

Papatoetoe Pony Club

Harassment Guidelines

PURPOSE

These guidelines outline the way Papatoetoe Pony Club will manage the risks to health and safety which arise from parents, members, coaches, riders, visitors and employees (**people**) being exposed to hazards (anything that can cause harm, such as bullying and harassment).

To ensure a systematic approach to the management of bullying and harassment and to provide **people** with a safe environment and workplace. The impacts and risks to the health and safety of **people** are reduced as far as reasonably practicable.

APPLIES TO

This policy applies to all parents, members, coaches, riders and employees across any club related activity or communication, on grounds or off grounds, and applies to all visitors on grounds. The general steps outlined within these guidelines must be followed.

HARASSMENT DEFINITION

- Unwelcome or offensive to the recipient.
 - Of a serious nature or persistent to the extent that it has a detrimental effect on the individual's employment, job performance, opportunities or job satisfaction.
 - Could be in relation to race, colour, ethnic or national origin, gender, age, disability, marital or family status, religion, ethical belief, political opinion, sexual orientation, health status, wealth status, riding ability or horses/equipment owned.
 - Sexual harassment – Language, visual material, or physical behaviour of a sexual nature that is unwelcome or offensive and either by its nature or by repetition has detrimental effect on the team member
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BULLYING

BULLYING IS

Repeated and unreasonable behaviour directed towards a person or group of people that can lead to physical or psychological harm.

- **Repeated** behaviour is persistent (occurs more than once) and can involve a range of activities over time
- **Unreasonable** behaviour means actions that a reasonable person in the same circumstances would seem unreasonable. It includes victimising, humiliating, intimidating or threatening a person.
- Bullying may also include harassment, discrimination or violence

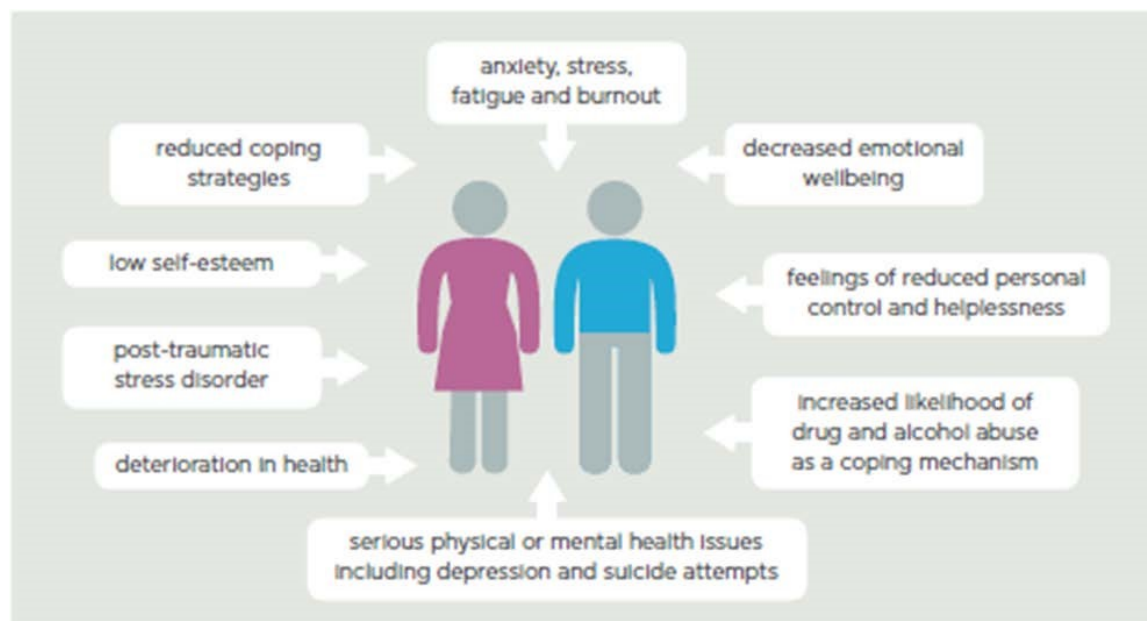
BULLYING IS NOT

- One off occasional instances of forgetfulness, rudeness or tactlessness
- Setting high performance standards

- Constructive feedback and legitimate advice or peer review
- A manager, coach or committee member requiring reasonable or verbal written instructions to be carried out
- Warning or disciplining someone in line with the NZPCA code of conduct and or policy
- A single incident of unreasonable behaviour
- Reasonable management actions delivered in a reasonable way
- Differences of opinion or personality clashes that do not escalate into bullying, harassment or violence

HOW CAN BULLYING HARM PEOPLE?

