

AGHALEE VILLAGE HALL MANAGEMENT COMMITTEE

**EQUAL OPPORTUNITIES POLICY
(INCLUDING HARASSMENT AND BULLYING)**

Aghalee Village Hall is committed to equality of opportunity and fair participation for its entire staff and volunteers and also for individuals from member organisations. This commitment is regardless of religious belief, political opinion, ethnic / racial background, gender, sexual orientation, marital status, disability, age, HIV status or any other unjustifiable factor.

Equality of opportunity will be afforded to all, irrespective of whether or not the law applies to certain groups.

Complaints

If any member of staff, full or part time, paid or voluntary, has a complaint of discrimination, intimidation, victimisation or harassment of any kind, that member of staff is encouraged to raise the complaint either formally or informally with the Chairman.

A copy of the full statement including procedure for dealing with a complaint, will be made available to all user groups, will be displayed in the Village Hall and is available from the Secretary.

Equal Opportunity Policy

AVHMC is committed to equality of opportunity, freedom from harassment and bullying and fair participation for all its staff and volunteers and also for individuals from member organisations. This commitment is regardless of religious belief, political opinion, ethnic/racial background, gender, sexual orientation, marital status, disability, age, HIV status, age or any other unjustifiable factor. Equality of opportunity will be afforded to all, irrespective of whether or not the law applies to certain groups.

Categories

Direct Discrimination – This consists of treating an individual who is perceived to belong to a particular group less favourably than others would be treated in similar circumstances. This includes religious and political cases.

Indirect Discrimination – This consists of unjustifiably applying a condition or requirement which only a small proportion of persons belonging to a particular group can comply with. For example the requirement to work full time may unlawfully discriminate against women with domestic responsibilities unless it is justifiable.

Unconscious Discrimination – This may take many different forms any may be subtle, indirect, unconscious, based on assumptions. Cases may be raised under this heading where the offender has not intended to discriminate.

Victimisation – This is treating one person less favourably than another because that person had for example, exerted rights under equality law, or had helped another person exert such rights, or given such information to an organisation such as the Equal Opportunities Commission or the Fair Employment Commission, or because it is suspected that the person might do any of these things.

Harassment/Bullying – This is defined as any unwanted conduct of a sexual nature or any other conduct based on sex, which affects the dignity of men and women at work. In other cases harassment is defined as any verbal or physical abuse, derogatory statements, displays or emblems, or discriminatory remarks made by one or more persons in the workplace, which are: -

- (i) Unwanted or unreciprocated
- (ii) Cause humiliation, offence or distress
- (iii) Interfere with job performance or creates an unpleasant working environment
- (iv) Trivialise people as a group and emphasise their gender, sexuality, marital status, religious beliefs, political opinions, disability, age, race, HIV status or any other unjustifiable factor over their role as workers or volunteers.

Harassment can take many forms from bullying and violence to ignoring someone at work. It may include verbal and written form, offensive language, gossip, slander, sectarian songs, visual displays, isolation or non co-operation at work, exclusion, coercion, intrusion etc.

Treatment of any worker, volunteer or visitor, in any manner described under any of the subheadings of the Equal Opportunities Policy above is not acceptable in any form.

Complaints

If any member of staff has a complaint of discrimination, intimidation, victimisation or harassment of any kind, that member of staff is encouraged to raise that complaint either formally or informally with The Line Manager.

Disciplinary Action

Any allegation of discrimination, victimisation, intimidation or harassment will be thoroughly investigated. Where the allegation is upheld, disciplinary action may be taken. In serious cases where allegations are upheld the offender may be summarily dismissed.

Anti-Sectarian Policy

AVHMC is committed to treating all staff, volunteers and individuals from other organisations in a fair and equitable way, in accordance with the Equal Opportunities Policy.

General

AVHMC is committed to creating a harmonious working environment in which all staff and volunteers do not feel apprehensive due to their religious belief, political opinion, gender, marital status, disability, sexual orientation, age, racial background or any other unjustifiable factor.

Intimidation or harassment in any form is unacceptable behaviour. Sectarian and Sexual harassment constitute unlawful discrimination under the Fair Employment and Sex Discrimination legislation; the organisation will treat all harassment as gross misconduct, which may warrant dismissal.

Communication

A copy of this statement will be given to all employees, applicants, volunteers and member groups of AVH.

