



Matlock
TOWN COUNCIL

HARASSMENT & AGGRESSION POLICY

Adopted by Matlock Town Council 20/04/2026
Minute no: CC536/26

The Council's Policy

HARASSMENT AND AGGRESSION POLICY

Introduction

All Matlock Town Council employees have the right to be treated with dignity and respect at work. No employee should be expected to tolerate aggression or harassment in the workplace.

POLICY STATEMENT

The Council is committed to promoting an environment where employees can work without fear of being intimidated, harassed, bullied or subjected to physical or verbal aggression.

The Council aims to eliminate harassment and aggression by:

- *Promoting a positive work environment where everyone treats each other with respect;*
- *Ensuring that all allegations of harassment or aggression are fully investigated;*
- *Use of the disciplinary procedure;*
- *Supporting employees after an incident has occurred;*
- *Training employees to deal with incidents more effectively.*

Policy Aims and Objectives

To ensure that procedures for dealing with harassment include provision, in the first instance to help prevent harassment or aggression occurring, and secondly, where it does occur, that appropriate action is taken.

To ensure that employees feel able to raise a complaint. If at any stage they do not believe that their complaint is being taken seriously or being dealt with in accordance with the agreed procedures, employees may raise a grievance under the Council's Grievance Procedure.

To ensure that both employees who raise a complaint and those against whom a complaint is made are treated fairly, with due sensitivity, confidentiality, respect and understanding for their rights as employees and individuals. Employees will, at all times, have the right to be represented by their Trade Union or work colleague.

Scope of Policy

For practical purposes, those making a complaint usually define what they mean by harassment or aggression as something that has happened to them that is unwelcome,

unwarranted and causes a detrimental effect. All complaints by employees will be dealt with regardless of whether or not their complaint accords with a standard definition.

In this document the Council describes harassment and aggression as:

Harassment

Unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, sexual orientation, gender, race, disability, religion, nationality or any personal characteristic of the individual and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Harassment is not necessarily face to face; it may be written communication, email, social media or telephone.

Bullying

Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Physical Aggression (Violence)

Any form of physical contact with an employee, that is perceived by that employee as threatening, intimidating or an attack (including attacks on property or the use of projectiles against the employee).

Verbal Aggression

Speech or actions perceived by the employee as threatening or intimidating e.g. Shouting, swearing, abusive behaviour.

Responsibility of Employees

It is the responsibility of all employees to ensure that they conduct themselves in a manner that is not offensive and to assist in the creation of an environment where unacceptable behaviour is not tolerated. All employees have a duty to:

- Report incidents of harassment and aggression in the workplace;
- Help to stop any such harassment or unacceptable behaviour;
- Not collude with any inappropriate behaviour;
- Co-operate fully in any investigation undertaken by the Authority.

Responsibility of Management

Management have an overall responsibility to ensure that all employees receive fair treatment and are able to work in an environment where harassment and aggression cannot thrive. Management have a duty to ensure that all members of staff are aware of the policy. Should management become aware of harassment or aggression occurring, they should take appropriate action to resolve the situation at the earliest opportunity and take action to prevent reoccurrence. They should also provide any necessary support and advice to staff experiencing unwelcome treatment, whether or not a formal complaint has been made.

Advice, Support and Counselling

- Any employee who feels they have been a victim of harassment or aggression can seek confidential advice and support from the Town Clerk,
- The Responsible Financial Officer
- Their Trade Union representative.

This provides an opportunity to talk through the situation and to discuss the options open to an employee to help them determine if and how to progress a complaint of harassment.

Those against whom an allegation has been made may not be aware that their behaviour is causing offence. They may also wish to talk through their position, in confidence, with someone outside of the immediate situation. This can be done with any of the sources listed above.

Employee Personal Safety

The Council is committed to ensuring the safety of employees in the course of their job. To achieve this, a 'partnership' between employer and employee must be firmly established.

No employee should place him/her self in a situation perceived as potentially dangerous.

The Clerk and RFO will meet regularly with their staff to:

- ascertain their personal safety needs;
- implement procedures/devices that address those needs;
- conduct regular meetings to up-date these requirements

REPORTING PROCEDURES

Introduction

The reporting by employees of harassment and aggression is essential if the Council is to implement a caring and effective policy. This procedure puts into practical effect the principles contained in the Council's Policy Statement on Harassment and Aggression at Work. It replaces the use of the Council's Grievance Procedure in dealing with such complaints.

