



## ***TOWARDS HEALING***

*A Catholic Church response to Institutional/Clerical/Religious abuse*

# **Personal Harassment Policy and Procedure**

## **A) Introduction**

1. Many people in our society are victimised and harassed as a result of their gender, marital/civil status, family status, sexual orientation, religion, age, disability, race or membership of the traveller community.
  2. Personal harassment takes many forms but whatever form it takes; personal harassment is always serious and is totally unacceptable.
  3. Sexual harassment covers acts, requests or conduct, which could reasonably be regarded as being offensive, humiliating or intimidating; and are in fact unwelcome to a particular employee.
  4. We recognise that personal or sexual harassment can exist in the workplace as well as outside and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.
  5. In the specific case of Towards Healing, the question of bullying and harassment extends to persons with whom the service is dealing with on a daily basis - viz clients (primary survivors, family members), therapists, through interaction on the Helpline or through correspondence received by email or letter. This policy is therefore, aimed at protecting the following within Towards Healing - Staff, the Board Members, Members of the CCSS T/a Towards Healing, Therapists and Clients of Towards Healing.
1. Bullying in the workplace is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could be regarded as undermining the individual's right to dignity at work.

## **B) Policy**

1. We deplore all forms of personal or sexual harassment and bullying and seek to ensure that the working environment is sympathetic to all our employees. The workplace environment is not confined to the business premises or normal working day and extends to conferences, external training, and work related social events.
2. We have published these procedures to inform employees of the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment or bullying with a means of redress. For the sake of simplicity, the word "harassment" has been used

in the remainder of this policy. However, it should be understood that, for the purpose of this policy, the examples given and the procedures to be used apply equally to the more general concept of bullying.

3. We recognise that we have a duty to implement this policy and all employees are expected to comply with it.
4. If you are experiencing difficulties in accessing or understanding our documentation in its current format please speak to your Line Manager immediately.

## **C) Complaining About Personal or Sexual Harassment**

### **1. Informal complaint**

If you are the victim of minor harassment, you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should hand a written request to the harasser.

### **2. Formal complaint**

Where the informal approach fails or if the harassment is more serious, you should bring the matter to the attention of your Line Manager or nominated person as a formal written complaint.

On receipt of a formal complaint, we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. We are committed to providing a full and fair investigation, which gives due sensitivity and respect to the rights of both the complainant and the alleged harasser. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter has been resolved.

The person dealing with the complaint will carry out a thorough investigation in accordance with our disciplinary procedure. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

When the investigation has been concluded, a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to you and to the alleged harasser.

## **D) General Notes**

1. If the report concludes that the allegation is well founded, the harasser will be subject to disciplinary action in accordance with our disciplinary procedure. An employee who receives a formal warning or who is dismissed for harassment may appeal against the disciplinary action by using our disciplinary appeal procedure.
2. If you bring a complaint of harassment you will not be victimised for having brought the complaint. However, if the report concludes that the complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you.
3. Similarly, if an employee supports a colleague in bringing a complaint of harassment or if an employee gives evidence in respect of such a complaint of harassment then that employee will not be victimised for doing so. However, where it is concluded that an employee supported a colleague's harassment claim which they knew to be false or malicious, or if the supporting employee deliberately gave factually inaccurate evidence to substantiate a colleague's harassment claim, then disciplinary action may be taken against that supporting employee, up to and including dismissal.

4. Every effort shall be made to carry out and complete the investigation as quickly and efficiently as possible, having due regard for all circumstances.

## **E) Dignity at Work Charter / Bullying**

We at CCSS T/a Towards Healing commit ourselves to working together to maintain a workplace environment that encourages and supports the right to dignity at work. All who work here are expected to respect the right of each individual to dignity in their working life. All will be treated equally and respected for their individuality and diversity. Bullying in any form is not accepted by us and will not be tolerated. All individuals, whether employed by us, or with whom when we come into contact, have a duty and a responsibility to uphold this dignity at work charter.

# **Bullying Prevention Policy**

## **A) Purpose**

As part of our commitment to the fairness, dignity and respect of each employee, CCSS T /a Towards Healing will not tolerate any form of bullying. The aim of this Policy is to indicate what constitutes bullying and what action the CCSS T/a Towards Healing will take if it becomes necessary to deal with an offence of this nature.

## **B) Scope**

This Policy is applicable to all employees (temporary and permanent) irrespective of length of service and includes clients and service personnel both inside and outside the work environment.

## **C) Policy**

The Company acknowledges the right of all employees to a workplace and environment free from any form of bullying. Every member of staff has an obligation to be aware of the effects of their own behaviour on others.

Any instances of bullying will be dealt with in an effective and efficient manner. In cases where the behaviour is proved repeated and consistent, causing unnecessary stress and anxiety, this will be considered gross misconduct. CCSS T/a Towards Healing reserves the right to use the disciplinary procedure up to and including summary dismissal.

As part of this CCSS T/a Towards Healing's code of conduct, it is imperative that all staff, clients, therapists and suppliers respect the dignity of every person. Please consider the multi-cultural beliefs of all of your colleagues regarding your code of conduct, with particular reference to remarks, dress code, posters, e-mails and anything, which may cause offence on the grounds of a person's gender, marital/civil status, race, religion, family status, age, sexual orientation or disability or to a member of the traveller community.

