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HUMAN RESOURCES STAFF MANUAL FOR EQUALITY AND DIVERSITY

March 2011

Contract No. 263-I-03-06-00015-00 (REDI Task Order No. 3)

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Legislative Strengthening Program

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HUMAN RESOURCES STAFF MANUAL FOR EQUALITY AND DIVERSITY

March 2011

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1. COR Policies on Equality and Diversity

Set out below are two policies:

- Equality and Diversity Policy
- Inappropriate Behaviour Policy

These constitute the COR's commitment and approach to equality and diversity and should be read together.

- Equality and Diversity Policy

1. Purpose

- 1.1. This policy sets out the COR's commitment and approach to equality and diversity. The COR is committed to ensuring equality of opportunity, fairness of treatment, dignity, work-life balance and the elimination of all forms of discrimination in the Secretariat and Provincial Offices.
- 1.2. A key objective of this policy is that the COR can provide a working environment in which people feel comfortable and confident that they will be treated with respect and dignity. Also that employees are given the help they need to attain their full potential to the benefit of the COR and themselves.

Related Policies and Procedures

- 1.3. This policy is to be read in conjunction with other COR policies and procedures:
 - Recruitment and Selection
 - Performance Management
 - Annual Performance Appraisal
 - Family Friendly (to be developed by LSP)
 - Induction (to be developed by LSP)
 - Discipline and Grievance (to be developed by LSP)
 - Training and Development
- 1.4. No decisions regarding recruitment or selection should be made by a person who has not read and understood this policy or without the involvement of the Human Resources (HR) department.

Scope

- 1.5. This equality and diversity policy is applicable to the treatment of all employees engaged to provide services for the COR, irrespective of whether such a contract is for a temporary or fixed term or is of a permanent duration.

The policy will be made available to all employees and applies to both internal and external recruitment.

Policy Statement

- 1.6. It is a fundamental value of the COR Secretariat and provincial offices to treat all workers and job applicants equally and fairly irrespective of gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, disability. The COR is also committed to ensuring that no policy, procedure, provision, rule, requirement, condition or criterion will be imposed on any employee or job applicant without justification, if it would be likely to put that person at a disadvantage on any of the above grounds.
- 1.7. Overall responsibility for this policy lies with the Senior Director of Human Resources.

Principles

- 1.8. The diversity of the communities that the COR serves is reflected at all levels within the workforce
 - The success of the COR depends on people. Capitalising on what is unique about individuals and drawing on their different perspectives and experiences will add value and develop the COR as an employer of choice
 - By accessing, recruiting and developing talent from the widest possible pool the COR can gain an insight into different markets and generate greater creativity in anticipating stakeholder/customer needs
 - The COR constantly strives to create a productive environment, representative of and responsive to different cultures and groups, where everyone has an equal chance to succeed
 - Every employee has a responsibility to embrace and support the COR's vision, mission and values and must continue to challenge behaviour and attitudes that prevent the achievement of this. Using fair, objective and consistent employment practices, ensures that:
 - All employees and potential employees are treated fairly and with respect at all times
 - All employees have the right to be free from harassment and bullying of any description, or any other form of unwanted behaviour, whether based on gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, or disability
 - All employees have an equal chance to contribute and to achieve their potential, irrespective of any defining feature that may give rise to unfair discrimination
 - Information on tribal origin/religious belief, sex and disability will be collected in order to monitor the numbers of applications from different groups. This information will not be used in the selection process or for any other use other than this purpose

- Reasonable adjustments should be made to reduce any disadvantage faced by disabled people in making an application in response to an advertisement
- The recruitment and selection process for disabled candidates should take into account such adjustments to working arrangements or physical features of the work place/station/premises as are reasonable to accommodate their needs and be such that they are not placed at a substantial disadvantage compared with non-disabled candidates

1.9. **Gender**

Women and men are fully and properly represented and rewarded for their contribution at all levels of the COR through:

- Challenging gender stereotypes
- Supporting employees in balancing their life at work and at home
- Supporting employees who become pregnant and taking active steps to facilitate their return to work after maternity leave

1.10. **Marital Status**

People are treated fairly and equally in the workplace irrespective of their marital status.

1.11. **Tribal Origin/Religious Belief**

The tribal origin/religious belief and cultural diversity of Iraqi communities is represented at all levels of the through:

- Challenging stereotypes
- Understanding, respecting and valuing different tribal, religious and cultural backgrounds and perspectives.

1.12. **Pregnancy/Maternity**

It is discriminatory to treat a woman unfairly on the grounds of pregnancy/maternity during the period of her pregnancy and the maternity leave which she is entitled to.

1.13. **Disability**

The abilities of disabled people are recognized and valued at all levels of the COR through:

- Focusing on what people can do rather than on what they cannot
- Challenging stereotypes about people with disabilities
- Making appropriate adjustments in the workplace to help people with disabilities achieve their full career potential

1.14. **Age**

Age diversity within the workforce is promoted and valued through:

- Challenging age stereotyping
- Recognising the benefits of a mixed-age workforce

Fairness and Transparency

1.15. As the COR symbolizes Iraqi democracy it is crucial that its working procedure and practice is open, transparent and consistent. It is also important that the equality and diversity policy is applied consistently across the COR and in the provincial offices.

1.16. All employees will be treated as equal in the workplace, regardless of their gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, or disability.

1.17. Where any decision is made as to whom to shortlist, appoint or have access to training and development, the principle of equality must prevail and the gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, or disability or disability of the applicants under consideration must play no part.

Appeals Procedure

1.18. Employees who have concerns about any aspect of this policy or its operation should consult the COR's Grievance Policy and Procedure.

Last updated: (insert date)

Date of next review: (insert date)

- Inappropriate Behaviour Policy

Introduction

- 1.19. It is in everyone's interests for the work environment to be harmonious and respectful.
- 1.20. This policy recognises that inappropriate behaviour, which may include harassment, can and does take place.
- 1.21. This policy aims to ensure that if inappropriate behaviour does occur in the workplace, it is dealt with in a serious, sensitive and confidential manner so that the matter can be resolved as quickly as possible for all concerned.
- 1.22. The COR is committed to tackling incidents of inappropriate behaviour swiftly and decisively. A strong stand is needed on this issue to enable people of all backgrounds to have dignity at work, and enable them to progress in the organisation and fully contribute to the COR's success.

