

## Harassment Policy

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Important notice:  
Printed paper copies of this procedure are **uncontrolled**.  
The current version of this procedure is available on the Group Intranet site

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1			01/08/04	Jeanette Clarke	Board
2	02/02/05	Reformatted		Emma Hines	
3	02/11/05	Amended to Spinnaker Housing Group		Emma Hines	
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## 1. Introduction

This policy sets out the Group's approach to allegations of harassment whether made by or of an employee, resident or third party.

The impact that harassment has on an individual, their families and communities cannot be underestimated. The Group has a "zero tolerance" approach to all forms of harassment and in particular recognises that harassment that has a racial element, is an aggravated and very serious form of harassment. It is critical that the Group responds in a fast, appropriate and resolute manner to allegations of harassment in order to demonstrate that it will not tolerate any form of harassment by, or of its customers and employees.

## 2. Definition

This organisation will not condone any form of harassment, including that committed by third parties, and seeks to ensure that the working environment is comfortable for all its employees. Harassment on the grounds of sex, transgender status, sexual orientation, race, colour, nationality, ethnic or national origins, religion or belief, marital status, disability, age or perceived age or on any other grounds is unacceptable. Implementation of the policy is the duty of all managers and supervisors. All employees are expected to comply.

Harassment, in general terms is defined as unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, race, disability, religion, sexual orientation, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

## 3. Group Culture

The Group will actively work to create a culture where victims are more comfortable reporting incidents. This will be achieved in the following ways:-

- Through extensive training for all staff, in dealing with reports of harassment.
- Encouragement will be given by providing the widest possible number of officers / managers / directors to whom a report can be made, all of whom will have a duty to deal with the report sensitively, confidentially

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and appropriately. An act of harassment perpetrated by an employee can be reported to the line manager of the victim, or the employee who has committed the offence. Alternatively it could be reported to another officer, any Director, or the Chief Executive.

- From the range of personnel trained and available to receive reports of harassment, the Group hopes that there will be sufficient choice for the victim to ensure that they will feel comfortable enough to report the incident. However a victim of harassment (or any other person who perceives an incident to be harassment) may also report the matter to the Chairperson of the Board of Management, or the designated contact under the Whistle Blowing Policy. In either case the Board member receiving the complaint will consider with the victim what investigation and action should follow.
- There will be publicity through tenant and staff forums of the approach the Group will take on receipt of a report of harassment.

The Group understands that historically there has been under-reporting of incidence of harassment to social landlords generally. The Group will consider an increase in the number of reports of harassment incidents to its subsidiary Associations, to be a positive outcome of this policy and the culture change required to encourage reporting. That is not to say that the Group expects the level of incidents to increase, but it does expect to have a more accurate knowledge of incidence.

## 4. Victim Orientated Approach

The Group will adopt a victim-orientated approach when assessing complaints of harassment. The support needs of the victim will be paramount.

A victim centred approach will mean seeking the views of the victim and what they require the Group to do. It means maintaining an empathetic stance.

A package of support measures will be provided to the victim in conjunction with local victim support groups. The Group will have identified and established links with local support groups wherever possible.

The support measures may also include implementation of security measures, immediate graffiti removal, emergency repairs and access to translation services.

The wishes of the victim in respect of use of and disclosure of the information provided are a primary consideration for the Group. Such information should not be voluntarily disclosed to third parties without the consent of the victim. Disclosure can only be made against the wishes of the victim where

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disclosure would prevent a further criminal offence and that offence would be likely to involve placing another person at risk of serious harm, or alternatively a Court has ordered disclosure, having considered any public interest issues.

Research shows that so called “low level” harassment can occur for some time before a victim is willing to report the situation. The ultimate report may be triggered by the victim who can no longer ignore a series of incidents, or by an escalation in the seriousness / frequency of incidents perpetrated. In either event it is important that when an allegation is being reported, efforts are made to establish any other incidents or circumstances that should also come within the scope of the investigation.

## **5. Fast appropriate response**

### **5.1 Employees**

Our approach for employees is specified in our Staff Handbook.

