



**MEMBERS OF ODIHAM PARISH COUNCIL'S STAFFING COMMITTEE
ARE SUMMONED TO ATTEND THE STAFFING COMMITTEE MEETING WHICH WILL BE
HELD IN THE LIBRARY ROOM, THE BRIDEWELL, THE BURY, ODIHAM, RG29 1NB ON
TUESDAY 9th JUNE 2026 COMMENCING AT 7.45pm**

3rd June 2026

Andrea Mann, Parish Clerk

Committee Membership: Cllrs Cornall, McFarlane (Chair) and Verdon

- SC01/26** To receive apologies for absence
- SC02/26** To receive declarations of interests and requests for dispensation relating to any item on the agenda.
- SC03/26** Chairs Announcements
- SC04/26** **Approval of Minutes**
To approve the minutes of the extraordinary Staffing Committee meeting held on 23rd October 2025 (SC01-13/25).
- SC05/26** **Staffing Committee Schedule (page 2)**
To review and agree the annual schedule of tasks for the Staffing Committee.
- SC06/26** **The Employment Rights Act 2025 (pages 3-6)**
To review the Clerk's summary of new employment rights and consider any actions required.
- SC07/26** **Preventing Sexual Harassment Policy (pages 7-9)**
To consider the new draft policy and agree whether to put forward to Council for adoption.
- SC08/26** **Whistleblowing Policy (pages 10-12)**
To consider the new draft policy and agree whether to put forward to Council for adoption.
- SC09/26** **Date of the next meeting**
To be arranged.
- SC10/26** **To pass a resolution in accordance with the Public Bodies (Admission to Meetings) Act 1960 to exclude the public and press to consider confidential staff related matters which meet the criteria of Schedule 12A of the Local Government Act 1972 Part 1.**
- SC11/26** **Training (pages 13-18)**
To note progress and consider matters set out in the Clerk's report.
- SC12/26** **Mental Health as a hazard (pages 19-53)**
To note progress and consider matters set out in the Clerk's report.
- SC13/26** **Staffing budget**
Verbal update from the Clerk on the financial position and forecast.
- SC14/26** **Summary of actions and items for future business**

REPORT ON: The Employment Rights Act 2025
WRITTEN BY: Parish Clerk
MEETING DATE: 9th June 2026
AGENDA ITEMS: SC06/26

Introduction

The Employment Rights Act 2025 includes upgraded employment rights which started coming into effect December 2025 with further changes continuing through to 2027.

The Act has significantly strengthened protections for mental wellbeing and remote/hybrid workers. Key shifts include expanded statutory sick pay, clearer health and safety duties regarding psychological harm, and ongoing legislative reforms that require employers to consult employees before rejecting flexible working requests.

I joined a webinar to find out more but only a few changes stood out as being relevant to OPC and its small team of just 3 employees. I have not found any sector guidance yet.

Key Legal and Regulatory Shifts

- **Expanded Statutory Sick Pay (SSP):** Reforms have expanded access to SSP by removing the minimum earnings threshold and waiting period, ensuring employees are financially supported if they need time off to recover from burnout or mental ill-health.
- **Mental Health as a Work Hazard:** Health and Safety Executive (HSE) enforcements are expanding. Employers now have an explicit duty of care to protect staff from psychological harm, including managing workload stress and conducting thorough mental health risk assessments for remote workers.
- **Strengthened Flexible Working Rights:** Under the Act, employers are required to follow structured consultation processes before rejecting requests for home or hybrid working, and must prove that any rejection is "reasonable".
- **The 'Right to Switch Off':** While a strict statutory "Right to Switch Off" is still undergoing consultations, the government and employment tribunals are cracking down on out-of-hours "always-on" cultures, requiring employers to set clear boundaries to prevent overwork.

Practical Steps for Employers

To navigate these changes and mitigate tribunal risks, employers must adapt their daily practices:

- **Remote Risk Assessments:** Conduct reviews to ensure that working from home setups aren't contributing to isolation or excessive working hours.
- **Evidence-Based Decisions:** If denying a home-working request, ensure a formal evidence-based process and provide a written explanation.
- **Managerial Training:** Provide specific training for HR and managers to recognize signs of mental health struggles, prevent psychological hazards, and handle requests appropriately.

The full list of changes is as follows and I have highlighted the ones I believe OPC should look into further.