Identifying Harassment

- 1.23. Care should be taken when interacting with others to distinguish between behaviour that is viewed as welcome and behaviour that is unwanted and potentially offensive to another person. For example, someone tells a joke that they think is funny. Although it was just a bit of fun and the person did not intend to upset anyone, a colleague finds it offensive. This individual may have a valid claim that they have been harassed.
- 1.24. A single incident can constitute harassment, if it is sufficiently serious. Alternatively, a series of relatively minor incidents or actions can be collectively viewed as harassment, in particular if the behaviour persists after the individual has expressed an objection to it or asked for it to stop.
- 1.25. The COR's position is that no harassment of any kind should take place and all employees have a responsibility to ensure at all times that their own behaviour does not offend others.

It is important to remember that harassment:

- Depends on the view of the individual on the receiving end of another person's behaviour
- Does not depend on the severity of the behaviour – a joke or a throw-away comment could be perceived as harassment by anyone who hears it
- Can include behaviour that you hear or see, even if it is not directed at you and has nothing to do with you

Identifying Bullying

1.26. Bullying is regarded as any behaviour, occasional or persistent, by anyone, that intimidates or oppresses another person, possibly through misuse of authority or power. It invariably has a negative effect on the victim's self-confidence, self-esteem and general well-being. It can be subtle in nature and is intended to hurt. It can take place with work colleagues in public or in private, at work or socially.

Examples of bullying may include:

- Shouting or swearing at an individual
- Persistent, excessive, unfair or unjustified criticism
- Public humiliation and/or insults
- Persistent undervaluing of a person's effort
- Constant ignoring of opinions
- Withholding information without justification so as to cause difficulty or embarrassment to an individual
- Unjustified, excessive monitoring and/or supervision
- Setting someone up to fail – for example, setting a target/objective that cannot be achieved
- Constant changing of targets for no justifiable reason
- Unreasonably blocking requests for leave
- Aggressive communication
- Intimidating or threatening behaviour

Preventing Harassment and Bullying

1.27. Every employee has a responsibility to discourage bullying and prevent it from taking place by:

- Being aware of the problems that harassment can cause, and ensuring that our behaviour does not cause others to feel harassed
- Making sure colleagues aware if certain conduct or behaviour is causing concern or offence to anyone

1.28. Managers and team leaders have a particular responsibility to prevent harassment and bullying taking place by:

- Being alert to the possibility that harassment may be happening in their area
- Using their judgement to correct behaviour that could be considered offensive, and reminding employees of the COR's Equality and Diversity policy on this matter
- Taking prompt action to stop harassment and/or bullying as soon as it is identified
- Dealing with all incidents quickly, seriously, sensitively and in confidence

Dealing with Harassment

- 1.29. Most people who complain that they are being harassed simply want the behaviour to stop. Where appropriate, they can be encouraged to take charge of the situation themselves by informing the alleged harasser that his or her behaviour is unacceptable and that it must stop.
- 1.30. If the person who has made a complaint feels that they cannot deal with the matter, they can ask their manager or team leader can to explain to the person allegedly causing offence that their behaviour is unwelcome and must stop.
- 1.31. If this first approach fails to resolve the problem, then the formal grievance procedure can be initiated. Disciplinary action will be considered in all cases where a claim of harassment and/or bullying is substantiated.

Appeals Procedure

- 1.32. Employees who have concerns about any aspect of this policy or its operation should use the COR's Grievance Policy and Procedure.

Last updated: (insert date)

Date of next review: (insert date)

2. Definition of Discrimination

- 2.1. Discrimination is unfair in employment, but also in relation to access to employment, conditions of employment, training or experience for or in relation to employment, and promotion or re-grading or re-classification of posts.
- 2.2. Discrimination can be both direct and indirect:

Direct discrimination happens when a person is dealt with unfairly on the basis of one or more grounds, of gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, or disability.

Some examples are:

- A female candidate at a job interview is asked whether she has children. When she tells the interviewer that she has four, the interviewer makes a remark about needing a lot of time off work if they are sick, and says she will not be suitable for the position
- A receptionist post is advertised and a man phones about the job and is told that because he is a man, he is wasting his time
- A female informs her employer that she is pregnant. She is moved to a lower-paying job out of public view, because stakeholders do not want to look at people in her condition
- A person is not selected for a promotion at work. The supervisor says that while he thinks the person could do the job, they will be retiring soon, so they need to look for someone who will make a long-term commitment to the job

- 2.3. **Indirect discrimination** is often less obvious. Sometimes, a policy, rule or practice seems fair because it applies to everyone equally, but a closer look shows that some people are being treated unfairly. This is because some people or groups are unable or less able to comply with the rule or are disadvantaged because of it.

Some examples are:

- When an employer has a policy of not letting any staff work part-time, people with children or family/caring responsibilities could be disadvantaged
- A public building has a set of twelve steps at the front entrance. Entry for people in wheelchairs is through the back entrance near the industrial bins
- A requirement for a job is that all applicants have ten years experience in the field. A young person could be well qualified but is ineligible to apply for the job

Other Types of Possible Discrimination

Associative Discrimination

- 2.4. This is direct discrimination against someone because they associate with another person who is covered by this policy on the grounds of gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, or disability. For example, a non-disabled employee who is discriminated against because of action she needs to take to care for a disabled dependant.

Perceptive discrimination

- 2.4. Perceptive discrimination is discrimination against a person because the discriminator thinks the person possesses gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, or disability even if they do not in fact do so; such as assuming that someone is older than they are and not providing them with the same access to training and development as other team members.

Victimization

- 2.5. Victimization occurs where dismissal or other adverse treatment occurs as a reaction to a complaint, or notice of a complaint of discrimination, made by the employee to the COR. For example, a female employee says to her manager that she is going to complain about the behavior of a male colleague in terms of sexist remarks he has made and the manager changes her job to one of a lower status and excludes her from meetings where the man she complained about attends.

Gender

- 2.6. Discrimination on the grounds of gender can occur where a women is treated less favorably relating to her gender. This can include being passed over for promotion or restricted access to training and/or development.
- 2.7. Any unfavorable treatment of a woman of any grounds related to pregnancy, childbirth or maternity leave is likely to constitute sex discrimination. For example, preventing a female member of staff from meeting stakeholders or customers or refusing to consider her for a job because she is pregnant,

Marital Status

- 2.8. It is against the equality and diversity policy of the COR to treat someone unfairly because of their marital status. For example, a married women wishing to be promoted should not be discriminated against due to possible prejudice of the panel who may assume that she will want to focus on her family rather than her career. Conversely, a older single man may suffer discrimination because he is not seen as being responsible.

Tribal Origin/Religious Belief

- 2.9. For the COR to be effective it needs a diverse workforce and to embrace good employment practices regardless of tribal origin/religious belief. Different views, perspectives and ideas make important contributions to adding value to performance and success. Prejudice and stereotyping on the basis of people's tribal origin/religious belief can result in unfair decisions about jobs and training. Failure to actively address this could result in lost of productivity and performance and a damaged reputation. Managing diversity in terms of tribal origin/religious belief successfully is essential to good people management. Everyone is different and the COR takes managing diversity seriously.

