Reports**  
To receive the Minutes of the meetings of the following Committees:
  - i) Planning & Development Committee held on [28 June](#), [2 August](#), and [30 August 2022](#)
  - ii) Leisure and Amenities Committee held on [5 July 2022](#)
  - iii) Environment Sub Committee held on [6 September 2022](#)
- 7 Council Chairman's Report**  
To receive a report of any events attended by the Chairman or her representative since the Full Council meeting held on 26 July 2022 (*attached*).
- 8 Borough, County Council and Other Updates**
  - i) To receive an update on the SCC/RBBC/HTC Joint Council meeting, held on 23 September 2022.
  - ii) To note the next RBBC/HTC Liaison Meeting will be held on 26 October 2022.
- 9 Annual Audit for the year ended 31 March 2022**
  - i) To note that the audit is completed and is unqualified with no issues arising.
  - ii) To receive the Final External Auditor Report and Certificate for 2021/22 (attached).
  - iii) To approve the Annual Governance and Accountability Return (AGAR) for 2021/22 (attached)
  - iv) To approve the payment of £1300 (+VAT) to PKF Littlejohn for the Limited Assurance Review of the Annual Governance and Accountability Return for the year ended 31 March 2022.
- 10 Surrey Association of Local Councils (SALC) & National Association of Local Councils (NALC)**
  - i) **NALC/SALC/SCC Civility and Respect Pledge** - To pass a resolution to sign up to the Civility and Respect Pledge, in collaboration with the associations and to consider the recommendation to adopt a Dignity at Work Policy (draft attached)
  - ii) To receive an update on the SALC AGM & Conference held on 30 September 2022.
  - iii) To note the appointment of Cllr Mike George to the SALC Board of Directors for the municipal year 2022/23.
  - iv) To receive updates on any other matters from the National and County Associations.
- 11 HTC Communications**
  - i) **Public Sector Bodies (Website and Mobile Applications) Accessibility Regulations** – To note the annual review by the Town Council has been carried out and to ratify the cost in the sum of £160 plus VAT.
  - ii) To receive an update on any other matters.

*Continued ...*

## **12 Environment Sub Committee (ESC)**

To receive an update from the ESC Chairman on the meeting held on 6 September 2022.

To: Cllrs Avery, Baird, Baker, Beech, Buttironi, Dye, George, Hudson, A. Kitajewski, H. Kitajewski, Marr, Sa Marshall, Si Marshall, Phillips, Powell, Saunders, Spencer, Stimpson

- 13 Surrey Community Fund - Horley Edmonds Fund**
- i) To approve the recommendations of the Community Foundation for Surrey on the amendments to the Fund Agreement renewal, including the removal of the sum threshold for grants (currently up to £1,000).
  - ii) Application from SparkFish – to receive an update on the application which was previously deferred for further information requested by the Town Council
  - iii) To receive an update on any other matters.
- 14 Community Infrastructure Levy (CIL)**
- i) To note the Town Council’s submission to the Borough Council of funding bids through the Reigate & Banstead Strategic infrastructure Programme (SIP) 2023-2027 and to ratify the shortlist of four projects put forward by the Leaders’ Group.
  - ii) To receive the quarterly Neighbourhood CIL report from RBCC for the period 16/06/22-15/09/22 and to note CIL receipts.
- 15 Outside Bodies**
- To receive any updates from the Town Council representatives on the following outside bodies:
- i) Horley Community Partnership
  - ii) RBBC Borough Standards Committee
- 16 Horley Royal British Legion**
- i) To note the arrangements for the Remembrance Services Programme 2022 in Horley.
  - ii) To approve the donation of £250 to the Royal British Legion Poppy Appeal through the General Power of Competence (GPC).
  - iii) To receive an update on any other matters.
- 17 Michael Crescent Centenary Park – Former Scout Hut Building**
- To consider a recommendation to declare the derelict building not fit for any purpose, including storage, following the removal of an electricity supply.
- 18 Christmas 2022**
- i) To agree the arrangements for the Councillor Christmas Hospitality to be held at Regent House on 10 December and a rota of volunteers to help out at the event.
  - ii) To consider any other matters.
- 19 Letters Received**
- 20 Diary Dates**
- 21 Items for Future Consideration**
- To note urgent business for inclusion on future agenda.
- 22 Press Release**
- To agree items for inclusion.
- 23 Exclusion of Public and Press**
- “In view of the special or confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be excluded and that they be instructed to withdraw.”**
- 24 Minutes** **CONFIDENTIAL**
- To approve the Confidential Minutes of the Meeting, held on 26 July 2022.
- 25 Staffing Matters** **CONFIDENTIAL**
- To receive an update.



