

Harassment & Bullying Guidelines

Agreed by CAAT Steering Committee, 2nd June 2005

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SECTION 1 - UNDERSTANDING HARASSMENT

1.0 Introduction

This policy applies to all Campaign Against Arms (CAAT) Trade staff. Its overall objective is to protect the dignity of individuals and to ensure that each CAAT employee is able to work in an environment free of harassment.

What is harassment?

- 1.1 This definition of harassment is derived from the European Commission Code of Conduct on Sexual Harassment. The Commission has defined sexual harassment as 'unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women at work'. CAAT widens this definition of sexual harassment to define harassment on other grounds, including those listed at paragraph 1.3 below. In addition to this definition, the following characteristic features about harassment can also help us to understand and recognise it:
- (a) harassment always involves unwanted conduct of a discriminatory and or intimidating kind, which may be directed at an individual, group, culture, religion or lifestyle.
 - (b) harassment frequently creates conditions in the workplace which are oppressive and or offensive to one or more individuals.
 - (c) harassment frequently involves a display of power, which undermines, intimidates, isolates or degrades the victim.
 - (d) harassment always involves some form of behaviour by which an individual or group is treated in a detrimental way on improper grounds.

This definition includes bullying.

- 1.2 CAAT believes that whether or not an instance or situation constitutes harassment is not determined by the intentions of the doer but by the seriousness and frequency of the doer's actions and their impact upon the victim. In some cases a single instance will constitute harassment.

1.3 Who can be harassed?

In addition to sexual harassment, employees in the workplace may be subjected to harassment based on any of the following:-

- * sexuality
- * gender

- * disability, sensory impairment and or learning difficulty
- * real or suspected infection with the HIV (AIDS) virus
- * race, ethnicity, skin colour and or nationality
- * culture and religion
- * class
- * political beliefs
- * willingness to challenge harassment against others
- * membership or non membership of a trade union
- * status as an ex-offender
- * age (young or old)
- * their physical height or size
- * facial scarring or other facial features

This list is not exhaustive. Bullying & harassment may occur for other reasons, not necessarily related to an individual's characteristics or membership of a particular group.

1.4 Who can harass?

Anyone can harass. Harassment can occur between people of the same sex, sexuality, race, etc. In practice, however, there are frequently actual or perceived differences between the harasser and the victim. In addition, experience shows that the risk of harassment is increased for employees who are, or are perceived to be, 'less powerful' in the workplace. This often means lesbians, gay men, bi-sexual people, transgender people, women, disabled people and members of ethnic or national minorities.

1.5 Forms of harassment

Harassment can take several forms, which generally fall into three main categories. The following are some examples:

(a) verbal forms of harassment

verbal and written statements or innuendo which are meant to ridicule or insult someone;

subjecting someone to insults or ridicule because of their sexuality, gender, disability, race, etc;

making verbal or written sexual advances or lewd, suggestive and over familiar remarks;

the use of jokes, threatening or offensive language, gossip, slander, etc.

(b) physical forms of harassment

physical contact ranging from touching to assault;

suggesting to someone that sexual favours may benefit their career or that refusal may damage it;

persistent, unwanted attention which continues after the person receiving it makes clear that they want it to stop (depending on its nature or seriousness, a single incident can also constitute harassment);

intrusion by pestering, spying on, following or stalking;

action or behaviour whose effect is to intimidate or degrade.

(c) offensive material

displaying or distributing material which degrades or offends, including posters, graffiti, flags, bunting, emblems and material of a sexist, racist, sexual, or pornographic, etc. kind;

bringing into the workplace badges or other insignia, which are intended or are likely to create hatred or fear based on sexuality, gender, disability, race, etc.

1.6 **How individuals and groups may experience harassment**

Some of the ways in which groups and individuals may experience harassment are as follows:-

1.7 **Lesbians, gay men and bi-sexual and transgender people** often suffer harassment in the form of hostility, ridicule, jokes, innuendos, teasing and insults relating to their sexuality. They can also be isolated in the workplace because others may not wish to associate with people who are lesbian, gay, bi-sexual or transgender. Lesbians, gay men, bi-sexual and transgender people may therefore be reluctant to be open about their sexuality because they fear this might lead to discrimination or harassment.

1.8 **Men and women** may experience sexual harassment through unwanted sexual attention. However, in practice, sexual harassment is almost always directed at women by men. Sexual harassment involves behaviour, which is unwelcomed and unreciprocated. It can be overt, but is often done in a more subtle way, in which the doer's behaviour is 'suggestive'. Women in the workplace who are being sexually harassed may feel unable to seek help and support from colleagues because of the sensitive nature of the problem. In addition, female employees can suffer harassment through a demonstration of power by male colleagues or where the harasser seeks to influence them and or undermine their confidence through threats and intimidation. Nonetheless, the fact that a complainant may be male shall in no way be taken as reason to discount or disbelieve their complaint or to treat it less seriously than a similar complaint from a woman.

1.9 **Disabled People** may be subject to harassment from an assumption that they should be grateful to receive sexual advances or that they do not have a right to or are unable to have physical relationships. Harassment of disabled persons can also take the form of ignoring during workplace discussions, or of taunting and telling jokes about disabled people. In general, every employee with a disability is likely to experience some form of harassment where the focus is on their *disability* rather than on their *ability* - for example, where the line manager or the culture of the organisation regards the employee's disability as a nuisance.

