

Policy

Anti Discrimination and Prevention of Harassment Policy (Including Domestic Abuse)

1. Statement

- 1.1. Throughout its activities the Sanctuary Trust will ensure no person shall be treated less favourably because of homelessness, poverty or as a user of services, or because of race, colour, ethnic or national origin, culture, appearance gender, sexuality, marital status, age religious, spiritual or political beliefs, social class, care responsibilities, or offending history or their other circumstances.
- 1.2. Specific justifiable exclusion criteria may apply to certain employment and service areas. These will be legal open and service related.
- 1.3. The Sanctuary Trust wishes to provide a stimulating and supportive working environment, which will enable its staff and service users to fulfil their personal potential and creativity. The Sanctuary Trust accepts that such an environment cannot be created or sustained if staff or residents are subject to discrimination, harassment, intimidation, aggression or coercion.
- 1.4. The Sanctuary Trust is fully committed to the principles of equal opportunities in the workplace and regards any form of harassment as a discriminatory and unacceptable form of behaviour.
- 1.5. Accordingly, The Sanctuary Trust will treat any incident of discrimination or harassment as a serious matter, which may lead to disciplinary action, up to and including dismissal being taken against the perpetrator.
- 1.6. All members of The Sanctuary Trust's staff and service users are responsible for ensuring that harassment or discrimination of another member of staff or a resident does not occur.
- 1.7. Appropriate members of staff will receive training in dealing with harassment and discrimination to form a Sanctuary Trust Harassment and Discrimination Support Group and will be available to offer, in confidence, advice, information and support as required.
- 1.8. Harassment and discrimination of The Sanctuary Trust staff outside The Sanctuary Trust premises or outside working hours may fall within the remit of this policy and its procedures.
- 1.9. In addition to any penalty imposed by The Sanctuary Trust, those responsible for discriminating or harassing others may be subject to criminal and/or civil proceedings. Nothing in this policy and its

procedures will prevent members of staff from exercising their legal rights.

2. Definition

- 2.1. Harassment may take many forms but essentially consists of behaviour which is unacceptable to and diminishes the dignity of the recipient(s) and which creates an intimidating, hostile or offensive workplace/living environment for that individual.
- 2.2. Harassment may involve single, sporadic or continuing acts of intimidation, coercion, bullying, verbal or physical abuse, or the creation and/or maintenance of an offensive working/living environment for others. Harassment relating to another's gender, sexual orientation, religion, race colour, ethnic or national origin or disability or any social class is counted as being discriminatory and is therefore included within this definition. Appendix 1 provides further details on types of personal harassment.

3. Types of Harassment

3.1. Sexual harassment

3.1.1. Sexual harassment is a form of sex discrimination and involves unwanted and unwelcome attention of a sexual nature. This may be physical or verbal or involve the denigration of an individual on sexual grounds or by sexual means. Some examples of sexual harassment are:

- indecent assault
- deliberate physical contact to which the individual has not consented or had the opportunity to object to
- offensive or derogatory language alluding to a person's private life or sexual behaviour or orientation by innuendo, jokes or remarks
- provocative suggestions
- pressing an individual to accept unwelcome invitations
- the display of suggestive or pornographic material
- unwelcome repeated telephone calls, letters or emails

3.1.2. These examples should not be seen as exhaustive: any unwelcome behaviour of a sexual nature which creates an intimidating, hostile or offensive environment for the recipient may be regarded as sexual harassment.

3.2. Racial harassment

3.2.1. Racial harassment is any behaviour, deliberate or otherwise, relating to race, colour, ethnic or national origin directed at an individual or group, which is found to be offensive or

objectionable to the recipient and which creates an intimidating, hostile or offensive environment. Some examples include:

- physical attack
- verbal abuse, threats, derogatory name-calling, racist insults and jokes
- ridicule of an individual on racial or cultural grounds
- exclusion from normal workplace interactions or social events
- unfair allocation of work and/or responsibilities
- racist graffiti/insignia or display of racist material
- inciting others to commit any of the above

3.3. Domestic Violence

3.3.1. The Sanctuary Trust has adopted the Home Office's definition of domestic violence: Any violence between current and former partners in an intimate relationship, wherever and whenever the violence occurs. The violence may include physical, sexual, emotional or financial abuse. (Home Office Multi-agency Guidance for Addressing Domestic Violence 2000) The Council recognises that domestic violence occurs across society regardless of age, gender, race, sexuality, wealth and geography. It involves abuses of power and controlling behaviours:

- Physical behaviours such as assault, indecent assault, rape, destruction of property and threats.
- Non-physical behaviours such as destructive criticism, pressure tactics, belittling, breaking trust, isolation, oppressive control of finances and harassment. The physical manifestations of domestic violence are criminal offences; the nonphysical forms may also amount to offences, under the Protection from Harassment Act. (Home Office Multi-agency Guidance for Addressing Domestic Violence 2000)

3.3.2. Domestic violence impacts upon children, the whole family and the community. The frequency and/or severity of abuse often escalates over time, sometimes only ending with the death of the victim. Research shows that domestic violence:

- claims 150 lives each year ($\approx 79\%$ women, $\approx 21\%$ men)
- accounts for almost a fifth of all violent crime
- has more repeat victims than any other crime (on average there will be 35 assaults before a victim calls the police)

3.3.3. Domestic violence impacts on the health and welfare of children and young people. Children are often aware of what's happening and they are likely to be affected by the fear, distress and disruption to their lives. There is also an overlap between abuse of women and abuse of children. Where the safety and welfare of children are a concern we will deal with it in accordance with Sanctuary Trust's Child Protection policy

3.4. Bullying

3.4.1. Bullying in the workplace damages individuals' health and lives and also undermines productivity and effective work relationships. Bullying can occur when a superior uses the opportunity of position to intimidate a subordinate, in peer relationships or, in rare cases, may affect someone in a superior position. Bullying can be broadly defined as behaviour which consistently undermines another's confidence, reducing feelings of self-esteem and self-worth e.g.

3.4.1.1. Confronting clients in a public area.

3.4.1.2. Confronting clients one to one with assumptions based on anything less than 100% evidenced fact. (The programme will bring clients to a place of accountability and staff should trust testing equipment and follow procedure).

3.4.2. Such behaviour may be deliberate, as in a planned campaign, or may arise out of the bully's own immaturity, lack of interpersonal skills and poor self-confidence. It is generally psychological, rarely though sometimes physical, and may also be exacerbated by the bully's own susceptibility and reaction to stress. Workplace bullying consists of the abuse of power and the regular use of inappropriate behaviours at the expense of another individual. Some examples of these behaviours include:

- physical or verbal abuse, including threats
- psychological intimidation, humiliation, excessive and/or unreasonable criticism
- unjustifiable removal of areas of responsibility
- ostracism ("sent to Coventry")/exclusion
- malicious lies
- setting unreasonable and unrealistic goals/targets
- "academic bullying": i.e. asserting a position of intellectual superiority in an aggressive, abusive or offensive manner; threats of academic failure; public sarcasm and humiliation

3.5. Note

3.5.1. Legitimate, constructive and fair criticism of a staff member's performance or behaviour at work will not be considered to be bullying or harassment. The Sanctuary Trust will not condone bullying under the guise of "strong management" but, conversely, regards an assertive management style as acceptable provided that staff are treated with respect and dignity.

3.6. Religious Harassment or Discrimination

3.6.1. All staff working practices must be kept separated from church/religious ministry. We are willing to allow other organisations to provide services to our residents within the boundaries of the programme, as long as the application of the services creates no conflict of interest between clients and staff members i.e. when the person providing the service is also a Sanctuary Trust member of staff.

3.6.2. Sanctuary projects operate as a shelter providing support for the homeless and not to provide spiritual leadership. Staff can answer questions regarding faith and share faith appropriately. This should be within the boundaries of the Sanctuary Trust policies and Mission Statement: -

4. Mission Statement

The Sanctuary Trust is a practical expression of God's love, providing support and encouragement for people who are homeless or seeking to take control of their lives through addressing drug, alcohol or other, homeless-related problems.

5. Aim

To help people to take a full place in society and live independently.

To give vulnerable people opportunity to improve the quality of life by providing a stable environment, which enables them to take greater responsibility for their lives.

5.1. Therefore direct evangelism and proselytising are against the policy and procedure of the Sanctuary Trust and is counted as harassment. The policies and procedures have been established to protect all staff and patrons involved with or connected to Sanctuary Trust. If a member of staff or service user is isolated or treated differently as a result of religion or faith this will be counted as discrimination.

5.2. Emergency Direct Access accommodation projects are there to offer overnight stability only for people. However, ultimate responsibility for the service user is with the referral agency. Therefore, any service user involvement in activities beyond the period of time spent at a Sanctuary project should be authorised by the referring agent through the Project Team Leader and should be available to all service users.

5.3. Sanctuary Hostels have a formal working programme which incorporates the Christian ethos within its regular meetings. Therefore the sharing of practical Christian living is an accepted part of operations.

