



## Dorset Council

**Date:** Thursday, 16 May 2024  
**Time:** 6.30 pm  
**Venue:** Council Chamber, County Hall, Dorchester, DT1 1XJ

All members of Dorset Council are requested to attend this meeting of the Full Council.

**Chief Executive:** Matt Prosser, County Hall, Colliton Park, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services  
Meeting Contact [susan.dallison@dorsetcouncil.gov.uk](mailto:susan.dallison@dorsetcouncil.gov.uk)

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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### Agenda

#### Page No

**1. ELECTION OF CHAIRMAN**

To elect the Chairman of Council for 2024/25.

Newly elected Chairman to present the Past Chairman's Badge.

**2. ELECTION OF VICE-CHAIRMAN**

To elect the Vice-chairman of Council for 2024/25.

**3. APOLOGIES**

To receive any apologies for absence.

**4. MINUTES**

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To confirm the minutes of the meeting held on 13 February 2024.

**5. DECLARATIONS OF INTEREST**

To disclose any pecuniary, other registrable or non-registrable

interests as set out in the adopted Code of Conduct. In making their decision councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

## **6. CHAIRMAN'S ANNOUNCEMENTS**

To receive any announcements from the Chairman of Council.

## **7. ELECTION OF LEADER OF COUNCIL**

To elect the Leader of Council for 2024/25.

## **8. APPOINTMENT OF DEPUTY LEADER OF COUNCIL, PORTFOLIO HOLDERS AND LEAD MEMBERS**

The Leader of Council to report the appointment of the Deputy Leader, Cabinet membership/Portfolio Holders and Lead Members.

## **9. ANNOUNCEMENTS AND REPORTS FROM THE LEADER OF COUNCIL AND CABINET MEMBERS**

To receive any announcements and reports from the Leader of Council and members of the Cabinet.

## **10. PUBLIC PARTICIPATION - QUESTIONS**

A period of 30 minutes is allocated to receive and respond to questions and statements on the business of the Council in the following order:

- (a) Questions and statements from Town and Parish Councils;
- (b) Questions and statements from those living or working in the Dorset Council area;

A person or organisation can submit either 1 question or 1 statement at each meeting.

You are welcome to attend the meeting in person or via MS Teams to read out your question and to receive the response. If you submit a statement for Full Council this will be circulated to all members of the council in advance of the meeting as a supplement to the agenda and appended to the minutes of the meeting for the formal record but it will not be read out at the meeting. The first 8 questions and the first 8 statements received by Democratic Services will be accepted on a first come first served basis in accordance with the deadline below:

**The full text of the question or statement must be received by 8.30am on Monday 13 May 2024.** All submissions must be emailed to [susan.dallison@dorsetcouncil.gov.uk](mailto:susan.dallison@dorsetcouncil.gov.uk)

When submitting your question please note that:

Sub-divided questions will not be accepted;  
Each question can consist of up to 450 words, including a pre-amble to set the context of the question;  
Please indication who the question is for, i.e., the name of the Portfolio Holder;  
You will need to include your full name, address and contact details;  
All questions and statements will be published in full with the minutes of the meeting as a matter of public record.

## **11. PUBLIC PARTICIPATION - PETITIONS AND DEPUTATIONS**

A period of 15 minutes is allocated to receive and respond to petitions in accordance with the council's petitions scheme.

A period of 15 minutes is allocated to receive and respond to deputations in accordance with the council's constitution.

The petitions scheme and procedures relating to deputations can be viewed at:

[Council Procedure Rules](#)

## **12. QUESTIONS FROM COUNCILLORS**

To receive questions submitted by councillors. The deadline for receipt of questions is 8.30am on Monday 13 May 2024.

## **13. APPOINTMENTS TO COMMITTEES, JOINT COMMITTEES AND BOARDS AND ELECTION OF COMMITTEE CHAIRMEN AND VICE-CHAIRMEN** 33 - 38

To consider a report by the Team Leader, Democratic Services.

## **14. APPOINTMENTS TO OUTSIDE BODIES, JOINT BODIES AND PANELS** 39 - 46

To consider a report by the Senior Democratic Services Officer.

## **15. DISPENSATIONS FOR COUNCILLORS** 47 - 52

To consider a report by the Director of Legal & Democratic.

## **16. SEXUAL HARRASSMENT POLICY** 53 - 86

To consider a recommendation from the Audit & Governance Committee.

## **17. URGENT ITEMS**

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall

be recorded in the minutes.

**18. EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

**There is no exempt business scheduled for this meeting.**



## DORSET COUNCIL

### MINUTES OF MEETING HELD ON TUESDAY 13 FEBRUARY 2024

**Present:** Cllrs Val Potheary (Chairman), Bill Trite (Vice- Chairman left the meeting at 21:15), Rod Adkins (left the meeting at 20:30), Tony Alford, Jon Andrews, Mike Barron, Shane Bartlett, Pauline Batstone (left the meeting at 21:15), Belinda Bawden, Laura Beddow, Derek Beer (left the meeting at 20:30), Richard Biggs, Dave Bolwell (left the meeting at 21:15), Alex Brenton, Cherry Brooks (left the meeting at 20:30), Ray Bryan, Andy Canning, Simon Christopher, Kelvin Clayton, Tim Cook, Toni Coombs (left the meeting at 21:15), Richard Crabb, Jean Dunseith, Spencer Flower (left the meeting at 21:15), Simon Gibson, Barry Goringe, David Gray, Paul Harrison, Jill Haynes, Brian Heatley, Ryan Holloway, Ryan Hope, Rob Hughes, Nick Ireland, Sherry Jespersen, Carole Jones, Stella Jones, Andrew Kerby, Paul Kimber, Nocturin Lacey-Clarke, Howard Legg, Robin Legg (left the meeting at 21:15), Cathy Lugg, David Morgan, Louie O'Leary, Jon Orrell (left the meeting at 21:15), Emma Parker, Mike Parkes (left the meeting at 21:15), Andrew Parry, Mary Penfold, Bill Pipe, Byron Quayle, Molly Rennie, Belinda Ridout, Mark Roberts, David Shortell, Jane Somper, Andrew Starr, Gary Suttle (left the meeting at 21:15), Clare Sutton, Roland Tarr, David Taylor, David Tooke, David Walsh, Kate Wheller, Sarah Williams (left the meeting at 21:15) and John Worth

**Apologies:** Cllrs Pete Barrow, Piers Brown, Graham Carr-Jones, Susan Cocking, Robin Cook, Janet Dover, Mike Dyer, Beryl Ezzard, Les Fry, Rebecca Knox, Julie Robinson, Maria Roe, Gill Taylor and Peter Wharf

**Officers present (for all or part of the meeting):**

Jacqui Andrews (Service Manager for Democratic and Electoral Services), Hayley Caves (Member Development and Support Officer), Sean Cremer (Corporate Director for Finance and Commercial), Susan Dallison (Democratic Services Team Leader), George Dare (Senior Democratic Services Officer), Aidan Dunn (Executive Director - Corporate Development S151), Jonathan Mair (Director of Legal and Democratic and Monitoring Officer) and Matt Prosser (Chief Executive)

**68. Minutes**

The minutes of the meeting held on 14 December 2023 were confirmed and signed as a correct record.

**69. Declarations of Interest**

The Director, Legal and Democratic and Monitoring Officer, confirmed that the following members had declared an interest in item 12 and would leave the room and not take part in that item:

Cllrs: Rod Atkins, Pauline Batstone, Toni Coombs, Spencer Flower, Robin Legg, Jon Orrell, Mike Parkes, Gary Suttle, Gill Taylor, William Trite and Sarah Williams.

Cllrs: Shane Bartlett, Tim Cook and Molly Rennie declared an interest in item 10 as they had relatives who worked for the Council.

#### **70. Chairman's Announcements**

Following the announcement this week from the Palace, the Chairman had sent best wishes on behalf of Dorset Council to the King for a speedy recovery. Vivienne Broadhurst, Executive Director People and Adults was leaving the Council and the Chairman thanked her for her leadership, resilience, and hard work.

#### **71. Public Participation**

There were four questions received from members of the public. A copy of the questions and the responses are attached at Appendix 1 to the minutes.

#### **72. Public participation - petitions and deputations**

There were no petitions or deputations.

#### **73. Announcements and Reports from the Leader of Council and Cabinet Members**

The Leader presented his 19<sup>th</sup> leaders bulletin, possibly being the last Full Council before the 2<sup>nd</sup> May elections.

He reflected on the last 5 years of the Council and the ethos of cross-party working which had been successful. His shortlisting for the Local Government Information Unit's Council Leader of the Year award was testament to the ambition, outcomes and achievements of the whole Council.

He highlighted the constant lobbying for a better deal for Dorset funding and DEFRA had announced Dorset Council to be the number one unitary authority in the country for waste re-cycling.

A huge amount of work had been done for the Local Plan, transformation had been embraced and he thanked everyone for all the work done on behalf of the people of Dorset.

In response to member questions the Leader advised that Simon Hoare one of the local North Dorset MPs had been instrumental in achieving the extra £3.9m funding in the recent Government settlement.

#### **74. Questions from Councillors**

There were two questions received from councillors. A copy of the questions and the responses are attached at Appendix 2 to the minutes.

## 75. **Budget Strategy and Medium-Term Financial Plan**

The Finance, Commercial & Capital Strategy Portfolio Holder presented the Budget strategy and medium-term financial plan (MTFP).

A copy of his speech is attached at appendix 3 to these minutes.

The Chairman invited the Group Leaders to present their replies to the budget proposals.

Cllrs Ireland, Sutton and Hughes presented their budget speeches which are attached at appendix 4 to these minutes.

The Finance, Commercial & Capital Strategy Portfolio Holder responded to the comments from the Group Leaders.

**Cllr B Heatley proposed, Cllr C Sutton seconded the following amendment.**

*“To remove from the budget reliance on savings from the Our Future Council programme of £8.1m, and to replace this with £8.1m funding from reserves.*

### **Motion**

In the Revenue Budget summarised in Appendix 1 in the Addendum, amend the line entitled General Funding under Central Finance by replacing the single line.

General funding	5473	(167)	(697)	(32516)	(8122)	(36030)
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by the two lines.

General funding	5473	(167)	(697)	(32516)	0	(27908)
Movement to and from reserves	0	0	0	0	(8122)	(8122)

and make any consequential amendments required to the other tables in Appendix 1.”

The Leader responded to the amendment attached as appendix 5.

Members debated the amendment as proposed, comments included:

Concerns that it was unknown how the 8.1m savings would be made, however it was standard for there to be assumed savings within all the budgets. Additionally, since Dorset Council was formed savings had been made historically, each year through efficiencies.

In accordance with procedure rule 19.6 a recorded vote was taken.

Those who voted in favour of the amendment: Cllrs: B Bawden, A Brenton, A Canning, K Clayton, T Cook, R Crabb, D Gray, B Heatley, R Holloway, R Hope, R Hughes, P Kimber, H Legg, R Legg, D Morgan, J Orrell, M Rennie, A Starr, C Sutton, R Tarr, D Tooke and K Wheller.

Those who voted against the amendment: Cllrs: R Adkins, A Alford, J Andrews, M Barron, S Bartlett, P Batstone, L Beddow, D Beer, R Biggs, D Bolwell, C Brooks, R Bryan, T Coombs, S Christopher, J Dunseith, S Flower, S Gibson, P Harrison, J Haynes, N Ireland, S Jespersen, S Jones, C Jones, A Kerby, N Lacey-Clarke, C Lugg, L O'Leary, E Parker, M Parkes, A Parry, M Penfold, B Pipe, V Potheary, B Quale, B Ridout, M Roberts, D Shortell, J Somper, G Suttle D Taylor, W Trite, D Walsh, J Worth, and S Williams.

Those who abstained: Cllr B Goringe.

Following a recorded vote, 22 for, 44 against and 1 abstention the amendment was **LOST**.

Members debated the original proposal and the Leader summed up prior to going to the vote. Attached at appendix 6.

#### **Proposed by Cllr G Suttle, seconded by Cllr S Flower**

In accordance with procedure rule 19.6 a recorded vote was taken.

Those who voted in favour of the recommendations: Cllrs: R Adkins, A Alford, J Andrews, M Barron, S Bartlett, P Batstone, B Bawden, L Beddow, D Beer, A Brenton, C Brooks, R Bryan, S Christopher, T Cook, T Coombs, R Crabb, J Dunseith, S Flower, S Gibson, B Goringe, P Harrison, J Haynes, B Heatley, R Hughes, S Jespersen, S Jones, C Jones, A Kerby, N Lacey-Clarke, C Lugg, D Morgan, L O'Leary, E Parker, M Parkes, A Parry, M Penfold, B Pipe, V Potheary, B Quale, B Ridout, M Roberts, D Shortell, J Somper, A Starr, G Suttle, C Sutton, D Taylor, W Trite, D Walsh, K Wheller and J Worth.

