

Workplace Discrimination, Harassment & Bullying Policy

Open House works with children and vulnerable people from all backgrounds and abilities. Our programmes are run by a small team of paid staff and a large number of volunteers. Our volunteers span a large age range, come from different backgrounds, have different strengths and weaknesses and often have different world views.

Open House has a zero-tolerance policy to bullying and harassment between participants, volunteers and staff.

All staff and volunteers should feel comfortable to speak to one of the managers if they are ever made to feel uncomfortable whilst at one of our programmes or by someone else. Open House will do all it can to support that individual and to investigate what has happened.

Introduction

This policy is designed to assist all staff and volunteers in understanding their rights and responsibilities with regard to workplace discrimination, harassment and bullying.

Scope

This policy replaces all workplace Anti-bullying, Sexual Harassment and Anti-discrimination policies previously issued by Open House.

Those in scope of this policy must comply with all relevant legislation. In particular, it should be noted that it is unlawful to engage in sexual or discriminatory harassment, bullying and victimisation under legislation relating specifically to the workplace. Serious penalties apply to breaches of such legislation.

Purpose

Open House is committed to proactively providing a safe working environment that provides equal opportunity and is free from unlawful discrimination, harassment and bullying for all employees, volunteers and participants. Open House has a commitment to diversity, which embodies sensitive and ethical appreciation and recognition of differences, encouraging inclusiveness, participation and diversity

discrimination, discriminatory harassment, sexual harassment, victimisation and bullying.

- Ensure that its policies, procedures and official documentation and publications comply with equal opportunity and occupational health and safety principles.
- Create a working environment that promotes dignity and respect for all. No form of intimidation, bullying or harassment will be tolerated.
- Ensure training, development and progression opportunities are available to all.

Unacceptable Workplace Conduct

The following specific behaviours are contrary to Open House policy. Any team member found to have engaged in such conduct may be counselled, disciplined or have their employment with Open House terminated.

1. Discrimination

Discrimination occurs when an individual or a group is treated unfavourably because of a personal attribute protected by law. Unlawful discrimination can occur:

Directly – when a person or group is treated less favourably than others because they have a protected attribute, compared with another person or group without that attribute.

For example - a worker is refused promotion because they are “too old”

Indirectly – when an arbitrary or unreasonable system, procedure or requirement treats everyone the same, but in doing so ends up (actually or potentially) disadvantaging a person or group with an attribute protected by the law.

For example - an organisation has a policy that to pass the probation period for office jobs, all new employees must be physically fit and take a test, even though physical fitness is not essential for the role. Someone who is not physically fit would fail the probationary period as they could not pass the test.

Attributes protected by the law include:

- Age
- Breastfeeding
- Disability/impairment (including genetic predisposition to disability, visible

- Gender identity
- Industrial activity/inactivity (union membership or non-membership)
- Irrelevant criminal record
- Lawful political belief or activity
- Lawful sexual activity
- Marital status (having or not having a domestic partner)
- Medical record
- Physical features (including height, weight or appearance)
- Pregnancy (including potential pregnancy)
- Race (including language spoken at home, citizenship, country of origin)

- Religious belief or activity
- Sex
- Sexual orientation
- Social origin
- Status as a parent or carer
- Personal association or relation to another person with any of the above attributes (e.g., being related to someone with a disability). Some exclusions apply to this point.

It is also unlawful to treat someone less favourably because you wrongfully assumed they have an attribute or may develop it at some time in the future.

2. Harassment

Harassment is a type of discrimination involving unwelcome language or behaviour that, regardless of the intention of the perpetrator, could be reasonably anticipated to offend, embarrass, intimidate or threaten another person because of an attribute covered under equal opportunity law.

For example - nicknames or teasing based on weight, race, sexual orientation or physical appearance

Harassment can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation, ignoring people, or unfair work practices.

Harassment can occur regardless of the intention or the formal authority of the perpetrator. It is the effect of the behaviour and the degree to which this effect could be reasonably anticipated that makes it harassment.

a sexual nature in relation to another person.

It has nothing to do with mutual attraction or private, consenting friendships whether sexual or otherwise.

Some examples of sexual harassment include:

- Persistent, unwelcome demands or even subtle pressures for sexual favours or outings.
- Leering, patting, pinching, touching or unnecessary familiarity.
- Offensive comments on physical appearance, dress or private life.
- Sending sexually explicit emails, text messages or through social media applications.
- The public display of pornography (especially when it is directed at particular individuals), ranging from material that might be considered mildly erotic through to material that is sexually explicit.

Open House recognises that comments and behaviour which does not offend one person, may offend another. This policy requires all employees to respect other people's limits.

Sexual harassment can occur regardless of the intention or the formal authority of the perpetrator. It is the effect of the behaviour and the degree to which this effect could be reasonably anticipated that makes it sexual harassment.

4. Bullying

Bullying is repeated, unreasonable behaviour directed toward an individual, or group of individuals, that creates a risk to their health and safety.

Behaviours that may constitute bullying include:

- Sarcasm and other forms of demeaning language.
- Threats, abuse or shouting.
- Coercion.
- Isolation.
- Blaming.
- "Ganging up".
- Constant unconstructive criticism.
- Deliberately withholding information that a person needs to exercise their role

- Reasonable comment, advice or administrative action (including negative feedback from supervisors or managers).
- Performance management processes.
- Disciplinary action.
- Reasonable management action done in a fair and equitable way.
- The implementation of organisational change.
- Conflict or differences of opinion between individuals.
- An individual incident of bullying-type behaviour.

Bullying can occur regardless of the intention or the formal authority of the perpetrator. It is the unreasonableness of the behaviour and the degree to which it could be reasonably anticipated to create physical or mental health risks that makes it bullying.

5. Victimisation

Victimisation occurs when someone who has raised a complaint in good faith and in a reasonable way, is then threatened, punished or suffers some other negative consequence as a result of raising that concern.

For example - an employee is refused a promotion because "your complaint of harassment last year shows you are not a team player".

It is victimisation to threaten or punish someone (such as a witness), who may be involved in the investigation of an equal opportunity concern or complaint. Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to lead to formal disciplinary against the perpetrator.

Open House has a zero-tolerance approach to victimisation. Anyone who believes they have been or are being victimised should immediately report the matter to their manager, CEO, or Board.