

OCOSC

1. **Non Harassment Policy**

1.1 **Introduction**

The Oldbury Court Out of School Clubs (the “OCOSC”) supports the right of all people to seek, obtain and hold employment without harassment.

It is the OCOSC’s policy to make every effort to provide a working environment free from harassment and intimidation (whether the harassment is on the grounds of sex, material status, sexual orientation, age, disability, race, colour, nationality, or national or ethnic origins, religion or belief, or otherwise). The OCOSC will not permit or condone harassment towards members of the OCOSC (including temporary or volunteer employees), contractors working in the OCOSC’s offices, parents, children, suppliers or indeed any persons visiting such offices.

All members of the OCOSC have a personal responsibility to behave in a manner which is not, nor is likely to be perceived as offensive to others. The OCOSC Directors have a responsibility to ensure that any complaint or harassment affecting a member of the OCOSC is investigated.

The aim of this non-harassment policy (“the Policy”) is to draw attention to, and seek to prevent all types of behaviour which amount to harassment and which are therefore unacceptable. Any person acting in breach of the Policy may be liable to disciplinary action.

1.2 **Definition**

“Harassment” in the context of the Policy, means misconduct of a physical, verbal or non-verbal nature when:-

- it is unsolicited and unwelcome; and
- submission to such conduct is implicitly or explicitly a term or condition of an individual’s continued employment; and/or
- submission to such conduct is implicitly or explicitly a term or condition for decisions which could affect promotion, salary or any other job condition; and/or
- such behaviour creates an intimidating, hostile or offensive work environment for one or more individuals.

The following are examples of behaviour that are likely to be inappropriate and unacceptable. These examples do not form an exhaustive list:

- physical conduct – unwanted physical conduct, including unnecessary touching, patting or pinching, assault, coercing sexual intercourse, physical threats and insulting or abusive behaviour or gestures;
- verbal conduct relating to sex, material status, sexual orientation, age, disability, race, colour, nationality or national or ethnic origins, religion or belief – unwelcome advances, propositions or pressure for sexual activity, offensive, flirtations, lewd comments or abusive language which denigrates or ridicules, insults, which relate to sex, marital status, sexual orientation, disability, race, colour, nationality or national or ethnic origins, religion or belief (including offensive name-calling and offensive comments about dress, appearance or physique, and the writing and/or sending of written materials, including e-mails, of an offensive nature;
- Non-verbal conduct relating to sex, material status, sexual orientation, age disability, race, colour, nationality or national or ethnic origins, religion or belief – the display of pornographic or sexually suggestive pictures, offensive objects or written materials, the display of written or visual material including graffiti which is offensive on the grounds of sex, marital status, sexual orientation, disability, race, colour, nationality or national or ethnic origins, religion or belief, the organising of kiss-o-grams or strip-o-grams, hostility to employees on the grounds of their sex, material status, sexual orientation, disability, race, colour, nationality or national or ethnic origins, religion or belief or other unacceptable non-verbal conduct which denigrates a person.

Harassment on the grounds of any of the matters referred to at paragraph 1.2 above is illegal and will be treated as a serious disciplinary matter. The harasser may be held personally liable for such conduct. In addition, harassment may constitute a criminal offence, rendering the harasser liable to criminal prosecution.

1.3 Procedure

In recognition of the sensitivity of this subject the following procedure has been established to facilitate the resolution of harassment complaints. Both the complainant and the alleged harasser have the right to be accompanied at any stage in this procedure by another member of the OCOSC.

Issues relating to harassment can always be referred by any member of the OCOSC to his or her Manager or any Director of the OCOSC. However, it is recognised that not everyone may wish to discuss a matter relating to harassment directly with their Manager or a Director of the OCOSC.

If any member of the OCOSC feels that he or she has been subjected to harassment he or she would not hesitate at any time to discuss this, in full confidence, with any member of the OCOSC Management Team.

Wherever reasonably possible, a member of the OSOSC who believes that he or she has been the subject of harassment should tell the person responsible that he or she finds their behaviour offensive and ask them to stop.

It is recommended that the member of the OCOSC who is the subject of the harassment keep personal notes of all events from the first instance.

If the harassment continues, or a single incident is sufficiently serious, or the member of the OCOSC is unable to confront the person carrying out the harassment, then the member of the OCOSC should report the incident(s) either to his or her Manager or a OCOSC Director if the person would feel more comfortable doing so. If the alleged harasser is a Manager or Director of the OCOSC, the matter should be reported to any of the other OCOSC Directors or the Chairperson of the OCOSC Directors.

Under normal circumstances, the OCOSC would expect such a complaint to be made at the earliest possible opportunity and in any event within one month of the alleged incident taking place.

The individual that the complainant chooses to approach will, in the first instance, provide support and assistance and listen to any complaint, treating it sensitively, seriously and confidentially.

If the complainant wishes to pursue the matter further or if the person to whom the complaint has been made decides to pursue the matter further in any event, the complainant will be asked to make a formal complaint. Where a formal complaint has been made, a prompt investigation will be conducted.

If it is decided that the complaint is well founded the OCOSC's disciplinary procedure will be invoked.

If it is decided that the complaint is not well-founded then the member of the OCOSC who has made the complaint will be advised accordingly.

Malicious and unfounded allegations of harassment will also be subject to disciplinary proceedings against the complainant.

1.4 **Victimisation**

The OCOSC will not tolerate intimidation, victimisation or unfair discrimination against any person who makes a complaint of harassment or who assists in an investigation of alleged harassment. Retaliation against a member of the OCOSC who complains of harassment can be expected to lead to disciplinary action.

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