



Harassment Prevention Policy

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1. Policy Definition

Bridhaven is committed to creating and maintaining a work environment where all employees are free to work without fear of harassment from any source. The purpose of this policy is to prevent and deter harassing behaviour and where it occurs to have effective procedures in place to address the matter. It also seeks to ensure that all employees are aware of what steps to take if they are encountering problems. Harassment complaints will be dealt with sensitively and informally where possible to ensure a healthy and safe place of work.

2. Scope of Policy

This policy covers all Brídhaven employees both in the workplace and at work associated events such as Christmas parties or sports functions, taking place under the aegis of Brídhaven; and at any other place where employees of Bridhaven are present on Brídhaven business, such as training courses, business meetings away from the workplace, etc.

The policy applies to harassment not only by fellow employees but also by non employees to which an employee might reasonably expect to come into contact in the course of their employment.

3. Responsibility

- Each and every member of the staff has a duty to ensure that harassment does not occur at any level in Bridhaven. Where there is a proper atmosphere of mutual respect, most difficulties which may arise should be capable of being sorted out amicably.
- Management, and others in positions of authority, have a particular responsibility to ensure that harassment does not occur and that complaints are addressed speedily. Harassing behaviour of any kind will not be tolerated and management will take appropriate steps to resolve any harassment problems.

4. Guidelines

- Bridhaven supports the resolution of complaints, as far as is possible and appropriate, through informal processes. It is expected that informal procedures will normally be pursued and exhausted before resorting to the formal procedure.
- All complaints of alleged harassment will be fully, openly and promptly investigated and, where appropriate, corrective action will be taken. Harassment can constitute grounds for disciplinary action up to and including dismissal.
- Since complaints of harassment will be taken very seriously any attempt to misuse this policy and procedure through the filing of malicious complaints may result in disciplinary action pursuant to Bridhaven's disciplinary procedures and may attract a disciplinary sanction up to and including dismissal.
- All employees have the right to be treated with dignity and respect at work.
- Employees should be aware that if a complaint is deemed serious, Bridhaven may have to commence the investigation even if the employee is not prepared to proceed with a formal complaint.
- All employees are expected to comply with this policy and management will take appropriate measures to ensure that harassment does not occur.

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5. What is harassment?

The Employment Equality legislation defines “harassment” as any form of unwanted conduct related to any of the discriminatory grounds, if the conduct has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. The discriminatory grounds, for the purpose of legislation are gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of a Traveller community.

Common harassing behaviour includes, but is not limited to:

- Unwelcome physical contact
- Inappropriate looks, comments or suggestions
- Interfering with or damage to property
- Threats or extortion – which may include those placed on Social Media platforms
- Comments, gestures, jokes or displaying or circulating of material
- Hostile attitudes, practices or structures which discriminate against an individual or group of persons
- Inappropriate Comments, Remarks, Threats placed on Social Media

6. **Sexual Harassment** is similarly defined as any form of unwanted verbal, non verbal or physical conduct of a sexual nature, if the conduct has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Common sexual harassment behaviour includes, but is not limited to:

- Verbal or physical advances
- Requesting sexual favours
- Asking about someone’s sexual preferences, fantasies or activities
- Repeatedly asking for a date after someone has expressed lack of interest
- Unwelcoming patting, hugging or touching someone’s body, hair or clothing
- Making comments, jokes, sexual innuendo, displaying or circulating offensive material or computer pornography
- Making suggestive or sexual gestures, movements or facial expressions
- Making disparaging remarks to someone about their gender or body
- This list is not exhaustive

7. **Racial Harassment**, which is harassment on the grounds of race, including national or ethnic origins, is defined as unwanted or unwelcome conduct, or incitement to such conduct, based on a person’s race, which is offensive to the recipient and which might threaten a person’s security or create a stressful, hostile or intimidating work or study environment. Examples of Racial Harassment are:

- Verbal: offensive jokes or remarks about a person’s race or ethnic origin (including membership of the travelling community), ridicule or assumptions based on racial stereotypes
- Exclusion, hostile or demeaning attitudes, spreading malicious rumours
- Production, display or circulation of material offensive to particular racial or ethnic groups, such as cartoons or racial propaganda
- Physical assault, threat of physical assault
- This list is not exhaustive

This policy will be interpreted with consideration of the fact that behaviour which is acceptable to one individual may be offensive to another.

8. Harassment by Outsiders

Harassment by persons not directly employed by Brídhaven is equally unacceptable and should be promptly reported. Although Brídhaven has no power to discipline the offender in such cases, upon receipt of a complaint and after investigation, it will take action in an effort to prevent reoccurrence of such conduct.

