

Policy Statement

Hospital Radio Perth is committed to fostering an environment in which members can work and conduct the operations of the Organisation free from harassment, intimidation and victimisation; ensuring that all members, hospital staff, patients and visitors are treated with dignity and respect. Any form of harassment or bullying is unacceptable.

This policy exists to provide a swift and fair means of resolving genuine complaints. The raising of unfounded allegations for mischievous or malicious purposes will be viewed as serious and may well lead to disciplinary action.

This policy applies to all instances connected with the voluntary relationship, regardless of the place or time of occurrence.

The procedure sets out both the types of behaviour which are unacceptable and the forms of redress available for those who feel they are victims. The procedure includes examples of unacceptable behaviour, however it should not be regarded as an exhaustive list. The perception of the recipient will dictate what is acceptable.

HOSPITAL RADIO PERTH

HARASSMENT POLICY

ONE DEFINITIONS

In this document

The term "Organisation" will refer to Hospital Radio Perth.

The term "Committee" will refer to the managing committee of Hospital Radio Perth.

The term "Member" will refer to any full, associate or probationary member of Hospital Radio Perth

TWO GENERAL PRINCIPLES

All members have a personal responsibility to ensure that their own behaviour cannot be construed as harassment. This means knowing and understanding the type of language, behaviour and actions that are likely to be seen as harassment by others. It also means giving support to a colleague who is being harassed and not colluding in harassing behaviour. Above all, it means respecting the dignity of others and recognising that colleagues have a right to enjoy their time at the Organisation free from harassment.

Harassment is inappropriate, unwarranted conduct which undermines the dignity of the individual or subjects them to threats or intimidation. Harassment is damaging to the individual, detrimental to the Organisation's effectiveness and to the general morale of the membership. It is particularly reprehensible when applied as an abuse of a Committee position.

People can be subject to harassment on a wide variety of grounds such as:

- a) Sex or sexual orientation
- b) Race, ethnic origin, nationality or skin colour
- c) Religious or political convictions or other personal beliefs
- d) Disabilities, sensory impairments or learning difficulties
- e) Age
- f) Any other personal characteristic

The nature of hospital broadcasting brings many members into contact with those in distress, those who may exhibit personality disorders or those who display attitudes that, although once common, are no longer acceptable. At such times, sexual, racist or other offensive language may be used against members. Where this occurs, every member should be aware of the role they can play by presenting a united opposition.

THREE FORMS OF HARASSMENT

Harassment can take many forms. Most commonly, but not exclusively, harassment may take the form of:

- a) Physical harassment - ranging from unnecessary body contact to assault.
- b) Verbal harassment - unwelcome remarks, suggestions, propositions, offensive jokes, gossip, pestering & bullying. *
- c) Non-verbal harassment - displaying offensive literature, pictures/posters, graffiti, isolation or non co-operation.

**Bullying includes instances of verbal abuse; being vindictive, cruel or malicious; repeated and derogatory remarks which cause the person to feel threatened, distressed or humiliated; remarks which are maliciously used to undermine the person's confidence, membership security or create a threatening or intimidating environment; isolation or non co-operation or exclusion from activities.*

All individuals will be held personally accountable for their actions and behaviour and the Committee will be responsible for eliminating any forms of harassment of which they are aware. Unacceptable behaviour may result in disciplinary action being taken.

Action taken fairly and reasonably by Committee Members in support of the policies and procedures of the Organisation will not constitute harassment.

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FOUR **COMPLAINTS PROCEDURE**

All complaints will be treated seriously, promptly and with sensitivity. In each instance every endeavour will be made to treat the complaint with complete confidentiality although there may be the need, in some circumstances, to refer to witnesses or directly involve others. Where this is necessary, their involvement will be kept to a strict minimum and those involved will be required to maintain confidentiality.

As a principle, the decision to progress a complaint will rest with the member concerned.

The standard of proof in any investigation is on the balance of probabilities and corroboration is not a necessity.

