

# **Selsey Community Forum**



## **Harassment at Work Policy**

### **Policy Statement**

Selsey Community Forum is committed to the protection of the dignity of employees at work and will treat seriously all cases of harassment.

Selsey Community Forum takes very seriously its responsibilities as an employer. As a consequence of this, it is important that it has clear and well-defined policies on the major issues affecting its approach to the practice of personnel management.

Harassment at work is a problem which can occur in any organisation and when it does it can be potentially damaging to the individual concerned and destructive to organisational efficiency. When it does arise it is a matter which must be considered properly and dealt with equitably.

### **Individuals Affected**

All employees and volunteers of Selsey Community Forum.

### **Definition of Harassment**

Menacing, abusive or insulting behaviour towards a fellow employee. Includes harassment based on race, disability, sex or sexuality.

- Racial harassment can include the derogatory treatment of staff because of their physical appearance or cultural background, racist name calling, discriminatory remarks which cause a member of staff to feel threatened, racially motivated behaviour which interferes with job performance or creates a threatening work environment.
- Harassment due to disability can include jokes about, or at the expense of, someone's disability, or the disabled group to which the member of staff belongs. Remarks of an abusive or unfavourable character about people with disabilities are also classified as harassment.
- Sexual harassment can include persistent and unwanted verbal or physical advances, derogatory statements causing offence, remarks which cause staff to feel threatened, sexual behaviour which interferes with job performance or creates a threatening work environment. Behaviour which is unwanted by the recipient or causes the recipient to feel threatened shall also be classified as harassment.
- Harassment because of a person's sexuality can include jokes about, or at the expense of, the member of staff's sexuality. The use of names or titles which give offence is classified as harassment.

The above list is not exhaustive. Anyone who is perceived as different, or who is in a minority, or who lacks organisational power, runs the risk of being harassed. Health, physical characteristics, age, personal beliefs including group or organisation membership etc. may lead to harassment and this can occur between people of the same sex or of opposite sex and across all age ranges.

### **Examples of inappropriate behaviour**

- Unwelcome sexual attention
- Lewd, suggestive or over-familiar behaviour
- Display or circulation of sexually suggestive or offensive material
- Misuse of IT facilities including e-mail facilities or misuse of confidential data
- Jokes or derogatory references about a person's racial origins, disability, physical appearance, age or sexuality
- General undermining of an individual's position by persistent and unjustified criticisms

### **Good Practice Standards**

Harassment damages the working environment and can have a devastating effect upon the health, confidence, morale and performance of those affected by it. Managers should always be

mindful of the need to ensure staff are treated with the dignity and professional respect they themselves would expect to receive.

### **Effects on the individual**

The anxiety and stress produced by harassment commonly leads to those subjected to it taking time off work due to sickness, being less efficient at work or leaving their job.

### **Effects on Selsey Community Forum**

Harassment has a direct impact on the efficiency of Selsey Community Forum because staff considering themselves harassed often work below their potential. Selsey Community Forum's public profile also suffers should proven incidents of harassment become common knowledge. Sexual harassment prevents the proper integration of women (and in some cases men) into Selsey Community Forum's employ and puts unacceptable pressures on women (and in some cases men) working for Selsey Community Forum. Racial and other types of harassment are potentially both unlawful and divisive and may place the perpetrator and Selsey Community Forum at risk.

### **Guide**

Harassment, especially sexual harassment, is not about flirting or office banter, it is about vulnerability and power. Victims sometimes feel powerless to act because of their position in the organisation or, in the case of sexual harassment, a women/man working in a traditional male/female environment. Most recipients of this type of behaviour just want it to stop so that they can carry on with their jobs. Serious cases of harassment may be treated as gross misconduct within the meaning of Selsey Community Forum's Disciplinary Policy.

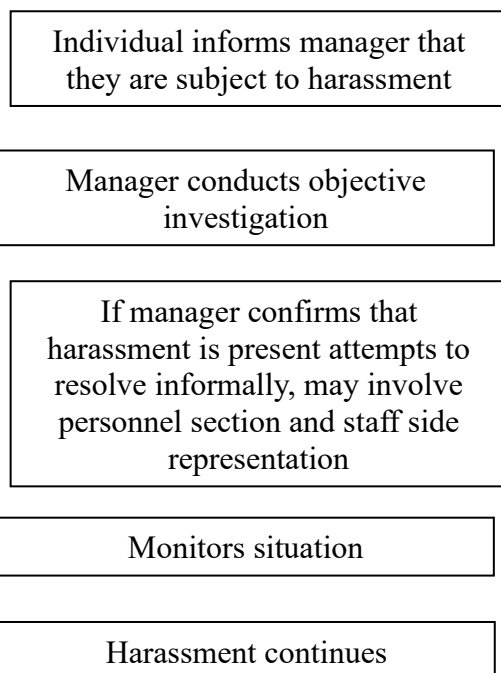
### **Prevention**

Prevention is better than cure and the best means of prevention is the example set by managers and Trustees. Also, managers should ensure that all members of their section are fully incorporated into the "team" and that they are appreciated and respected for the contribution they make to team performance.