Those who voted against the recommendations: Cllrs: R Biggs, D Bolwell, A Canning, K Clayton, D Gray, R Holloway, R Hope, N Ireland, P Kimber, H Legg, R Legg, J Orrell, M Rennie, R Tarr, D Tooke, and S Williams.

Following a recorded vote, 51 for, 16 against and 0 abstentions the budget was approved.

#### **Resolved:**

(a) That the revenue budget summarised in Appendix 1, was agreed.

(b) That the increase in general Council Tax of 2.9985% and 1.9975% in the Social Care Precept, providing a Band D Council Tax figure for Dorset Council of £2,001.15; an overall increase of 4.996%, was agreed.



(c) That the Council Tax base agreed by the Section 151 Officer earlier in this budget setting process as shown in appendix 2, was agreed.

(d) That the change to the current scheme of Local Council Tax Support as set out in the report to Cabinet of 30 January, reflecting the decision previously made at full Council on 14 December 2023, was agreed.

(e) That the Capital Strategy, set out at Appendix 3, and the 2024/25 – 2027/28 programme in section 23 of the report to Cabinet of 30 January 2024 was agreed.

(f) That the treasury management strategy as set out in Appendix 4 was agreed.

(g) That the assumptions used to develop the Budget Strategy and Medium Term Financial Plan (MTFP), as set out throughout this report was agreed.

(h) That the recommended balances on earmarked reserves and on general funds, including the minimum level of the general fund, was agreed.

(i) That the responses to the recommendations and comments made as part of the budget scrutiny process, was agreed (Appendix 6).

(j) That the recommendations 1-5 from the 22 November 2023 Harbours Advisory Committee meeting regarding fees and charges, budgets, and asset management plans, as set out at Appendix 7, was agreed.

(k) That the flexible use of additional £1.5m of capital receipts for the purposes of transforming the Council's housing services, as set out at Appendix 8, was agreed.

(l) That the Fees and Charges for the Council for 2024/25, at Appendix 9, was agreed.

Comfort Break 20:27 – 20:37

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## 76. **Pay Policy Statement 2024-25**

Cllrs: S Bartlett, T Cook and M Rennie had declared an interest in this item, they left the meeting and did not take part in the debate or vote.

The Portfolio Holder for Corporate Development and Transformation presented the Pay Policy Statement 2024/25.

In the absence of comments or questions, the Chairman went straight to the vote.

**Proposed by Cllr J Haynes, seconded by Cllr S Flower.**

**Resolved:**

- (i) That the provisions of the Localism Act and content of the Pay Policy Statement for the 2024/25 financial year were noted.
- (ii) That the Pay Policy Statement for 2024/25 was approved.

## 77. **Notice of Motion**

Full Council received the following Notice of Motion: Proposed by Cllr N Ireland, seconded by Cllr S Jones and supported by: Cllrs M Rennie, L Fry, D Gray, P Kimber, B Ezzard, S Williams, C Sutton, K Wheller, D Morgan, D Tooke, P Barrow, D Bolwell, A Canning, M Roe, R Holloway, G Taylor, S Jones, R Legg, R Crabb, B Bawden

### **Motion Narrative and Action Required**

“Council notes that:

- The two-child limit, introduced by the Conservative Government in 2017, restricts support in Universal Credit and tax credits to two children in a family.
- Analysis by the Child Poverty Action Group shows that 900,000 children living in poverty in England do not currently qualify for free school meals because the Conservative Government introduced an arbitrary £7,400 household income threshold in 2018.
- A new report by the Commons Education Select Committee warns mental health problems and cost-of-living pressures on families are among the complex reasons for increased absenteeism.
- Scrapping the two-child limit is the most cost-effective way to reduce child poverty. It would lift 250,000 children out of poverty and mean 850,000 children are in less deep poverty.

Council resolves to:

- Call on the UK Government to scrap the two-child benefit cap.
- Ask the Council’s Chief Executive to write to Members of Parliament representing Dorset Council, expressing the Council’s support for the scrapping of the two-child benefit cap.”

**Cllr L O’Leary proposed, Cllr A Kerby seconded the following amendment.**

“Obviously the leader of the opposition bringing a motion on a policy in Place for 7 years the last likely meeting before an election isn’t for political reasons and instead brought forward to benefit the lowest earning in society so i would like to

amend it.

Low-income families have been hit hard by inflation and a cost of living crisis. Low paid workers often face the brunt of this via our unfair and regressive tax system.

Therefore this council calls on the government to:

Raise the basic rate of income tax threshold to from £12,571 to £20,000 taking millions of the lowest paid working people in this country out of tax all together especially has inflation has pushed more and more people into income tax. This would help push growth in the economy and make work pay"

On a point of order the amendment was not relevant to the original motion and was over-ruled by the Chairman.

Members debated the original motion and commented on the effect of malnourishment on children and although in agreement with the sentiment there were concerns of the knock-on effects and implications regarding where the finances would be sourced.

Generally, members were supportive of the motion and although sceptical that it would not go anywhere, agreed that support was needed by many households, not just those with children but working adults on a low income also.

The Portfolio Holder for Culture and Communities felt that this was a debate that the Council had no power over. There was a lot of excellent work going on in Dorset that the Council and partners did have an element of control over.

On being put to the vote the Motion was approved.

Proposed by Cllr N Ireland, seconded by Cllr S Jones and supported by: Cllrs M Rennie, L Fry, D Gray, P Kimber, B Ezzard, S Williams, C Sutton, K Wheller, D Morgan, D Tooke, P Barrow, D Bolwell, A Canning, M Roe, R Holloway, G Taylor, S Jones, R Legg, R Crabb, B Bawden

**Resolved:**

“That Council noted that:

- The two-child limit, introduced by the Conservative Government in 2017, restricts support in Universal Credit and tax credits to two children in a family.
- Analysis by the Child Poverty Action Group shows that 900,000 children living in poverty in England do not currently qualify for free school meals because the Conservative Government introduced an arbitrary £7,400 household income threshold in 2018.
- A new report by the Commons Education Select Committee warns mental health problems and cost-of-living pressures on families are among the complex reasons for increased absenteeism.

- Scrapping the two-child limit is the most cost-effective way to reduce child poverty. It would lift 250,000 children out of poverty and mean 850,000 children are in less deep poverty.

And

That Council resolved to:

- Call on the UK Government to scrap the two-child benefit cap.
- Ask the Council's Chief Executive to write to Members of Parliament representing Dorset Council, expressing the Council's support for the scrapping of the two-child benefit cap."

## 78. **Council Tax Premiums on Second Homes and Empty Properties**

Cllrs: Pauline Batstone, Toni Coombs, Spencer Flower, Robin Legg, Jon Orrell, Mike Parkes, Gary Suttle, William Trite and Sarah Williams had declared an interest in this item, they left the meeting at 21:15 and did not participate in the item.

The Portfolio Holder for Corporate Development and Transformation presented the report to consider the potential power to levy Council Tax Premiums, there was a one-word amendment to 7.1 in the policy to read: "Any amount of premium received will be part of the Council's Collection Fund and will be shared between the Council and **ALL** Precepting authorities in line with their share of the Council Tax."

Cllr N Ireland proposed and Cllr R Hope seconded the following amendment.

### **Delete item 4.**

### **Replace with ...**

#### **4.**

- 4.1 40% of the additional income from the council tax on second homes in Dorset is allocated to the Housing budget annually.
- 4.2 Any unused or unallocated funds from this budget are transferred to Housing reserves at the end of the financial year and ring-fenced for new supply.
- 4.3 Any income clearly generated from this budget to be transferred to Housing reserves.
- 4.4 The budget to be used for the following purposes:
  - In support of new build, on site, affordable housing from s106 agreements. These properties should be viable however there are occasions when they are not and s106 off site contributions are required to deliver them. In the absence of sufficient off site s106 funding, this budget may be used.
  - To spot purchase properties as required for temporary accommodation for homeless residents.

- To be available for matched funding for government grants, as and when they become available, to increase the amount of affordable housing in Dorset.
- To be used in support of increasing the amount of affordable homes owned by Dorset Council with due regard to the need for a Housing Revenue Account.

4.5 Delegation to officers for spend of <=£200K. Spend in excess £200K to be authorised with the agreement of the relevant portfolio holder, Head of Housing and s151 officer.

Members debated the amendment and while all in agreement that there was a requirement for more affordable housing in Dorset there were some concerns that the council was hypothecating part of its budget. The amendment could unfairly commit a new council following the May elections and the amount of revenue from the scheme could not be predicted.

On being put to the vote the amendment was **CARRIED**.

Proposed By Cllr S Jespersen, seconded by Cllr L O’Leary

Decision: In accordance with procedural rule 8.1 a vote was taken, the committee agreed to exceed the 3-hour meeting time limit.

Members voted on the substantive motion.

Proposed by Cllr J Haynes, seconded by Cllr M Roberts

**Resolved:**

1. That from 1 April 2025 a 100% Council Tax premium would apply to all dwellings occupied periodically (second homes) other than those included as exceptions.
2. That from 1 April 2024 the 100% Council Tax premium for properties which have been empty and unfurnished would be applied from the earlier 1-year commencement point, a change from the current 2-year commencement point, other than those included as exceptions.
3. That cabinet review the Council Tax Premiums for both Second Homes and Empty Properties after two years of implementation.
  - 4.1 40% of the additional income from the council tax on second homes in Dorset is allocated to the Housing budget annually.
  - 4.2 Any unused or unallocated funds from this budget are transferred to Housing reserves at the end of the financial year and ring-fenced for new supply.
  - 4.3 Any income clearly generated from this budget to be transferred to Housing reserves.
  - 4.4 The budget to be used for the following purposes:

- In support of new build, on site, affordable housing from s106 agreements. These properties should be viable however there are occasions when they are not and s106 off site contributions are required to deliver them. In the absence of sufficient off site s106 funding, this budget may be used.
- To spot purchase properties as required for temporary accommodation for homeless residents.
- To be available for matched funding for government grants, as and when they become available, to increase the amount of affordable housing in Dorset.
- To be used in support of increasing the amount of affordable homes owned by Dorset Council with due regard to the need for a Housing Revenue Account.

4.5 Delegation to officers for spend of <=£200K. Spend in excess £200K to be authorised with the agreement of the relevant portfolio holder, Head of Housing and s151 officer.

5. That following the outcome of DLUHC’s National consultation, authority to amend exceptions to this policy as a result of any changes to National binding regulations, are given to the Section 151 officer in consultation with the appropriate Portfolio Holder

**79. Exempt Business**

There was no exempt business.

**80. Urgent items**

There were no urgent items.

- Appendix 1**
- Appendix 2**
- Appendix 3**
- Appendix 4**
- Appendix 5**
- Appendix 6**

**Duration of meeting:** 6.30 - 9.40 pm

**Chairman**

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## Full Council – 13 February 2024 Public Participation

### 1. Question from Penny Quilter

I would like to ask about trees at the Old Council building at North Quay in Weymouth, which is currently being demolished (permission granted on 20th July 2023).

- The felling of 6 trees at the front of the building was carried out at the end of 2023, ostensibly “To allow safe demolition of building “. The building is being demolished from the rear and it is unclear why it was necessary to remove these trees.
- According to the Tree Survey dated 10.02.23, 1 of these 6 trees was semi-mature and the rest were young, ranging from 4m to 8m in height and included species of Holly, Silver Birch and Ash. Only one of these trees was in poor condition.
- At the planning meeting on 20<sup>th</sup> July it was suggested that these 6 trees might be replaced by specimens in pots.
- I understand that Dorset’s tree planting objectives (and those in the draft Weymouth Neighbourhood plan) are to increase tree cover. I trust that the “treescape” will be improved on the North Quay site with an overall increase in trees.
- Historic photographs show street trees in the pavement opposite the site when it was houses. It should be possible to “thicken” the existing street tree planting. This could be achieved as a planning condition for any future development.
- There are 7 mature birch trees in the car park area on the demolition site that do not appear in the Tree Survey (4 on the east and 3 on the west side of the main building). These currently have barrier protection. Presumably, these trees are to be protected and retained.

**Please can you comment as far as possible on the points raised and confirm that a tree protection and re-planting plan has been made for the site and more specifically confirm that the plan includes the replacement of felled trees with an appropriate, equivalent species, to be planted in the ground?**

### Response from Cllr D Walsh

It was necessary to remove the frontage trees to enable safe and effective operational access for machinery to carry out the demolition works. Given that the approved additional car park use is temporary it was not considered “conventional” tree planting of a site allocated for redevelopment was appropriate.