## **D) Definition**

The Task Force on the Prevention of Workplace Bullying defines bullying as:

“Repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the

individual's right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work but, as a one off is not considered to be bullying".

The following are examples of the types of behaviour considered as bullying and are prohibited by CCSS T/a Towards Healing:

## **E) Verbal Abuse**

- Shouting or using aggressive or obscene language, in public or in private, by telephone, letter or email to humiliate or intimidate.
- Making offensive comments about the same person regularly.
- Unfair and excessive criticism.
- Ridiculing the employee in front of other employees and individuals.
- Spreading false or malicious information about the individual around the Organisation etc.
- Personal insults, name calling.
- Threatening job loss for trivial errors.

The above list is not exhaustive and only serves as a guideline to employees. Each case will be taken in isolation and dealt with in the appropriate manner.

## **F) Non-Verbal Abuse**

- Setting up a person to fail by overloading them with work or setting impossible deadlines.
- Withholding information and blaming the person for being ignorant.
- Ignoring, excluding and isolating a person.
- Blocking promotion.
- Threatening body language.
- Damaging personal belongings.
- Excessive monitoring.
- Making offensive/inappropriate comments via text messaging, email or via social networking sites.

The above list is not exhaustive and only serves as a guideline to employees. Each case will be taken in isolation and dealt with in the appropriate manner.

## **G) Physical Abuse**

- Hitting.
- Bodily contact that is abusive in nature.

The above list is not exhaustive and only serves as a guideline to employees. Each case will be taken in isolation and dealt with in the appropriate manner.

## **H) Procedures for Dealing with Bullying**

### **1. Informal Procedure**

An informal approach can often resolve difficult situations with the minimum of conflict and stress for the individuals involved. This in no way diminishes the issue of the effects on the individual.

If you feel you are being bullied, you should attempt to explain to the alleged bully that their behaviour is unacceptable. If you find it difficult to approach the alleged bully alone then seek help and advice from the nominated contact person. He/she will listen, be supportive and explain the various options open to you.

You may ask the contact person to assist you with raising the issue with the alleged bully. The contact person will approach the alleged bully in a confidential, non-confrontational discussion to try to resolve the matter in a low-key manner.

If you decide to bypass the informal procedure, for whatever reason, and choose to go down the formal route then this will not reflect negatively on you in any way.

## **2. Formal Procedure**

If the informal approach is not appropriate, or if after using the informal procedure, the bullying continues, then the formal procedure will be invoked.

A formal written complaint must be given to your Line Manager or a member of the Management team. The complaint should only contain precise details of actual incidents of bullying.

A letter will be sent to the alleged bully to inform him/her that a formal complaint has been made against them. A copy of the complaint will be given to him/her and he/she will be given the opportunity to respond to the allegations.

A designated, impartial member of Management who will determine the appropriate course of action to be taken e.g. a mediated solution or attempt to resolve the situation informally or decide if it should be progressed to a formal investigation will carry out an initial examination. If these courses of action prove to be inappropriate or inconclusive, then a formal investigation of the complaint will take place to determine the facts and credibility of the allegations.

## **3. Investigation**

The investigation will be carried out by a designated member of the Management team or, if necessary, in the case of any possible conflict of interest, an agreed external third party. In either case, the person nominated should be familiar with the procedures involved. The investigation will be thorough, objective and confidential. It will be conducted with sensitivity and respect for the rights of the complainant and the alleged bully.

The designated investigator will meet with the complainant, the alleged bully and any witnesses or other relevant persons individually. The purpose of these meetings is to establish the facts about the allegations, set a timeframe, all of which will be completely confidential.

The complainant and the alleged bully have the right to be accompanied by a work colleague or employee / trade union representative.

The person investigating the complaints will make every effort to carry out and complete the investigation as quickly as possible. When the investigation is complete, a written report will be submitted to Management, which will contain the findings of the investigation.

Both the complainant and the alleged bully will be given the opportunity to comment on the findings of the investigation before Management decides any action.

Management will inform the complainant and the alleged bully, in writing, about the findings of the investigation.

**4. Outcome**

If it is decided that the complaint is well founded, then a formal interview will be conducted with the alleged bully to determine an appropriate course of action. This may include counselling, monitoring or progressing the issue through disciplinary and grievance procedures.

In the event of the findings of the investigation, concluding that the complaint was untrue and was brought with a malicious or vexation intent then disciplinary action will be taken against you up to and including dismissal.

**l) Action to address Bullying and Harassment by Clients**

1. In the event that clients are constantly bullying and/or harassing staff of Towards Healing - whether it is by telephone, email, letter or other means - action may be taken to address this, by means which are proportionate to the actions being experienced. These actions can include and is not limited to:-

- Prohibiting the client from using the Helpline
- refusing to answer their calls, emails or letters
- blocking their email addresses
- blocking their telephone number
- returning to them any correspondence received, unopened
- reporting to Civil Authorities, if deemed necessary.

2. The above applies to any person with whom Towards Healing comes into contact and can include therapists, suppliers, media personnel etc.,