

POLICY 6

Name of organisation:

Preventing Bullying and Harassment Policy



Commitment to Te Tiriti o Waitangi

(insert name of organisation) recognises Te Tiriti o Waitangi as Aotearoa New Zealand's founding document.

(insert name of organisation) is committed to upholding the mana of Te Tiriti o Waitangi and the principles of Partnership, Protection and Participation.

Values

(insert name of organisation) values the diversity of the people involved in its activities.

(insert name of organisation) aims to provide a safe and enjoyable environment for everyone involved in its activities. People are expected to show respect and courtesy in their interactions with others.

Children and young people in particular must be cared for, treated with respect and their welfare placed at the centre of everything we do in the activity/sport.

(insert name of organisation) recognises those involved in its activities cannot enjoy themselves or perform to the best of their abilities if they are being bullied and/or harassed. It is aware bullying and harassment affects the health, safety and wellbeing of people.

(insert name of sporting code/organisation) will not tolerate bullying and harassment (sexual, racial or otherwise) of those involved in its activities.

Purpose

This policy aims to:

- support an environment where all people are treated with dignity, respect and courtesy, free from bullying and harassment
- provide a process to deal with bullying and harassment by or toward those involved in

(insert name of organisation).

Application

This policy applies to anyone involved in

(insert name of organisation) and its community, regional and national organisations [delete as appropriate]. This includes: volunteers, participants, supporters, club members, employees, service providers, and families/whānau of athletes.

Anyone involved in the activity/sport can raise a concern about bullying towards them or another person. We encourage people to speak up for themselves and for other people. If you see it, call it out.

Bullying

What is bullying?

Bullying is repeated, unreasonable behaviour directed towards a person or a group of people that can have a significant impact on them. It may create a risk to their physical and/or mental health and safety. The person or people acting in this way may not intend to cause harm or may not see their behaviour as bullying. The focus should be on stopping behaviour that is unreasonable and makes people feel bullied.

Repeated behaviour can involve a range of actions over time. Some of those actions might be small and by themselves might not seem serious. Taken together over time, however, they can add up and undermine a person's self-confidence or make them feel unsafe. A single incident of unreasonable behaviour is not considered bullying, but it could escalate and should not be ignored.

Unreasonable behaviour means actions or behaviour that is not justified in the circumstances.

The following are examples of some of the behaviours that may be bullying in the context of activity/sport:

- constant blaming for mistakes, whether real or not
- unreasonable demands or orders
- punishment that is out of proportion, unfair or dangerous
- shouting and yelling where it is not necessary to be heard, or angry
- constant criticism or nit-picking
- 'rules' made up or enforced differently for different people
- name-calling, insults, swearing, sarcasm
- threats of violence or other inappropriate behaviour
- ignoring accomplishments
- taking credit for others' achievement
- isolating, excluding from coaching, events, messages
- physical violence, rough touching that is not justified in the course of a contact sport
- spreading gossip or rumours, including on social media
- frequent teasing or horseplay that goes too far and causes a person distress
- sending intimidating or abusive emails or text messages, including via social media
- withholding information, assistance or equipment that a person needs to perform
- overloading a person with work/training and/or setting unrealistic deadlines
- using unreasonable training or repetitions as a punishment.

Harassment

Sexual harassment and racial harassment are defined in the Human Rights Act 1993 (and Employment Relations Act 2000). They are unlawful ways of treating other people. We will take any allegations of harassment seriously as it has no place in our activity/sport. Behaviour that does not reach the legal standard of sexual harassment or racial harassment may still be inappropriate, unprofessional and hurtful and will be addressed.

(insert name of organisation) is committed to ensuring everyone is safe and treated respectfully.

Sexual harassment

Sexual harassment means any form of sexual attention or behaviour that is unwanted and offensive to a person, whether it is a serious one-off incident or less serious behaviour that is repeated. The person who finds sexual behaviour offensive does not have any obligation to tell the person behaving this way that it is offensive or to stop. If someone does say they are finding behaviour unwelcome and offensive, that is a clear sign to stop and make sure it does not happen again.

Sexual harassment can involve a person in a position of authority (a coach, supervisor, referee, manager or official) asking a person for sexual activity, with a promise or threat (direct or implied) attached. The promise might be of selection or promotion, money, gifts or a benefit of some sort, in return for sexual activity. A threat might be about missing out on an opportunity, e.g. selection for an event, or a punishment, for the person or someone they know, if the sexual activity is refused.

Other sexual harassment can be using words, language, pictures or physical behaviour that is sexual, unwanted and offensive to the person receiving it. It might be sending someone sexual pictures or recordings, having nude posters or screensavers visible, talking about or playing porn, making sexual jokes or comments, persistently asking someone out when they make it clear they are not interested, intrusive questions about sex, touching or sexual assault (rape).