Age Discrimination

- 2.10. Age discrimination happens when someone is unfairly disadvantaged for reasons, which cannot be objectively justified, relating to their age.

It can:

- Affect anybody no matter how old they are
- Adversely affect employment opportunities, especially those of older people and younger people
- Result in failure to consider personal abilities, potential and experience in employment and training decisions

- 2.11. It is bad practice to advertise a job in such a way that the advertisement could reasonably be interpreted as indicating an intention to discriminate. For example, to advertise for a 'young and dynamic professional'.

- 2.12. Any maximum age prior to retirement has to be justified. It can be justified to set a maximum age for recruitment into a post by taking into account any cost or training for the new hire to be effective. For example, a fifty five year old man applies for the post of trainee accountant, the professional qualification takes five years, he will have reached retirement age by the time he is qualified.

Disability

- 2.13. The COR needs to employ staff who are fully competent to carry out the duties in the job description/person specification. A person with a disability is considered fully competent if they can do the duties with the assistance of special treatment or facilities upon being reasonably accommodated by the COR. For example, a deaf employee has a colleague who can use sign language or, an employee with back problems is provided with a special chair.

- 2.14. Reasonable accommodation means taking appropriate measures. These are any measures that do not involve imposing a disproportionate burden on the COR, such as providing a lift for wheelchair users. Although this can include the adaptation of premises and equipment, patterns of working time,

distributions of tasks or the provision of training or integration resources, but does not include any treatment, facility or thing that the person might ordinarily provide for themselves, such as eye glasses.

- 2.15. At the Annual Appraisal interview with disabled employees it should be discussed what they can do to make sure they can develop and use their abilities. The aim of this is to ensure that disabled employees are getting the same opportunities as others to develop and progress within their job.
- 2.16. The COR will make every effort when employees become disabled to make sure they stay in employment. The aim of this commitment is to make sure that employees know that, should they become disabled, they will have support to enable them to continue in either their current job or an alternative one. Retaining an employee who has become disabled means keeping their valuable skills and experience and saving on the cost of recruiting a replacement.

3. Harassment and Bullying

- 3.1. Achieving high levels of performance from people at work is essential. The COR will treat any form of harassment or bullying seriously because it can lead to under-performance at work. A workplace environment which is free from hostility and/or intimidation enables people to contribute more effectively to success and to achieve higher levels of job satisfaction. People cannot make their best contribution when under fear of harassment, bullying or abuse.
- 3.2. Harassment is defined as any form of unwanted conduct on the grounds of gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, or disability. Harassment occurs where the conduct has the purpose or effect of violating a person's dignity and creating intimidating, hostile, degrading, humiliating or offensive environment for the person. It can be by an individual against another individual, including by someone in a position of authority such as a manager or supervisor, or involve groups of people. It may be obvious or it may be insidious. It is important to note that harassment does not have to be directed at the individual who complains – if it creates an environment that the individual finds intimidating, hostile, degrading, humiliating or offensive.
- 3.3. Harassment also includes behavior that might not be specifically directed at an individual (e.g. banter in an office that is not directed at an individual). If anyone finds the behavior is creating an intimidating, hostile, degrading, humiliating or offensive environment then it can be construed as harassment.
- 3.4. Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, which has the purpose and/or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

- 3.5. Harassment can range from extremes such as physical violence to less obvious forms like ignoring someone. They can be delivered in a variety of ways - with or without witnesses - and be persistent behavior over a period of time, or a one-off act and can include:
- Unwelcome remarks about a person's age, tribal origin/religious belief, marital status, pregnancy/maternity, or disability
 - Physical contact which is unwanted - unnecessary touching, patting, pinching or brushing against another employee's body, intimidating behaviour and assault
 - Physical coercion – pressure for sexual favours e.g. to get a job be promoted or have special access to training and development.
 - Non-verbal – wolf-whistles, obscene gestures, sexually suggestive posters/calendars, pornographic material (both paper-based and generated on a computer, including offensive screen-savers), graffiti, offensive letters, offensive e-mails
 - Jokes, offensive language, gossip, slander, offensive songs and letters
 - Posters, graffiti, obscene gestures, flags, bunting and emblems
 - Isolation or non-cooperation and exclusion from social activities
 - Coercion for sexual favors
 - Intrusion by pestering, spying and stalking
 - Failure to safeguard confidential information
 - Shouting at staff
 - Setting impossible deadlines
 - Persistent criticism
 - Personal insults
- 3.6. Where an employee is harassed either in the workplace or otherwise in the course of his or her employment by the employer, a fellow employee, a stakeholder, customer or other business contact of the COR, that harassment constitutes discrimination.
- 3.7. Bullying is a gradual wearing down process comprising a sustained form of psychological abuse that makes victims feel demeaned and inadequate. Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, which has the purpose, or effect of intimidating, belittling and humiliating the recipient, leading to loss of self-esteem for the victim and ultimately self-questioning his or her worth in the workplace and society as a whole.
- 3.8. The COR also recognizes 'cyber bullying', such as detrimental texts sent via mobiles or images of work colleagues posted on external websites following work events could amount to bullying, as this would be seen to have its origins in the workplace.

Examples of Bullying

- 3.9. Workplace bullying can range from extreme forms such as violence and intimidation to less obvious actions, like deliberately ignoring someone at work. These can be split into two categories:

The obvious:

- Shouting or swearing at people in public and private
- Persistent criticism
- Ignoring or deliberately excluding people
- Persecution through threats and instilling fear
- Spreading malicious rumours
- Constantly undervaluing effort
- Dispensing disciplinary action that is totally unjustified
- Spontaneous rages, often over trivial matters.

The less obvious:

- Withholding information or supplying incorrect information
- Deliberately sabotaging or impeding work performance
- Constantly changing targets
- Setting individuals up to fail by imposing impossible deadlines
- Levelling unfair criticism about performance the night before an employee goes on leave
- Removing areas of responsibility and imposing menial tasks
- Blocking applications for holiday, promotion or training

The actions listed above must be viewed in terms of the distress they cause the individual. It is the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

The Impact of Harassment and Bullying

- 3.10. Harassment and bullying can lead to illness, absenteeism, an apparent lack of commitment, poor performance and resignation. The damage, tension and conflict that harassment and bullying creates should not be underestimated. The result is not just poor morale, but higher labour turnover, reduced productivity, divided teams, poor service and poor product quality. Public image can be badly damaged when incidents of harassment and bullying occur, particularly when they attract media attention.

