

## **VIOLENCE & HARASSMENT POLICY**

### **Statement**

Harassment is a term for a number of complaints including discrimination, bullying and intimidation, and can have repercussions for the whole organisation. Harassment can be defined as behaviour or remarks that cause offence and which threaten, humiliate or embarrass. Victims of harassment often suffer from stress, depression, low self esteem, lack of motivation and confusion, any of which can have an adverse effect on job performance, attendance, staff turnover, morale and health.

TFSR recognises that its staff, board of trustees and volunteers may be victims of or perpetrators of violence and harassment, and that it has a duty to eradicate all forms of harassment and to take action where it is identified.

### **Aims**

The aim of this policy is to prevent harassment, whether physical or mental and ensure a safe and non-threatening environment.

To provide staff, board of trustees and volunteers who believe they have been subject to harassment and/or discrimination with a means to have that complaint addressed and to deal with those who are accused of breaching this policy.

### **Action**

All existing and new staff, board of trustees and volunteers will receive, or have access to, a copy of this policy.

All complaints of harassment will be dealt with in a confidential and sympathetic manner.

All allegations of harassment will be taken seriously.

All incidents of harassment must be reported to the line manager or the Chief Executive. If the alleged perpetrator is either or both of these people then incidents should be reported to the Chair or other members of the Board via the administrative officer

Any person reporting incidents of harassment has the right to have another person present, as does any person accused of harassment. This could be a friend, relative, work colleague or trade union representative.

- i) The person being harassed must keep a diary of incidents so that these can be recalled accurately at any enquiry or tribunal. Violent incidents or near incidents should be to, and be followed up by the line manager. If the Chief Executive officer is the perpetrator then the incident should be reported to the Chair via the

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administrative officer.

- ii) Where the perpetrator is a member of the public, and a member of staff is being harassed, then staff will be offered support through supervision in reporting the incident to the police.
- iii) Where the perpetrator is a staff member, the disciplinary panel of the board of trustees may decide to suspend her/him with pay whilst investigations are carried out.

The Employment sub committee will deal with all allegations and/or incidents of harassment. This group must meet within 10 days of the incident being reported. If the perpetrator is a staff member the TFSR disciplinary process must be initiated if the allegations are confirmed. The group must keep all people involved informed of their actions.

The group must:-

- investigate the allegation of harassment
- offer the victim of harassment support
- advise the alleged perpetrator that the allegation has been made within 5 days
- agree a course of action to establish the facts
- decide on the action to be taken if the allegation is proven, this may involve invoking the disciplinary process
- decide on the action to be taken if the allegation is not proven, this may involve invoking the disciplinary process

It is the responsibility of all staff, trustees and volunteers not to practice or encourage any form of behaviour that may be viewed as harassment.

## **Legislation**

The Criminal Justice and Public Order Act 1994 created a criminal offence of intentional harassment. As harassment is not defined, all forms may be covered by the legislation. Convictions are punishable by 6 months imprisonment and/or up to £5,000 fine. Only harassment within a dwelling is exempt, therefore intentional harassment in the workplace would fall within the legislative provision.

Although neither sexual nor racial harassment are specifically defined in the Sex Discrimination Act 1975 or the Race Relations Act 1976, case law clearly establishes that harassment is unlawful discrimination.

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