
**The Diocesan Council of the
Diocese of Cork, Cloyne and Ross ('the Diocesan Council')**

HARASSMENT PREVENTION POLICY

1. Purpose of Policy

This policy sets out The Diocesan Council of the Diocese of Cork, Cloyne and Ross ("the Diocesan Council") commitment to creating and maintaining an environment where all employees are free to work without fear of harassment from any source. The purpose of the policy is to prevent and deter harassment and where it occurs to have the effective procedures in place to address the matter. Complaints of harassment will be dealt with sensitively and informally where possible to ensure a healthy and safe place of work.

2. Scope of Policy

The protection under this policy extends to:-

- Harassment at work by those in authority in the Church, clergy, subordinates, fellow employees, church volunteers, church members or those who avail of the services of the Church and its administration, as well as church contacts.
- Beyond the place of work to off site and work related social events.

3. Policy Guidelines

- Harassment creates an unpleasant and ineffective working environment. It can destroy the self-esteem and health of employees. It is in everyone's interests to prevent and combat this behaviour. In addition to it being a Diocesan Council policy, all forms of harassment in the workplace are unlawful.
- The Diocesan Council supports the resolution of complaints, as far as is possible and appropriate, through informal processes. It is expected that informal procedures will normally be pursued before resort to the formal Diocesan Council procedure.
- Any formal complaint of harassment will be promptly and seriously processed. It is recognised that harassment is difficult issues to deal with for all concerned. The Diocesan Council undertakes to pursue formal complaints as sensitively as possible, with due regard to the rights of the Complainant and Respondent.
- The Diocesan Council is committed to identifying and eliminating organisational deficiencies which may contribute to the occurrence of harassment, and undertakes to review and make improvements in the event

that any investigation under this procedure identifies organisational factors as contributing to a case of harassment.

- It is considered a breach of policy and a disciplinary offence for any employee to attempt to victimise or otherwise retaliate against an individual because that individual, whether as a witness, party of in any other role, participate in good faith in this procedure.
- Since complaints of harassment will be taken very seriously any attempt to misuse this policy and procedure through the filing of malicious complaints may result in disciplinary action pursuant to the Diocesan Council's disciplinary procedures, and may attract a disciplinary sanction up to and including dismissal.

4. Definitions

The Equality Acts, 1998-2004, defines Harassment as any form of unwanted conduct related to any of the discriminatory grounds, if the conduct has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. The discriminatory grounds, for the purpose of legislation are gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of a traveller community.

Common harassing behaviour includes, but is not limited to:

- Unwelcome physical contact
- Inappropriate looks, comments or suggestions
- Interfering with or damage to property
- Threats or extortion
- Comments, gestures, jokes or displaying or circulating or material
- Hostile attitudes, practices or structures which discriminate against an individual or group of persons

Sexual Harassment is defined as any form of unwanted verbal, non verbal or physical conduct of a sexual nature, if the conduct has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Common sexual harassment behaviour includes, but is not limited to:

- Verbal or physical advances
- Requesting sexual favours
- Asking about someone's sexual preferences, fantasies or activities
- Repeatedly asking for a date after someone has expressed lack of interest
- Unwelcoming patting, hugging or touching someone's body, hair or clothing

- Making comments, jokes, sexual innuendo, displaying or circulating offensive material or computer pornography
- Making suggestive or sexual gestures, movements or facial expressions
- Making disparaging remarks to someone about their gender or body

4.3 Racial Harassment, which is harassment on the grounds of race, including national or ethnic origins, is defined as unwanted or unwelcome conduct, or incitement to such conduct, based on a person's race, which is offensive to the recipient and which might threaten a person's security or create a stressful, hostile or intimidating work or study environment. Examples of Racial Harassment are:

- Verbal: offensive jokes or remarks about a person's race or ethnic origin (including membership of the travelling community), ridicule or assumptions based on racial stereotypes
- Exclusion, hostile or demeaning attitudes, spreading malicious rumours
- Production, display or circulation of material offensive to particular racial or ethnic groups, such as cartoons or racial propaganda
- Physical assault, threat of physical assault

This policy will be interpreted with consideration of the fact that behaviour which is acceptable to one individual may be offensive to another.

4.4 Harassment by Outsiders

Harassment by persons not directly connected to the Diocesan Council, such as church members, church volunteers, service providers etc is unacceptable and should be promptly reported. Although the Diocesan Council has no power to discipline the offender in such cases, upon receipt of a complaint and after investigation, it will take action in an effort to prevent reoccurrence of such conduct.

5. Creating a Positive Environment

5.1 All employees of the Diocesan Council share the responsibility for ensuring an environment that is free from any form of harassment. It is not the intention of these guidelines to prevent normal good-humoured banter between colleagues. However, care needs to be taken not to cross the line into unacceptable behaviour, which is offensive, abusive, intimidating, malicious or insulting. In any case, such behaviour should stop immediately when a colleague indicates it is unacceptable to him or her.

5.2 All members in the Diocesan Council have a responsibility to support and implement this harassment policy, to provide a reasonable work environment, and to ensure that appropriate codes of behaviour are maintained in the Diocesan Council.

