

Health & Safety Management Plan

Appendix B –Specific Policies and Procedures

2. Harassment and Bullying Policy

Policy statement

We are committed to ensuring that our workplace is free from harassment, discrimination and bullying.

Purpose

This policy sets out rules of behaviour to support such a workplace.

Scope

It applies to all workers, whether onsite at a parish or Diocese office or out in the field at other workplaces, as the work requires.

Harassment

Harassment is prohibited. Harassment occurs when someone is made to feel intimidated, insulted or humiliated because of:

- Age
- Disability
- Sexual preference
- Religion
- Skin colour or ethnicity
- Gender including pregnancy, marital status, family/carer's responsibilities
- Or any other characteristic specified under anti-discrimination or human rights legislation.

Examples of harassment

- Telling insulting jokes about particular racial groups or genders
- Sending offensive or insulting emails
- Displaying offensive posters or screen savers
- Making derogatory comments about someone's race or religion

Sexual harassment

Sexual harassment is also prohibited. This includes any unwanted sexually related behaviour that, in the circumstances a reasonable person would be offended, humiliated or intimidated by. Usually harassment and sexual harassment constitute an ongoing series of events, however legally, just one act can constitute harassment.

Examples of sexual harassment

- Making obscene or sexually suggestive remarks or jokes
- Intrusive enquires into a worker's private life
- Unwanted body touching or physically molesting a person

Discrimination

Discrimination occurs when someone or a group of people is treated less favourably or unfairly because of their:

- Disability
- Race or religion
- Age
- Gender including pregnancy, marital status, family/carer's responsibilities

This list is not exhaustive.

Workplace discrimination can occur during the following activities and circumstances:

- Recruitment and selection of workers (although choosing a person based on their Christian belief is permitted where their main duties are substantially the same as those of clergy, or involve the spreading of Christian belief)
- Terms, conditions and benefits offered through employment
- Who is offered training and what sort of training is offered
- Who is considered and selected for transfer, promotion, retrenchment or dismissal

As well as being against the law, discrimination in the workplace is also against the policies and values of the Anglican Diocese of Nelson.

Workplace bullying

Workplace bullying is a form of harassment that, until recently, fell outside most current legal definitions of discrimination and harassment. It relates to a misuse or abuse of power in relationships between people. It includes the repeated less favourable treatment of a person by another or others in the workplace. It also includes behaviour that intimidates, offends, degrades or humiliates a person, and is unreasonable in the circumstances.

Examples of workplace bullying

Physical:

- Swearing

- Shouting
- Slamming doors

Psychological:

- Silent treatment, ignoring a person or intentionally leaving them out
- Assigning meaningless tasks unrelated to the position
- Deliberately withholding information needed for effective work performance

Bullying is not...

Reasonable management action including:

- Setting reasonable performance goals, standards and deadlines
- Providing constructive feedback on work performance or behaviours
- Following counselling or disciplinary policies and procedures
- Differences of opinion
- Poor or bad management practices
- An interpersonal conflict
- A one-off incident (e.g., outburst of temper)

Victimisation

Victimisation is defined as a person or group of people retaliating or making reprisals including dismissing or harming the employment of those who submit a complaint about harassment, bullying or discrimination. Victimisation is prohibited behaviour and persons who victimise others may be subject to prosecution similar to that for bullying or harassment.

Definitions

Bullying: means unreasonable behaviour, repeated over time, which is deliberate and intended to humiliate, undermine or otherwise have a detrimental effect on the recipient(s), even though it may not be unlawful.

Harassment: means any unwelcome comment, conduct or gesture that is insulting, intimidating, humiliating, malicious, degrading or offensive. It might be repeated or an isolated incident but it is so significant that it adversely affects someone's performance, contribution or work environment. It can include physical, degrading or threatening behaviour, abuse of power, isolation, discrimination, sexual harassment and racial harassment.

Responsibilities

The manager (or other designated person) is responsible for:

- Providing a safe working environment free from discrimination and harassment.

- Responding to all complaints in the appropriate manner, ensuring the privacy and confidentiality of the complainant.
- Investigating all complaints in a timely manner.
- Keeping the complainant informed of how the investigation is going and what the outcomes are.

All workers are responsible for:

- Ensuring they do not harass or discriminate against any person within the workplace.
- Avoiding behaviours which may be perceived by others as bullying or harassment.
- Raising concerns about any behaviours of other workers which they perceive as bullying and harassment.
- Reporting harassment directly affecting them to their manager (or designated person).
- Helping create a safe working environment free from discrimination and harassment by reporting harassment directed towards other people within the workplace.

Harassment reporting process

The process to report harassment, bullying or discrimination within the workplace is as follows:

1. Report to your manager (or designated person) as soon as it occurs.
2. If you are not comfortable advising your manager (or designated person), directly contact a member of the vestry or other person in authority in the church.
3. An investigation into this behaviour will be actioned.
4. You will be advised of the process as it happens.

Further sources of information

<http://www.legislation.govt.nz/act/public/1997/0092/latest/DLM417078.html> - Harassment Act 1997

<http://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304212.html> - Human Rights Act 1993

<http://www.legislation.govt.nz/act/public/1961/0043/latest/DLM327382.html> - Crimes Act 1961

<http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html> - Privacy Act 1993