5.3.1. However, it should never be directive or proselytising and service users should not be treated differently as a result of their interest or lack of interest in its Christian origin.

5.3.2. Staff do not know the state of mind that vulnerable people have. A stable environment is one that is not directive but encouraging and supportive allowing all service users the ability to choose. Directive can be manipulative and suggestive and therefore can be classed as harassment in direct contravention of this policy.

5.3.3. Staff should never give the impression that they are right and service users are wrong. Staff should give options, advocate and facilitate but never control, manipulate, dominate or rule any requirement that a service user may have.

5.3.4. The only exception to this would be if the service user was acting in such a way as to put other service users, visitors or staff in danger or act in contravention of rules, policies and procedures that are set in place to encourage positive change.

6. *Other forms of harassment*

6.1. The following are further examples of specific types of harassment but, once again, should not be considered an exhaustive list:

6.1.1. homophobic harassment, i.e., harassment directed at homosexual persons or groups on the grounds of their sexual orientation (applying equally to homosexual men or women)

6.1.2. Transphobic harassment i.e., harassment directed at transgender, persons or groups on the grounds of their sexual orientation

6.1.3. harassment in respect of a recipient's disability or impairment

6.1.4. repeated gibes in respect of personal traits or appearance, practical jokes or invasions of privacy, any or all of which may cause physical or psychological distress.

6.1.5. derogatory remarks or actions toward another in response to their behaviour and actions caused by addictions.

7. *Guidelines for Staff/Residents*

7.1. If you experience harassment at work you will be given the full support of The Sanctuary Trust Management in putting a stop to that harassment.

7.2. You have a number of options to enable you to deal with harassment, ranging from simply indicating that the behaviour is unacceptable to you to making a formal complaint through the Grievance Procedure or Whistle Blowing policy.

- 7.3. If you believe you are being harassed, keep a written log of all relevant incidents and of the behaviour, which troubles you. Make a note of the place, the dates and times, the names of any witnesses and what was said and done. This information will be useful if you decide to make a complaint.
- 7.4. Act quickly. Don't wait until your working/living conditions become intolerable or your personal well-being is seriously affected. In some cases, it may be that the person against whom you have a complaint may be unaware that their behaviour is inappropriate or offensive, or it may be that their words or actions have been misinterpreted. In cases like this, a misunderstanding can be cleared up promptly.
- 7.5. If you feel you can, speak up at the time and tell the person to stop. Be direct. Wherever possible, say explicitly that you feel you are being harassed and that their behaviour is objectionable to you. Even if the other person intended to act in an unacceptable way, a swift and clear statement of your objections may be enough to put a stop to the problem. If you don't feel you can do this alone, ask a colleague, friend or personal support worker to go with you.
- 7.6. Alternatively, you could write a letter to the harasser, clearly identifying the behaviour you found to be offensive and, if the behaviour is continuing, requesting that it should stop immediately. If you do write, keep a dated copy of the letter for possible future reference. This will be useful in the event of a formal complaint.
- 7.7. If you don't want to confront the person face to face but still want the matter to be dealt with informally, you have the following options:
- 7.7.1. ask a colleague/support worker to go with you to speak to the person on your behalf or to go in your place
 - 7.7.2. get advice from a Team Leader/key worker of The Sanctuary Trust who can explain the alternative types of action available to you, can assist you in writing a suitable letter to the harasser if you wish or can approach the harasser directly but informally on your behalf
 - 7.7.3. arrange to consult the independent counsellor available on request
 - 7.7.4. take the issue up informally with your immediate senior staff member or with the Housing Management committee if you wish. This may clearly be more appropriate if you feel your Team Leader is the source of the harassment
 - 7.7.5. residents to report incidents at the Residents' Council on a Monday.
 - 7.7.6. There could also be a locked suggestion box positioned outside the main office, so anonymous notes of what is happening could be slipped in unnoticed.

- 7.8. If the harassment continues and you haven't already done so, contact one of the Sanctuary Trust Team Leaders. They will deal with you in confidence and advise you on how to proceed. They will explain how you can make a formal complaint if you decide you want to.
- 7.9. If informal methods haven't succeeded in stopping the harassment, you may decide to make a formal complaint by raising a grievance. This should follow the Grievance Procedure (available from the Main Office) and should include full details of your complaint of harassment, including descriptions of the incident(s), dates, times and the names of any witnesses.
- 7.10. You are under no obligation to pursue the matter informally first and you may raise a Grievance at any stage.
- 7.11. At any point in the grievance process you can seek advice or support from the Staff Care worker or a Support Group (church member). Any of these, or a friend who is a member of staff, may accompany you to relevant meetings, if appropriate.
- 7.12. All reasonable steps will be taken to ensure that all enquiries and complaints are dealt with in confidence. Accusations of harassment are potentially defamatory and could provide grounds for possible legal action; it is therefore essential that complainants as well as recipients of complaints observe strict confidentiality.

