

Anti-harassment policy

Policy Statement

AdvoCard is committed to a working environment that is free from any form of harassment. Harassment adversely affects working and social conditions for staff, volunteers and service users of the project, and is unacceptable. Any incident of harassment will be regarded very seriously and may be grounds for disciplinary action. Persistent or gross harassment will be treated as grounds for disciplinary action including dismissal or expulsion from the organisation.

What is Harassment?

Harassment causes distress and anxiety. It interferes with people's ability to work and may be so serious and unrelenting that the person who is being harassed may feel it necessary to change job or service. It may also be on a relatively minor scale or come in a subtle form. It is uninvited, may be personally offensive and is always unwelcome; it can be detrimental to all aspects of people's social and working lives.

Harassment may include any behaviour that is offensive, intimidating or hostile; which interferes with individuals' working or social environment; or which induces stress, anxiety, fear or sickness on the part of the harassed person. The defining features are that the behaviour is offensive or intimidating to the recipient and would be so regarded by any reasonable person.

It is important to remember that differences of attitude, background or culture and the misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another. Harassment can often take the form of discrimination or prejudice against a person because of race or gender or sexual orientation, ability, age and religious or political beliefs. Being under the influence of alcohol

or drugs will not be admitted as an excuse for harassment.

Harassment may take many forms and involve more than one individual both as the harasser and the victim. It can range from extreme forms such as violence and bullying, to less obvious actions like ignoring someone at work. It may occur where the harasser has a position of authority (eg: where a manager is able to affect another person's job, career or grade) and relies upon the fact that the recipient(s) are reluctant to complain for fear of ridicule or reprisals. Any act of harassment will be regarded by the project as more serious if it involves the abuse of the position of authority or trust.

Some general examples of harassment may include:

- unwanted physical contact ranging from touching to serious assault
- verbal and written harassment through jokes, offensive language, gossip and slander, letters, emails, phone calls, texts etc
- visual display of posters, graffiti, obscene gestures
- isolation or non co-operation at work, exclusion from social activities, left out of particular communication
- coercion ranging from pressure for sexual favours to pressure to participate in political/religious groups or to take a particular action
- intrusion by pestering, spying or following someone
- bullying, humiliating or undermining someone

Any difficulty in defining what constitutes harassment should not deter staff or service users from complaining of behaviour which causes them distress. Nor should anyone be deterred from making a complaint because of embarrassment or fear of intimidation or publicity. AdvoCard will respect the particular sensitivity of harassment complaints and their consequences as well as the need for the utmost confidentiality.

Everyone can contribute toward preventing harassment through an active awareness of the issues involved and also by ensuring that standards of conduct for themselves and for friends and colleagues do not cause offence.

Procedures for Dealing with Harassment

There are a number of possible courses of action which you can take to deal with harassment:

1. You are encouraged to talk about the problem with a manager and/or management committee member. The manager should be willing to discuss incidents or problems however large or small they may seem and could advise you on a course of action, take the matter up on your behalf or refer you for specialist advice. They may suggest a way of resolving the problem which you had not thought of. Do not hesitate to contact someone even if an incident occurs only once.

Any discussion will be confidential and further action involving you will not be taken without your expressed permission; in particular the person about whom you are complaining will not be given your name as a complainant without your expressed permission.

2. If at all possible you should make it clear to the person causing the offence that such behaviour on that person's part is unacceptable to you and that it interferes with your work. You may find it easier to do this by letter (you should keep a copy). Alternatively you may wish to get support from a friend or colleague to help you explain your feelings to the person harassing you. If you feel unable to confront the person concerned this does not constitute consent to the harassment.

3. It is important to begin to make a note of the details of any relevant incidents which distress you - particularly if you feel unable to speak to the person concerned or, if having spoken, the behaviour persists. You should include a note of the way in which the incidents cause you to change the pattern of your work.

4. If the harassment continues (or is of a more serious nature than can

be dealt with by means of the above) then you are strongly advised to seek the help of a manager if you have not already done so. This will enable you to discuss the nature of your complaint in confidence and to be able to arrive at an acceptable solution on an informal basis.

5. If the harassment is serious or has not been resolved by the above means then you or someone acting on your behalf has the right to make a formal written complaint to the management committee. You may call upon a manager or committee member to support you in making this complaint. In some cases it may be appropriate for staff to use the grievance procedures. Either route may lead to efforts to arrive at an acceptable solution on an informal basis or to the initiation of the appropriate disciplinary procedures.

Cases of assault

Where an incident of physical, verbal or sexual assault occurs it may be appropriate to contact the police. To abuse someone sexually or racially is against the law and an extremely serious offence.

In all cases seek the support and advice of a manager or committee member who will take what you say seriously and support you to take the appropriate action. Confidentiality will be respected at all times however where a serious crime has been committed then that confidentiality may need to be breached but would only be breached with prior knowledge.

Vexatious Complaints

Complaints of harassment are treated seriously by the AdvoCard. It should therefore be noted that anyone making mischievous or malicious complaints may have disciplinary action taken against them, up to and including dismissal or expulsion.

What to do if you are accused of harassment

Harassment is an issue which must be taken seriously by colleagues, management. An accusation of harassment does not signify a judgement that you are guilty and there will need to be a discussion with you in order to establish the true nature of the situation. It is possible that there might be a behaviour-at-work problem which has arisen because you have not realised the effect of your actions and you may not have intended the effects complained of. The perception of the person complaining of harassment is, however, an important factor in determining whether or not harassment has taken place.

You may contact your line manager or your trade union representative if you are accused of harassment. The aim of the person you contact will be to facilitate discussion with a view to resolving the problem at source if possible. You have the right throughout any discussions or formal actions, to be accompanied by your trade union representative or a colleague or person of your choice.

In many cases the problem will be solved informally through discussion. You will be asked to reflect on your behaviour and the possibility that you might be at fault, whether consciously or not. A simple discussion between you and the person with a complaint may set matters right.

Details relating to the circumstances that gave rise to the complaint, the existence of witnesses and the nature of the professional relationship between the person complaining and yourself will all be taken into account. If the complaint is taken to a formal stage, then management will ensure that any formal procedures are fairly and properly followed.

Throughout any informal or formal procedures the principal objective is that of identifying the underlying issues and eliminating the cause of offence as quickly as possible and with minimal recrimination.

May 2007