

## **WORKPLACE HARASSMENT POLICY AND PROCEDURES**

### **1. POLICY STATEMENT**

- 1.1. Prospect Community Housing Limited recognises the right of every employee to work in an atmosphere free of harassment and intimidation.
- 1.2. The aim of this policy is to develop a working environment in which harassment is known to be unacceptable and where individuals are confident enough to bring forward concerns or complaints without fear of ridicule or reprisal. Prospect's aim is to be as supportive and helpful as possible to those who are, or believe they are, experiencing harassment, and to resolve any situation arising as quickly as possible.
- 1.3. The policy applies equally to Committee Members and to staff. It takes account of generally accepted definitions and current "good practice," and deals with matters which are separate from those covered by the policy entitled "Tenant Harassment".

### **2. DEFINITION OF HARASSMENT**

- 2.1. Harassment may take many forms. It can range from extreme forms such as violence and bullying to less obvious actions such as ignoring someone at work. Whatever the form of harassment, it will involve unwanted behaviour which is unwelcome and unpleasant to the recipient. Forms of harassment may include:-
  - Physical contact ranging from touching to serious assault;
  - Verbal and written harassment through jokes, offensive language, gossip and slander, sectarian songs, letters...;
  - Visual display of offensive posters, graffiti, obscene gestures, flags, bunting and emblems...;
  - Non co-operation at work, and/or isolation within the workplace;
  - Coercion ranging from pressure for sexual favours to pressure to participate in political/religious groups;
  - Intrusion by pestering, spying, following, invading "personal space";
  - Any incident in which it appears that the actions of those involved are based on racial grounds, or contain an element of racial motivation.

### **3. HARASSMENT COMPLAINTS PROCEDURE**

- 3.1. Any staff member who believes that he/she is being harassed, may approach any colleague of their choice, including any member of the Management Team, for a confidential discussion before deciding on the appropriate course of action.

Alternatively, the staff member may contact an independent adviser of their choice, before commencing any of the steps outlined below (see section 5).

A Committee Member may choose to approach a colleague on the Management Committee, the Director, or an independent adviser.

**3.2.** Extreme forms of harassment, such as sexual or racial assault, which constitute offences under criminal law, are clearly recognisable. However, whilst harassment may involve an overt abuse of power, coercion or violence, it can also appear in far more subtle guises. In some cases it can be unintentional on the perpetrator's part. In view of this the following procedures should be adopted.

**3.2.1.** So far as is possible, the individual who believes they have been or are currently the subject of harassment should record the date(s) and details of appropriate actions or statements directed against them.

**3.2.2.** The individual who believes that he or she is experiencing harassment should initially inform the person responsible that their behaviour is offensive and unwelcome and that they wish it to stop. In some cases it may be possible and sufficient to explain clearly to the person engaging in the unacceptable activities that such behaviour is not welcome, and this may be enough to ensure that the behaviour is not repeated.

In circumstances where it is too difficult or embarrassing for this to be done on a one to one basis, the initial approach to the harasser may be made by letter.

**3.2.3.** Should the harassment continue or some employment consequences result (e.g. victimisation, discrimination) the individual should enter into the formal grievance procedure.

**3.2.4.** In all such cases, the individual reporting the alleged act(s) must be prepared to provide full information in order that the incident(s) can be formally investigated. In such circumstances it can be helpful if a diary of actions or remarks etc. has been maintained.

**3.2.5.** All complaints will be handled in a prompt manner, with sensitivity and strict confidentiality, ensuring due respect for the rights of both the complainant and the alleged harasser.

**3.2.6.** If an investigation reveals that the complaint is valid, the perpetrator will face disciplinary action designed to stop the harassment immediately and prevent any recurrence. Where relocation proves necessary, every effort will be made to relocate the harasser and not the complainant. A valid complaint against a Committee Member will be regarded as a serious breach of trust, and of the Committee Code of Conduct, and may possibly lead to a requirement to resign.

**3.2.7.** Staff members will be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against a staff member for complaining about harassment will be regarded as a serious disciplinary offence.

**3.2.8.** If it is proved that a complaint regarding alleged harassment is false, and that the intention behind the complaint was malicious, the complainant will be regarded as having committed gross misconduct making them liable for serious disciplinary action.

**4. RESPONSIBILITY OF COMMITTEE MEMBERS AND STAFF**

- 4.1.** All Committee Members and Staff are responsible for maintaining a high standard of professional conduct between all colleagues under their direct authority, and for abiding by all aspects of this policy.
- 4.2.** All Managers are responsible for eliminating any form of harassment or intimidation of which they are aware. Failure to do so will be considered to be a failure to fulfil all the responsibilities of their position.
- 4.3.** No Committee Member or Staff will threaten or insinuate, either explicitly or implicitly, that anyone's rejection of sexual advances will be used as a basis for any decision affecting that person. Such conduct will be treated as a serious disciplinary offence.

**5. ADVICE AND COUNSELLING**

- 5.1.** Wherever possible a person who has complained of harassment will have access to an independent adviser of their choice who can provide ongoing support and counselling throughout the process. The role of the adviser is to offer support, discuss the options open to the individual, and help them determine if and how they want to progress matters. This will take place in total confidence and without pressure as to the course of action taken. The adviser will have no role in formal investigations of complaints as that role will remain with line management, nor will they be a source of evidence in any proceedings, since all discussions between adviser and the individual are confidential.
- 5.2.** Prospect will ensure that information on a suitable agent or agencies is circulated so that appropriately trained and experienced independent advisers will be available to any Committee Member or staff requiring advice and/or counselling regarding possible or actual harassment at work. The range of advisers to be available will, as far as possible, reflect the composition of the Committee and staff in terms of gender, ethnic origin, age, etc.

**6. MONITORING AND REVIEW**

- 6.1.** The Director is responsible for ensuring the implementation of this Policy and for arranging any training required.
- 6.2.** The Finance & Personnel Sub-Committee will review this Policy at least every 3 years, at their October meeting, and any amendments necessary will be submitted to the Management Committee for approval.

Reviewed by Finance and Personnel Sub-Committee on 24 October 2005

Review approved by Management Committee on 30 November 2005

Signed.....Date.....  
(Chairperson)