A copy of this statement will be displayed on a notice board on the premises.

This policy has been agreed with staff and volunteers prior to adoption.

Procedure for dealing with complaint of harassment or bullying

1. **Complaints Procedure**
Harassment or bullying is a disciplinary offence. Complaints, which are raised formally, will be heard under the existing disciplinary procedures.
2. **What to do if harassed or bullied**
People who are harassed or bullied should make it clear to the harasser or bully that this behaviour is unwanted and should state that they want the behaviour to stop. The person who experiences harassment or bullying should tell a friend or colleague about the harassment or bullying, thereby seeking and having the moral support of another person.
3. **Formal Procedures**
A complaint raised under the formal mechanism, or raised informally, will be investigated quickly and in strict confidence, objectively, independently and with due regard to the rights and dignity of both parties.
4. **Investigation of Harassment or Bullying under formal procedure - Time Limits**
An investigation of a complaint will be conducted by AVHMC within the statutory time limits for lodging a complaint with an industrial tribunal.

Making a complaint

Individuals should make complaints in writing to The Chairman.

If the Chairman wishes to make a complaint, they should make the complaint to another officer of the Management Committee.

If the harasser or bully is the Chairman, any member of staff may make a complaint to any officer of the Management Committee.

The Chairman, or other person in charge, if appropriate, will acknowledge receipt of the complaint and arrange to meet the Complainant within 3 working days.

This is to:

1. Clarify the complaint and formally record the nature of the complaint. The Complainant should be advised of their statutory rights under the appropriate legislation.
2. Ensure the Complainant is aware of the next stages of the procedure
3. To avoid contact between the Complainant and the Alleged Harasser or Bully.

Where management deem it appropriate to separate the parties pending an investigation, decisions will be taken in the best interests of all parties.

The Chairman will meet the Complainant and:

Clarify and formally record as detailed in the previous paragraph.

The Chairman will meet the Alleged Harasser or Bully and:

Outline the nature of the complaint

Confirm that it is being handled under the formal procedure

Ensure that the alleged harasser or bully is aware of the next stages of the procedure.

Following this meeting the Chairman will write to the alleged harasser or bully outlining the nature of the complaint and setting a date for a formal meeting to be held within 5 working days of the complaint being received.

In cases of serious harassment or bullying consideration will be given to a precautionary suspension on full pay to enable investigations to proceed. An individual who is going to be suspended will be formally be advised of this at a meeting with the Chairman.

The alleged harasser or bully will have the right to be represented at this meeting by a trade union representative or other work colleague.

How the Complaint will be investigated.

Step 1

Meeting with the person alleging harassment or bullying

The Chairman and Vice Chairman will meet with the person alleging harassment or bullying and consider what they have to say about this and any other matter. The person alleging harassment or bullying may be assisted by a representative or work colleague.

Step 2

Meeting with the alleged harasser or bully

The Chairman and the Vice Chairman will meet with the alleged harasser or bully and hear what they have to say about the alleged incident. The alleged harasser or bully may be assisted by a representative or work colleague.

Step 3

Meeting with anyone present during the alleged incident/s.
Having heard from the person alleging harassment or bullying, the Chairman and Vice Chairman will meet anyone who was present when the alleged incident took place. Each individual will be asked individually to outline what happened.

Step 4

Further clarification
The Chairman and Vice Chairman may then wish to repeat any steps from 1-3 again to clarify any statement or to gain further information.

Notes

The purpose of these meetings is to establish facts. All those giving information do so privately and not in the presence of any person other than those named above.

All evidence provided to assist with the investigation would be treated in confidence.

Whilst the matter should be resolved as quickly as possible, the meetings with all involved need not necessarily follow immediately after each other. Every effort will be made to have held all meetings within 10 working days of the date the complaint was received. Where this is not possible, all parties will be notified.

Step 5

Consideration of information
Having obtained all the information possible, the Chairman will consider whether the complaint of harassment or bullying is substantiated. Although the Chairman should consider all of the information placed before them by all parties and complainants personal belief, values of practices, whether sexual, religious or political, should not in themselves be regarded as relevant information.

Step 6

Reporting of facts
The Chairman will prepare a written report outlining the facts, indicating the findings and whether a case of harassment or bullying is substantiated. Where the Chairman has not the authority to take the necessary action, this report will be forwarded to a senior person or committee to make a decision on any appropriate management or disciplinary action.

