



TRUST FOR DEVELOPING COMMUNITIES

Harassment Policy & Procedure

Approved by the Board on the 6th May 2008

The Trust for Developing Communities (TDC) recognises a duty of care to staff, volunteers and service users and has developed the following policy and guidance to ensure that the risk of harassment in places where TDC undertakes activities is minimised.

A. Policy Statement

1. TDC believes that every individual should be treated with dignity and respect. Accordingly, any harassment, whether intentional or unintentional, is totally unacceptable. In our respect for each other, we are all responsible for challenging all forms of harassment.
2. Harassment is unwanted behaviour which, in their opinion, is perceived to cause distress and/or annoyance to the subject or to a third person. This covers the circumstances where a subject may not have sufficient confidence to complain but a third person may do so on their behalf or, alternatively, the intended subject is not distressed/annoyed but the third person is.
3. Harassment can bring about fear, stress, anxiety and demoralisation in the subject and the damage, tension and conflict which it creates makes for an unpleasant working environment for all.
4. Sexual and racial harassment are commonly recognised forms of harassment. However, people can be subjected to harassment on other grounds including:-
 - Ethnic and national origin, nationality and skin colour, sexuality, disabilities and learning difficulties, age, health, physical characteristics, religion, personal beliefs.
5. Harassment may be persistent or an isolated incident and may be directed towards one or more individual. It can range from extremes, such as assault, to less obvious forms like ignoring someone. Other forms include:-
 - Bullying, physical contact, jokes, offensive language, gossip, slander, letters, posters, graffiti, obscene gestures, isolation or non co-operation and exclusion from social activities, coercion for sexual favours, intrusion by pestering, spying and stalking.
6. Harassment will be treated as a serious disciplinary offence; it may result in dismissal. In certain circumstances, harassment may be a criminal offence. Individual employees guilty of harassment or managers failing to investigate complaints effectively may be financially liable for their actions.

7. Staff should not ignore behaviour which makes them feel uncomfortable but take appropriate action so that the behaviour stops. Minor harassment may be stopped by the subject of the harassment making it clear to the harasser that the behaviour is unacceptable and must stop. Alternatively the subject of the harassment may raise the matter with their line manager or a colleague in the first instance.
8. However, where approaches by the subject have failed or where a more serious harassment has occurred the subject should make a formal complaint.
9. It is best to follow the route outlined in TDC's Grievance Procedure, however there may be occasions where it would not be appropriate to use the procedure and the complaint should be made to the appropriate senior member of staff or Trustee.
10. We recognise that people who are being or who have been harassed may be helped by receiving support and advice from an independent person. Any requests for additional support will be treated sympathetically.
11. All allegations of harassment will be thoroughly investigated and dealt with as quickly as possible. TDC will undertake to take all reasonable steps to ensure that the investigation is completed within four weeks.
12. If it has been found that an allegation of harassment has been made maliciously, the matter will be treated very seriously and disciplinary action taken against the person who made the allegation.
13. Whatever the outcome of a complaint of harassment, no one who has made a complaint should be allowed to suffer victimisation for having made the complaint.

B. Procedure for Dealing with Complaints of Harassment

The Procedure for complaints by the public about harassment by staff and/or volunteers

1. Any complaint received by any member of staff should be resolved, as quickly as possible, by that member of staff, within the spirit of the Trust's responsive community development practice. The staff member must confirm with the complainant that they are satisfied with the response to their complaint.
2. If the complainant is not satisfied with the response to their complaint the staff member must refer the matter to their immediate supervisor at the earliest opportunity.
3. Any complaint received by a trustee of the Trust should be referred to the Manager of the Trust at the earliest opportunity. The Manager will instigate an investigation, through the Trust's established line management system.

If the complainant does not feel that their complaint has been dealt with satisfactorily they must be informed of their right to:

1. Refer their complaint, in person or in writing, to the immediate staff member's supervisor. They have a right to a reply and resolution of the complaint within fourteen days.
2. If the complaint is still unresolved it must be referred, at the earliest opportunity to the Trust Manager, who shall, within fourteen days, carry out an investigation. The Manager shall report, in writing, to the Chairperson of the trustees.
3. If the complaint is still unresolved after the investigation the Chairperson shall, depending on the nature of the complaint, refer the complaint either to the Personnel and Employment Sub committee or a specially convened panel of three Trustees from the Management Committee, who shall have the power of decision.

The Procedure for complaints by staff and/or volunteers about harassment by other members of staff or volunteers

Members of staff or volunteers who believe they have suffered harassment should use the Trust's Grievance Procedure, which reads:

A. GRIEVANCE PROCEDURE

If during the course of your employment you have any concerns or grievances relating to your employment you may seek redress or relief through the following procedure:

1. In the first instance you should refer the grievance to your immediate supervisor and the matter will be discussed informally.
2. If the grievance is not resolved or if you consider that you have not been fairly treated, you may request that the matter should be referred to the Chief Executive for further consideration.
3. To this end, you must set out the grievance in writing, within 7 days where reasonably practicable, and send the statement or a copy of it to the Employer (addressed to the Chief Executive) You should summarise the nature and substance of the grievance. Your grievance shall then be investigated and you will be invited to attend a meeting to discuss it, within 7 days where reasonably practicable.
4. The meeting will not take place unless:
 - (i) you have informed the Chief Executive what the basis for your grievance was when you made the statement under paragraph 3, and
 - (ii) the Chief Executive has had a reasonable opportunity to consider his response to that information.
5. You must take all reasonable steps to attend the meeting.
6. Following the meeting, the Chief Executive will inform you of his decision as to the Trust's response to your grievance and notify you of the right to appeal in

writing within 7 days against the decision, if you are not satisfied with it, under paragraph 7 of this procedure.

7. If you are not satisfied with the Chief Executive's decision or you still consider that you have not been fairly treated, you must inform the Chair of the Trust in writing within 7 days that you wish to appeal. Your grievance will be considered by an Appeals Sub-committee. This should comprise three persons from the Trust's Board from group of six or more who have indicated their willingness to serve in this capacity should the need arise. The Appeals sub-committee will be nominated by the Chair of the Trust's Board or deputy for each occasion. Members of the Personnel & Employment Sub-Committee will be eligible to serve if they have not been involved in the matter in any way prior to the formation of the Appeals Sub-Committee.
8. You will then be invited to a meeting for the appeal to be heard. The appeal meeting shall be held within 7 days where reasonably practicable. You must take all reasonable steps to attend the meeting. Following the appeal meeting, you will be informed of the Trust's final decision in writing within 7 days where reasonably practicable.
9. If you are a member of a Trade Union, you have the right to be accompanied at each stage by a representative of the Trade Union. If you are not a member of a Trade Union, you have the right to be accompanied by a person of your choice.

In either case, if the offence is of a criminal nature it should be reported to the Police immediately after the internal investigation is completed.

Review

This policy and procedure was approved by the Board of Trustees on

6th May 2008

Signature of Chairperson (sgd) *Fabia Bates*

This policy and its associated procedures should be reviewed and updated if there are any changes in legal requirements or every three years from the date when last adopted in order to keep all trustees and staff informed.