Hence the compensatory provision approved was replacing 6 frontage trees with 10 trees in pots/planters to the frontage.  
I confirm the 7 birch trees elsewhere on the site are retained.

## **2. Question from Rob Cheeseman**

There has been an expectation for some time that the **Level 2 Strategic Flood Risk Assessment (SFRA L2) for Weymouth** would be published by now. Following interactions with Weymouth Town Council I understand there was a release date set for September 2023 following a briefing to Weymouth Town Council from Dorset Council. This release failed to happen and a future date has not been given.

I learned in November that the report would be formally released following discussions with the Environment Agency.

Separate submissions by the Environment Agency (EA) to the Weymouth Neighbourhood Plan Steering Group in December 2023 as part of Regulation 14 consultation indicated that the EA were satisfied that SFRA L2 has assessed the current and future flood risk for the Weymouth Town Centre Area.

**When will the Level 2 Strategic Flood Risk Assessment (SFRA L2) for Weymouth be published and what is the reason for the delay in its publication?**

## **Response from Cllr D Walsh**

Officers in both the Strategic Planning and Flood and Coastal Erosion Teams have been working with consultants to prepare the Level 2 Strategic Flood Risk Assessment (SFRA) for Weymouth town centre. An important element of the SFRA is for the Environment Agency to update their advice to Dorset Council to reflect the findings of the SFRA. This process is now drawing to an end and will enable the SFRA to be published later in February 2024.

## **3. Question from Arthur Schaefer**

With reference to Agenda item 4(3) Exception to Council tax premium. For properties that are actively marketed for sale or rent, limited to 6 months period after April 2025.

Will the council consider extending the period of exception if the property refers to a retirement home such as Cloverdale Court, Lyme Regis, which is subject to strict leasing conditions, i.e. minimum age requirements of 55 years, no children allowed and holiday lettings prohibited? Potential buyers are limited to a small niche band of people who fit the strict criteria and those who can afford the expensive service charge in excess of £4500 p/a. The sale of such property is difficult and often exceeds the 6-month period needed to effect a sale.



## **Response from Cllr J Haynes**

Thank you for your question.

The exception you refer to in your question is one of a list of potential exceptions looked at during a National Consultation.

We await the final supporting regulations, as do all Local Authorities, which will stipulate the exact detail.

It is anticipated that where any exception may have an associated maximum set period of award, that this will be fixed, but as with all exceptions we are only able to provide guidance on possible outcomes at this stage.

## **4. Question from Alex Bailey**

"What a whirlwind 2023 has been for all of us! Despite the challenges, I want to extend my heartfelt thanks to everyone who collaborated with me during that tumultuous period. Your contributions were truly invaluable to the campaign, even though my involvement has since come to an end. Unfortunately, Councillor Flower chose not to share the advice from Richard Wald KC publicly, and my opinion of him then remains unchanged – as reported by the Dorset Echo.

Let's now turn our attention to the future, specifically focusing on the current budgetary situation. We must consider the insights provided by individuals such as Weymouth Town Councillor David Gray, as well as the perspectives offered by Dorset's Lone Ranger, Councillor Gary Stuttle. Additionally, we should take into account the remarks made by Dorset Council's treasury manager, David Wilkes, regarding the concerning borrowing trends, with a total of £219 million borrowed and £7 million spent on interest to service external debt. These figures paint a bleak picture of Dorset Council's financial health, especially when coupled with the year-on-year 5% increase in rates for most households, particularly those in Band D in Weymouth. Despite these challenges, there are still some council officers and individuals in this chamber who maintain that Dorset Council possesses sufficient emergency funds.

We cannot ignore the dire financial situation faced by Bournemouth, Christchurch, and Poole (BCP) Council, which is burdened with a staggering £1 billion debt. Given these circumstances, my question remains: What distinguishes Dorset ratepayers that Dorset Council consistently ranks as the third, and sometimes fourth, highest spender per head of population in England?"

## **Response by Cllr G Suttle**

In respect of the Councils financial position your question covers FOUR points

- 1) Kings Counsel advice
- 2) Council borrowing
- 3) Emergency funds, which I understand to be a reference to reserves
- 4) Relative spend on services

Taking each of these in turn

Firstly, On Mr Bailey's opening comment about legal opinion we obtained in connection with the Bibby Stockholm barge, Cllr Flower has already answered a question in this chamber and explained the advice we received from our KC.

Now turning to the second point on Council Borrowing. Dorset Council typically borrows money to finance capital projects that will have a long term benefit the population of Dorset. This is not borrowing to fund day to day service delivery.

**The Councils borrowing** is outlined in appendix 3 of item 9 on this evenings agenda.

Para 3.3 has a table showing the councils gross debt of £219m as at 31<sup>st</sup> March 2023.

As set out in the table following para 3.6 of the same report the Council has set an operational boundary of borrowing of £443m. So the Council borrowing is less than 50% of the operational boundary.

You also raise the level of interest payable with is £8m for 2023/24 as shown in table 8 after para 4.2.

The same table shows that the Council is forecasting £6m of investment income, driven by interest earned. So the **net** financing costs are £2M which represents 3.8% of net revenue streams.

I hope that highlighting the analysis contained within appendix 3 allays your concerns as to the impact of the Council's borrowing.

Turning now to the third item **Adequacy of emergency funds.**

Again, turning to the main body of the report paragraph 22.4 outlines General fund reserves have increased from £28.2m as at 31st March 2020 to £34.75m as at 31 March 2023.

And earmarked reserves have increased from £85.4m to £140.9m over the same period.

The **fourth and final part** of your question references Dorset's **relative spend on services.**

The reference to having the third or fourth highest spender per head.

Unfortunately this is not true, the Office for National Statistics ([ONS](#)) data shows Dorset Council as very much middle of the pack in terms of relative spend per head of population.

I think there may be a misinterpretation of the widely reported information about Dorset's relative position in terms of Council Tax.

As reported to the Place and resources Committee on 17<sup>th</sup> January, for the parts of Council Tax which the Council sets, Dorset is ranked 13<sup>th</sup>

As outlined in the paper, Dorset Core spending power increase is reliant upon Council Tax, with the Government expectation that Councils take the maximum flexibility.

The Leader of this Council continues to lobby with our local MP's for a fairer funding settlement to address this. Recent success here is seen by the final local Government finance settlement providing a further £3.9m for Dorset Council , which is in recognition of Social Care , Home to School Transport and rural service delivery.

Dorset's MP Chris Loder has also in the last fortnight met with the Treasury and the Prime Minister to discuss Dorset's finances, seeking solutions to the systemic underfunding.

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## Full Council – 13 February 2024 Questions submitted by Councillors

### Question 1 – submitted by Cllr B Trite

Since (1) Dorset Council members for Swanage have lately received a high number of complaints from residents concerning the extreme intensity of LED street lighting recently installed in various residential roads in the town; and (2) on investigating, both members fully agreed with complainants that the lighting is extraordinarily harsh and intense, amounting to a serious, intrusive nuisance for occupiers of homes thus affected; and (3) the members consider it reasonable for the residents subject to this nuisance to question whether the wrong specification of lighting unit has been installed for the category of streets concerned; then what action will the Council urgently take to remedy the present, most unsatisfactory situation currently being experienced by these residents?

### Response by Cllr R Bryan

I have asked the Corporate Director for Highways to carry out a policy review of street lighting.

*Supplementary question – 19:07*

*Ray – Yes will include – subject to the review but will take action if not as would like*

### Question 2 - submitted by Cllr K Wheller

Wooland Gardens in Wyke Regis would appear to be a quiet cul de sac with very little traffic. Very narrow, leafy with a narrow pavement to only one side. In fact, it leads via a small footpath to and from A Church, three schools, a Medical Centre, Dental Practice, library, shops, clubs and the main bus route.

This route is used by a huge number of residents throughout the day and into the night, all ages and mobility.

As well as moderate traffic generated by residents it is subject to frequent delivery vans and cars parked on the pavement because of the lack of off street parking in adjoining roads.

Last year an elderly resident, a lady of over 90 years of age who despite being sight impaired lived alone and independently was run over ( a van reversed over her) and killed in the most horrendous manner.

Following the 'accident' I contacted the Cabinet member for Highways Cllr Ray Bryan and asked that safety measures could be put in place. He assured me that after road safety investigations were complete he would sanction this.

Subsequently, the police and our own road safety officers have stated that whilst this was a dreadful incident, agreeing that the road is narrow and parked cars are a

hazard, the death was the result of an accident and no recommendation to improve safety would be made.

I contacted Cllr Bryan on behalf of residents; of which I am one; to ask if 'SLOW' signs and 'Pedestrians in road' could be provided. I have also contacted the Highways team. I have received no response.

My residents have asked me to pursue this. It is difficult not to walk in the road when the only pavement is blocked, it is difficult to contain children walking in groups to and from the schools or parents with buggies.

We know that double yellow lines are impossible, we know that 'no parking on pavements' cannot be enforced. We simply ask for some warning signs alerting drivers unfamiliar with the Cul de Sac to improve the safety.

I am sorry to waste valuable council time on this issue but when one receives no answer to letters what can one do?

### **Response by Cllr R Bryan**

Thank you for your question Cllr Wheller about the tragedy at Wooland Gardens.

I would like to be able to answer the question in full and also to address what I consider to be unfair criticisms of the highways team and of me. However, while a criminal case against the driver of a vehicle is under consideration it would be entirely wrong for me to comment.

## BUDGET

I present the Budget and Medium Term Financial Plan strategy report for your attention.

The budget proposals follow significant consultation with Cllrs, indeed we have seen the most extensive level of meetings, discussions, task and finish groups and of course both scrutiny committees. I thank all those involved and Cllrs Taylor and Bartlett for the scrutiny process.

The headline is of course the increase in annual council tax which will be just under 3%. In addition this council will take the Social Care Precept of just under 2% to ensure the funding of Social Care. The actual figure of uplift is 4.996%. In financial terms it is £1.82 per week on a band D property. Set out in 11.4 you will see that we are anticipating significant growth in business rates and 5% increase in fees and charges with 3.2% for inflation and recent figures support that assumption as inflation comes under control and falls from the heights of 10+% to the most recent 4% for the 12 months to December 2023.

There has been much made of Govt announcements which appear to indicate significant additional funding giving our core spending power a uplift of 6.5% however, despite the press, in fact to achieve this we have to take the maximum in council tax increase and this equates to 66% of the up lift, so perhaps not quite the saviour of local Govt, more of save yourself.

Many councils are funding via Revenue Support Grant from local Govt, many councils receiving millions of pounds, not the case for Dorset we are to receive the grand sum of £698,000 this year an enormous up lift of £43,000. For the benefit of members we have produced a graph at 13.14, you will see Leicester receiving £35.6M and you probably just see us as a tiny red bar, hence the arrow, almost at the bottom. This is why the Leader spends so much lobbying for fairer funding, its not a myth as you can see it is out there.

Section 16 of the strategy sets out the process that has been taken with regard to the MTFP and how we have progressed over the last few months. The original gap was identified at £13.815M, however, this escalated to the point in November 2023 when I reported an increased position of £23M.

Over the last few months we have worked with all directorates to consider how a balanced budget can be achieved and in the report we present our criteria that will enable us to do that.

We include substantial increases in budgets for all directors as set out in and in particular place were we have seen the most pressure over the last year. It is very exposed to inflation and it is important that it is funded adequately to maintain and protect services.

But lets talk about the one thing that appears to have had more attention than anything else and that is the element of the budget attributed to Our Future Council **£12,040,831**.

This is work that it would have been a natural progression for this council, I would have liked to start this work at least a year earlier, maybe even 2, but there was something called Covid that delayed much of what would have been a normal work stream. The point of LGR was to protect the services provided by Dorset Councils to the community, it was not an option to continue in the format pre LGR, there was too much financial pressure particularly on the old County structure to allow it to continue. The business plan of LGR was to enable a stable structure of local Govt moving forward but with the understanding that this had to be underpinned by substantial savings, Our Future Council is an extension of that work.

Some tell me they are worried about the level of money included in this budget, but I refer to this administrations track record, savings of over £96M to ensure that the principle of LGR protected Dorset enabling support and continuation of all services, in year budgets closely adhering to their projected outcomes. Not a reduction in reserves but a solid increase in the General Fund throughout the period to maintain this councils 10% reserve of Council Tax, that is correct not a reduction in reserves. You have to consider that each year has an element of money for reserves when the budget falls short in year that element is reduced.