The procedure contains two stages through which complaints can be pursued:

- 1) A preliminary stage where those against whom an allegation has been made, are made aware of their unacceptable behaviour by the complainant or their representative and given the opportunity of modifying it. Many complaints can be resolved at this informal stage. However, this stage is not appropriate for addressing any incident which compromises the personal safety of the individual. All reporting of such incidents must progress through the formal stage.
- 2) A formal stage involving a thorough investigation of the allegations which, if substantiated, could lead to a recommendation that a disciplinary hearing be convened, or which could reveal ways of satisfactorily resolving a situation without resorting to disciplinary proceedings.

If the decision is made to call a disciplinary hearing, then the Council's Disciplinary Procedure will take over from this Procedure.

Note (i) On occasion, a counter allegation may be made by the alleged harasser or aggressor upon being informed that a complaint has been lodged against them eg. they may claim to have been provoked by the complainant. Both parties' allegations should be dealt with as separate complaints (i.e. with separate investigations, hearings and whenever possible separate investigating officers).

(ii) Any complaint which is later found to have been made with malicious intent and without foundation may result in disciplinary action against the complainant.

Preliminary Action

Employees who wish to resolve the problem informally can often do this effectively by raising the issue directly with the person who is creating the problem, either orally or in writing. If this is not appropriate or it would be difficult or embarrassing to pursue the complaint in this manner, a Trade Union representative or another appropriate person may make the initial approach if required.

This preliminary stage does not detract from the seriousness or sensitivity of the situation. Rather it allows the individual who is being harassed greater flexibility in choosing the most appropriate option they wish to follow.

If the above preliminary measures prove to be ineffective or the employee feels that the matter not resolved, then the employee should be supported and encouraged to take formal action. However, it is recognized that this requires courage and determination and the employee has the right not to pursue their complaint informally/formally, at any time. In such instances, management will be able to initiate formal action as detailed below to deal with the harasser or aggressor if supporting evidence is available, e.g. witnesses.

FORMAL ACTION

If an employee decides to pursue a complaint formally, then the Clerk or RFO will undertake a thorough investigation of the matter. Complaints against the RFO will usually be investigated by the Leader of the Council and complaints against the Town Clerk referred to the Leader of the Council working together with the Mayor.

An employee should register a formal complaint by completing an Incident Report Form¹. The form should be returned without delay to the Town Clerk or the RFO marked 'Private & Confidential'.

Within 5 working days, the complaint will be acknowledged and the alleged harasser or aggressor informed of the nature of the complaint lodged against them and of any immediate action to be taken e.g. Suspension.

An investigation must be carried out promptly and in any case be completed within 14 working days of the complaint being registered unless there are exceptional circumstances to prevent this.

Where suspension is not thought appropriate, consideration will be given as to whether any working arrangements affecting the two parties involved need to be changed during the course of the investigation.

The complainant and the alleged harasser will be interviewed separately as part of the investigation. Both parties have the right to be accompanied by a trade union representative or work colleague.

Strict confidentiality must be maintained throughout the investigation by all parties concerned, including witnesses.

Following the investigation, the designated investigator must review the evidence, consider whether the complaint has been substantiated, and decide upon the most appropriate course

¹ See attached

of action in accordance with this Policy. If the complaint is against the Town Clerk, the evidence will be reviewed by the Leader of the Council acting together with the Mayor

Allegations Against Non Employees and Members

Where the allegation is against a person who is not an employee of the Council, the procedures contained within this document may not be appropriate. Under these circumstances a suitable alternative course of action may be considered.

Where the allegation is against a Member of the Council, the Mayor will be informed and will take appropriate action. This action may include a reference to a Standards Committee in appropriate cases.

Where the allegation is against the Mayor, the Leader of the Council will receive the complaint, the full Council will be informed and will take appropriate action. This action may include a reference to Standards Committee in appropriate cases.

Monitoring

The Town Clerk should be informed of all cases of harassment. Confidential records will be kept to enable the Clerk to monitor and review the procedure.

INCIDENT REPORT FORM

To ensure a safe working environment, all employees are encouraged to fill out this form in the event of a work-related incident. Any incident should be reported as soon as possible but no later than 48 hours after its occurrence. Failure to report such incidents could lead to a reoccurrence of the incident.

Incident Information	
Employee Name:	Date of Report:
Employee Job Title:	Time of Report:
Date of Incident:	Incident Location:
Time of Incident:	Witness Name(s):

In as much detail as possible, please describe the incident

Please describe any factors you feel that may have contributed to the incident

What could have been done differently to avoid this incident