4. Action to Take to Reduce the Possibility of Discrimination

- 4.1. The COR will take all reasonable steps to avoid discrimination occurring in the workplace. Steps that can be taken to achieve this include:

- Monitoring figures in areas relating to discrimination, for example, monitoring the age and gender of employees in different grades, the number of promotions, the number of recruits and participants on training events
 - Monitoring the number of complaints received on the grounds of gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, or disability
 - Taking action as a result of the monitoring to eliminate any discriminatory factors
 - Ensuring that all managers and supervisors are trained in equality and diversity policies and procedures
 - Ensuring that anyone who is identified as engaging in discriminatory behavior is promptly and suitably disciplined
 - Equality and diversity training for managers and staff
 - Publicizing the Equality and Diversity policy
 - Putting equality and diversity updates on team meeting agendas
- 4.2. If the monitoring process identifies any issues to be addressed, an Action Plan will be developed. This will involve the following stages:
- Identify the current issues. This will require the monitoring of data and statistics as well as understanding attitudes within the COR
 - Establish targets and how they can be met. Action can be taken for example, to encourage applicants from under-represented groups to enhance their chances for career advancement, such as a Women in Management training program
 - Continuous monitoring to see if the actions have any impact
 - Plan further actions
- 4.3. If discrimination occurs, despite efforts to avoid it, the following should be considered:
- Review employment practices to ensure that they are free from discrimination, such as decision making in recruitment and selection
 - Provide training in equality and diversity for recruiters and people managers
 - Adopt a zero tolerance stance in relation to discrimination and harassment and ensure that all COR employees understand this
 - Communicate the COR's values and policies relating to equality and diversity, for example by referring to the policy in appropriate training sessions
 - Maintain objective file notes to support people-related decisions, for example, recruitment and selection decision sheets and performance management interview forms
 - Regularly review employment policy and practice by using feedback

- 4.4. The COR should take positive measures to ensure that all employees:
- Understand that the COR is committed to preventing all forms of discrimination and harassment
 - Are aware of and understand their roles and responsibilities, this includes every role having a clear job description and person specification
 - Know how to seek advice and make a complaint in respect of discrimination or harassment, the staff handbook contains information on how to make a complaint
 - Are confident that the COR will treat any complaint seriously and that it will be dealt with promptly and fairly
 - Understand that any incident of discrimination or harassment will be viewed as a serious disciplinary matter
 - Understand the types of behavior that may be regarded as discriminatory or harassment
- 4.5. Communication on discrimination and equality issues can be delivered through:
- Induction training
 - Equality and diversity training programs
 - Employee briefings
 - A Staff Workgroup, representing all employees in relation to gender, marital status, tribal origin/religious belief, age and disability to report directly to the Secretary General or their appointee
 - Information on staff notice boards
 - Staff handbook and policy/guidance manual
 - Manager guidance and support led by the HR department

Recruitment and Selection

- 4.6. Equality and diversity good practice is essential to ensure that the COR has access to the widest labor market and secures the best employees for its needs and that no applicant receives less favorable treatment on the grounds of their gender, marital status, tribal origin/religious belief, age, pregnancy/maternity, or disability.

Advertising a Vacancy

- 4.7. Wherever possible, all vacancies will be advertised simultaneously internally and externally. Steps will be taken to ensure that knowledge of vacancies reaches underrepresented groups internally and externally.
- 4.8. Wherever possible, vacancies will be notified as widely as possible to attract a wide range of applicants.
- 4.9. All vacancy advertisements will include an appropriate short statement on the COR's commitment to equality and diversity.

Selection and Recruitment Process

- 4.10 Selection criteria (job description and person specification) will be kept under constant review to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.
- 4.11. More than one person must be involved in the selection interview and recruitment process, and all should have received training inequality and diversity. Wherever possible a Human Resources professional should be involved at all stages.
- 4.12. Wherever possible suitably qualified, women, minorities and disabled persons will be involved in the short-listing and interviewing processes.
- 4.13. Reasons for selection and rejection of applicants for vacancies must be recorded.
- 4.14. Recruitment and selection to all jobs will be strictly on merit and the process open and transparent.
- 4.15. Efforts will be made to identify and remove unnecessary/unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged and/or underrepresented groups.

Performance Management

- 4.16. Wherever possible, all employees are given the help they need to attain their full potential this is supported by a rigorous, honest and fair performance management process and annual appraisal cycle.
- 4.17. The key elements to ensure that the performance management process is delivered in line with the equality and diversity policy includes:
 - That performance is managed in a fair, honest and consistent manner
 - Individual and team actions, objectives and targets are set in an open and transparent way
 - Any situation or potential situation involving the actual or possible harassment and/or victimization is handled promptly in an open and consistent manner

Training and Development

- 4.18. It is extremely important that all members of staff can benefits from training and development. Factors that can have a negative impact on access to training include:

- Timing of the event
- Duration of the course
- Physical access to the training room
- Types of examples used when training

4.19. It is also important that each employee takes a positive attitude towards implementing equality and diversity as well as taking personal responsibility, such as:

- Taking responsibility for their own actions
- ‘Passing on’ the message of equality and diversity – to maintain a clear focus
- Reacting to ‘jokes’ and office banter in a responsible way
- Having respect and be sensitive to the issues
- Being open and honest and sharing experience
- Being open minded and avoiding destructive criticism
- Maintaining tolerance
- Not making assumptions and asking for information, etc
- Leading by example
- Speaking out if discrimination happens
- Looking for opportunities to be creative and proactive.

5. Personnel Records

5.1. In order to ensure the effective operation of the equality and diversity policy (and for no other purpose), a voluntary record will be kept of the gender and disability of all employees and job applicants.

5.2. Where necessary, employees will be able to check/correct their own record of these details. Otherwise, access to this information will be strictly restricted. Such records will be analyzed regularly, and appropriate follow-up action taken.

6. Enforcement of Policies

6.1. Any harassment or bullying will be classed as gross misconduct, for which employees they may be disciplined or dismissed.

6.2. All employees will be informed of the COR’s policy towards harassment and bullying at induction training and through communication and awareness programs, where it will be stressed that all complaints of harassment will be treated seriously.

6.3. The COR expects all managers and supervisors to ensure that this policy and procedure is adhered to at all times and expects all employees to respect the dignity of their colleagues. The equality and diversity policy will be regularly monitored by the Senior Director of Human Resources to ensure that it is

achieving its aims and that managers and employees are confident about its application.