Measures that took effect at Royal Assent, December 2025

- the repeal of the Strikes (Minimum Service Levels) Act 2023

Measures that took effect on 18 February 2026

- the repeal of the great majority of the Trade Union Act 2016, thereby simplifying requirements on trade unions, including in relation to industrial action and political funds
- removing the 10-year ballot requirement for trade union political funds
- simplifying industrial action notices and industrial action ballot notices
- protections against dismissal for taking industrial action
- employees that are newly eligible for 'Day 1' Paternity Leave and Unpaid Parental Leave can give notice – noted, should it apply to an employee in the future.

Measures that took effect on 1 April 2026

- the repeal of the levy that trade unions and employer associations pay to the Certification Officer

Measures that took effect on 6 April 2026

- collective redundancy protective award – doubling the maximum period of the protective award
- 'Day 1' Paternity Leave and Unpaid Parental Leave – noted, should it apply to an employee in the future.
- whistleblowing – strengthening protections for workers who 'blow the whistle' on sexual harassment – new whistleblowing policy proposed.
- Bereaved Partners' Paternity Leave – (non-MWP measure) will enable bereaved fathers and partners to take up to 52 weeks of paternity leave if the mother or primary adopter dies within the first year of the child's life - – noted, should it apply to an employee in the future.
- Statutory Sick Pay (SSP) – removing the Lower Earnings Limit (LEL) and waiting period
- action plans on gender equality and supporting employees through the menopause (voluntary) - – noted, should it apply to an employee in the future.
- menopause guidance - – noted, should it apply to an employee in the future.
- simplifying trade union recognition process

Measures that took effect on 7 April 2026

- the establishment of the Fair Work Agency

Measures that will take effect in August 2026

- electronic and workplace balloting for Statutory Trade Union Ballots

Measures that will take effect in October 2026

The trade union measures include:

- the duty to inform workers of their right to join a trade union ? How should OPC respond?
- strengthening trade unions' right of access
- dealing more effectively with unfair practices in the trade union recognition and derecognition process
- new rights and protections for trade union representatives
- extending protections against detriments for taking industrial action

The harassment measures include:

- requiring employers to take 'all reasonable steps' to prevent sexual harassment of their employees – new preventing sexual harassment policy proposed.
- introducing an obligation on employers not to permit the harassment of their employees by third parties - new preventing sexual harassment policy proposed.

Wider measures include:

- bringing forward regulations to establish the Fair Pay Agreement Adult Social Care Negotiating Body in England
- procurement – reinstating the two-tier code to ensure outsourced private sector employees are offered no less favourable terms and conditions to employees transferred from the public sector – noted.
- tightening tipping law

Measures that will take effect no earlier than October 2026

- employment tribunal time limits – noted.

Measures that will take effect in December 2026

- introducing Seafarer Protection Regulations

Measures that will take effect in January 2027

- reduction of unfair dismissal qualifying period to 6 months, for dismissals from 1 January 2027, and uncapping compensatory awards– noted.
- fire and rehire protections– noted.

Measures that will take effect in 2027

- action plans on gender equality and supporting employees through the menopause (mandatory) - ? SLCC offers a model policy. Should this be reviewed and included in the next review of the Staffing Handbook or for a full OPC policy including councillors too?
- enhanced dismissal protections for pregnant women and new mothers – noted.
- commencement of regulations which will set out specific steps that employers must take to prevent sexual harassment – the regulations will only be made following consultation, and the steps will complement, not replace, broader legislation and guidance – noted. Proposed new Prevention of Sexual Harassment Policy to be reviewed again.
- extending blacklisting protections
- industrial relations framework
- regulation of umbrella companies
- collective redundancy – collective consultation threshold
- flexible working
- bereavement leave including pregnancy loss – noted. OPC has no bereavement or compassionate leave policy. Is a policy required or should OPC assess when required, assuring compliance with legislation?
- introduction of the right to guaranteed hours and the right to reasonable notice and short notice payments - noted.
- electronic and workplace balloting for recognition and derecognition ballots
- non-disclosure agreements (NDAs): regulations to prevent the misuse of NDAs in cases of workplace harassment or discrimination – noted.
- **Holiday pay records:** Employers are required to keep adequate records to show they have complied with holiday pay and entitlement rules. These records need to be retained for 6 years from the date they were made. Noted – records already held but not for the 6 years. The office will ensure this happens from now on.
- **Mental Health as a Work Hazard:** Employers now have an explicit duty of care to protect staff from psychological harm, including managing workload stress and conducting thorough mental health risk assessments for remote workers. To be discussed under SC11/06.