The work on Our Future Councils is part of the councils invest to save policy, we have included the original figure of £12M which as per the addendum to the budget is now just above the £8M figure as a prudent assessment of what we would hope to save, not a target, if we want to use targets we can use £20M+ because our aim with this work is to address the longer term requirements of this councils MTFP. I have stressed throughout the time that I have been in this position that we are dealing with the long term financial security of Dorset not in year shortages and this work is part of that aim.

At the half year stage in 2024 the Section 151 officer to review the work and assess at that time if it is on target, if not I give an assurance that we would re structure the budget, however, I do not believe that this will be necessary and this work would not be in the budget if any doubt existed.

I propose the budget papers to this meeting.



## Group Leaders Budget Speeches

Cllr Nick Ireland

Back in late 2022 we were in the process of producing the budget for this financial year i.e. 23/24 and the papers published then identified a budget gap for the next year (that is the budget before us now) of around £13m.

Fast forward to this year's budget process and one thing that's bugged me, and other members I'm sure, is that we were told repeatedly that the One Future Council programme will save us £12m for 24/25 but no detail was provided as to what that would entail. All we were told that it would be underwritten from reserves.

Back in November '23 Cllr Beddow sent out an email to all members with a link to the OFC intranet site. In fact it was sent out twice as the first link didn't work. I looked at the site then and it was clear that it had existed since at least July '23 as there was a comment from a staff member to the effect that 'this means job cuts then'.

The site then contained no details of the programme in how the savings would be achieved. It appears to have a rapid refresh from this January, but still no details or specifics of how the £12m of savings will materialise.

It's not clear to me how you can state a nice, (and in the context of this budget, conveniently dovetailing) figure of £12m savings, when the details aren't known.

Now in the last weeks we've had a nice 'Brucie bonus' from government. £3.9 million of savings that were in the original "balanced budget" have disappeared into the ether (from where they had never actually emerged) and we have a different balanced budget.

This leads to three possibilities.

#1 - The forecast was accurate but this council, despite having over a year to do so, has been unable to specifically identify the savings that can be made, so we're filling the gap from reserves without explicitly saying so.

#2 - The forecasting was flawed (which in itself is worrying for future years), and was out by a factor of over 100% - £30m now required. Of that £18m is identified, but we're £12m short, or rather we were but now just £8.1m apparently, so we're filling the gap from reserves without explicitly saying so.

#3 - The means of achieving the stated £12m via OFC is actually known but the details are so unpalatable, especially with elections coming up in May, that the current leadership of this council is unwilling to divulge the details for fear of the consequences.

So I have one question? Which of the three is it?

Cllr Clare Sutton

Whilst 'safe and legal', we think our last 4 budgets lacked ambition, but we voted for them. I have 3 main points on this one.

First, on avoiding 'cuts in services', we haven't seen whole Council services practically disappear - as happened when Dorset County Council removed almost all support for Youth Clubs in 2016 - but we have seen an ongoing erosion of the services we provide. Planning enforcement is just one example, and I'm particularly concerned about implicit cuts which affect the most vulnerable, especially the higher eligibility requirements for adult social care.

The root cause is that successive governments have slashed funding to Dorset by half since 2010. In addition, as we know, the funding formula does not recognise that we have far more older residents than the average - about 30% are aged 65 or over compared to 20% nationally. I hope our next government, of whatever complexion, will restore responsible funding for local councils, and treat adult social care as a national service, like the NHS. Given where we are though, regrettably, we feel we've little choice but to support the proposed 5% Council Tax rise.

Second, Dorset Council has used almost £40 million of reserves to fund unplanned overspends since 2019. In this budget, the £8 million gap will ostensibly be filled by savings identified through the 'Our Future Council' programme BUT, despite repeated questioning by Cllr Heatley, Cllr Gray, and others, we still have no detail about how this will be achieved. Brian and I will address this in our proposed amendment.

On 'ambition':

1. We have a major housing crisis. And, we also have lots of surplus Council land and buildings. How are we going to keep young people in our county and attract, for example, the care workers who many of our residents rely on? Surely we must bring the two together, and start building social housing.
2. We have a public transport crisis, especially in our rural areas. Rather than continue to subsidise bus companies, we **MUST** work out how we can deliver this ourselves, aligned with the school and hospital transport we already provide.
3. We know that good quality, accessible Youth Clubs mean happier young people, better mental health, and less anti-social behaviour. We've just had a £4m 'present' from the government, but we heard about it too late to include in our amendment. Some of us – you know who you are! – have been talking about a cost of living fund for our youth clubs for some time and I hope that what we agreed will soon be implemented.

Cllr Rob Hughes

“Good evening, Chair, Members and Officers of the Council.

Cllr Rob Hughes for the Isle and Royal Manor of Portland and vice chair of the Independent Group.

We accept the proposed setting of this budget for the coming financial year ahead 2024/25

In these challenging times, when costs, inflation and interest rates have been changing every month it cannot have been an easy task to undertake, I’m sure.

I would personally like to pass on our thanks to all the officers and members of the council involved in the process as well as the members of the scrutiny committees for their careful consideration of all the planned costings proposed within this budget.

Keeping all our services running smoothly across Dorset for all our communities and residents within budget is key to the success not only of this council but also the next council after the local elections in May.”

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# Appendix

Leader's response to Cllr B Heatley's amendment to Budget.

I normally have much respect for the diligence and constructive challenge which Brian Heatley brings to a debate, but this is not one of those occasions.

The amendment is to use £8.1m of reserves, rather than the same amount from efficiency savings from the first phase of OUR FUTURE COUNCIL transformation. The amount identified in the budget is only a part of a possible £15/20m potential for such savings; to be achieved through a review of structures and processes. This approach will help to safeguard future years from the need for service cuts to balance budgets.

As a member of the Place and Resources Scrutiny Committee, it is disappointing that he did not take the opportunity to have his suggested amendment included in the recommendations from that committee. In mentioning scrutiny, it would be remiss of me not to give credit to Cllrs Gill Taylor and Shane Bartlett for the diligence and rigor that they and their respective committees have once again brought to the budget setting process this year.

This amendment goes against the amazing success this Council has achieved by embracing transformation, rather than service cuts to balance budgets. £100.0m saved to date, projected to be circa £120.0m by the end of this term.

We have never used reserves to achieve a balanced budget and we should not be starting now. Other Councils, some of whom are our immediate neighbour's, who have not embraced transformation in the way Dorset Council has, are now faced with the consequences of having to make cuts to services to achieve balanced budgets.

The use of one-off money compared with long term reductions in revenue expenditure must never be seen as a long-term solution Chairman. I therefore can't support this amendment this evening and urge other members in this chamber not to do so either.

Thank you Chairman

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## Budgets 2024/25 – Second response

### Fact Over Fiction

Firstly, can I congratulate Cabinet Member – Gary Suttle and other members of the Cabinet, as well as senior officers Aidan Dunn, Sean Cremer and his team in finance, along with other Service Directors and all those involved, for the excellent work that has been carried out in the preparation of the 2024/25 budget we have before us this evening. This is without doubt Chairman, a well-presented budget; a budget which takes full account of the additional services demand pressures. A soundly based Budget which has enabled members of this council to get a good understanding of the challenges and opportunities we will face in the coming months and years ahead.

Can I echo the remarks made by Gary Suttle regarding the key role that the two cross-party Budget Cafes and the two Scrutiny Committees have played again this year, in what has been a very challenging process. Ensuring we are, once again, able to achieve a balanced budget without the need for reductions in services and with a combined Council Tax and Social Care Precept coming in below the prevailing referendum limit of 5%.

At the January Cabinet meeting Cllr Gary Suttle was able to announce that far from being out of control the in-year overspend had reduced further to £3.5m [1%] of budget with the prospect of break even at the end of the fourth quarter. This improvement is an excellent achievement adding to the confidence members can have in the budget before this evening. The situation we are in does not come by accident nor good fortune and contrasts with neighbouring councils and

across the country who are announcing severe services cuts with increases in council tax and depleting reserves.

One of the members from Weymouth remarked at the recent Cabinet meeting that in his view we had relied upon the intervention and influence of the Lone Ranger chairman.

Well, I am old enough to remember this character with weekly Western films on TV. From what I recall the Lone Ranger was a force for good so maybe his comments were well founded Chairman

However, we must do the right thing. We must look after those who need our help. The young people in care and those with age related health and mobility issues, continue to need our support so they can cope. Without the ongoing benefits of transformation and increases in Council Tax we would have been faced with the prospect of reductions in discretionary services to balance budgets. Thankfully, we continue to avoid such a situation.

So, Chairman I will conclude by confirming my full support for this budget, as per the recommendations set out in the report before us tonight. This will be a budget that enables this Council to offer the best outcomes overall for the communities we serve. Helping to establish a basis on which to take this council forward in a strong, financially sound and structured way; enabling us to fulfil our ambitions to serve the communities

of Dorset well, through transformation of council structures and investments in our front-line services. This fits well with the promises made to the people of Dorset when

Local Government Reorganisation was first proposed and subsequently approved by the Government.

Yes, we remain bold and ambitious, and this is demonstrated by the second phases of transformation with the launching of the Our Future Council initiative which will be review structures and processes during the next two to three years, aimed at maintaining strong, structured, and stable finances that Dorset Council is renowned. This is the bedrock for being able to achieve our key priorities as set out in the Dorset Plan and the Cabinet Commitments. In other words, doing the boring bit well in a cost-effective way will always pay dividends.

There are many good reasons to vote in favour of this budget this evening members, and none for voting against. To vote against this budget would be a slap in the face for the people of Dorset because the alternative would be service cuts. I was certainly not election to support services cuts. I am assuming nobody in the chamber this evening was either.

In the financial desert, that is local government currently Chairman, Dorset remains an oasis of stability, confidence, hope and ambition. This is surely the foundation on which we can build for the present and the future for Dorset Council and for the people of Dorset who we all serve.

Support the budget this evening members and show the people of Dorset that you are on their side.

Thank you, Chairman



## Annual Meeting of Council

16 May 2024

## Appointments to Committees, Election of Chairmen and Vice-Chairmen of Committees

### For Decision

**Portfolio Holder:** -

**Local Councillor(s):** All

**Executive Director:** J Mair, Director of Legal & Democratic

Report Author: Susan Dallison  
Job Title: Team Leader Democratic Services  
Tel: 01305 252216  
Email: susan.dallison@dorsetcouncil.gov.uk

**Report Status:** Public

### Brief Summary:

Full Council is asked to: -

Review the allocation of committee seats based on the political balance rules and the requirements of the Council's Constitution;

Make appointments to ordinary committees, joint committees, and internal panels/ boards in accordance with the nominations from the Political Group Leaders;

Elect the Chairmen and Vice-chairmen of the ordinary committees for the forthcoming municipal year.

Delegate authority to the Director of Legal & Democratic, in consultation with the relevant Political Group Leader, to make in-year changes to committee appointments as and when required.

### **Recommendation:**

1. That the allocation of committee seats in accordance with political balance rules, and the appointments to ordinary committees, joint panels, and boards, as nominated by the Political Group Leaders, be approved for 2024/25 as set out in Appendices 1, 2 & 3 respectively;
2. That delegated authority be given to the Director of Legal & Democratic, in consultation with the appropriate Political Group Leader, to make in-year changes to appointments;
3. That Chairmen and Vice-Chairmen of committees be elected for the 2024/25 municipal year.

### **Reason for Recommendation:**

To comply with the Local Government and Housing Act 1989 and the Dorset Council Procedure Rules (as set out in the Constitution).

#### **1. Political Groups and Percentage Entitlement**

- 1.1 Where the membership of the council is divided into political groups the council is required to review and allocate the total number of seats on ordinary committees in accordance with the political strength of each political group.
- 1.2 The number of members of the political groups and the overall percentage entitlement to committee seats is as follows:
  - Liberal Democrat Group – 42 members (51.22% entitlement)
  - Conservative Group – 30 members (36.59 entitlement)
  - Green Group – 4 members (4.88% entitlement)
  - Independents for Dorset Group 4 members (4.88 %entitlement)
  - Labour Group 2 members (2.43% entitlement)

#### **2. Allocation of Committee Seats and Appointments to Committees**

- 2.1 The number of seats on ordinary committees (Appendix 1) are allocated to each political group in the same proportion as the overall size of each political group, as far as is practicable. This excludes appointments to the Cabinet which are made by the Leader of Council and any other panel or board where the political balance rules do not apply such as the Health and Well Being Board. In addition to appointments to the Cabinet, the Leader of Council is also entitled to appoint up to 6 members of the

- controlling group as Executive Lead members and these appointments will be reported to members at the Annual Meeting.
- 2.2 Where a political group has a majority of seats on the council it must also have a majority on each individual body to which appointments are made.
- 2.3 The Local Government and Housing Act 1989 sets out the 4 principles to be followed, as far as reasonably practicable, when working out political proportionality:
- (a) Preventing domination by a single group: That not all the seats on a committee should be allocated to the same political group:
  - (b) Ensuring a majority group enjoys a majority on all committees: If one political group has a majority in the Full Council, that political group should have a majority on each committee:
  - (c) Aggregating all committee places and allocating fair shares: Subject to (a) and (b) above, the number of seats on the ordinary committees of an authority which are allocated to each political group bears the same proportion to the total number of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
  - (d) Ensuring as far as practicable fairness on each committee: Subject to (a) and (c) above, the number of the committee seats which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of the group to the membership of the authority.
- 2.4 Full Council may waive the requirement to apply political balance rules for any committee(s) where the Full Council wishes to appoint an alternative number of members from political groups. For political balance to be waived no member must vote against the motion, an objection by a single member would make it necessary to apply strict political proportionality. This report assumes that the Council does not want an alternative arrangement to that prescribed in the Local Government and Housing Act 1989.
3. **Joint Arrangements**
- 3.1 The Pension Fund Committee comprises 5 members of Dorset Council (not more than 2 being also appointed to Cabinet), 3 members nominated by Bournemouth, Christchurch and Poole Council and 1 person nominated by the Unions.