Step 7

Decision on disciplinary action

The Chairman or the person so empowered will consider the facts and will decide either:

To initiate the Committee agreed disciplinary procedure against any party and/or

To initiate training or counselling.

Step 8

Communicating the decision

Having made a decision this will be communicated in writing to both the person who has complained and to the alleged harasser or bully. Every effort will be made to have completed the procedure within 15 working days of the complaint having been received.

After the investigation is complete

Consideration of transfer

- a) Redeployment if disciplinary action is taken
Where a complaint has been upheld the complainant may wish to avoid any further contact with the harasser or bully. Should the harasser or bully remain in employment with AVHMC, where it is agreed that further contact between the individuals concerned could be unacceptable, every effort will be made to re-locate the harasser or bully in the first instance and where transfer of the complainant occurs it should not lead to any disadvantage to them.
- b) Redeployment if disciplinary action has not been taken.
In such cases consideration may still be given, where practicable to the voluntary transfer of one of the employees concerned.

Counselling

Counselling will be offered to both the person who has been harassed or bullied and the harasser or bully. A trained member of staff or an external provider will provide this.

Further meetings

The Chairman will meet the individual who has alleged harassment or bullying on at least a fortnightly basis for two months following the investigation to ensure that no further harassment, bullying or victimisation has taken place. This action will be undertaken even where a complaint has not been upheld.

Equal Opportunity Awareness Training

The Chairman will ensure the harasser or bully is made fully aware of AVH policy on equal opportunity, harassment and bullying, and of the law relating to these matters.

5. Formal Complaints

Formal complaint of a sectarian nature or sexual harassment is normally to be made to the Line Manager. In a case where the Line Manager is accused of the sexual or sectarian harassment the formal complaint may be made to any officer within the organisation.

6. **Grievance Procedure**

If any member of staff has a complaint of harassment of any kind, that member of staff is encouraged to raise that complaint in accordance with the grievance procedure.

7. **Disciplinary Procedure**

If an allegation of discrimination, victimisation, intimidation, harassment or bullying has been investigated and upheld the disciplinary procedure will be used to determine whether there were any mitigating circumstances and to decide appropriate action.

The following are regarded as constituting misconduct

Intimidation, victimisation, bullying or harassment in any form.

The display of flags, emblems, posters. Graffiti etc.

Discrimination of any form.

The use of words verses songs and gestures.

The circulation of written material.

Jokes or slurs with a sexual or sectarian implication.

This list is not exhaustive

8. The promotion of the policy on equal opportunity, harassment or bullying.

The policy on equal opportunity, harassment or bullying will be promoted in staff meetings

AVH will seek ways to promote the policy in the work environment, and to bring it to the attention of all staff and volunteers.

9. It should be noted that throughout the policy, where reference is made to the Chairman, another person could be designated instead of the Chairman, at the discretion of the Management Committee.

Guidance notes about what to do if you are being bullied or harassed

We expect that all working relationships will be characterised by respect. Any kind of behaviour which undermines, exploits, humiliates, ridicules or threatens another person will not be tolerated.

The law defines harassment as unwanted conduct that affects the dignity of people in the workplace or creates an intimidating, hostile, degrading, humiliating or offensive environment.

If it is serious enough, a single incident can be harassment. It is irrelevant that no offense was meant; the effect on the recipient is what determines whether words or actions are harassment. Bullying can never be excused by saying, "But I was only joking". It is also irrelevant that the person offended was not the intended target. For example, if a colleague expresses offensive views in a conversation which does not include you but takes place in your presence, you would still be entitled to complain about it.

The most common forms of harassment are: a person being ridiculed, patronised, excluded, bullied, intimidated, physically or verbally threatened or even assaulted. This list is not exhaustive. Harassment can be unlawful.

If you are being bullied or harassed, the first step, if possible, is to confront the harasser. Clearly state that the behaviour is offensive and that you want it to stop. If you do not feel able to do this by yourself, ask any member of the Management Committee for help. The initial approach may be made informally. If your complaint is against your manager, then you may contact the Chairman.

Any manager who receives a complaint must deal with it with promptly and thoroughly. In most instances, managers should be able to put a stop to the problem informally, without recourse to further action. Managers must report all bullying and harassment complaints, whether they are formal or informal, to the Chairman as laid down in the Equal Opportunity, Harassment and Bullying Policy..