Training, Communication and Awareness

6.4. The COR recognises that a written policy is not sufficient to eliminate harassment and bullying. Prominent and regular communication, training and awareness sessions are important to ensure that all employees:

- Understand the COR's commitment to prevent harassment and bullying
- Understand their responsibilities and role in the process
- Know how to seek advice and guidance
- Know how to make complaints and are confident they will be handled effectively

6.5. The COR is committed to communicating the equality and diversity policy effectively through:

- Training and awareness programmes for all staff at all levels
- Briefings for employees
- Notices on staff notice boards
- A section in the Staff Handbook
- Management guidance and training
- HR personnel who can guide employees through the policy and procedures
- Inclusion in briefing meetings
- Induction

Procedure

Advice

6.6. The COR recognises the sensitive nature of harassment and bullying. Employees who believe they are being harassed or bullied may wish to discuss their situation before deciding what action to take. The COR operates an open door policy to discuss workplace problems and employees can discuss the matter with their manager on an informal basis. However, this may not always be appropriate in the circumstances. If this is the case, employees can discuss the situation with the next higher level of management or with an appointed member of the Human Resources Department who is trained to act as an equality and diversity adviser. All line managers and HR advisers have a duty to give advice if an employee comes to them with a problem

HR advisers will:

- Ensure the conversation remains confidential as far as possible
- Listen sympathetically

- Help individuals consider objectively what has happened
 - Discuss what outcome the individual would wish to see
 - Draw attention to available procedures and options
 - Help weigh up the alternatives, but without pressure to adopt any particular course
 - Assist the individual in dealing with the situation, if they ask for help
 - Ensure the advice given is entirely in accordance with COR policy and procedure
- 6.7. Confidentiality will be maintained as far as possible. If an employee decides not to take any action to deal with the problem and the circumstances described are very serious, The COR reserves the right to investigate the situation. It has an overall duty of care to ensure the safety of all employees who may be adversely affected by the alleged harasser's/bully's behaviour.

Solutions

- 6.8. It is for the individual to decide which route to take in solving any problem that has occurred. There are two types of solutions available – informal and formal.

Informal

- 6.9. Employees can choose to solve the matter themselves by approaching the alleged harasser or bully, telling him or her that their behaviour is unwelcome and that it must stop. Otherwise a formal complaint will be made using the procedure outlined below.
- 6.10. When talking or writing to the alleged harasser or bully:
- Describe the behavior that is unwelcome, giving specific examples
 - State that the conduct is unwanted, offensive and humiliating
 - Emphasize that the behavior being complained about must stop
 - Describe how the behavior is having an impact – i.e. 'Do you know how this has made me/him/her feel?'
 - State that the behavior is contrary to the COR's policy and can result in disciplinary action
 - Remind him or her that there are acceptable standards of behavior that are required from everyone
 - State that a record will be kept of any further incidents and repeating the behavior will lead to a formal complaint
 - Stress that the discussion is informal and confidential.
- 6.11. If alleged victims would find it difficult or embarrassing to raise the issue directly with the person creating the problem, support can be sought from a work colleague, acting as a friend, who can accompany the victim when speaking to the alleged harasser or bully.

- 6.12. A third option, is that the alleged victim can put his or her views in writing to the alleged harasser or bully, telling him or her that their behaviour is unacceptable and that it must stop.

Formal

- 6.13. Where informal solutions fail, or serious harassment or bullying occurs, employees can bring a formal complaint in the form of a grievance, with the procedure adapted to take account of the sensitivities of such situations. Each step and action under the formal complaints procedure will be taken without unreasonable delay.
- 6.14. When a formal complaint is made, it should normally be put in writing to the individual's line manager, or if the complainant feels uncomfortable with this for any reason, the complaint should be made to the Senior Director of Human Resources.

The information should include:

- The name of the alleged harasser/ bully
 - The nature of the harassment or bullying behavior
 - The date(s) and time(s) when harassment occurred
 - The names of any witnesses
 - Any action the individual has already taken to stop the harassment/bullying
- 6.15. Complaints will be investigated swiftly and confidentially while ensuring that the rights of both the alleged victim and the alleged harasser or bully are protected. Employees and witnesses can be assured that they will not be ridiculed or victimized for making, or assisting a colleague in making, a complaint, even if it is not upheld, as long as it is made in good faith. Everyone involved in the investigation, including witnesses, will be required to maintain confidentiality – a failure to do so will be a disciplinary matter.

The procedure is as follows:

Step 1: Lodging a statement of grievance and conducting an investigation:

- 6.16. Formal allegations of harassment, bullying or any intimidating behavior should be treated seriously. Investigation should include:
- A prompt, thorough and impartial response
 - Taking evidence from witnesses
 - Listening to both the harasser and the complainant's version of events
 - A time-scale for resolving the problem
 - Confidentiality and security of records and any other documentation

6.17. A record of complaints and investigations should always be made. These should include the names of the people involved, dates, the nature and frequency of incidents, action taken, follow-up and monitoring information. All sensitive information should be treated confidentially.

Procedure

6.18. Complaints must be investigated comprehensively and quickly. A failure to do so could be viewed as subjecting the complainant to further harm.

6.19. The investigation should be conducted by an appropriate and independent manager/supervisor, providing accompaniment for both parties at separate interviews within a framework of confidentiality for all. The rights of the alleged harasser must be protected during the process of the investigation, as well as those of the complainant. The COR's policy must be followed in full.

6.20. Set out below are the steps to take when dealing with a complaint:

- The complaint should be put in writing, outlining the alleged incidents, when they occurred, the harm caused, the names of any witnesses and the name of the alleged harasser or bully
- If the employee/s would find it distressing to set out their complaint in writing then he or she should contact the HR department who will provide assistance
- The written complaint should initially be lodged with the employee's manager. If this would not be appropriate in the circumstances, it should be lodged with the relevant member of the HR department
- An independent investigator will be appointed who has had no previous involvement with the situation and who will conduct investigatory interviews with the complainant, the individual against whom the complaint has been lodged and any relevant witnesses. The right to accompaniment will be provided to all those interviewed
- The investigator will submit a full report to the Senior Director of Human Resources or their appointee

Step 2: Grievance meeting:

- The employee will be invited to a meeting with the Senior Director of Human Resources or their appointee to discuss the grievance and the result of the independent investigator's report
- The employee will be provided with the right to accompaniment
- The timing and location of the meeting must be reasonable
- The meeting will not take place until the Senior Director of Human Resources or their appointee has had a reasonable opportunity to consider the information contained in the employee's grievance letter and the independent investigator's report
- The employee must take all reasonable steps to attend the meeting

- The meeting must be conducted in a manner that enables the employee to explain his or her case and the Senior Director of Human Resources or their appointee to set out the results of the investigation
- After the meeting The Senior Director of Human Resources or their appointee will inform the employee of his or her decision as to the grievance and notify the employee of the right to appeal against that decision if the employee is not satisfied with it.