- 3.2 The Dorchester Markets Joint Panel comprises 8 members of Dorset Council, of whom 2 should represent wards wholly or mainly within the area of the former Dorchester Borough Council (except where such appointment would result in an appointee being a member of the town council). Plus 6 members of the Dorchester Town Council.
- 3.3 The Health and Wellbeing Board comprises of 18 persons, including 3 members of Dorset Council, all of whom shall be nominated by the Leader of Council, 1 of which may be the Leader or his/her nominee.
- 3.4 The Joint Public Health Board consists of 2 members drawn from each of the Cabinets of Dorset Council and Bournemouth, Christchurch and Poole. The Leader of Council will make the appointments to the Public Health Board from the membership of the Cabinet. In addition, the Leader may also nominate one non-executive member to attend the public health board as a non-voting member. Bournemouth, Christchurch and Poole Council are currently seeking to terminate the public health shared service agreement with Dorset Council, which includes the Joint Public Health Board as part of the joint arrangements, although this is not due to be completed until 1 April 2025.

#### **4. Appointment of Committee Chairmen and Vice-chairmen**

- 4.1 In accordance with the Constitution, the election of committee Chairmen and Vice-chairmen will take place at the Annual Meeting of Full Council, unless Full Council has agreed alternative arrangements. No councillor shall be the Chairman of more than one committee and Vice-chairman of more than one other committee except with the consent of Full Council.
- 4.2 A list of nominations for committee Chairmen and Vice-chairmen will be circulated as soon as it is available or tabled at the meeting. The Chairman and Vice-chairman of the Pension Fund Committee will be appointed at the first meeting of the committee.
- 4.3 In accordance with the Constitution the Leader of Council will be the Chairman of the Cabinet and the Deputy Leader will be the Vice-chairman of Cabinet.

#### **5. Financial Implications**

Members elected to roles of special responsibility will receive an allowance in addition to the basic allowance as set out in the Scheme of Members Allowances.

6. **Natural Environment, Climate & Ecology Implications**

There are no implications.

7. **Well-being and Health Implications**

There are no implications.

8. **Other Implications**

There are no implications.

9. **Risk Assessment**

9.1 **HAVING CONSIDERED:** the risks associated with this decision; the level of risk has been identified as:

Current Risk: LOW

Residual Risk: LOW

10. **Equalities Impact Assessment**

There are no equalities implications associated with this report.

11. **Appendices – to follow as supplementary agenda items**

Appendix 1 – Allocation of committee seats

Appendix 2 – Nominations to committees 2024/25

Appendix 3 – Nominations to committees, joint committees, panels and boards 2024/25

Appendix 4 - Nominations for committee Chairmen and Vice-chairmen

12. **Background Papers**

None

13. **Report Sign Off**

13.1 This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer) and the Executive Director for Corporate Development (Section 151 Officer)

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## Full Council

16 May 2024

## Appointments to Outside Bodies, Joint Bodies and Panels

### For Decision

**Portfolio Holder:** N/A

**Local Councillor(s):** All

**Executive Director:** J Mair, Director of Legal & Democratic

**Report Author:** George Dare  
**Job Title:** Senior Democratic Services Officer  
**Tel:** 01305 224185  
**Email:** [George.Dare@dorsetcouncil.gov.uk](mailto:George.Dare@dorsetcouncil.gov.uk)

**Report Status:** Public

### Brief Summary:

This report seeks the appointment of councillors to outside bodies. Outside bodies are broadly split into three categories which include national and significant bodies, outside (external) bodies, and local member appointments.

### Recommendation:

1. That the appointment of councillors to national and significant bodies in Appendix 1 be approved.
2. That delegated authority be granted to the Monitoring Officer, after consultation with Group Leaders, to make appointments and fill vacancies where appropriate.
3. That the appointment of councillors to local member positions in Appendix 3 be approved.
4. To grant a dispensation under Section 33 of the Localism Act 2011 to all members, for the council term, from the provisions of Sections 31(4)(a) and (b) of the Localism Act enabling members to fully participate and vote in any business of the council when they would otherwise be prevented from doing so by virtue of an Other Registerable Interest arising from their nomination or appointment to an outside body.

## **Reason for Recommendation:**

To support good governance through appointment to external bodies with statutory responsibilities or that have a community value to the council.

### **1. Report**

- 1.1 This report sets out the appointment of members to Outside Bodies.
- 1.2 Due to the time available for political groups to consider appointments to outside bodies, Group Leaders have only been asked to provide their nominations to serve on the significant and national bodies included in Appendix 1. Where a specific Portfolio Holder does not need to fill a vacancy, appointments to these bodies are in accordance with political proportionality rules.
- 1.3 Delegation to the Monitoring Officer is sought to enable appointments to be made to outside bodies and to fill vacancies, after consultation with Group Leaders.
- 1.4 Appointments to Outside Bodies in Appendix 2 would be made by the Monitoring Officer, following consultation with group leaders. Appointments to these bodies do not need to be made in accordance with political proportionality, however some vacancies need to be filled by the relevant Portfolio Holder or Committee Chairman. It is recommended that members appointed to the outside bodies have a general interest in the subject area. Appointments to these outside bodies will be undertaken as a priority after the Annual Council meeting.
- 1.5 Approval is sought for a range of local member appointments which are detailed in Appendix 3. Local member outside bodies usually have a local ward focus and cover local matters. Where there are more local members than places available, the appointments will be discussed with the relevant local members following the Annual Council meeting.
- 1.6 All appointments will be held until the next Dorset Council elections. Where vacancies arise during the council term, the vacancies would be appointed to by the Monitoring Officer, in consultation with Group Leaders.



1.7 Under the Member Code of Conduct, members must disclose any Other Registerable Interests. This includes where the business of the authority relates to or is likely to affect: any body of which you are in general control or management and to which you are nominated or appointed by your authority.

1.8 Section 31 of the Localism Act 2011 provides that members may not participate in any discussion or vote on any matter where they have a disclosable pecuniary interest. A dispensation granted under Section 33 of the Localism Act would allow members to participate and vote on matters where they have a disclosable interest arising from being nominated or appointed to a body by the authority.

## 2. **Financial Implications**

Travel and subsistence allowances are claimable by members in respect of some of these organisations. Details of allowances are set out in the Members' Allowances Scheme.

In addition to allowances, there may be additional costs for members to attend any specific conferences and training associated with these bodies.

## 3. **Natural Environment, Climate & Ecology Implications**

There are no implications on the natural environment, climate and ecology as a direct result of this report. Members may travel to in-person meetings of outside bodies which may produce emissions depending on the mode of travel.

## 4. **Well-being and Health Implications**

There are no direct wellbeing and health implications as a result of this report. However, some outside bodies, which members would be appointed to, work to improve the wellbeing and health of the local population.

## 5. **Other Implications**

None

## 6. **Risk Assessment**

6.1 **HAVING CONSIDERED:** the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low  
Residual Risk: Low

7. **Equalities Impact Assessment**

There are no equalities implications arising from this report.

8. **Appendices**

Appendix 1 – National and Significant Bodies

Appendix 2 – Outside Bodies

Appendix 3 – Local Member Appointments

9. **Background Papers**

None

10. **Report Sign Off**

This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Portfolio Holder(s).

## Appendix 2 – Outside Bodies

Outside Body	Dorset Council Places
Artsreach	2
Bournemouth Airport Consultative Committee	1
Citizens Advice - Bridport	1
Citizens Advice – Central Dorset	3
Connected Dorset	1
Domestic Abuse Forum	N/A – any member may attend.
Dorset and East Devon Fisheries Local Action Group	3
Dorset Community Action – Board of Trustees	1
Dorset County Hospital NHS Foundation Trust Council of Governors	1
Dorset Forum for Equality and Diversity	1
Dorset Healthcare University NHS Foundation Trust Council of Governors	1
Dorset Local Nature Partnership Board	1 + 1 reserve
Dorset National Landscape Partnership Board	2
Dorset Natural History and Archaeological Society (County Museum)	1
Dorset Safeguarding Adults Board	1 + 1 reserve
Dorset Strategic Road Safety Partnership Steering Committee	1
Dorset Twinning Association	1
Jurassic Coast Trust	1
South West Audit Partnership Board	1 + 1 reserve
South Western Railway	1
Southern Inshore Fisheries and Conservation Authority	2
Standing Conference on Problems Associated with the Coastline	1 + 1 reserve
University Hospitals Dorset NHS Foundation Trust Council of Governors	1
Volunteer Centre Dorset	1
Wessex Regional Flood and Coastal Committee	1 + 1 reserve
Western Area Transport Action Group	2 + 1 reserve

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## Appendix 3 – Local Member Appointments

<b>Body</b>	<b>Dorset Council Places</b>	<b>Ward(s)</b>
Ball Clay Sites Liaison Group	1	South East Purbeck
Beacon Hill Landfill / Quarry Liaison Committee	2	Corfe Mullen
Binnegar Quarry Liaison Committee	1	South East Purbeck
Blandford Leisure Centre Consultative Group	2	Blandford
Board of Weymouth BID	2	Weymouth area Wards
Bridport Arts Centre	1	Bridport
Bridport Museum Board of Trustees	1	Bridport
Compton Abbas Airfield Consultative Committee	1	Beacon
Cranborne Chase National Landscape Partnership Board	1	Cranborne Chase
Dorchester Arts Centre	1	Dorchester Wards
Dorchester Business Improvement District	1	Dorchester Wards
Dorchester Heritage Committee	5	Dorchester Wards Winterborne & Broadmayne Charminster St. Marys
Dorchester Sports Centre Stakeholder Group	2	Dorchester Wards
Ferndown and Uddens Business Improvement District	1	Ferndown Wards
Milton Abbas Emily Faulkner Trust	1	Puddletown and Lower Winterborne
Portland Harbour Consultative Committee	1	Portland
Portland Quarries Liaison Group	3	Portland
Purbeck Community Rail Partnership	1	Purbeck Area Wards
Purbeck Film Festival Committee	1	Swanage
Shaftesbury Abbey and Museum Trust Co Ltd	1	Shaftesbury Town
Shaftesbury and District Tourism Association	1	Shaftesbury Town
Shaftesbury Youth Club	1	Shaftesbury Town
Sherborne Museum	1	Sherborne Wards
Southover Farm Liaison Committee	1	Puddletown and Lower Winterborne
Swanage Pier Trust	1	Swanage

Swanworth Quarry	1	South East Purbeck
The Ashley, Churchill and Thorne Education Trust (Dorchester Municipal Charities)	1	Dorchester Wards
Three Legged Cross Forum	1	West Moors and Three Legged Cross
Trigon Landfill Site Liaison Group	1	Wareham
Walford Mill Education Trust	1	Wimborne Minster
Wareham Fairtrade Group	1	Wareham
Weymouth Museum Trust	2	Rodwell and Wyke
Wimborne Business Improvement District	1	Wimborne Minster
Winfrith Site Stakeholders Group	1	West Purbeck
Wytch Farm Oilfield Consultative Committee	3	Wareham South East Purbeck

## Full Council 16 May 2024 Dispensations for Councillors

### For Decision

**Portfolio Holder:**

**Local Councillor(s):** All Councillors

**Executive Director:** J Mair, Director of Legal & Democratic

**Report Author:** Jonathan Mair  
**Job Title:** Director of Legal and Democratic  
**Tel:** 01305 838074  
**Email:** Jonathan.mair@dorsetcouncil.gov.uk

**Report Status:** Public (the exemption paragraph is N/A)

### Brief Summary:

For transparency reasons members of the Council are required to disclose their interests to the Monitoring Officer.