5.3 Each individual in the organisation also has a responsibility to help to ensure that unacceptable behaviour does not continue unchecked or unreported. Individual responsibility includes awareness of one's own behaviour and its potential effects on others.

6. Reporting an Incident

6.1 All complaints of harassment and sexual harassment will be treated seriously and with due regard to the sensitivities of the complainant and to the rights of the person against whom the complaint has been made. Complaints will be dealt with promptly and sympathetically. As far as possible, every effort will be made to handle complaints in confidence.

6.2 Implementing the Procedures of the policy

For the purposes of implementing the procedures in this policy the Diocesan Council will appoint and act through a sub-committee ('Employment Committee') of its own members which it shall elect triennially.

6.3 Informal Approach

The objective of this approach is to resolve the difficulties with the minimum of conflict and stress for the individuals involved.

Get support. Talk to someone you trust.

Make it clear to the perpetrator that the behaviour is unwelcome and unacceptable and ask them to stop. If this is not possible or you find it difficult to approach the perpetrator, then you should approach one of the contact persons for help.

Keep a record of incidents as they occur: what happened, dates, times, places, witnesses (if any), your response and the impact on you.

Discuss the matter with one of the Contact Persons. They are appointed to help resolve such cases. They offer confidential, informal service and act with your agreement. They:

- Listen, provide support
- Help you to solve the problem
- Advice about other sources of help

- Inform you about formal complaints procedures and provide personal support during any formal procedures

6.3 Mediation

The Diocesan Council supports the use of mediation as an alternative method of resolving complaints. Mediation is an informal process, through which a Mediator helps the parties in a dispute to talk about issues between them, and if they wish, to reach an agreement which is acceptable to both sides. The process is voluntary and both parties must be willing to take part and agree to the appointment of a Mediator (internal or external). If the parties agree to this approach, the Chairperson of the Employment Committee will appoint a neutral and impartial Mediator to facilitate the process.

6.4 Formal Process

For serious complaints or where the problem is not resolved through any of the informal methods, the formal complaints process may be used.

Formal complaints should be lodged with the Chairperson of the Employment Committee within 10 days of the most recent incident of harassment occurring. In exceptional circumstances, the time limit may be waived. The complaint should be clearly formulated in writing, confined to precise details of the allegations.

All formal complaints will be investigated.

The alleged perpetrator should be notified in writing that an allegation of sexual harassment or other form of harassment has been made against them. They should be advised that they shall be afforded a fair opportunity to respond to the allegations.

7. Investigation

Generally the investigation will be conducted through the structures of the Diocesan Council. Occasionally it may be appropriate for a nominated third party to conduct the investigation. In cases alleging sexual harassment, the Chairperson of the Employment Committee will ensure that at least one of the investigators will be of the same gender as the complainant. Where there are two investigators appointed, both should be involved in all stage of the interviewing of witnesses and parties to the complaint, with one taking notes.

The investigation will look objectively at all evidence pertinent to the complaint. The investigator(s) should meet with the complainant and the

alleged perpetrator and any witness on an individual basis with a view to establish the facts.

Details of the complaint will be made available to the parties in advance of an investigation meeting.

Investigation meetings will be held in confidence and with sensitivity, and all staff will be treated with dignity and respect. Confidentiality is required of all parties involved in the investigation.

A written record of all meetings shall be kept.

Those attending investigation meetings will be told in advance of the meeting of:

- The purpose of the meeting
- The complaint being investigated
- The time and venue
- Their right to representation
- That the investigation may lead to disciplinary action

Both parties have the right to be accompanied by an authorised Staff Representative, or working colleague.

The alleged perpetrator will get the full details of matters under investigation and the opportunity to respond to them fully.

Further investigation meetings may be scheduled if required as issues arise. Every effort will be made to complete the investigation as quickly as possible, and within an agreed timeframe if possible.

Staff are obliged to co-operate with investigations held under this procedure.

The outcome of the investigation will be in the form of a written report which will be presented to the complainant and alleged perpetrator.

Both parties should be given an opportunity to comment on the findings before any action is decided upon by the Chairperson of the Employment Committee.

If it is found that the complaint is well founded, the Chairperson of the Employment Committee may recommend counselling, monitoring or the convening of a disciplinary hearing. This outcome should be conveyed personally, as well as in writing, to the individual involved.

If a disciplinary hearing is recommended this will be conducted in line with the statutes and /or agreements pertinent to the person involved.

If it is found that the complaint is not upheld, the complainant can be assured that bona fide complaints will not be viewed as malicious. Complaints which are found to be malicious will be treated as gross misconduct under the

disciplinary procedure. This provision should not deter employees from reporting genuine complaints.

If either party is unhappy with the conduct of the investigation or the outcome, they may refer the matter through the appropriate Diocesan Council procedures or the normal Industrial Relations machinery. Referrals should be made in writing within seven days setting out the grounds on which they are not satisfied with the outcome or conduct of the investigation.

List of Contact Persons

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