Signed: Town Clerk, 29 September 2022

Date of Next Meeting – 6 December 2022

## List of Mayoral Events 27 July – 4 October 2022

<b>Date</b>	<b>Event</b>	<b>Location</b>
11/09/2022	Surrey Proclamation of the new King	Guildford Cathedral
11/09/2022	Reigate & Banstead Proclamation of the new King (Cllrs Avery, Baker & Beech also present)	Harlequin Theatre
11/09/2022	Horley Proclamation of the new King (various other Councillors present)	Platinum Jubilee Gardens
11/09/2022	Signing Book of Condolence with R&B Mayor	Horley Community Centre
16/09/2022	Laying of Council wreath in memory of HM Queen Elizabeth II (accompanied by Cllr Avery)	Horley War Memorial
30/09/2022	Horley in Bloom Awards evening (various other Councillors present)	Horley Baptist Church

### Section 3 – External Auditor Report and Certificate 2021/22

In respect of

**Horley Town Council – SU0046**

#### 1 Respective responsibilities of the body and the auditor

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/> .

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with Proper Practices which:

- summarises the accounting records for the year ended 31 March 2022; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

#### 2 External auditor report 2021/22

On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

Other matters not affecting our opinion which we draw to the attention of the authority:

None

#### 3 External auditor certificate 2021/22

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2022.

External Auditor Name

**PKF LITTLEJOHN LLP**

External Auditor Signature

*PKF Littlejohn LLP*

Date

16/09/2022

\* Note: the NAO issued guidance applicable to external auditors' work on limited assurance reviews in Auditor Guidance Note AGN/02. The AGN is available from the NAO website ([www.nao.org.uk](http://www.nao.org.uk))

## Section 1 – Annual Governance Statement 2021/22

We acknowledge as the members of:

HORLEY TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2022, that:

	Agreed			'Yes' means that this authority.
	Yes	No*		
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓			prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓			made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓			has only done what it has the legal power to do and has complied with Proper Practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓			during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓			considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓			arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓			responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓			disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A	has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.
			✓	

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

21/06/2022

and recorded as minute reference:

C 5383

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

*Signature Required*

Clerk

*Signature Required*

<https://www.horleysurrey-tc.gov.uk/index.php?idPage=1> / WEBSITE ADDRESS

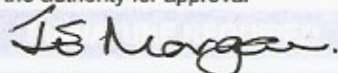
## Section 2 – Accounting Statements 2021/22 for

### HORLEY TOWN COUNCIL

	Year ending		Notes and guidance	
	31 March 2021 £	31 March 2022 £		
1. Balances brought forward	319,444	219,626	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.	
2. (+) Precept or Rates and Levies	404,676	428,088	Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.	
3. (+) Total other receipts	92,911	139,738	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.	
4. (-) Staff costs	193,319	177,880	Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.	
5. (-) Loan interest/capital repayments	47,141	47,141	Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).	
6. (-) All other payments	356,945	227,143	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).	
7. (=) Balances carried forward	219,626	335,288	Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).	
8. Total value of cash and short term investments	228,772	327,636	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.	
9. Total fixed assets plus long term investments and assets	2,462,047	2,466,295	The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.	
10. Total borrowings	667,529	638,455	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).	
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	N/A	The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets.
			✓	N.B. The figures in the accounting statements above do not include any Trust transactions.

I certify that for the year ended 31 March 2022 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval



Date

28/04/2022

I confirm that these Accounting Statements were approved by this authority on this date:

21/06/2022

as recorded in minute reference:

C 5384

Signed by Chairman of the meeting where the Accounting Statements were approved



## Horley Town Council

### Notice of conclusion of audit

#### Annual Governance & Accountability Return for the year ended 31 March 2022

Sections 20(2) and 25 of the Local Audit and Accountability Act 2014

Accounts and Audit Regulations 2015 (SI 2015/234)

	Notes
<p>1. The audit of accounts for <b>Horley Town Council</b> for the year ended 31 March 2022 has been completed and the accounts have been published.</p>	<p>This notice and Sections 1, 2 &amp; 3 of the AGAR must be published by 30 September. <b>This must include publication on the smaller authority's website.</b> The smaller authority must decide how long to publish the Notice for; the AGAR and external auditor report must be publicly available for 5 years.</p>
<p>2. The Annual Governance &amp; Accountability Return is available for inspection by any local government elector of the area of <b>Horley Town Council</b> on application to:</p> <p>(a) Mrs Joan Walsh, Town Clerk, Horley Town Council Offices, 92 Albert Road, Horley, RH6 7HZ</p> <p>(b) Office Hours 10:00 am to 4:00 pm Monday to Friday</p>	
<p>3. Copies will be provided to any person on payment of £ 1:00 (c) for each copy of the Annual Governance &amp; Accountability Return.</p>	
<p>Announcement made by: (d) Judy Morgan, Responsible Financial Officer</p>	<p>(a) Insert the name, position and address of the person to whom local government electors should apply to inspect the AGAR</p> <p>(b) Insert the hours during which inspection rights may be exercised</p> <p>(c) Insert a reasonable sum for copying costs</p> <p>(d) Insert the name and position of person placing the notice</p>
<p>Date of announcement: (e) 27 September 2022</p>	<p>(e) Insert the date of placing of the notice</p>





## DIGNITY AT WORK POLICY

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**Horley Town Council believes that civility and respect are important in the working environment, and expect all Town Councillors, Officers, Staff, Contractors and the Public to be polite and courteous when working for and with the Town Council.**

### **Purpose**

Horley Town Council is committed to creating a working environment where all Town Council Employees, Councillors, Contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying.