Having disclosed an interest a member should not usually take part in a decision concerning that interest. Sometimes though it is appropriate or necessary for members to take part in a decision even though they might otherwise be thought to have an interest in the outcome, for instance an interest in the setting of council tax where a councillor has no greater an interest than that of any other council taxpayer.

Over the term of the last council a number of separate dispensations were granted. This report draws those dispensations together and recommends from the outset standing dispensations to enable members to take part in certain types of decision where their participation might otherwise be questioned as a possible breach of the Council's Member Code of Conduct.

## **Recommendation:**

That the following dispensations be granted until the ordinary date of elections in May 2029:

1. **To all members:** to take part in agreeing the budget and the setting of council tax but not where the interest is as the owner of an additional property and the decision to be made relates to any council tax premium on dwellings occupied periodically (second homes).
2. **To all members:** to approve the Member Scheme of Allowances.
3. **To all members appointed to represent the Council on outside bodies:** to remain and to participate in any debate and decision in any council meeting and to deal with any matter as a Cabinet Member exercising executive functions, including individual executive delegated decision making.
4. **To executive members appointed to the Shareholder Committees of Care Dorset and the Dorset Centre of Excellence:** to remain and to participate in any debate and decision in any council meeting and to deal with any matter as a Cabinet Member exercising executive functions, including individual executive delegated decision making.
5. **To any members appointed to the Board of Homes Dorset:** To remain and to participate in any debate and decision in any council meeting and to deal with any matter as a Cabinet Member exercising executive functions, including individual executive delegated decision making.
6. **To any members or reserve members appointed to the South West Audit Partnership Ltd Owners Board:** To remain and to participate in any debate and decision in any council meeting and to deal with any matter as a Cabinet Member exercising executive functions, including individual executive delegated decision making.

## **Reason for Recommendation:**

To enable members to take part appropriately in Council business and to minimise the potential for misunderstanding and third-party challenge.

### **1. Background**

- 1.1 The Localism Act 2011 requires each member of the Council to disclose to the Monitoring Officer their “disclosable pecuniary interests”. The Monitoring Officer must in turn establish, maintain and publish a register of such interests. Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.



- 1.2 A member with a disclosable pecuniary interest in business being considered at a council or committee meeting is prohibited by the Localism Act from participating in discussion and prohibited from voting on the matter unless a dispensation has been granted in accordance with section 33 of The Act.
  - 1.3 The Localism Act also requires the Council to adopt a code of conduct dealing with the conduct that is expected of members and co-opted members when they are acting in that capacity. Dorset Council has adopted the Local Government Association (LGA) Model Code of Conduct as the Council's Code of Conduct.
  - 1.4 As part of improving transparency the LGA Model Code requires that in addition to their own disclosable pecuniary interests members must disclose their "other registerable interests". Such interests include membership of or general control or management of a body to which a member is nominated or appointed by the Council. Where a matter arises at a meeting which relates directly to the financial interest or wellbeing of a member's other registerable interests they must:
    - disclose the interest
    - speak on the matter only if members of the public are also allowed to speak at the meeting
    - otherwise not take part in any discussion or vote on the matter and not remain in the room unless granted a dispensation.
  - 1.5 In some further circumstances, where a matter arises at a meeting and it relates directly or indirectly to the financial interest or well-being of a councillor or their relative or close associate then they must disclose the interest, speak on the matter only if members of the public are also allowed to speak at the meeting and they must otherwise not take part in any discussion or vote unless granted a dispensation.
2. **Reasons for granting standing dispensations**
- 2.1 Most members are council taxpayers. Their interest in the setting of council tax is no greater than that of anyone else liable to pay council tax. Recommendation 1 proposes a dispensation to put beyond question that such members are entitled to participate in the ordinary setting of the budget and council tax, without there being any breach of the Member Code of Conduct. The proposed dispensation would not though permit a

- member who owns an additional property in Dorset to take part in decisions about a council tax premium on dwellings occupied periodically.
- 2.2 Members are responsible for setting their own allowances (after taking account of recommendations made by an independent remuneration panel) and the proposed second dispensation will serve to reinforce that there is no breach of the code of conduct when members adopt or make changes to their scheme of allowances.
  - 2.3 Item 14 on this agenda recommends the appointment of members to represent the Council on a range of outside bodies. The member in question then has what the Code of Conduct calls an “other registerable interest.” Having such an interest limits the extent to which the member can then participate in Council business concerning the outside body, undermining the very reason for their appointment as the Council’s representative on the outside body. The third recommendation addresses this concern.
  - 2.4 The company structures of Care Dorset and the Dorset Centre of Excellence reserve certain matters to the Council as shareholder. These functions are discharged through shareholder committees, membership of which amount to “other registerable interests”. Recommendation 4 is to enable members of the Executive appointed to the two shareholder committees to participate on behalf of the Council in shareholder committee business without breaching the code of conduct.
  - 2.5 Recommendation 5 is necessary to enable members appointed by the Council to the Board of Homes Dorset to participate in council business concerning Homes Dorset without breaching the Code of Conduct. The Council is also a part owner of the South West Audit Partnership Ltd and similarly recommendation 6 is necessary to enable the member appointed to the South West Audit Partnership Ltd Owners Board to feedback to the Council and participate in Council meetings without breaching the Code of Conduct.
  - 2.6 As in the case of the Shareholder Committees of Care Dorset and the Dorset Centre of Excellence, members appointed to the Board of Homes Dorset and the South West Audit Partnership Owners Board do not benefit personally either from their involvement in the company or from participating in Council business concerning the company.

3. **Financial Implications**

There are no new financial implications arising from this report.

4. **Natural Environment, Climate & Ecology Implications**

None.

5. **Well-being and Health Implications**

There are no direct well-being and health implications arising from this report. However the recommendations concerning participation in Council business relating to the work of Homes Dorset, Care Dorset and the Dorset Centre of Excellence will support the use of these innovative governance arrangements to deliver services that benefit Dorset residents.

6. **Other Implications**

None.

7. **Risk Assessment**

7.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Low

8. **Equalities Impact Assessment**

None for the purposes of this report.

9. **Appendices**

None.

10. **Background Papers**

None.

11. **Report Sign Off**

11.1 This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer) and the Executive Director for Corporate Development (Section 151 Officer).

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# Recommendation to Council

## 16 May 2024

From Audit and Governance Committee 15 April 2024

### Sexual Harassment Policy

#### For Decision

**Portfolio Holder:** Cllr S Flower, Leader of the Council

**Local Councillor(s):** All

**Executive Director:** J Mair, Director of Legal & Democratic

Report Author: Jonathan Mair

Title: Director of Legal and Democratic

Tel: 01305 838074

Email: [jonathan.mair@dorsetcouncil.gov.uk](mailto:jonathan.mair@dorsetcouncil.gov.uk)

**Report Status:** Public

**Recommendation:** That Full Council endorses the publication of Guidance to Councillors about the Council's Sexual Harassment Policy.

#### Reason for Recommendation

The Equality Act 2010 provides legal protections for workers from sexual harassment at work. The staff policy explains how the Council fulfils its legal obligations but does more than that and aims to enable a safe culture at work, free from sexual harassment.

Endorsement by the Audit and Governance Committee of guidance to councillors further strengthens this commitment and will enable the guidance to form part of the induction of councillors after elections in May 2024.

#### Appendices

(1) Sexual Harassment Policy (January 2023)

(2) Draft Guidance to Councillors about the Council's Sexual Harassment Policy

**Background papers - None**

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# Audit and Governance Committee

## 15 April 2024

### Sexual Harassment Policy

#### For Decision

**Portfolio Holder:** Cllr S Flower, Leader of the Council

**Local Councillor(s):** All Councillors

**Executive Director:** J Mair, Director of Legal & Democratic

Report Author: Jonathan Mair  
Job Title: Director of Legal and Democratic  
Tel: 01305 838074  
Email: [jonathan.mair@dorsetcouncil.gov.uk](mailto:jonathan.mair@dorsetcouncil.gov.uk)

**Report Status:** Public Choose an item.

#### Brief Summary:

This report seeks endorsement from the Committee for the publication of Guidance to Councillors about the Council's Sexual Harassment Policy.

If supported by the Committee the Guidance to Councillors will sit alongside the Councillor Code of Conduct and the Staff Sexual Harassment Policy, providing a further demonstration of the Council's zero-tolerance approach to sexual harassment and the Council's commitment to providing a supportive working environment for all.

#### Recommendation:

That the Audit and Governance Committee endorse the publication of Guidance to Councillors about the Council's Sexual Harassment Policy

#### Reason for Recommendation:

The Equality Act 2010 provides legal protections for workers from sexual harassment at work. The staff policy explains how the Council fulfils its legal obligations but does more than that and aims to enable a safe culture at work, free from sexual harassment.

Endorsement by the Audit and Governance Committee of guidance to councillors further strengthens this commitment and will enable the guidance to form part of the induction of councillors after elections in May 2024.

1. **Financial Implications**

None.

2. **Natural Environment, Climate & Ecology Implications**

None.

3. **Well-being and Health Implications**

Any form of harassment is unacceptable with the potential for significant impacts on a person's well-being and their health. The staff policy recognises the importance of:

- prompt and appropriate action in response to any allegation of sexual harassment
- ensuring that everyone understands what sexual harassment is, that we can openly and confidently discuss concerns about inappropriate behaviour in the workplace, and are clear on Dorset Council's policy and practices.
- educating and informing managers about the potential signs of and impact of sexual harassment in the workplace, and how they can support individuals at work.
- reinforcing the council's role in setting a wider example to our communities, aiming to set an example as part of wider change in the community regarding sexual harassment and assault.

Publication of the councillor guidance will widen understanding and demonstrates the Council's commitment at the highest level to preventing and, where it occurs, addressing and challenging sexual harassment.

4. **Risk Assessment**

4.1 **HAVING CONSIDERED:** the risks associated with this decision; the level of risk has been identified as:

Current Risk: Medium



Residual Risk: Medium

Expectations of high standards of ethical conduct have been at the forefront of how we work ever since the formation of Dorset Council. The recent experience of other public sector bodies has though demonstrated how the behaviour of a minority can taint the reputation an entire organisation.

An independent review of workplace culture in the Dorset and Wiltshire Fire and Rescue Service concluded that:

*“DWFRS has a minority of people who are damaging the reputation of the hardworking decent people who want to create an inclusive workplace and make a positive difference to their communities. It also has some people who stand by, knowing and observing poor behaviour, yet not protecting those who are the victims of such behaviour. It is vital that everyone in the organisation understands their personal responsibility for standing up and challenging poor and inappropriate behaviour. The adage what you permit you promote should be understood by all.”*

Applying that conclusion to our own organisation guidance to councillors, as well as guidance to staff, is part of ensuring that we all understand our responsibility for standing up to and challenging poor and inappropriate behaviour

5. **Equalities Impact Assessment**

No additional impact assessment has been undertaken for the extension of the officer policy as guidance to councillors.

6. **Appendices**

- (1) Sexual Harassment Policy (January 2023)
- (2) Draft Guidance to Councillors about the Council’s Sexual Harassment Policy

7. **Background Papers**

None.

8. **Report Sign Off**

- 8.1 This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Portfolio Holder(s)



# Sexual Harassment policy

January 2023

Policy reviewed: March 2023

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## INTRODUCTION

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Dorset Council is committed to providing an inclusive and supportive working environment for everyone who works here. This includes a zero-tolerance approach to sexual harassment and what appropriate steps should be taken to achieve this.

All workplaces should be free from any form of harassment and Dorset Council is no exception. We will treat such matters very seriously, and this policy sets out how all our employees can seek support and report any unwanted behaviours.

This policy focuses specifically on the issue of sexual harassment. The policy aims to enable employees to challenge any unwanted behaviour in the workplace, and to outline how we will deal with any complaints of sexual harassment that we receive. The policy aims to further enable a safe culture at work, free from sexual harassment, and one in which employs an open and non-judgemental approach to disclosures.

The policy is part of Dorset Council's commitment to equality and diversity. We are committed to creating a workplace that respects and values differences, that promotes dignity and combats prejudice, discrimination, and harassment.

The policy aims to make clear the standards of behaviour we expect from all who work here, consistent with the council's core behaviours (<https://www.dorsetcouncil.gov.uk/jobs-and-careers/recruitment/our-behaviours>). We do not tolerate sexual harassment at Dorset Council, and we will always investigate and take appropriate action.

## SCOPE

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This policy applies to all Dorset Council employees, excluding school-based employees. This policy is supported by and has been developed with the recognised trade unions, The Employee Networks and Sexual Trauma and Recovery Services (STARS).