Bullying harms people. Bullying can affect the health and well-being of people in ways described in the diagram below.



ROLES & RESPONSIBILITIES – IN RELATION TO BULLYING AND HARASSMENT

PERSON CONDUCTING A BUSINESS OR UNDERTAKING – PCBU

Must:

- Ensure, so far as is reasonably practicable, the health and safety of workers, and that other persons are not put at risk by its work;
- Minimize the likelihood of bullying and harassment so far as is reasonably practicable;
- Provide information, training, instruction or supervision needed to protect all people from health and safety risks from the work being carried out (i.e. bullying and harassment policies and processes).

Should:

- Develop a culture where bullying and harassment cannot thrive, including bullying from riders, members and parents
- Raise awareness of what is and isn't bullying and harassment by ensuring people are educated about it
- Create, reinforce, monitor and review control measures against bullying and harassment
- Create complaint-handling processes
- Take complaints seriously and listen without judgement

CLUB COMMITTEE (ON BEHALF OF THE PCBU)

Should:

- Raise awareness of what is and isn't bullying and harassment by ensuring **people** are educated about it.
- Establish open communication systems.
- Maintain and update policies, processes and systems, and ensure **people** are aware and educated about them.
- Ensure coaches and committee members are properly trained in people management, and keep the training records.
- Have processes for both informal resolutions and formal investigations.
- Follow up on complaint responses and be proactive with solutions.
- Analyse rider information (e.g. rally attendance records, reasons for people leaving the club or changing behaviours and activities) for indicators of bullying.

EMPLOYEES/CONTRACTORS/EXEC COMMITTEE (ON BEHALF OF THE PCBU) – E.G. Head coach, rally coaches

Should:

- Raise awareness of what is and isn't bullying & harassment by ensuring people are educated about it.
- Record and investigate complaints fairly and in line with the club's policies and processes.
- Look for informal solutions before escalating an issue to higher levels (e.g. mediation or investigation) as appropriate.
- Support positive culture-program.
- Lead by example.
- Seek help if they don't know what to do.

OFFICERS

- Exercise due diligence to ensure that the PCBU meets its health and safety duties and obligations.

MEMBERS: E.G. Parents, riders, coaches **Must:**

- Take reasonable care for their own health and safety.
- Take reasonable care that others are not harmed by something they do or don't do (this includes bullying or other unreasonable behaviours).
- Comply, so far as is reasonably practicable, with any reasonable instruction about bullying given to you so you can comply with law.

Should:

- Report bullying when it happens so you can do something about it (either as the victim or a bystander).
- At an early stage let someone know their behaviours are not okay with them – describe the unwanted behaviours to the person and ask them to stop (if safe to do so).
- Bystanders can also report bullying & harassment on someone else's behalf.

OTHER PEOPLE AT THE CLUB E.G. VISITORS **Must:**

- Take reasonable care for their own health and safety.
- Take reasonable care that others are not harmed by something they do or don't do (this includes bullying or other unreasonable behaviours).

- Comply, so far as is reasonably practicable, with any reasonable instruction about bullying given to you so you can comply with the law.

Should:

- Report bullying & harassment when it happens so you can do something about it (either as the victim or a bystander).

PROCEDURE

INVESTIGATING BULLYING & HARASSMENT IN-HOUSE

All informal & formal reports and bullying & harassment complaints are taken seriously by Papatoetoe Pony Club. All investigations will;

- Treat all matters seriously
- Act Promptly
- Ensure non-victimisation
- Support all parties
- Be neutral
- Communicate the process and outcomes
- Maintain Privacy (confidentiality)
- Keep good documentation

STEPS FOR DEALING WITH REPORTS/COMPLAINTS

Receive a report/complaint about a worker's/students/parent's behaviour



Take all reports seriously. Consider the information provided

- get a clear description of the behaviour – gather specific information
- Listen and gather information in an unbiased, empathic respectful way
- Understand the issues and what's needed to resolve them
- Explore what outcomes the person wants



Determine if the report/complaint is about bullying or another type of undesirable behaviour, or if it is a malicious, frivolous or troublesome complaint



Decide the approach to take considering the seriousness of the issue:

- More serious issues involve senior management, occur over a long period of time, or involve multiple workers or vulnerable workers.
- Take the views of the person making the complaint into account when deciding the approach
- You can take more than one approach if the first attempt is not successful



Take a low-key approach



Take an informal approach



Take a formal approach:
- use this approach for reports of serious bullying & harassment. If you receive a formal complaint or if the person making the complaint requests, it.