FIVE **INSTANCES OF UNREPORTED HARASSMENT**

There may be instances where:

- a) The seriousness of the situation or
- b) Previous informal action has proved ineffective or
- c) The Organisation's responsibility to protect it's membership

requires that the Organisation pursue an instance or instances of unreported harassment which has come to its attention.

In such circumstances the Organisation reserves the right to progress an inquiry in line with the harassment complaints procedure but commits to making every effort to preserve confidentiality.

SIX **INFORMAL ACTION**

If a member believes that he/she is the subject of harassment there are a variety of actions available to them. In the first instance they may wish to raise the problem informally with the alleged harasser, making it clear that their conduct is unwelcome, offensive or interfering and that they want it to cease. They may seek the support of another member of the Organisation to accompany them at this discussion.

Where they find it difficult or embarrassing to raise the problem directly with the person creating the problem they may seek support from a Committee Member so that an informal solution can be sought either by accompanying them or by meeting the alleged harasser separately. The aim of the meeting is to ascertain whether the alleged harasser agrees that the behaviour occurred, irrespective of intention, and, if so, to obtain an apology and agreement to cease the behaviour.

SEVEN **FORMAL ACTION**

On occasions when the informal procedure has proved ineffective, is inappropriate, or serious harassment occurs, then a member may bring a formal complaint against the alleged harasser.

They should pursue the complaint by reporting the incident(s) to a Committee Member in writing, indicating that they are making a formal complaint under the harassment complaints procedure. Dates and details of the alleged incidents, the names of any witnesses and any actions that may have been taken in an effort to stop the harassment should be included.

The Chairman, or in his or her absence or in the event that he / she is the alleged harasser, the Secretary or Treasurer will:

- a) Appoint an investigator
- b) Take steps to prevent continuation or repetition
- c) Ensure that the Committee meet in no less than 7 days and no more than 28 days to discuss the circumstances.

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SEVEN **(Continued)** **FORMAL ACTION (Continued)**

The Chairman or Committee Member handling the complaint will carry out a thorough and confidential investigation.

Investigations will be conducted within the following framework:

- a) Prompt, thorough, impartial investigations with due regard to rights of the member and the alleged harasser
- b) Investigators must not be connected with the allegation
- c) All parties should be treated with respect and fairness at all times
- d) There must be clear details of the complaint
- e) A commitment to confidentiality for everyone involved, including witnesses
- f) No victimisation of any party to the investigations.

Investigations will normally be completed as soon as reasonably practicable. After the investigation, the investigator will report to the Committee. The Committee will thereafter take any action deemed appropriate.

Both the member concerned and the alleged harasser have the right to be accompanied by a friend, relative or other representative at any meetings or discussion that occur during the course of the investigation. This person must not be connected in any way with the allegation and is there for support. They may not address the meeting.

In the event that a member is found guilty of harassment, proceedings will continue under the Organisation's Disciplinary Procedure.

Where action short of dismissal is appropriate but the relationship is impaired to the extent that it is impossible for the individuals involved to continue to work together, every effort will be made to change the harasser's duties within the Organisation rather than the complainer unless the member concerned would favour a change in their duties.

EIGHT **GENERAL INFORMATION**

Nothing in this document precludes legal action being taken where the behaviour constitutes a criminal offence.

The main relevant sources of law relating to harassment are:

- a) Sex Discrimination Act (1975)
- b) Protection from Harassment Act (1997)
- c) Employment Rights Act (1996)
- d) Public Interest Disclosure Act (1998)
- e) EC Council Directive 26/207 (Equal Treatment)
- f) EC Recommendation and Code of Practice on Protecting the Dignity of Men and Women at Work (1991)
- g) Sex Discrimination (gender reassignment) Regulations 1999

Although there is no specific legislation covering bullying; under Health and Safety legislation, organisations are obliged to ensure the health, safety and welfare of all their members. This includes making sure the environment in which people volunteer is 'harassment' free.

Harassment Policy last amended – 8 March 2003