It will be communicated to employees using a variety of methods, including training, information, and ongoing publicity.

This policy should be read in conjunction with the council's Dignity at Work Policy, Grievance Policy and our Modern-Day Slavery statement.

## AIMS

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- to reinforce Dorset Council's commitment to take prompt and appropriate action in response to any allegation of sexual harassment
- ensure everyone understands what sexual harassment is, can openly and confidently discuss concerns about inappropriate behaviour in the workplace, and are clear on Dorset Council's policy and practices.
- educate and inform managers about the potential signs of and impact of sexual harassment in the workplace, and how they can support individuals at work.

- to reinforce the council's role in setting a wider example to our communities, aiming to set a structural example as part of wider change in the community regarding sexual harassment and assault

## What is sexual harassment?

---

Sexual harassment is unwanted behaviour of a sexual nature.

The law (Equality Act 2010) protects the following people against sexual harassment at work:

- employees
- agency workers and contractors
- self-employed people hired to personally work for the council
- job applicants

To be sexual harassment, the unwanted behaviour must have either:

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

It can be carried out or experienced by anyone of the same gender or different gender.

You could experience sexual harassment from anyone you encounter because of your job, including someone you work with, a manager, supervisor, or someone else in a position of authority or someone high profile or influential. You can also experience sexual harassment from a customer, client or 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.

### **A key element of sexual harassment is that it is unwelcome.**

It is important to note that if a person does not object to inappropriate behaviour at the time; it should not be assumed that they are giving their consent. Consent exists where clear and unambiguous consent has been freely given and continues to be given.

It can happen anywhere in the workplace, such as the canteen, toilets, staff room or office. It can also occur away from the workplace, such as client's homes, at conferences, training courses, staff parties and other social events related to work. It may take place in private or in public. Whatever form it takes, it is unwarranted and unwelcome to the individual.

It is possible that a person does not object to inappropriate behaviour at the time due to reasons such as, feeling of shame, powerlessness, embarrassment, lack of confidence and inability to feel as though they can challenge a colleague or superior.

Sexual harassment has many forms of variable seriousness. A person sexually harasses someone when they:

- insinuate, propose or demand sexual favours of any kind.
- invade another person's personal space (e.g., inappropriate touching.)

- stalk, intimidate, coerce, or threaten another person to get them to engage in sexual acts.
- send or display sexually explicit objects or messages.
- online sexual harassment, where digital technologies are used to facilitate both virtual and face to face harassment, for example the sharing of unsolicited sexual images, videos, messages, the non-consensual creation and/or distribution of sexual images, or sexual coercion, threats and intimidation online
- comment on someone's looks, dress, sexual orientation, or gender in a derogatory or objectifying manner or a manner that makes them uncomfortable.
- make obscene comments, jokes or gestures that humiliate or offend someone.
- pursue or flirt with another person persistently without the other person's willing participation. Also, flirting with someone at an inappropriate time (e.g., in a team meeting) is considered sexual harassment, even when these advances may have been welcome in a different setting.

The most extreme form of sexual harassment is sexual assault. This is a serious crime and Dorset Council will support employees who want to press charges against offenders.

## **The Law on Harassment**

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The Equality Act 2010 protects people against sexual harassment and harassment related to 'protected characteristics', for example a person's sex.

Someone could experience both types of harassment at the same time, or separately.

### **Example 1**

Employee A is the only person of their sex in the team.

Their supervisor regularly makes comments about their gender that they find insulting. This is harassment related to a person's sex.

The Manager starts making sexual comments about Employee A's body, getting very close to them, and resting their hand on their arm. It makes Employee A feel very uncomfortable and intimidated. This is sexual harassment.

Employee A makes a complaint that includes both types of harassment.<sup>1</sup>

### **Example 2**

During a training session the trainer directs a number of remarks of a sexist nature to the group as a whole. Employee B finds the comments offensive and humiliating. They would be able to make a claim for harassment related to sex, even though the remarks were not specifically directed at them.<sup>2</sup>

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<sup>1</sup> Case study taken from the ACAS website guidance on sexual harassment.

<sup>2</sup> Case study taken from the EHRC guidance on sexual harassment.

### **Example 3**

Employee C has a relationship with their manager. On seeing them with another colleague, the manager suspects they are having an affair. As a result, the manager makes their working life difficult by continually criticising them at work in an offensive manner. The behaviour is not because of the sex of the Employee C, but because of the suspected affair which is related to their sex. This could amount to harassment related to sex.<sup>3</sup>

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<sup>3</sup> Case study taken from the EHRC guidance on sexual harassment.



## ROLES AND RESPONSIBILITIES

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### **Employees:**

All employees are responsible for:

- modelling appropriate behaviour
- taking personal responsibility to raise concerns about any sexual harassment in the workplace, whether this was experienced personally or witnessed. Concerns should be raised with an appropriate manager or a Dignity at Work Adviser
- contributing to a respectful and productive working environment
- being willing to help and support their colleagues
- treating any allegations or complaints of sexual harassment with appropriate confidentiality
- ensuring that a person is not victimised for making or being involved in a complaint of sexual harassment



### **Line Managers**

All line managers will:

- model appropriate behaviour
- undertake training to ensure they understand what sexual harassment is and their responsibilities for eliminating this in the workplace
- monitor the workplace environment to ensure as far as practicable standards of conduct are always maintained, and that sexual harassment is not tolerated
- promote awareness of the avenues for advice and the complaints procedures with respect to sexual harassment as set out in this Policy
- treat complaints and behaviour which may constitute sexual harassment seriously and taking immediate action
- treat complaints of sexual harassment with appropriate sensitivity and confidentiality
- ensure that a person is not victimised for making, or being involved in, a complaint of sexual harassment



### **Human Resources Service**

The Human Resources Service will be responsible for:

- ensuring that there are clear processes in place for raising complaints
- promoting positive working relationships in the council
- clearly communicating and promoting these processes amongst employees
- identifying potential risk factors and taking prompt, reasonable action to minimise those risks
- ensuring information and training to support the effective implementation of this Policy is accessible
- monitoring and evaluating the effectiveness of this policy
- offer guidance to employees and managers on the interpretation of this policy and guidance.



# Sexual Harassment manager guidance

Manager guidance

## **PREVENTION IS BETTER THAN CURE**

---

When dealing with harassment at work, prevention is better than cure. Engaging with employees on the issue and raising awareness of Dorset Council's stance on unacceptable behaviour are key to avoiding incidences of sexual harassment occurring in the first place. A workplace environment which values difference, is free from hostility and based on tolerance, will enable people to contribute more effectively and achieve higher levels of job satisfaction. People cannot make their best contribution if they are working in fear of harassment. As a manager you should promote the importance of respect between employees at every level of the council, encouraging a supportive and inclusive culture so that people's behaviour reflects the council's values and behaviours.

You have a defining influence on the working culture and set the tone for expectations around dignity and respect. You need to take a visible lead on the issue and set the tone for fostering a working environment where people feel empowered to speak up. The role-modelling of respectful behaviour will be instrumental in setting the right expectations for everyone.

## **HANDLING A SEXUAL HARASSMENT COMPLAINT**

---

As a manager, you should:

- take any complaint of sexual harassment very seriously
- think very carefully about the way you handle a complaint, to make sure you do it fairly and sensitively and follow the right procedures
- report the incident to the HR Service and seek advice
- tell everyone involved in the complaint what the process will be. Each person involved should be informed separately
- handle the complaint as quickly as possible
- ensure the matter is dealt with confidentially, only sharing information where absolutely necessary

## **HOW SOMEONE MIGHT MAKE A COMPLAINT**

---

The employee or worker making the complaint may talk to you to try and resolve the problem informally. They may wish to raise this formally through the council's Dignity at Work policy and procedure instead if they feel that either:

- raising it informally will not or has not resolved the issue
- it does not seem appropriate in the circumstances to raise it informally

The complaint might come from:

- the person who's experienced sexual harassment
- someone who's witnessed it.

## **TALKING TO THE PERSON WHO HAS MADE THE COMPLAINT**

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When you're talking to someone about their sexual harassment complaint, think carefully about what you say to them. Listen carefully to what they say, thank them for coming to you to share their experience and acknowledge that it's not an easy thing to do. Make it clear that you don't consider their reaction to be over-sensitive nor the incident to be trivial, and that you are prepared to help.

Make a specific appointment in a confidential space, allowing enough time for a full conversation.

Explain the process at the start of the conversation, including explaining the process, what remains confidential and what will be shared

Be sure to check out if anyone else is involved or potentially at risk.

Some things will not be appropriate or acceptable.

For example:

- do not tell someone it could be a long and difficult process, or ask them if they're sure they want to go ahead – this could imply you think they should not carry on with the complaint
- do not say their complaint does not seem that serious – you should treat all complaints very seriously

## **KEEP AN OPEN MIND**

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It's important to remember that sexual harassment is unwanted behaviour of a sexual nature.

To be sexual harassment, the unwanted behaviour must have either:

- violated the person's dignity, whether it was intended or not
- created an intimidating, hostile, degrading, humiliating or offensive environment for the person, whether it was intended or not

You should not let your own views influence a situation or dismiss a concern. For example:

- if you get on well with the person accused of sexual harassment, or think they're a decent person, this should not influence how you handle the situation
- behaviour you personally do not find offensive or unwanted might have a very different effect on someone else

You should not doubt a sexual harassment complaint simply because it happened away from other people or nobody else witnessed it.

You must not ignore or cover up a sexual harassment complaint. If you do this disciplinary action may be taken.

## **MANAGING THE COMPLAINT**

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Any complaints should be managed in accordance with the council's Dignity at Work Policy and Procedure.

The Dignity at Work Policy and Procedure encourages issues to be resolved informally (Stage 1) but also provides scope for any complaint to be dealt with formally (Stage 4).

In some cases, you may only have the word of the person making the complaint against the word of the person they're accusing. For example, if the incident happened away from other people or nobody saw it.

After hearing the evidence from both sides in a fair process, you can still decide the case is valid if you believe the person who made the complaint. It is important that you seek advice from the HR Service when making a decision.

## **WHEN IT'S A CRIME**

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If someone tells you they have been sexually assaulted or raped at work, they may want to report it to the police.

You should talk to them about whether they want to tell the police and you should support them if they choose to report it. This should be done in a sensitive and non-judgemental way and provide reassurance that reporting any incident to the police will not result in penalisation at work.

Before doing this, you should seek advice from the HR Service and/or the council's Local Authority Designated Officer (LADO).

You should not put any pressure on them to make any particular decision. If they do not want to tell the police, they do not have to. In most cases, you should go along with their decision. However, you might decide you have to tell the police yourself in some circumstances.

For example, this might include if you or the person who's made the complaint think there's likely to be:

- an ongoing risk to their safety or the safety of others
- an increased risk to their safety because they're a vulnerable person, for example they have a mental health condition

Before telling the police, you should talk about it with the person who's made the complaint. You should also let them know once you've told the police.

If you're not sure what to do, you should make sure you speak to a colleague in the HR Service or the council's Local Authority Designated Officer (LADO)

If it's been reported to the police or it's going through a court, It's unlikely you'll have to wait for the criminal process to finish to:

- investigate the complaint
- carry out a workplace disciplinary procedure

But you should check with the police before doing either of these things, and speak to a colleague in the HR Service, to make sure there is no risk of prejudicing the criminal process.

You should give information to the police if they ask for it.

If you wait for the criminal process to end and it does not result in a conviction, you may still be able to take disciplinary action.

This is because the level of evidence needed to prove a crime is higher for a conviction than for an employer's disciplinary process to decide that a workplace disciplinary offence has been committed.

## **SUPPORTING SOMONE WHO'S MADE A COMPLAINT**

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Being sexually harassed is extremely distressing and can be life-changing.

The person making the complaint may be very worried that:

- they will not be taken seriously
- you will try to make them confront the person they say sexually harassed them
- they might be quizzed about their personal life
- other people will find out
- personal information about them they will be victimised for making a complaint

You must make sure none of those things happen.

You should make sure that:

- reporting sexual harassment is as easy as possible
- the person who's experienced it or witnessed it feels safe and protected. Often people will not feel safe, so you should have a discussion with the person to understand what would make them/help them to feel safer.
- you encourage the person to access the council's Employee Wellbeing offer, ensuring they get the right support to help them with the impact of their experience on their mental health and wellbeing
- you talk to them privately and allow plenty of time
- the person investigating the complaint is impartial and trained for the role

## **SUPPORTING SOMONE WHO'S BEEN ACCUSED**

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It's likely to be very distressing for an employee to be accused of sexual harassment. It's a very serious matter for them too.