LOW KEY APPROACH

Low key approach may include one or more of the following; the District Commissioner, Head Coach, Committee Member to talk directly to the subject of the complaint to remind them of the NZPCA and the club's values.

Encouraging people to:

- If a behaviour doesn't feel right, say something early on to the person displaying that behaviour, but only if you feel safe to do so.
- Talk to someone you trust e.g your parent, a Coach or a member of the Committee to give an objective viewpoint about whether the behaviours you are experiencing are unreasonable or appropriate management actions.

INFORMAL APPROACH

An informal process is designed to resolve concerns/relationship issues through dialogue and without a formal complaint. This informal process isn't disciplinary and doesn't disadvantage those involved.

The aim of the informal approach is to stop the unreasonable behaviour and to restore a productive working relationship. Please use the **Informal Complaint Form** to record this information .

The following steps should be followed:

- The person reports the behaviour to their coach or a trusted third party (such as the Head Coach or a Committee member). The coach or trusted third party is then responsible for identifying and mitigating any risk.
- Your coach or trusted third party talks to the subject of the complaint either using the informal or direct approach.

Written agreements may be the only official record of the allegation. Always be mindful of personal safety and possible reprisals.

FORMAL COMPLAINT

If you are putting in a formal complaint you will need to use the **Formal Complaint Form**, you will need to advise your District Commissioner that there is an intention to lodge a formal complaint. However, if your District Commissioner is the subject of the complaint, then the formal complaint must be lodged with the Area President directly.

The formal written complaint will initiate an independent investigation process and will;

- Take reasonable steps to protect the person who lodged the formal complaint from reprisals.
- Ensure privacy is maintained.
- Ensure both the person who lodged the complaint and the subject of the complaint are supported
- Organise an independent investigation.
- Decide if any security measures are required.
- Decide on the interim measures to be taken to ensure the safety and welfare of the person who has lodged the complaint throughout the investigation
- Guidance must be given to the person who lodged a formal complaint.

- The subject of the complaint should be informed as soon as possible after a complaint has been received.

The form of the complaint should contain;

- The details of the complaint and who made it (e.g details of the allegations, a copy of the written complaint and any investigation materials)
- The process and their rights (including the right to have a support person present).
- The requirement for confidentiality and non-victimisation
- The possible consequences (e.g. If it is a formal employment investigation that could result in dismissal)
- Expectations of behaviour during the investigation (remain professional).

When the investigation has been completed together with the Area President, you will decide on next actions;

- Review the investigator's findings and decide on appropriate recommendations and solutions.
- The subject of the complaint should have the opportunity to respond to allegations and to the findings of the investigation.

IF THE ALLEGATION CAN'T BE PROVEN

It doesn't mean there was no bullying or other unreasonable behaviour. Papatoetoe Pony Club will explore different avenues to ensure a professional relationship between the person who lodged the complaint and the subject of the complaint. These avenues could include, mediation, changed arrangements, it also may include counselling for the person who complained, if the complaint is found to be vexatious.

IF THE COMPLAINT IS UPHELD:

Address the subject of the complaint

- Ensure the subject of the complaint is accountable for their conduct.
- Protect the person who made the complaint from any further bullying or unreasonable behaviour.

Some options to consider are:

- Ask the subject of the complaint to apologise and agree to change their behaviour.
- Give a formal warning or take other disciplinary action.

Papatoetoe Pony Club will report the decisions and actions back to the person who complained (taking into account the privacy of the subject of the complaint) so they know the issue has been taken seriously and dealt with.

REFERENCES

- [Health and Safety at Work Act 2015](#)
- [Worksafe Preventing Bullying at Work](#)
- [Worksafe Bullying at Work: Advice for Workers](#)