Someone who is experiencing unwanted sexual behaviour can find it embarrassing and intimidating, as well as annoying or confusing. They might find it difficult to ask the person to stop or tell them it is offensive. People sometimes will laugh at jokes or smile and say they don't mind, even though the behaviour is unwanted and offensive. These reactions do not mean the behaviour is okay. It will be sexual harassment if the person experiencing it finds it unwelcome and offensive, even if they say nothing at the time.

Mutually agreed sexual behaviour between consenting adults is not unlawful and will not breach this policy. However, requests for sexual activity or relationships can be unprofessional or exploitative, especially if there is a power or age imbalance or a reporting line. Refer to the Intimate Relationships Policy for more information.

Racial harassment

Racial harassment occurs when a person is subjected, for reasons of race, colour, nationality or ethnic origin to behaviour that might reasonably be perceived by the receiver to be offensive or unwelcome.

Racial harassment can include any of the following:

- telling offensive jokes involving race, colour, ethnic origin or nationality
- teasing or comments about cultural differences
- offensive labels
- making derogatory remarks about groups or the attributes of groups on the basis of race, colour, ethnic origin or nationality.

Racist comments, jokes, stereotypes or insults, or abuse because someone is from another culture or religion are never acceptable. People might be feeling uncomfortable or unsafe, even if some people laugh or feel they can't call the behaviour out. It is up to everyone in activity/sport to take personal responsibility for stopping this behaviour by calling it out if they see it and also taking it on board if someone calls them on it. It is not the responsibility of people who feel they are being racially abused to correct the behaviour, but they can call it out if they feel safe and comfortable.

What isn't bullying or harassment?

Occasional differences of opinion, conflicts and problems in relationships are part of life and do not necessarily represent bullying or harassment. Fair management, coaching, managing under-performance, or other legitimate actions in line with

(insert name of organisation) policies and procedures are not harassment or bullying.

These are some examples of behaviours that are usually not seen as harassment or bullying:

- one-off or occasional instances of forgetfulness, rudeness or tactlessness
- friendly, occasional banter, light-hearted exchanges, non-sexual mutually acceptable jokes and compliments
- issuing reasonable instructions, in a reasonable way, and expecting them to be carried out
- warning or disciplining someone in line with

(insert name of organisation) policies

- insisting on high standards of performance; legitimate criticisms about activity/sporting or work performance (not expressed in a hostile, harassing manner)
- giving honest feedback and requiring justified performance improvement

- expressing opinions that are different from others
- free and frank discussion about issues or concerns in

(insert name of organisation), without personal insults

- targeted affirmative action policies or reasonable accommodation and provision of work aids for disabled people
- a single incident of low-level unreasonable behaviour.

If behaviour is not repeated or unreasonable and so might not be bullying, but it causes a person in the activity/sport distress, there is still a problem to be discussed in a calm way, to stop it becoming a more serious problem. The behaviour might be affecting one person, but it could also be affecting many others, directly or indirectly.

Informal resolution

Any person who feels they or someone else is being bullied or harassed can:

- discuss the situation with family/whānau/other support person
- following that discussion, decide how they would like to address the behaviour.

People are always encouraged to raise concerns directly with the person who has behaved in a way causing concern but only if that feels safe and likely to be helpful. Otherwise, asking an organisation official or family/whānau member to help raise the issue and seek a constructive conversation is a good idea.

Both parties involved should have a chance to be heard respectfully and feel safe to be able to say what they want to say, through both informal and formal processes.

If direct resolution isn't appropriate or successful, the issue should be raised with the relevant organisation committee, which, in consultation with the people involved, will put in place a culturally appropriate process to try to resolve it. This may include holding a facilitated meeting in a place and following a process that meets the needs of the people involved.

Informal processes might not be suitable, for example if the behaviour is violent or threatening, involves someone very senior or people are scared of being punished for raising a concern.

It is important any person involved in an informal resolution process is supported to feel safe in the process. Anyone involved can have family/whānau support throughout the process. If anyone changes their mind about being involved in the process, that must be respected.

Making a formal complaint

People who want to make a formal complaint about behaviour they are experiencing, or they see happening to anyone else should follow the complaints procedure outlined in the Complaints Policy and Procedure.

People can also make a complaint about sexual or racial harassment to the Human Rights Commissioner. If behaviour is sexual or indecent assault, violent, threatening or cyberbullying, people can complain to the New Zealand Police. Employees can also raise a personal grievance in accordance with the Employment Relations Act 2000.

Anyone in a position of authority in

(insert name of organisation) who receives a complaint or becomes aware of a serious issue of bullying or harassment needs to take steps to support the people involved, ensure everyone is safe and make sure the issue is addressed by the appropriate person or committee.



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