Odiham Parish Council

Prevention of Sexual Harassment Policy

1 Introduction

Odiham Parish Council is committed to providing a working environment free from all forms of discrimination and harassment, including sexual harassment. This Policy outlines the Council's zero-tolerance approach to sexual harassment and the procedures for reporting and addressing such behaviour.

Everyone has a right to feel safe and supported at work.

This policy applies to the behaviour of employees, workers, any councillor acting on the Council's behalf, as well as third parties.

2 Legal Duty

From 26 October 2024, the Worker Protection (Amendment of Equality Act 2010) Act 2023 came into force which introduced a new positive obligation on employers to take reasonable steps to prevent sexual harassment where the unwanted conduct is of a sexual nature. This is called the preventative duty.

The Employment Rights Act 2025 strengthened obligations for employers and employers are now mandated to "take all reasonable steps" to prevent sexual harassment of their employees" and "not to permit the harassment of their employees by third parties". This includes:

- i) Implementing preventive measures such as training and clear communication of an anti-sexual harassment policy.
- ii) Creating a culture of respect and inclusion.
- iii) Taking proactive steps to identify and mitigate risks of sexual harassment.

The preventative duty includes worker-on-worker harassment and harassment by third parties such as contractors, residents and clients.

The law does not state specific steps an employer must take. Different employers may seek to prevent sexual harassment in different ways but all employers must take action - no employer is exempt.

3 What is sexual harassment?

The Equality Act 2010 defines sexual harassment as unwanted conduct of a sexual nature which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for them. To be sexual harassment, the unwanted behaviour must have either:

- i) Violated someone's dignity, whether it was intended or not.
- ii) Created an intimidating, hostile, degrading, humiliating or offensive environment for them, whether it was intended or not.

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour. It can happen in person or in other ways, for example online through email, social media or messaging tools. What



some people consider to be jokes or 'banter' is still sexual harassment if it fulfils any of the criteria above.

Any defence by an employee of their behaviour which states the intention was to make a joke or their behaviour was 'just banter' will not be accepted. Examples include:

- iii) Flirting.
- iv) Gesturing or making sexual remarks about someone's body, clothing or appearance.
- v) Asking questions about someone's sex life.
- vi) Telling sexually offensive jokes.
- vii) Making sexual comments or jokes about someone's sexual orientation or gender reassignment.
- viii) Displaying or sharing pornographic or sexual images, or other sexual content.
- ix) Touching someone against their will, for example hugging them.

4 Reasonable steps

In order to fulfil its duty to prevent sexual harassment, Odiham Parish Council will take the following action:

- i) Foster a culture of respect and dignity in the workplace.
- ii) Ensure this Policy is provided to all employees, workers, councillors and suppliers to ensure all parties are aware of council expectations regarding behaviour.
- iii) Offer training for all employees and councillors.
- iv) Provide mandatory training for managers to empower them to identify and address any concerns, and to deal with complaints appropriately.
- v) Undertake annual risk assessments for sexual harassment in the workplace.

5 Making a complaint

5.1 Informal process

If someone witnesses or is subjected to inappropriate behaviour believed to be sexual harassment, concerns should be raised informally with the person who is behaving inappropriately. The complainant should specify they have/ or witnessed another person being sexually harassed, that it is unwanted, how it makes them feel and that it must stop. If this is the case an apology should be obtained (either to the person in question or the person subject to the behaviour (if it is observed) and an assurance that it will not happen again.

The Council appreciates that in certain circumstances staff may not feel comfortable addressing the matter in this way, therefore, the issue can be raised informally with a line manager or the Chair of the Council or Staffing Committee Chair, if appropriate.

On receipt of an informal complaint, the line manager, Chair of Council or Staffing Committee Chair will:

- i) Establish the facts about the specifics of the incident(s) which is believed is sexual harassment, including what, how, when and where it took place.



- ii) Provide this Policy to the complainant and discuss with the complainant how they prefer to proceed. The complainant may feel an informal discussion and apology is satisfactory or may prefer a structured facilitated meeting or session with a trained mediator.
- iii) Explain the complainant's rights to raise a formal grievance or report the matter to the Police, if they deem the incident to be serious.
- iv) Proactively conduct regular follow-up meetings with the complainant to establish if there has been any repeat of the behaviour complained about, or if the complainant has been victimised in any way for raising an informal complaint.
- v) Take the necessary steps to act as a responsible employer eg by following appropriate processes for management of a member of staff who has been accused of sexual harassment including reporting and offering training.

5.2 Formal process

The formal process will be followed if:

- i) Attempts to address informal complaints regarding sexual harassment do not result in an improvement in the other person's behaviour.
- ii) There is a repeat of the same behaviour by the person complained about.
- iii) If the sexual harassment is so serious, a formal complaint must be raised.