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9. Resolving Procedure - Informal Approach

The objective of this approach is to resolve the difficulties with the minimum of conflict and stress for the individuals involved.

Make it clear to the perpetrator that the behaviour is unwelcome and unacceptable and ask them to stop. If this is not possible or you find it difficult to approach the perpetrator, then you should approach your supervisor or another member of the management team.

Keep a record of incidents as they occur: what happened, dates, times, places, witnesses (if any), your response and the impact on you.

10. Mediation

Mediation is an informal process, through which a Mediator helps the parties in a dispute to talk about issues between them, and if they wish, to reach an agreement which is acceptable to both sides. The process is voluntary and both parties must be willing to take part and agree to the appointment of an internal Mediator. If the parties agree to this approach, Bridhaven will appoint a neutral and impartial Mediator to facilitate the process.

11. Formal Approach

For serious complaints or where the problem is not resolved through any of the informal methods, the formal complaints process will be used.

Formal complaints should be lodged with the Person in Charge or HR Manager within 10 calendar days of the most recent incident of harassment occurring.

The complaint should be clearly formulated in writing, confined to precise details of the allegations and should include:

- Name of alleged harasser
- Nature of behaviour complained
- Date(s) & time(s) when harassment is alleged to have taken place
- Details of any possible witnesses
- Any action taken by the employee to stop the alleged harassment.

The alleged perpetrator will be notified in writing that an allegation of sexual harassment or other form of harassment has been made against them. They will be advised that they will be afforded a fair opportunity to respond to the allegations.

12. Investigation

- Bridhaven will appoint an investigator to hear the complaint. Occasionally, it may be appropriate for a person from another department or nominated third party to conduct the investigation.
- In cases alleging sexual harassment, Bridhaven will ensure that at least one of the investigators will be of the same gender as the complainant. Where there are two investigators appointed, both will be involved in all stages of the interviewing of witnesses and parties to the complaint, with one taking notes.
- The investigation will look objectively at all evidence pertinent to the complaint. The investigator(s) will meet with the complainant and the alleged perpetrator and any witness on an individual basis with a view to establish the facts.
- Details of the complaint will be made available to the parties in advance of an investigation meeting.

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- Investigation meetings will be held in confidence and with sensitivity, and all staff will be treated with dignity and respect. Confidentiality is required of all parties involved in the investigation.
- A written record of all meetings will be kept.
- Those attending investigation meetings will be told in advance of the meeting of:
 - The purpose of the meeting
 - The complaint being investigated
 - The time and venue
 - Their right to representation
 - That the investigation may lead to disciplinary action
- Both parties have the right to be accompanied by a Work colleague or Employee Forum member.
- All material relevant to the complaint will be made available to the alleged perpetrator during the course of the investigation.
- The alleged perpetrator will get the full details of matters under investigation and the opportunity to respond to them fully.
- Further investigation meetings may be scheduled if required as issues arise. Every effort will be made to complete the investigation as quickly as possible, and within an agreed timeframe if possible.
- Staff are obliged to co-operate with investigations held under this procedure.
- The outcome of the investigation will be in the form of a written report which will be presented to the complainant and alleged perpetrator.
- Both parties will be given an opportunity to comment on the findings before any action is decided upon by management.
- If it is found that the complaint is well founded, Management may recommend counselling, monitoring or the convening of a disciplinary hearing. This outcome will be conveyed personally, as well as in writing, to the individual involved.
- If a disciplinary hearing is recommended then this will be conducted in accordance with Brídhaven's Disciplinary Policy and Procedure.
- If it is found that the complaint is not upheld, the complainant can be assured that bona fide complaints will not be viewed as malicious. Complaints which are found to be malicious will be treated as serious misconduct under the disciplinary procedure. This provision should not deter employees from reporting genuine complaints.
- Regular checks will be made by the person investigating the complaint with the complainant to ensure that the harassment has stopped and there is no victimisation
- If either party is unhappy with the conduct of the investigation or the outcome, they may refer the matter through Brídhaven's grievance procedure, within seven calendar days of receiving the Investigator's report setting out the grounds on which they are not satisfied with the outcome or conduct of the investigation.

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13. Changes to policy

Bridhaven reserves the right to review, amend or replace this policy. It will be reviewed on an ongoing basis in line with business needs and any amendments will be advised to employees.

Document Revision Record:

Revision No.	Reviewed by:	Date:	Changes: Yes/No	Reason for Review