### **5.2 Other stakeholders**

The Group is committed to dealing promptly, effectively and to investigate vigorously all aspects of harassment.

An act of harassment calls for a fast, effective and appropriate response that stops the harassment, supports the victim and takes action against the perpetrator. Proven harassment will constitute gross misconduct by an employee which may warrant summary dismissal from employment. Proven harassment will constitute a breach of tenancy / lease by a resident which would be grounds for possession or forfeiture. In particular the Group will ensure that :

- The victim may choose to make the report to anyone they feel is appropriate and feels comfortable talking to. The officer who receives the report updates the relevant log immediately; the log being one, or a combination of, the nuisance / complaint / protection from abuse or personnel Log. The report will be entered on the complaints log if the incident is perpetrated by an employee or contractor against a resident or third party; the nuisance log if it involves an incident perpetrated by a resident against another resident; the protection from abuse log if the incident involves a vulnerable adult as defined by the procedure, and / or on the personnel log if the incident is perpetrated by or on an employee
- Wherever practically possible and with reference to the victim’s wishes, an appropriately trained operations or personnel officer will meet with the victim within 48 hours of being notified of an incident by agreement

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with the victim.

- Remove offensive graffiti and secure a property within 24 hours of the incident being reported.
- Ensure that appropriate enforcement action (which in addition to possession for residents, could include anti-social behaviour orders, applications for demoted tenancies and injunctions), is pursued vigorously and without delay.

### **5.2.1 *Developing a multi agency approach***

The Group cannot effectively deal with harassment in the community on its own. Links must be made with the Race Equality Council for every area of operation. It must work alongside key community agencies and develop a joint response to the issue. Protocol working arrangements will be drawn up to facilitate the sharing of information relevant to dealing with perpetrators and preventative strategies.

## **6. Communicating the message**

The Group will consider how it could appropriately publicise the lessons drawn from successful harassment cases.

Offices will display posters and publicity material that carry an anti-harassment message.

Tenant newsletters / staff forums and the Group's website will be used to disseminate anti harassment policy and key messages at least annually. The Group will also circulate the harassment policy to local agencies including police and local authority officers, schools, doctors' surgeries and community organisations.

## **7. Preventative strategies**

The Group will seek to develop initiatives that prevent harassment from occurring within the work place, schemes and communities. Preventative actions should be pursued as vigorously as enforcement action. Strategies may include publicity on successful action against perpetrators (with the victims consent) which presents an unequivocal message to all potential perpetrators together with early contact with new staff and tenants to enforce the message; improvements to the security and design of properties.

Consideration will be given to the sensitivity of lettings and sales where it is known that a neighbour has committed acts of harassment but has continued

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to reside in a property and where the applicants would reasonably be considered to be “at risk” of harassment. Where it is considered that an offer should still be made, consideration will be given to what factually correct information can be made known to the applicant in order that they can make an informed choice. The final decision as to whether disclosure of information can be made to an applicant for accommodation will rest with Chief Executive / Managing Director / Director of Operations or Head of Housing (MHA) / Housing Manager (WCHA).

Refusals of offers of accommodation on the basis of a fear of harassment will not prejudice the applicant in respect of future offers of accommodation, in so far as the Group is concerned and each Association will use its best endeavours to ensure its local authority partners also operate an equally sympathetic approach to such cases.

## **8. Monitoring of the harassment policy**

The Group will ensure that the harassment policy and procedures are effectively monitored. Accurate and reliable information provides the basis for continuous improvement of service delivery to tenants.

Consistent ethnic classification drawn from 2001 census will be applied for racist harassment monitoring, which should cover the ethnic origin of both the victim (with the victim’s consent) and the perpetrator. Monitoring will include information extracted from the nuisance log, the complaints log, and the personnel harassment log. Monitoring will also cover refusal to take up a letting because of fear of being harassed, the outcomes and victim “satisfaction” with the action taken by the Group.

## **9. Related Documents**

Group Equality, Diversity and Inclusion Policy  
Group Single Equality Scheme  
Group Whistle Blowing Policy  
Staff Handbook

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