



Harassment Policy

Policy and Standard Operating Procedure

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HARASSMENT POLICY STATEMENT

Operation Florian Limited recognises the potential of problems of harassment in the charities workplaces and emphasises that it is unacceptable. The Equality Act 2010 defines harassment as 'unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.' Harassment can occur in many forms, it has a detrimental and negative effect on

individuals and also operational efficiency of the Charity in achieving its aims. Harassment must be challenged wherever it occurs. By putting our equality and fairness policy into practice, the Charity has resolved to create a working within the charity environment which is free from harassment, intimidation, bullying and victimisation.

Policy Aims

This policy aims to address all forms of harassment and bullying at work which in some cases may constitute gross misconduct and can result in termination of membership. The Charity recognises that anyone who is perceived as different, or in a minority, may be at risk of being harassed and this may be due to:

- race, nationality, ethnic origin or skin colour
- gender
- gender identity
- sexual orientation
- religion and belief
- trade union membership or activity
- disability
- appearance/physical characteristic
- status as ex-offenders
- age
- infection with HIV/AIDS (real or suspected)
- a person's willingness to challenge harassment, (by association)

The Charity recognises that members who have suffered harassment at work may be able to seek remedies through civil or criminal law. This policy should not be regarded, therefore, as attempting in any way to restrict a member's legal rights, but as a means of providing additional support and assistance.

POLICY PRIMARY AIMS

The primary aims of this policy are to prevent harassment, bullying and victimisation when carrying out the charities work. Where it does occur, the policy aims to ensure that appropriate and effective action is taken to prevent any recurrence. The intention is, therefore, to actively promote the development and maintenance of a working environment free from harassment and intimidation.

- to ensure that all members are aware of the types of behaviour which may constitute harassment or bullying and their responsibilities for preventing such behaviour
- to ensure that all members understand that harassment or bullying is unacceptable, will not be tolerated and that appropriate measures including disciplinary action, may be taken

- to promote a climate in which members feel confident in bringing forward complaints of harassment or bullying without fear of victimisation or recrimination
- to ensure that all allegations of harassment or bullying are responded to quickly, positively and in confidence; and
- to provide arrangements whereby complaints can be investigated in a manner which recognises the sensitivity of the issues raised and respect the rights and confidentiality of all those involved.

WHAT IS HARASSMENT AT WORK?

Harassment can be defined in many ways, but for the purposes of this policy, it is usually identified as unwanted conduct related to relevant protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion and belief, age, that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct.

Non-exhaustive examples of harassment would include: physical conduct ranging from unwelcome touching to serious sexual assault; demeaning comments about a person's appearance; unwelcome jokes or comments of a sexual or racial nature or about an individual's age or disability's excluding an individual because he/she is associated with someone with a protected characteristic eg his/her child is gay, spouse is black or parent is disabled; abuse related to an individual's religion or belief; treating an individual less favourably because he/she is perceived to have a protected characteristic (even if he/she does not eg an employee is thought to be Jewish, transsexual, gay etc), the use of obscene gestures; and the open display of pictures or objects with sexual or racial overtones, (including that stored on a computer), even if not directed at any particular person, eg magazines, calendars etc.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a 'joke' may offend another person. Everyone has the right to decide what behaviour is acceptable to him/her and to have his/her feelings respected by others.

Behaviour that any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to him/her, eg sexual touching. It may not be so clear in advance that some other forms of behaviour would be unwelcome to, or could offend, a particular person, eg certain 'banter', flirting or asking someone for a private drink after work.

In these cases, first time conduct that unintentionally causes offence will not be harassment, but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him/her. A single incident can be harassment if it is sufficiently serious.

In determining whether the unwanted conduct has the effect referred to, the factors to be taken into account are:

- the perception of the complainant

- the other circumstances of the case; and
- whether or not it is reasonable for the conduct to have that effect.

BULLYING

Workplace bullying is intimidation. (It can occur on a regular and persistent basis or can be a single isolated incident which serves to undermine the competence, effectiveness, confidence and integrity of the bully's target.) The bully misuses their power, position, or knowledge to criticise, humiliate, and destroy the confidence of a colleague or even the person in charge. Bullying can be constant verbal attacks, criticisms or condemnations of a victim.

OBVIOUS BULLYING

- Shouting at charity members in public and/or private
- Instantaneous rages, often over 'trivial' matters
- Personal insults and name-calling
- Public humiliation

LESS OBVIOUS BULLYING

- Setting objectives with impossible deadlines
- Removing areas of responsibility without reasonable cause
- Setting menial tasks, inappropriate to the duties of the individual
- Constantly changing working guidelines
- Ignoring or excluding an individual
- Talking only through a third party
- Turning down an individual's request without reason
- Blocking a person's ideas and contributions without reason

SIGNS IN THE INDIVIDUAL

- Shouting and uncontrolled anger triggered by certain situations especially over trivial matters.
- Difficulty in delegating because of a belief that no one else can do the job to the required standard.
- Impossible deadlines being set, instructions that are changed without consultation, seemingly to make life difficult so that failure is inevitable.
- Taking credit for other people's ideas and success but never shouldering the blame when things go wrong.
- Persistent criticism and sarcasm
- Ignoring or isolating someone on purpose and excluding them from taking an active part in discussions.
- Abuse and humiliation in front of colleagues or in private
- Withdrawing or overruling someone's authority without prior warning or proper discussion.
- Thinking you are always right and wanting to keep everything and everybody under your control.

HORSEPLAY

Horseplay can range from 'practical jokes' to physical abuse and all members must ensure that such activities are not entered.

Horseplay which involves the victimisation or intimidation of an individual by some or all of the rest of the team will not be tolerated.

THE EFFECTS OF HARASSMENT

Harassment can make a member feel threatened, humiliated, patronised and miserable. It can have direct effects on a person's mental and physical well being.

Or they may have to leave because their working environment has become intolerably hostile and stressful.

Harassment is a health and safety, as well as an equality issue. The stress caused by harassment can lead to depression and physical illness such as headaches, digestive problems, nausea and lack of resistance to infection.

Harassment reduces efficiency and productivity; therefore, the Charities valuable resources and skilled personnel are wasted. Team working may suffer. Sickness absence may increase. So by complying with the law, and stamping out harassment, the Charity can also ensure that they are reflecting moral standards and sense.

THE CONSEQUENCES OF HARASSMENT WITHIN THE CHARITY

If it is considered, after an investigation, that harassment has taken place, disciplinary proceedings will be pursued against the individual concerned and in appropriate cases may also be the subject of criminal prosecution.