Step 3: Hearing the appeal:

- If the employee wishes to appeal, he or she must inform the Senior Director of Human Resources or their appointee in writing
- The employee will be invited to attend a further meeting
- The employee will be provided with the right to accompaniment
- The timing and location of the meeting will be reasonable
- The employee must take all reasonable steps to attend the meeting
- The meeting will be conducted in a manner that enables both sides to explain their cases
- After the appeal meeting the Senior Director of Human Resources or their appointee will inform the employee of the final decision, within 5 working days.

6.21. Full records will be kept of the grievance proceedings and copies of meeting records given to the complainant.

6.22. If, at the end of Step 1, the complaint is upheld the matter will be passed to the appropriate line manager to conduct a disciplinary hearing with the person who perpetrated the harassment or bullying.

Continuing to work together

6.23. Whether a complaint is upheld or not, the COR recognises that it may be difficult for the employees concerned to continue to work in close proximity to one another during the investigation or following the outcome of the proceedings. If this is the case, the COR will consider a voluntary request from either party to transfer to another job or work location. However, a transfer cannot always be guaranteed.

Monitoring

6.24. Where harassment or bullying has been found to have occurred and the perpetrator remains in employment, regular checks will be made to ensure that harassment has stopped and that there has been no victimization or retaliation against the victim. The COR will also ensure that the employee who committed the act of harassment or bullying is not victimized in any way.

Malicious complaints

6.25. Where a complaint is blatantly untrue and has been brought out of spite, or for some other unacceptable motive, the complainant will be subject to disciplinary procedure, as will any witnesses who have deliberately misled the COR during its investigations.

The outcome of the investigation

6.26. If it is apparent that the complaint is well-founded, prompt action will be taken to remedy the discrimination or stop the harassment and prevent its recurrence.

6.27. The outcome of the investigation into the employee's allegations of discrimination or harassment may be (depending on what is established during the investigation and the interviews) that:

- The complaint is well-founded and the alleged perpetrator of the discrimination or harassment is disciplined or dismissed (in line with the COR's disciplinary procedure)
- The allegations made by the employee are not viewed as discrimination or harassment and no further action is taken
- The employee's complaint is found to be false or malicious, in which case disciplinary action may be taken against them
- Standards for future conduct are set, which could involve training

6.28. The COR regards all forms of harassment and bullying as gross misconduct, and any employee who is found to have been guilty of such behaviour will be liable to disciplinary action up to and including summary dismissal.

6.29. Disciplinary action will also be taken against any employee who is found to have made a deliberately false or malicious complaint of discrimination, harassment or bullying.

Appeals

6.30. If the employee who has made the complaint is not satisfied with the outcome, s/he may appeal in writing to the Senior Director of Human Resources, setting out the reasons for their dissatisfaction.

6.31. The appeal must be submitted within two weeks of receipt of the written report from the person who handled the complaint.

6.32. The person responsible for the appeal (The Senior Director of Human Resources or their appointee) will convene a hearing with the employee to establish the grounds for their dissatisfaction and explore possible resolutions, having notified them of their right to be accompanied by a colleague at the hearing.

- 6.33. The hearing will normally be held within two weeks of receipt of the employee's written appeal.
- 6.34. Following the appeal hearing, person responsible for the appeal will reply to the employee within a further two weeks, describing any action that they propose to take and the time-scale, or informing the employee that the appeal has not been upheld and no further action will be taken.
- 6.35. If it is not possible to respond within the time periods stated above, the employee will be given an explanation as to the reasons, and asked to agree to a reasonable extension of the timescale.
- 6.36. This will be the final stage of the procedure.

Records

- 6.37. Records will be kept detailing the nature of the allegation of discrimination or harassment, the COR's response, any actions taken, the reasons for them and the outcome. Written records should be kept of all meetings, investigations and discussions in relation to the allegation.
- 6.38. Details of these will be retained on file by the HR department who will ensure the records are held in a secure and confidential fashion. The HR manager will also be responsible for making arrangements for any statistical data to be released about the procedure and its usage for the purposes of monitoring.

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7.1 Equality and Diversity Checklist

- 1 Publicize widely within the COR that any harassment or bullying will not be tolerated, giving examples of unacceptable behaviour and explaining that incidents of harassment or bullying will be treated as misconduct and that perpetrators will be disciplined.
- 2 A complainant should be reassured that any allegation will be treated sensitively and in a confidential manner, but that any false allegation will be treated as misconduct. Serious cases of harassment or bullying should be treated as gross misconduct leading to summary dismissal.
- 3 Train managers in policy content, guidance and application. Communicate the equality and diversity policy and approach on harassment and bullying to the workforce.
- 4 Treat any allegation of harassment or bullying in a sensitive and supportive way. Following an investigation, should it be found that there is a case to answer, the COR's disciplinary policy and procedure should be engaged.
- 5 Relatively minor complaints can be dealt with informally, by the affected individual directly with the perpetrator, and by a manager (where appropriate, with support from HR). For example, affected staff should be encouraged to ask the perpetrator to stop the harassment or bullying, and to make a note of the date when this was done.
- 6 Should the unwelcome behaviour continue after an informal intervention, the manager and HR should encourage those affected to keep a diary note of events, and to retain any documentary or other evidence, including the names of any potential witnesses.
- 7 All employees should be clear about who to complain to (a manager or HR equality and diversity specialist). A complaint can be made verbally but the complainant should be required to subsequently place his or her complaint in writing.
- 8 The complainant can have a person who supports them and works who for the COR. They can be a colleague or manager in their own or another directorate. They can help the complainant and if invited by them can attend meetings as a 'friend'.

- 9** The investigator/s should be trained to keep an open mind at all times and approach the evidence objectively and systematically. Questions about the complainant's personal life should be avoided, unless directly pertinent. Assumptions should not be made about alleged incidents on the basis of the complainant's age, pregnancy/maternity, or disability, manner of dress or behaviours.
- 10** The investigator/s should not be unfairly influenced by any time-lag between the alleged incident(s) and the complaint being made, as this may be due to reluctance, fear of reprisals or dismissal on the part of the complainant.
- 11** A prompt investigation should be carried out. This will involve interviewing all relevant parties. They should be reassured about the impartiality, timeliness, objectivity and confidentiality of the process.
- 12** All interviews should be carried out separately. All interviews should be recorded carefully, preferably as a verbatim record. All interviews should be carried out with a second person representing management present, e.g. as a note-taker. Preferably, the second person attending should be a senior representative of HR; all interviewers should be trained in equality and diversity.
- 13** The alleged perpetrator should be allowed, if they wish, to be accompanied by a colleague.
- 14** Questions should not be framed in a judgemental way. Similarly, the interview should not be conducted on the presumption of guilt on the part of the alleged perpetrator. The interview with the complainant should be framed so that it is more of a discussion than a formal interview.
- 15** In serious cases of alleged harassment or bullying the alleged perpetrator may have to be suspended on full pay in accordance with normal disciplinary rules or temporarily transferred to another role so that the complainant and alleged perpetrator are not in day-to-day contact.
- 16** The interviewers should be sufficiently skilled to gather relevant information effectively and efficiently. The interview will be stressful to the complainant and potentially to the alleged perpetrator, so a second interview with another person/s should be avoided. The complainant should be asked what outcome they want from the process.

