

ANTI-HARASSMENT POLICY AND PROCEDURE

PURPOSE OF THE ANTI-HARASSMENT POLICY

The DBF is committed to promoting a working environment where every employee is treated with respect and dignity and in which no employee feels threatened or intimidated because of his/her gender, marital status, sexuality, disability, ethnic origin or religious belief. Harassment can affect the health, confidence, morale and performance both of those affected by it and those who witness it. The aim of this policy is to prevent harassment in the workplace and to provide guidance to deal with instances of harassment, thereby preventing recurrence.

DEFINITION OF HARASSMENT

The DBF defines harassment as conduct, which threatens, humiliates, embarrasses or causes offence to another individual, relating to the categories listed above.

Harassment includes unwelcome physical, verbal or non-verbal contact, including comments made to other individuals. The following examples indicate behaviour, which could constitute harassment:

- Physical conduct: behaviour ranging from touching to serious assault, pestering, stalking or spying
- Verbal and written harassment: jokes, racist remarks, offensive language, gossip, slander and threats
- Visual displays: posters, graffiti or gestures of an offensive nature
- Isolation or non-cooperation at work
- Coercion, including pressure for sexual favour
- Bullying and intimidation

PRINCIPLES UNDERLYING THE PROCEDURES

In following through the procedure outlined below, the following principles will be observed:

- All employees are entitled to be treated equitably and with dignity
- Raising a complaint through the harassment procedure does not preclude any employee from pursuing a claim through an employment tribunal on the grounds of discrimination
- If an investigation indicates that harassment has taken place, this will be deemed to be misconduct and disciplinary action will be taken in accordance with the DBF's disciplinary policy or procedure
- All complaints made through the harassment procedure will be treated as serious

- In the formal investigation of any complaint, the suspension (on full salary with all rights protected) of either the complainant or the alleged harasser (or both) from their duties may occur to assist in the process and will not be considered to be an indication of culpability
- If, for good reason, an employee would rather not raise a complaint of this nature with his/her line manager (notably where the line manager is the alleged harasser), it is acceptable for them to request an appointment with the Diocesan Secretary (or if the Diocesan Secretary is the alleged harasser, with the Chair of the DBF) who will advise on the best way in which to proceed
- Although in most cases, the complainant may be the subject of the harassment, another employee who believes that one of his/her colleagues is experiencing harassment may initiate a complaint
- Complaints of harassment should be made as soon as possible after the incident(s) have occurred. However, because of the personal nature of harassment, a complaint may be made some time after the event
- In the interests of all parties, complaints of harassment will be responded to as quickly as possible

THE PROCEDURE

1. Any employee who believes that he/she has experienced, or is experiencing, or believes that another employee is experiencing any form of harassment is entitled to raise a complaint through this procedure. They must state clearly how the complaint relates to this policy/procedure.

The Informal Stage

2. If an employee wants the behaviour to stop, or where the harassment is not serious or where there has only been one incident, it may be appropriate for the complainant to approach the alleged harasser directly, clarifying the behaviour that they consider to be unacceptable, explaining that it is unwelcome and requesting that it be stopped. In some cases, this may be sufficient action to resolve the situation.
3. If it is difficult or embarrassing to do this directly, or if an approach of this nature has not resolved the situation, an employee may inform his/her line manager and ask him/her to assist with the process. In such circumstances, the complainant may ask the line manager to approach the alleged harasser on their behalf, outlining the behaviour that has been found unacceptable, explaining that it is unwelcome and requesting that it be stopped. Alternatively, the complainant may ask the line manager to be present when the approach is made to the alleged harasser.

4. During this stage of this procedure, there is no formal investigation of the complaint and disciplinary action will only be taken if the complaint is considered through the formal stage of the procedure.
5. The complainant should be made aware that:
 - a) The involvement of his/her line manager will result in a written record of both the allegation and the outcome, which could be used in any further action through the formal stage of the procedure.
 - b) Although the complainant may feel that the situation is resolved, there may be circumstances where a line manager may wish to initiate the formal stage of the process (e.g. similar allegations from other employees).

The Formal Stage

6. While an informal complaint may resolve the majority of harassment complaints, where the harassment is serious, if the harassment continues after the informal stages have been exhausted, or if the complainant prefers, the formal stage of the procedure will be followed.
7. The complainant should formally notify his/her line manager of the alleged harassment, preferably in writing.
8. The line manager will arrange a meeting with the complainant within seven days of the receipt of the formal complaint to clarify and formally record the details of the complaint and to ensure that the complainant is aware of the procedure that will be followed.
9. The line manager will then meet with the alleged harasser and outline the nature of the complaint, confirm that it is being considered through the formal stage of the harassment procedure and ensure that he/she is aware of the procedure that will be followed.
10. At all future meetings in the process, both the complainant and the alleged harasser have the right to be accompanied by a friend, Trade Union representative or work colleague. The line manager may choose to be accompanied by an adviser.
11. In some cases, consideration may need to be given to avoiding contact in the workplace between the complainant and the alleged harasser. This could involve the temporary relocation or the suspension of one or both of the parties. Neither action should be seen as an indication of culpability.
12. The line manager will arrange formal meetings with the complainant, the alleged harasser and others who may be able to assist with the investigation (e.g. work colleagues, witnesses and those who may have observed the complainant's demeanour immediately before and/or after the alleged incident) to establish the facts. It may not

be appropriate for these meetings to be held on the same date but in any event, these should be held within 14 days of the formal notification of the alleged harassment.

13. The meetings to establish the facts will be held privately and not in the presence of any other person involved in the alleged incident. All the information given during these meetings will be treated as confidential to the investigation (subject to any statutory requirements) but a written record will be kept.
14. Having obtained all the available information, the line manager will prepare a written report outlining the facts, indicating his/her findings and whether the DBF's disciplinary procedures should be invoked (see D1 Disciplinary Policy & Procedure) or other action taken. This will then be referred to the Diocesan Secretary (or the Chair of the DBF if the Diocesan Secretary is the line manager) for action.
15. The Diocesan Secretary (or his/her delegated Senior Manager) will then decide whether to invoke the disciplinary procedures, take alternative action (e.g. the provision of training and/or counselling) or to take no further action. This decision will be conveyed both to the complainant and to the alleged harasser in writing within seven days of the conclusion of the formal meetings.
16. Both parties should be informed of the right to use the DBF's Appeals Procedure if he/she is dissatisfied with the outcome of the investigations. Where an employee is dissatisfied about a decision to invoke the disciplinary procedure, he/she can, under the conditions of the harassment procedure, appeal against the decision to deem their behaviour as misconduct. An appeal of this nature would not preclude a further appeal against any disciplinary decision which may be taken, should the initial appeal be turned down.
17. At the end of the procedure, training and/or counselling will be offered to both the complainant and the alleged harasser.

MALICIOUS ALLEGATIONS

During the procedure, it may become apparent that a complaint of harassment has been made maliciously. This will be deemed to be misconduct and disciplinary action will be taken against the employee initiating the malicious complaint in accordance with the DBF's disciplinary policy and procedure.