1.10 **White and ethnic minority people** may experience racial harassment. Ethnic minority people may suffer harassment because of their race, ethnicity, nationality, perceived differences, and various prejudiced assumptions and stereotypes. It can range from physical abuse to racially abusive insults, disguised as 'jokes'. Harassment of ethnic minority people in organisations can also take the form of them being spoken to or treated by white people in a dismissive, inferior or unequal way. Where victims challenge racial harassment they can be regarded as 'aggressive' or 'over-sensitive'. As a result, ethnic minority persons may suffer harassment in silence. Nonetheless, the fact that a complainant may be white shall in no way be taken as reason to discount or disbelieve their complaint or to treat it less seriously than a similar complaint from a person from an ethnic minority.

1.11 **Nationality, culture and religion** are grounds on which employees may suffer harassment. For example, Irish, Spanish, Greek, Turkish and Italian employees can be pressurised to

accept jokes and behaviour which ridicule or undermine them on the basis of their nationality. Employees may also experience cultural and religious harassment through a variety of means, ranging from overt ridicule of their culture and religion to a quiet but visible relegation of their religion and culture to a lesser, inferior status or through pressure to conform to the norms and standards of another religion or culture.

1.12 The effects of harassment

Harassment can have a devastating effect on the lives of victims. Individuals can suffer fear, anxiety and stress, which can cause or exacerbate physical illness, reduce their work performance, increase absenteeism and even cause them to resign from work.

1.13 If unchecked, harassment can also damage the workplace by creating tension and conflict, which can lead to poor staff morale, divided teams, absenteeism, reduced productivity and higher staff turnover.

SECTION 2 - DEALING WITH HARASSMENT

2.0 What to do if you feel you are being harassed

If you believe you are being harassed you should do the following:-

- (i) Tell someone else about it. If you are feeling uncomfortable about a situation and are not sure if it is harassment, still try to talk to someone about it;
- (ii) keep a written record of the offending behaviour. Write down the dates, times and places when events occurred and what was said or done. If anyone else witnessed any of the instances make a note of whom it was;
- (iii) make it clear to the person who is harassing you that their behaviour is unwelcomed and that you want it to stop. In most cases, once the person knows that her/his behaviour is unwelcome, they will stop. You can do this alone or with support (see iv);
- (iv) ask a friend or trade union representative to be with you when you speak to the person;
- (v) If the behaviour continues, talk to your representative if you have one. You may need to make a formal complaint;
- (vi) if you feel you are being harassed and you wish it to be dealt with formally, you can make a formal complaint. You can do this as soon as the first instance of harassment occurs or at any subsequent time. Formal complaints must be made in writing to the Secretary of the Staff Disciplinary and Grievance Panel and must set out the specific way(s) in which you feel you have been harassed. Formal complaints will be investigated fully and may lead to disciplinary action.
- (vii) If for some reason you feel that none of the above are reasonably available to you, you can seek assistance from the following external sources:

Equal Opportunities Commission, Overseas House, Quay Street, Manchester, M3 3HN.
Tel: 0161 - 833 9244.

Disability Rights Commission Helpline, 08457 622 633 or visit www.drc-gb.org/whatwedo/helplineenquiry.asp

Commission for Racial Equality, Elliot House, 10-12 Allington House, London, SW1E 5EH. Tel: 0207 828 7022.

Trades Union Congress, Congress House, Great Russell Street, London WC1B 3LS, Tel: 0207 636 4030.

CAAT's local T&G representative, Rhys McCartney, 07957 665769.

Advisory, Conciliation and Arbitration Service (ACAS), Clifton House, 83-117 Euston Road, London, NW1, 2RB. Tel: 0207 388 5100.

2.1 Guidance to employees

Employees should:

- be aware of the issue of harassment, of the forms it can take and of the damage it can do to individuals and organisations
- make sure their own conduct does not include behaviour that could possibly constitute harassment
- not be afraid to stand up against harassment or to support a colleague who is being harassed
- talk in confidence to any employee that you believe is being harassed. Advise them that they can take the action outlined at paragraph 2.0 above. It is possible that the employee may be reluctant to have the matter dealt with formally. If so, be encouraging but sensitive to their wishes.

SECTION 3 - PROCEDURES

Introduction

3.0 CAAT deplores all forms of harassment and believes that there are no circumstances under which harassment in the workplace can ever be justified. CAAT regards harassment as a serious disciplinary offence, which can result in dismissal. Accordingly, harassment in the workplace in any form will not be tolerated at CAAT.

3.1 CAAT believes that it is preferable for complaints of harassment to be resolved informally wherever this is possible and appropriate as this is most likely to produce speedy solutions which minimise the risk of breaching confidentiality. However, where an employee makes a formal complaint of harassment the matter will, in each case, be dealt with formally.

Informal Procedure

3.2 In many cases of harassment the victim simply wants the offending behaviour to stop and wishes the matter to be dealt with quickly and informally. Where an employee wishes their case to be dealt with informally they can:

- (a) follow the steps outlined at paragraph 2.0 above;
- (b) seek the assistance of their trade union representative or a work colleague;
- (c) speak to a staff support person.

3.3 Where a case is dealt with informally no written records will be kept on the complainant's file and no disciplinary action can be taken against the alleged perpetrator.

Formal Procedure

3.4 Allegations of harassment will be dealt with formally where:

- (a) informal attempts have not been successful, or;
- (b) the employee wishes the matter to be dealt with formally, i.e., makes a formal written complaint.

3.5 Formal complaints must be made in writing to the Secretary of the Staff Disciplinary and Grievance Panel, and should try to set out precisely the alleged harassment. Where possible, the complaint should state:

- (a) the name(s) of the harasser(s);
- (b) the nature of the harassment;
- (c) the dates, times and places where the harassment took place;
- (d) the name(s) of any person(s) who witnessed any of the incidents of harassment;
- (e) details of any action taken by the complainant or others to stop the harassment.