You must:

- carry out a fair and thorough investigation and handle it very carefully
- not presume the accusation is either true or false

It's important to offer support and sensitivity to the person accused so your handling of the complaint is balanced.

They may be very worried that:

- what they say will not be taken seriously
- you may try to make them confront the person who accused them of sexual harassment
- they might be quizzed about their personal life other people will find out personal information about them
- they will experience discrimination at work as a result of coming forward, and of how they may be treated by management and other colleagues

You must make sure none of those things happen.

You should make sure that you offer the same kind of support that you would for someone who's made the complaint.

For example:

- talk to them privately and allow plenty of time
- you encourage the person to access the council's Employee Wellbeing offer, ensuring they get the right support to help them with the impact of their experience on their mental health and wellbeing
- assure them that the person investigating the complaint is impartial and trained for the role

## **Training**

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Training will be provided to managers as part of the Leadership and Management Development Academy, to ensure all managers have a clear awareness of their roles and responsibilities with regards to sexual harassment. You should ensure that you undertake all training available to you.



# Sexual Harassment employee guidance

Manager guidance



## **IF YOU'VE BEEN SEXUALLY HARASSED AT WORK**

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If you've experienced sexual harassment at work, you can make a complaint.

Dorset Council will:

- take your complaint very seriously
- handle it fairly and sensitively

## **MAKE A NOTE OF WHAT HAPPENED**

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It's a good idea to make a note of what's happened. This should include dates, times and names, including any witnesses. Making a note can be especially helpful if you find talking about the experience particularly distressing.

If you're thinking about recording what's happened you should be aware of the risks of recording, or secretly recording, what's happened – for example on your phone. This is a complicated area of the law. It is advised that you follow guidance provided by Dorset Police or the Sexual Trauma and Recovery Service (STARS).

## **GETTING ADVICE ON YOUR OPTIONS**

---

You might want to talk to someone to get advice and support before deciding whether to make a sexual harassment complaint.

This could be:

- someone you trust at work, for example a colleague or manager
- A Dignity at Work Adviser
- a trade union representative if you're a trade union member
- a colleague in the HR Service

## **WITNESSING SEXUAL HARASSMENT IN THE WORKPLACE**

---

If you see someone being sexually harassed at work, you could step in and try to stop it happening, if you feel it's safe to do so.

After it's happened, you can:

- support a complaint made by the person who experienced the sexual harassment
- report what you've seen
- give evidence as a witness, for example at a hearing
- make a sexual harassment complaint yourself because what you've seen has violated your dignity or created an intimidating, hostile, degrading, humiliating or offensive environment for you

If you're making a complaint yourself, you do not need the permission of the person who's been sexually harassed.

You must not be victimised if you make or support a complaint, or act as a witness. This means you must not be:

- stopped from giving evidence
- treated unfairly because you've made a complaint, given evidence or supported a complaint

Ways you could support someone else's complaint include things like:

- making a statement, which may or may not mean you appear as a witness at a hearing
- giving evidence that the person accused of sexual harassment had also sexually harassed you in another incident
- comforting or supporting someone who's experienced sexual harassment

## **BYSTANDER INTERVENTION**

---

Bystanders, including colleagues, who witness or are aware of sexual harassment, can play an important role in preventing sexual harassment in the workplace. When grounded in behaviours of integrity and respect, action taken by colleagues can positively impact on defining workplace culture.

When safe to do so, bystanders that are aware of sexual harassment are encouraged to:

- provide support to the colleague who is being subjected to sexual harassment,
- challenge concerning behaviour, and
- report sexual harassment

In some situations, a witness may wish to remain anonymous and where appropriate, anonymity will be provided. However, it may not be possible in all circumstances to keep the identity of a person, or people providing information, confidential.

In some situations, it may be the case that full details of allegations are required for appropriate inquiries to be made or so that a respondent is afforded procedural fairness and natural justice.

If you are witness to a problematic or potentially problematic situation you should:

- Notice: pay attention to what is going on around you
- See it as a problem: recognise the situation as a problem
- Assume personal responsibility: do not assume someone else will do something]
- Know how to help: make sure you can keep yourself safe
- Implement the help: act in one of the following ways:
  - Direct – this involves direct intervention, for example, going and talking in a calm way to the people involved
  - Distract – point out something else, distract the instigator, for example with re-directing them with a work issue
  - Delegate – if there is someone else with more power available, make the aware
  - Delay – always make sure that the person who experienced harassment is ok afterwards and check in on them

## **REPORTING OR MAKING A COMPLAINT**

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You can report or make a complaint about any instance of sexual harassment to your manager, Head of Service or Corporate Director, or to the council's HR Service.

Dorset Council takes any allegations of sexual harassment seriously.

The procedures for dealing with allegations of sexual harassment and possible consequences regarding any breach of this Policy are managed and investigated in accordance with the council's Dignity at Work Policy.

You are encouraged to report any allegations of sexual harassment by using the internal complaints processes.

If you make a complaint of sexual harassment, or sexual harassment is observed or brought to the attention of your manager, it will be acted upon immediately and managed in a sensitive and confidential manner.

Where a complaint of sexual harassment is found to be substantiated, the consequences for the person against whom the complaint is made will depend on the circumstances.

The consequences may include an apology, undertaking training, or disciplinary action which may include termination of employment.

You may also wish to contact your union for representation and support.

## CONFIDENTIALITY

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

- constitute a criminal offence,
- constitute an occupational health and safety risk, or
- 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 who has been informed of the disclosure.

## HELP AFTER SEXUAL ASSAULT OR RAPE

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You can get help and information from:

- [Galop](#) – LGBT+ sexual violence support
- [Rape Crisis England and Wales](#)
- [the Survivors Trust](#)
- [SurvivorsUK](#) – male rape and sexual abuse support
- [Victim Support](#)
- STARS [Sexual Trauma and Recovery Services \(STARS\) \(starsdorset.org\)](#)

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

To contact the police:

- call 999 if you or someone else is in immediate danger
- call 101 if it's not an emergency

To report a crime online, visit:

- [Police.uk](#) for England and Wales

When you're reporting a crime, you can ask to speak to a specialist officer who's trained to deal with sexual violence.

Related content

[/supporting-mental-health-workplace](#)

## EXTERNAL LINKS

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Equality and Human Rights Commission. [Sexual Harassment in the Workplace.](#)

ACAS. [What Sexual harassment is](#)



# **Sexual Harassment policy**

## **Guidance for councillors**

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DRAFT



## Introduction

Dorset Council is committed to providing an inclusive and supportive working environment for everyone who works here including officers and councillors. This includes a zero-tolerance approach to sexual harassment and what appropriate steps should be taken to achieve this. All workplaces should be free from any form of harassment and Dorset Council is no exception. We will treat such matters very seriously.

A separate policy on sexual harassment is available to officers. This document is based on the officer policy but is specifically focused towards councillors and includes ways that members can seek support and report any unwanted behaviours.

The policy aims to:

- reinforce Dorset Council's commitment to take prompt and appropriate action in response to any allegation of sexual harassment
- ensure everyone understands what sexual harassment is, can openly and confidently discuss concerns about inappropriate behaviour in the workplace, and are clear on Dorset Council's policy and practices.
- reinforce the council's role in setting a wider example to our communities, aiming to set a structural example as part of wider change in the community regarding sexual harassment and assault.

The policy is part of Dorset Council's commitment to equality and diversity. We are committed to creating a workplace that respects and values differences, that promotes dignity and combats prejudice, discrimination, and harassment.

Councillors are not employees but the policy aims to make clear the standards of behaviour expected from councillors, consistent with the [council's core behaviours](#) and the [LGA's model code of conduct](#).

Issuing this guidance to councillors is one of the ways in which the Chief Executive as Head of Paid Service discharges his duty of care and responsibility to ensure a safe working environment for employees.

We do not tolerate sexual harassment at Dorset Council, and we will always investigate and take appropriate action.

## What is sexual harassment?

Sexual harassment is unwanted behaviour of a sexual nature.

The law (Equality Act 2010) protects the following people against sexual harassment at work:

- employees
- agency workers and contractors
- self-employed people hired to personally work for the council
- job applicants

While not employees or other types of workers referred to in the Act, we also expect our councillors to be able to carry out their duties within the council without harassment.

To be classed as sexual harassment, the unwanted behaviour must have either:

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

It can be carried out or experienced by anyone of the same gender or different gender. 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.

**A key element of sexual harassment is that it is unwelcome.**

It is important to note that if a person does not object to inappropriate behaviour at the time; it should not be assumed that they are giving their consent. Consent exists where clear and unambiguous consent has been freely given and continues to be given.

It is possible that a person does not object to inappropriate behaviour at the time due to reasons such as, feeling of shame, powerlessness, embarrassment, lack of confidence and inability to feel as though they can challenge a colleague or superior.

Sexual harassment has many forms of variable seriousness. A person sexually harasses someone when they:

- insinuate, propose or demand sexual favours of any kind.
- invade another person's personal space (e.g. inappropriate touching).
- stalk, intimidate, coerce, or threaten another person to get them to engage in sexual acts.
- send or display sexually explicit objects or messages.
- online sexual harassment, where digital technologies are used to facilitate both virtual and face to face harassment, for example the sharing of unsolicited sexual images, videos, messages, the non-consensual creation and/or distribution of sexual images, or sexual coercion, threats and intimidation online.
- comment on someone's looks, dress, sexual orientation, or gender in a derogatory or objectifying manner or a manner that makes them uncomfortable.
- make obscene comments, jokes or gestures that humiliate or offend someone.
- pursue or flirt with another person persistently without the other person's willing participation. Also, flirting with someone at an inappropriate time (e.g. in a meeting) is considered sexual harassment, even when these advances may have been welcome in a different setting.

The most extreme form of sexual harassment is sexual assault. This is a serious crime and Dorset Council will support employees and councillors who want to press charges against offenders.

## **Roles and responsibilities**

All councillors are responsible for:

- modelling appropriate behaviour
- taking personal responsibility to raise concerns about any sexual harassment in the workplace, whether this was experienced personally or witnessed. Concerns should be raised with the Monitoring Officer or the Deputy Monitoring Officer
- contributing to a respectful and productive working environment
- being willing to help and support their colleagues
- treating any allegations or complaints of sexual harassment with appropriate confidentiality
- ensuring that a person is not victimised for making or being involved in a complaint of sexual harassment

Councillors have a defining influence on the working culture and setting the tone for expectations around dignity and respect. It is expected that councillors will take a visible lead on the issue and set the tone for fostering a working environment where people feel empowered to speak up. The role-modelling of respectful behaviour will be instrumental in setting the right expectations for everyone.

## **If you've been sexually harassed at the council**

If you've experienced sexual harassment at the council from an officer, councillor or member of the public, you can make a complaint. Please inform Jonathan Mair, the Monitoring Officer. (01305 838074 or [jonathan.mair@dorsetcouncil.gov.uk](mailto:jonathan.mair@dorsetcouncil.gov.uk)) or Grace Evans, Deputy Monitoring Officer (01305 225021 or [grace.evans@dorsetcouncil.gov.uk](mailto:grace.evans@dorsetcouncil.gov.uk))

Dorset Council will take your complaint very seriously and will handle it fairly, sensitively and confidentially.

## **Make a note of what happened**

It's a good idea to make a note of what's happened. This should include dates, times and names, including any witnesses. Making a note can be especially helpful if you find talking about the experience particularly distressing.

If you're thinking about recording what's happened you should be aware of the risks of recording, or secretly recording – for example on your phone. This is a complicated area of the law. It is advised that you follow guidance provided by Dorset Police or the [Sexual Trauma and Recovery Service \(STARS\)](#).

## **Witnessing sexual harassment in the council**

If you see someone being sexually harassed at the council, you could step in and try to stop it happening, if you feel it's safe to do so.

After it's happened, you can:

- support a complaint made by the person who experienced the sexual harassment
- report what you've seen
- give evidence as a witness, for example at a hearing
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  - Delay – always make sure that the person who experienced harassment is ok afterwards and check in on them

## **Confidentiality**

Disclosures of sexual harassment will be treated in confidence. However, in some instances, a matter may need to be escalated or referred without agreement from the employee, particularly in circumstances that may:

- constitute a criminal offence,
- constitute an occupational health and safety risk, or
- require disciplinary action

If for instance a complaint needs to be escalated to the police we will work with them to ensure that the confidentiality of victims and witnesses are respected as part of their processes. If we need to escalate a complaint we will notify the person who made the disclosure who it is we have escalated it to and why.

## Help after sexual assault or rape

You can get help and information from:

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- [Rape Crisis England and Wales](#)
- [the Survivors Trust](#)
- [SurvivorsUK](#) – male rape and sexual abuse support
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## External links

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ACAS. [What Sexual harassment is](#)

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