8. *Note 1:*

- 8.1. If you are physically attacked you should seek help immediately.
- 8.2. If you have been sexually assaulted or raped it is particularly important that you should seek advice and medical assistance immediately.
- 8.3. Any one of the suggested contacts named in these guidelines will willingly offer you support and will help you decide what you want to do.
- 8.4. If you do consult any of these contacts, no-one else will be involved without your permission: you will be advised what to do but the choice will remain your own. In cases of this nature you will almost certainly be the victim of a crime and you are encouraged to consider reporting the incident to the police as soon as possible. For your own protection and that of others it is important that an offender is caught.

9. *Note 2:*

- 9.1. If you are concerned that your behaviour, manner or attitudes might be regarded as harassing to others, you should consult the Independent counsellor or the pastoral project worker for discussion and advice.

10. Guidelines for Team Leaders

- 10.1.A Team Leader or other senior member of staff who is approached informally by a complainant should
 - 10.1.1. Respond sensitively and reasonably to the complainant.
 - 10.1.2. Respect and accept a complainant
 - 10.1.3. Conduct the matter dealt with on a wholly confidential basis (though it should be explained that an anonymous complaint can only be pursued in more general terms and may be less likely to effect the desired change in behaviour).
 - 10.1.4. Arrange, if appropriate and agreed by the complainant, a meeting between the parties involved. At this meeting the person against whom the complaint has been made will be given details of the nature of the complaint and the opportunity to respond. If all parties accept that a problem exists, steps to remedy the situation and prevent it from recurring will be agreed and notified to both parties.
 - 10.1.5. Advise the complainant (if appropriate) that the complaint is so serious that the matter should be dealt with formally, by way of the Grievance Procedure. If the complainant is not able or willing to accept this advice, the matter will continue to be dealt with informally as far as is reasonably practical.
 - 10.1.6. Provide advice and information on how to make a formal complaint if necessary.
 - 10.1.7. Ensure that a person who brings a reasonable complaint suffers no detriment by doing so.
 - 10.1.8. Maintain appropriate written records.

11. Grievances and Discipline

- 11.1.A formal complaint should follow the normal grievance and/or disciplinary procedures, except that any panel, committee or other body set up to investigate the case must include member(s) who have recognised experience in equal opportunities issues.
- 11.2.Serious cases of harassment will be treated as gross misconduct and may lead to dismissal if proved. Less serious cases may be dealt with under the normal disciplinary provisions.
- 11.3.In proven cases, it may not be considered appropriate for the harasser and complainant to continue working/living in the same area.
- 11.4.Unless a complaint of harassment can be shown to be based on knowingly false information or was made with malicious intent, the complainant will suffer no loss or detriment as a result.

12. Notes.

- 12.1. Being under the influence of alcohol or otherwise intoxicated will not be admitted as a mitigating factor or an excuse for harassment and may be regarded as an aggravating feature.
- 12.2. Abuse of a position of authority will be considered to be an aggravating feature of harassment.
- 12.3. The Sanctuary Trust recognises the possibility that complaints may be brought with mischievous or malicious intent and this may provide grounds for disciplinary action against individuals so doing.
- 12.4. All those involved in a complaints procedure, including the complainant(s), should observe the strictest confidentiality, bearing in mind that accusations of harassment may constitute grounds for legal action.
- 12.5. The term “staff” is used throughout this document to refer to all employees of The Sanctuary Trust, from all projects. Similarly, “Team Leaders” and “seniors” are used to describe all those with a responsibility for the management of staff, in whatever category.

Appendix 1

Areas of abuse:

Resident to resident
Staff to staff
Staff to resident
Resident to staff
Resident to neighbour
Neighbour to resident
Neighbour to staff
Neighbour to Neighbour
Families to individuals
Individuals to families
Families to Families

Staff to neighbour
Visitor

Types of abuse:

Physical
Sexual
Emotional
Neglect
Verbal
Racial
Ethnic
Property
Stimulant
Child abuse
Sexual
Breaching confidentiality/
Equal Opportunities

Bully
Homophobic
Not streetwise
Vulnerable
Neglect
Animal
Isolation
Favouritism
Substance
Emotional
Disability