17 Investigating interviewers should be prepared for denials from alleged perpetrators along the lines of “it was only a joke”, “I thought she liked it”, or “they asked for it”.

18 If the investigation shows that there is a case to answer, the matter should be reported to the Senior Director of Human Resources and a disciplinary hearing arranged. Suspension of the alleged perpetrator may be necessary at this point, if not already carried out.

19 All complainants and witnesses should be protected from intimidation, victimization, discrimination, or from any other type of retaliation for filing a complaint or assisting in the investigation.

20 The result of the investigation may, instead of formal disciplinary action, be conciliation or mediation. A third party may be called upon to facilitate this process. The views of the complainant should be paramount. It will be preferable to help re-establish normal working relationships through this process.

21 All interviews are confidential and records/documentation will be securely and confidentially kept by the investigating interview/s and then submitted to HR at the end of the investigation.

7.2 Managing a Disabled Employee

- 1** Ask any applicant for a job to let you know if they need any assistance to attend the interview. An existing employee's disability may have onset slowly. Make any reasonable adjustments to working conditions or to the physical working environment where a disabled employee is at a substantial disadvantage.
- 2** Ask each employee or job applicant if they have a disability that requires action. HR will discuss possible adjustments with the individual, and in consultation, monitor and review all action. This sends a positive message.
- 3** Never make assumptions about an individual's disability.
- 4** Adjustments for those on sick leave: avoid dismissal or disciplinary action without first considering all reasonable adjustments.
- 5** Adjustments for those returning from long-term sick leave: consider time-off from work for rehabilitation (e.g. medical appointment or other treatment). Adjustments to working arrangements: discuss options with the employee. Consider steps below.
- 6** Reasonable adjustments for job applicants: improve access to the building / increase room lighting / modify seating or give the individual more time to complete interviews or exercises, put training materials in larger print.
- 8** Redeploy the disabled employee to a less onerous or demanding work or work that is within their capabilities.
- 9** Offer alternative work/posts without a competitive interview and, if appropriate, on a trial basis.
- 10** Provide training, if appropriate. Consider modifying work start/finish times. Measures can be temporary or permanent. Alter the place of work or training/selection.
- 11** Adjustments to working practices can cover: re-assigning some duties to other employees and/or exempting the disabled employee from some duties.
- 12** Adjustments to working premises: widen aisles and rearrange furniture to accommodate wheelchairs. Relocate office shelving and equipment. Redesign a workstation. Add Braille or recorded spoken messages in entrances/exits.

7.3. Guidance on How to Conduct an Investigation

1. To ensure impartiality, the investigator must not have had any previous involvement in the circumstances leading to the complaint being lodged.
2. Although it is clearly difficult to investigate an allegation without explaining the accusations to people, it is important to ensure that confidentiality is maintained as much as possible. In particular, the identity of the accuser and the accused should be kept confidential wherever possible.
3. If it is necessary to disclose the identities of the accuser and the accused as part of the investigation, those who are made aware of the identities must treat the information as confidential.
4. It should not be presumed that the individual is guilty of the offence until all facts have been gathered.
5. In discussing the situation with the accused it will usually be necessary to disclose the name of the accuser. This should be withheld if it is possible for the accused to respond without being told the name.
6. It should be made clear to the individual accused of the bullying or harassment that he or she should not make any attempt to discuss the situation with the accuser. A suspension should be a last resort and only take place if it is absolutely essential given the circumstances.
7. Before the interview
 - Examine the basis of the complaint to establish the issues being raised
 - Examine any written documentation provided by the complainant to support the complaint - for example, personally recorded details of incidents, informal approaches to stop unacceptable behavior, statements from other employees
 - Examine the complainant's personal file and training record to gain an overall picture of the individual, in particular reviewing any previous complaints concerning harassment issues
 - Examine the alleged perpetrator's personal file and training record to gain an overall picture of the individual and any previous complaints
 - Inform the person accused of harassment that:
 - A formal complaint has been raised
 - A meeting with the complainant has been arranged
 - The matter is being treated as confidential
 - Once the basis of the complaint is clear there will be a full opportunity for him or her to state his or her case.

- Meet with the complainant to confirm the date, time and place of the interview stressing the confidentiality of the circumstances and how the sensitivity of the situation is understood.
- Inform the complainant of his or her right to be accompanied by a colleague or trade union representative of his/her choice at the interview. If accompaniment is required, make the necessary arrangements with the relevant people
- Arrange for a member of HR to be present at the interview to take detailed notes, preferably an equality and diversity specialist
- If the complainant is disabled consider what reasonable adjustments may be required
- Make sure the interview setting is appropriate and there will be no interruptions

8. At the interview of the complainant

- Explain the purpose of the interview, how it will be conducted and stress the sensitivity/confidentiality of the situation
- Introduce all those present and their part in the proceedings
- Ask the complainant to state the nature of the complaint, pointing out that everyone recognizes that recounting experiences of harassment are difficult and that the employee will not be asked to repeat details unnecessarily
- Once the basis of the complaint is understood, ask as many objective questions as necessary to establish all the facts and how the alleged unacceptable behavior has affected the employee.
- Ensure questions are neutral and open-ended
- Reiterate the definition of harassment and/or bullying and ask the complainant if he or she is certain that the alleged behavior fits the definition
- Establish if there were any witnesses to any of the alleged incidents of harassment
- Establish if the employee has any documentary evidence to support the complaint, examine this in detail and ask as many questions as necessary to establish its validity
- Summarize the key points of the complaint so there is no misunderstanding of the basis on which the complaint is being made
- Explain that the next stage will include giving the accused every opportunity to state his or her case and conduct any further investigation as necessary
- Explain that once the investigation has been completed, a full report will be written and both parties will be informed in writing of the outcome of the investigation
- Explain that the outcome will be communicated as quickly as possible