### **What if?**

If it becomes apparent that harassment is taking place, or an employee complains, then the matter must be taken seriously. The decision to pursue the matter informally or by use of the formal procedure will depend upon the perceived gravity of the issue or incident in question. It is open to a member of staff to consult a colleague, their manager or a member of the Board of Trustees to talk over a problem prior to determining what action to take.

### **Stage 1 – Informal**



- (a) In the first instance, the manager should try and resolve the matter informally. This can be done by the manager pointing out to the aggressor that their behaviour is unacceptable and explaining why.
- (b) The purpose of the informal stage is to get an understanding that the behaviour is offensive and unwanted and to support the individual in gaining this understanding. Many people who have experienced harassment have not wanted to complain. An early informal approach can be highly effective.
- (c) The Chair of the Trustees or their nominated representative can be involved in helping to resolve difficulties by providing independent, confidential and sympathetic support to individuals at the request of the manager.
- (d) If, despite the manager's intervention, the harassment continues then a counselling or corrective interview may be necessary. This need not be formal, but the manager must make it clear what standards are required and what the consequences will be if those standards are not met within a given timescale. The manager should make notes of the meeting.
- (e) Should the harassment continue, the Chair of the Trustees must be consulted before formal action is taken.

### **Stage 2 - Formal**

Individual may invoke grievance

Manager may invoke grievance

- (a) The purpose of the formal stage is to ensure that the harasser stops the unwanted and unacceptable behaviour using the formal Grievance or Disciplinary procedures as appropriate.
- (b) Formal action will only be entered into if, after monitoring, the informal action had not been acceptable.

**If the alleged harassment is from the manager, then the complainant should be raised with the matter with the Chair of the Trustees.**

### **Follow up**

Staff who have suffered serious harassment may find themselves subject to anxiety attacks or loss of confidence. Where it is deemed necessary Selsey Community Forum may support through counselling services.

### **Handling Investigations**

Once a formal harassment complaint is filed it is necessary to undertake an investigation to assess whether there is sufficient evidence for a case to be answered. The complainant's statement and any supporting documentation, statements by witnesses and the alleged harasser's response to this will provide the focus for this assessment.

Adequate support should be provided to the complainant and accused while the case is being investigated. In cases involving alleged gross misconduct, it will be appropriate to suspend the alleged harasser pending investigation. In less serious cases, where the alleged harasser is an immediate colleague, it may be necessary to make arrangements to separate the parties in the interim.

Individuals undertaking the investigation must not have any other involvement with the allegation. It is crucial that investigations are completely impartial at all stages.

Any interviews must focus on gathering factual evidence from the complainant about the alleged incident(s), how it has affected the complainant and the outcome they desire from the investigation.

Interviewers must avoid influencing the interviewee's statements by introducing their own subjective assessments of the situation.

In circumstances where the alleged harasser denies that the conduct took place or that the conduct was unwelcome, the investigation will be based on assessing whether there is sufficient evidence to support the complainant's claim.

Evidence may include:

- (i) statements by witnesses of the effect of harassment on the complainant ie. "I remember seeing her in a state of distress that morning"
- (ii) recorded changes in health or attendance
- (iii) statements by witness who may have shared the same experience; or
- (iv) requests by the complaining to be transferred.

Evidence may not include:

- (i) providing individuals with confidential counselling in terms of sympathetic and supportive listeners
- (ii) character assassination by witnesses of either complainant or the alleged harasser
- (iii) any general canvass of colleagues by the complainant or his/her representative to see if someone may have had a relevant experience; or
- (iv) results of biased interviews where witnesses have been informed of what they should have seen or known and then asked if they did.

### **Unfounded complaints**

Although all harassment allegations will be treated seriously and investigated properly, sometimes the outcome may, for entirely valid reasons, prove inconclusive. In such circumstances, managers may seek to improve working practices as appropriate or desirable.

If, following any investigation, an alleged complaint is either vexatious or malicious the complainant will be subject to disciplinary action.

If, during the course of making a complaint, the individual is subject to victimisation, then the normal disciplinary procedures will be applied and the accusation or victimisation investigated.

### **Time period for complaints**

Complaints should be raised within four weeks of occurrence otherwise they will not normally be considered.

### **Other sources of information**

Codes of Practice; Equal Opportunities Commission; Commission for Racial Equality; Disability Rights Commission; Chartered Institute of Personnel and Development; Equal Opportunities Code.

NB This policy is designed to deal with Harassment and is not intended as a means of resolving personality conflicts or similar issues which may arise. Such matters should be dealt with under the Grievance provisions. An individual's legal rights are not affected by this policy.

### **Review**

This policy will be reviewed on an annual basis.

Reviewed and Approved by Trustees: November 2024

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Mike Nicholls, Chair, Selsey Community Forum