



CAA Equality and Diversity

Harassment Policy

1 INTRODUCTION

In support of its Equality and Diversity Policy, the CAA operates a procedure for dealing with allegations of harassment or bullying.

All forms of harassment or bullying are regarded as unacceptable behaviours by the CAA and will be dealt with under this policy. Furthermore, intentional harassment, which includes using threatening, insulting or abusive words or behaviour towards any person; or displaying threatening, insulting or abusive writing or pictures, is a criminal offence.

2 WHAT ARE HARASSMENT AND BULLYING

2.1 Harassment is unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment in the workplace. It is conduct that infringes an individual's human rights and in particular may be related to sex, sexual orientation, age, disability, race, colour, nationality, ethnic or national origin, religion or belief.

2.2 Bullying is a form of harassment and is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power with the intention of undermining, humiliating or injuring the individual. As an offence, bullying might 'overlap' other forms of misconduct such as harassment.

2.3 Harassment and bullying may take the form of the following behaviours (these are not exhaustive):

- offensive written or spoken comments, including inappropriate jokes or gestures (particularly on the grounds of race, sex, age, disability, sexual orientation and religion or belief)
- unwelcome sexual advances – touching, standing too close, display of offensive materials
- overbearing supervision or other misuse of power or position
- exclusion or victimisation
- unfair treatment

2.4 Bullying and harassment do not necessarily occur face to face, they may occur through other means such as written communications, e-mail, and phone.

2.5 Harassment can take the form of persistent behaviour occurring over a period of time, or one incident alone may constitute harassment. It is important to remember that whatever forms the harassment takes, it is not the intention of the perpetrator, but the deed itself and the impact on the individual which

determines what constitutes harassment, i.e. that the individual finds the conduct unwelcome and unwanted.

2.6 Bullying is the abuse of power through means intended to undermine, humiliate, denigrate or injure the individual. This occurs for example when an individual attempts to control or manipulate others through fear; when an employee becomes the object of a group's unwelcome attentions; or when an individual is consistently offensive to colleagues or customers. As an offence, bullying might 'overlap' other forms of misconduct such as harassment.

3 RESPONSIBILITIES

3.1 All employees have a responsibility not to use behaviour amounting to harassment and bullying as described above. Those who do so may leave themselves open to action under the Disciplinary Process. All employees involved in the investigation and/or follow up procedures related to alleged cases of harassment are required to maintain confidentiality.

3.2 If an employee knowingly makes a false complaint, they may be subject to action under the Disciplinary Process.

3.3 All managers are expected to demonstrate the required standards of conduct and behaviour, and to ensure that all employees reporting to them are made aware of those standards.

3.4 Managers also have a responsibility to ensure that the terms of this policy are fairly and consistently applied.

3.5 In cases of alleged harassment, the investigation and informal/formal proceedings must be treated sensitively. Managers involved in the investigation and/or follow up procedures are expected to maintain confidentiality. They must investigate all reported incidents of harassment thoroughly, but without delay.

3.6 All managers must seek to ensure that any employee who brings a complaint of harassment, or anyone who has acted as a witness during an investigation does not suffer victimisation for having brought the complaint or for being a witness. When considering remedial actions, all reasonable steps must be taken to minimise the potential for any disadvantage to the individual.

4 MAKING A COMPLAINT ABOUT HARASSMENT OR BULLYING

4.1 Employees who experience any behaviour which they find personally unacceptable should first deal with the matter informally if this is appropriate, by making it clear to the person concerned that they find the behaviour offensive and unwelcome and that if repeated, a formal complaint to their manager may be made.

4.2 If an employee feels unable to do this verbally, they can make a written request to the person against whom the complaint is made, explaining the distress that the behaviour is causing.

4.3 Employees may find it helpful to seek the support of a colleague, or, where appropriate, advice from their trade union, when speaking (or writing) to the person concerned. Often the person is unaware that their conduct is causing

offence and a quick word may resolve the situation without the need for more formal action. This action should be taken as soon as practicable.

- 4.4 If speaking or writing to the person does not succeed, the employee should normally report the matter to their line manager, if they have not already done so, as managers have a specific responsibility to resolve the matter with reference to this Policy. The employee may, if they wish, be accompanied by a CAA colleague or Trade Union representative at such a meeting.
- 4.5 Any employee who does not feel able to approach their line manager, (e.g. because they are the person against whom the complaint is made), or who has approached their manager but is concerned that the spirit of the Harassment Policy has not been observed, should approach their HR representative. HR will also be able to advise how the spirit of this policy will be observed in cases of a particularly sensitive or complex nature.
- 4.6 Whilst informal methods such as speaking or writing to the employee are a logical first step towards the satisfactory resolution of instances of harassment, it should be noted that the individual might invoke the Grievance Process. If the manager believes harassment has occurred, they have the ability to invoke the Disciplinary Process.

5 INFORMATION AND SUPPORT

Support for employees and further information about this policy are available from HR representatives. Additional information and general guidance is given in the employee guide on Equality & Diversity. Confidential guidance and support can also be provided through the CAA's Employee Assistance Programme. Details of this programme are available on the CAA intranet or from HR representatives.