9. After the interview

- Make a detailed list of any further information required and its source
- Interview any witnesses, giving them the right to be accompanied, take statements, explain what is happening and why, stressing the confidentiality of the situation
- Collect and analyze any further documentary evidence that has materialized from the discussions in the interview with the complainant and during this further investigation
- Set out the exact details of the complaint, the complainant's feelings and the facts surrounding it
- Make arrangements to the interview the alleged perpetrator following the same process outlined in arranging the investigatory interview (see above)

10. At the interview of the alleged perpetrator

- Inform the employee that this is an investigatory interview into his or her conduct giving a brief overview of what will be discussed
- Stress that this is not a disciplinary hearing, purely an investigatory meeting
- Put the facts to the employee, specifying actual incidents, read out any witness statements, go through any documentary evidence and invite him or her to comment
- If the employee needs more time to be able to consider the facts and respond, then grant a reasonable amount of time taking into account the depth of the evidence
- If the explanation is incomplete, inconsistent with the known facts, or is evasive, probe the employee with further questions to see whether he or she can elaborate any further
- Probe answers such as: "I thought as she said nothing, she liked it"; "it was only a joke"; "I didn't think it would really bother him"; and "that's the way people are treated around here"
- Establish if the employee has any documentary evidence or witnesses to refute the complaint
- Ask the accused if he or she has any lines of suggested questioning for the complainant or any other witnesses that may be relevant
- Summarize the key points of the employee's answer to the allegations so there is no misunderstanding concerning the response being made
- Explain that once the investigation has been completed, a full report will be written and both parties will be informed in writing of the outcome of the investigation

11. After the interview

- Make a detailed list of any further information required and its source
- Interview any witnesses, giving them the right to be accompanied, take statements, explain what is happening and why, stressing the confidentiality of the situation
- Collect and analyze any further documentary evidence that has materialized from the discussions in the interview with the alleged harasser and during this further investigation
- Set out the exact details of the response to the complaint

12. Findings

- The COR is entitled to reach a conclusion that on the "balance of probabilities" an act of discrimination, harassment or bullying occurred
- For the "balance of probabilities" to be valid, the investigators must be able to show that they genuinely believed that the act/s occurred, that they had sufficient facts before them to reasonably substantiate that belief and that they had conducted the most thorough investigation possible. The investigator/s should be conscious of the rights of both parties
- Make findings of fact based upon each incident complained of, i.e. is it more probable than not that the incident happened based on the weight of the evidence gathered
- Having established the primary facts, look at the totality of those facts, including the explanations, in order to see whether it is legitimate to conclude that the acts complained of constituted harassment
- Apply common sense and judgment to the facts, and assess the probabilities on the issue of whether the conduct complained of took place and whether or not it can realistically be classed as harassment
- If reasonable explanations have been provided for the conduct complained of, conclude that no harassment has occurred
 - However, if inadequate explanations, or no explanations at all, have been provided for some or all of the alleged incidents, conclude that harassment did occur, as long as the balance of the evidence supports that belief
 - Whichever outcome is decided upon, set out the facts that have led to the conclusion
 - Where it appears, on the balance of probabilities, that an act of harassment has been committed, assess the seriousness of the offence and the damage it has caused
 - Complete a full written report detailing the nature of the complaint, the response, the facts gathered during the investigation and the conclusion reached together with the reasons why

7.4. What Managers Can Do?

If you are a manager who has to deal with complaints of bullying behavior, here are some things to do:

- Bullying is more likely to occur when the only way that individuals can advance at work is at the expense of others. Try to design the working environment so that this is not the case, and you'll make it harder for bullying to survive
- Create a reward system that promotes teamwork and collaboration
- Discuss the policies in your team meetings
- Be vigilant for classic symptoms of bullying:
 - High absenteeism
 - High turnover specific to one team or position
 - Increased employee complaints
- If someone comes to you with a complaint, take it seriously. Investigate it just as you would any other complaint that undermines work and productivity
- Intervene early and monitor the situation closely – you want to send a clear message that you don't tolerate bullying and that you take complaints seriously
- If you see another manager or supervise someone you witness as being too aggressive, explain straightaway that you don't want them treating their staff in this way and refer them to the COR's policies

7.5. Why People Don't Complain

It is understandable for managers and staff who have not experienced harassment or bullying or other forms of discrimination to be sceptical about how prevalent it is, particularly if there are very few complaints.

The impact of discrimination, harassment and bullying on its victims can be severe - yet one of the paradoxes is the reluctance of people who experience it to complain. That is not to say that all people who are harassed or bullied will do nothing - some will complain quickly and vociferously - but a common reaction is profound helplessness. Among the reasons why people don't complain are that they:

- Do not want attention focused on the situation
- Think nothing will be done about it anyway
- Get used to it and think it is normal
- Hope it will go away if ignored
- Fear the effects on their career
- Do not want the hassle
- Fear victimization and being labelled
- Blame themselves and fear others will blame them
- Fear not being believed or taken seriously
- Feel that they should deal with it themselves
- Unsure how to make a complaint
- Don't want to get the harasser into trouble

7.6. Letter Acknowledging a Complaint

Dear [insert employee's name]

I have received your letter dated [insert date] raising a complaint of [discrimination/harassment].

It is the COR's policy to treat all complaints of discrimination or harassment seriously, and you can be assured that your complaint will be dealt with promptly, efficiently and, so far as is possible, in confidence.

The aim will be [to resolve any discriminatory treatment that you have experienced/put a stop to any harassment you have experienced and ensure it does not recur].

We would like to hold an interview with you as soon as possible so that you may give a full account of the actions/behaviour that you consider to have been [discrimination/harassment].

I would suggest holding the interview on [insert date] at [insert time] in [insert place]. If these arrangements are not suitable for you, please phone me and we will arrange an alternative time and/or place.

It would be helpful if you would come to the interview prepared to give specific examples of the actions or behaviour that you believe constitute [discrimination/harassment] and (if possible) the dates and times on which these incidents occurred and the names of any witnesses.

You have the right to be accompanied at this interview by a fellow worker. Please advise me if you wish to bring someone with you, and, if so, that person's name.

Our aim will be to investigate your complaint objectively and confidentially and, if it is well-founded, to resolve the situation to your satisfaction. Following your interview, we will set up an interview with the person you allege has [discriminated against you/harassed you/is harassing you].

After the completion of our investigation into your complaint, a written report will be produced setting out the findings. This will be done within two weeks of the completion of the interviews. You will be given a copy of the report, as will the person you have accused of [discrimination/harassment]. A copy will also be retained on file by the HR Department who will ensure the records are held securely and confidentially.

I look forward to meeting you and to discussing ways of resolving your complaint.

Yours sincerely,
[Insert name]