In support of this objective, the Town Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available [NALC](#) & [SLCC](#)

We recognise 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.

This document:

- explains how we will respond to complaints of bullying or harassment;
- ensures that we respond sensitively and promptly; and
- supports our employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

### **Scope**

This policy covers bullying and harassment of and by Town Councillors/Clerks/Town Council Officers and all employees engaged to work at Town Council. Should agency staff, or contractors have a complaint connected to their engagement with the Town Council this should be raised with the Town Clerk or the Chairman of the Council, in the first instance. Should the complaint be about the Chairman of the council, then the complaint should be raised with the Town Clerk/Deputy Chairman/Staff Committee. Should the complaint be about the Town Clerk of the Council, then the complaint should be raised with the Chairman/Deputy Chairman/Staff Committee.

Agency staff, or contractors are equally expected to treat Town Council colleagues, and other representatives and stakeholders with dignity and respect, and the Town Council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the Town Council's Grievance Policy.

It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. Employees, Contractor, Town Councillor), however, the Town Council will take appropriate action if any of its employees are bullied or harassed by Employees, Councillors, Members of the Public, Suppliers or Contractors.



## The position on bullying and harassment

All Staff and Town Council Representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. The Town Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that if you have bullied or harassed someone (eg. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We expect all representatives of the Town Council to treat each other with respect and uphold the values of the code of conduct, civility and respect pledge, equality opportunities policy, and all other policies and procedures set by the Town Council.

We expect you 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.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the grievance policy for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. While we 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 may be subject to action under the Town Council's Disciplinary Procedure.

### Harassment

- Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic
- Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic

### Bullying

- Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.



## **What Type of Treatment amounts to Bullying or Harassment?**

'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.

Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g. promotion, access to training
- Threats for rejecting sexual advances
- Demeaning comments about a person's appearance
- 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
- 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
- Spreading malicious rumours or insulting someone
- Lewd or suggestive comments or gestures
- Deliberate exclusion from conversations, work activities or social activities.
- Withholding information a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
- The use of obscene gestures
- Abusing a position of power

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.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear, however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay,



even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example). See the Town Council's Equality and Diversity Policy.

All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines and should not be interpreted as anything different.

### **Victimisation**

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. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.

Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the council will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

### **Reporting Concerns**

#### **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)**

If you are being bullied or 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 Town Clerk. 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 bullied or harassed by a Town Councillor:**

If you are being bullied or harassed by a councillor, please raise this with the Town Clerk 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 Town 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 or bullying:** If you witness such behaviour you should report the incident in confidence to the Town Clerk in the first instance. 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 bullied or harassed by another member of staff:** 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.

#### Informal resolution

If you are being bullied or 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 Town Council's policy and must stop. Alternatively, you may wish to ask the Town Clerk, 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 bullied by your own nominated manager, you should raise the issue with the Chairman of the Town Council. (If your concern relates to the Chairman, you should raise it with the Town Clerk in the first instance who will escalate the matter to the Staff Committee as appropriate committee) and they 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 Town 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 Town Clerk 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 bullying and harassment through the Town Council's Grievance Procedure. You should raise your complaint to Town Clerk in the first instance, or the Chairman if appropriate. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The Town Clerk or the Chairman of the Town 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 or bullying,
- The dates and times the harassment or bullying occurred,
- 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 Town Council will consider any adjustments to support you in your work and to manage the relationship with the Town 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 Town Council will consider how to protect your health and well-being 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 complaint (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.



### **The use of the Disciplinary Procedure**

If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

*This is a non-contractual policy and procedure which will be reviewed from time to time.*

The Dignity at Work Policy will replace a previous 'Bullying and Harassment' Policy, to create a policy that is focussed on encompassing behaviours beyond simply bullying and harassment, and zero tolerance with the aim of dealing with concerns before they escalate. It is important that any commitment made in the policy is applied in practice.

Wording has been suggested to demonstrate the Town Council's commitment to promoting dignity and respect where they have signed up to the NALC, SLCC and OVW Civility and Respect Pledge.

The policy is drafted with consideration of employment language and terminology that is reflective of a modern working environment, setting a tone that is engaging, collaborative and inclusive.

***Adopted by Horley Town Council: 4 October 2022***