A formal process may be instigated by:

- iv) The victim of the unwanted sexual harassment.
- vi) Any witness of the sexual harassment.

Investigations will follow this process:

- vii) If the complaint is from a member of staff and relates to another member of staff, the Clerk will report the matter to the Staffing Committee who will determine the right course of action. This could be the Grievance Policy Procedure if the complainant is happy to follow this formal process or the Disciplinary Policy Procedure if the incident has been reported by a witness. Either way, there will be an investigation of the facts before any action is taken.
- viii) If the Grievance Policy Procedure concludes that a serious sexual harassment incident has taken place by a member of staff, then The Disciplinary Policy Procedure will be implemented.
- vix) If the complaint is from a member of staff and relates to a councillor, the Clerk will report the matter to the Staffing Committee who will determine the best course of action for supporting the employee's wellbeing and any adjustments to working conditions. The Council does not have the power to enforce any sanctions on a councillor – code of conduct complaint should be referred to the Monitoring Officer at Hart District Council. The complaint can be made by an individual or by the Council, subject to a full Council resolution.
- x) The complaint may constitute a criminal offence and the individual subjected to the behaviour will be reminded of their right to refer the matter to the Police. The Council will respect the victim's decision and take reasonable steps to support their wellbeing, but will not be able to refer the complaint on their behalf.



6 Complaints about a third party

The Council will publish this policy and, in certain circumstances will provide suppliers, partners and contractors with this Policy to ensure that expectations are clear. However, the council is aware that this may not prevent inappropriate behaviour by people who are not employed by the Council.

Whether experiencing or witnessing sexual harassment by a third-party, the matter should be raised directly with the person responsible, as described in the informal process above.

Clear signage regarding the council's zero-tolerance approach to sexual harassment of people in the workplace will be erected in Council premises. Any visitor to council premises who commits a clear breach of this policy will be asked to leave the council premises, and where they are representing another company, their behaviour will be reported to their employer.

7 Right of Appeal

If the complainant is not satisfied with the outcome of the investigation into a complaint, the complainant has the right to appeal the decision.

8 Monitoring

The line manager will ensure regular 1-2-1 discussions with the victim of sexual harassment in the workplace until such time that they are satisfied there has been no repeated incidents and they are satisfied the Council has taken all reasonable steps to prevent further sexual harassment.

This Policy will be reviewed regularly to ensure its effectiveness and to align with changes in legislation or changes to the Council's or employees' circumstances.



Odiham Parish Council

Whistleblowing Policy

1 Introduction

It is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of the Council is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the Council.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

2 Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures".

A qualifying disclosure is one made by an employee who has a reasonable belief that:

- i) A criminal offence.
- ii) A miscarriage of justice.
- iii) An act creating risk to health and safety.
- iv) An act causing damage to the environment.
- v) A breach of any other legal obligation.
- vi) Concealment of any of the above. is being, has been, or is likely to be, committed.

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter - it is the Council's responsibility to ensure that an investigation takes place.

If you make a protected disclosure you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

3 Principles

- i) Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the Council should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- ii) Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- iii) No employee or other person working on behalf of the Council will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- iv) Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence. • If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.



- v) Maliciously making a false allegation is a disciplinary offence.
- vi) An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Clerk or the Chair of the Council.

4 Procedure

If you believe a Councillor has breached the Councillor Code of Conduct, then raise it with the Chair of the Council. Concerns relating to an alleged breach of the Councillor Code of Conduct will be referred to the Monitoring Officer for investigation.

This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the Grievance Procedure.

Stage 1

In the first instance, any concerns should be raised with the Clerk, who will arrange an investigation of the matter. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained.

The Clerk (or delegated officer) will take any necessary action, including reporting the matter to the Council, or any appropriate government department or regulatory agency. The Clerk (or delegated officer) will also invoke any disciplinary action if required.

On conclusion of any investigation, insofar as confidentiality allows, you will be told the outcome and what the Council has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Stage 2

If you are concerned that the Clerk is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the Chair of the Council. The Chair will arrange for a review of the investigation to be carried out, make any necessary enquiries.

Stage 3

If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- i) HM Revenue & Customs..
- ii) The Health and Safety Executive.
- iii) The Environment Agency.
- iv) The Serious Fraud Office.
- v) The Charity Commission.
- vi) The Pensions Regulator.
- vii) The Information Commissioner.
- viii) The Financial Conduct Authority.

Adopted ???. Date of review ??