



North Harbour Hockey Association

Harassment Policy

Author: Policy Sub-Committee
Authorised By: NHHA Board
Date Issued: September 2023
This Version: 1.2
Previous Revision: -

CONTENTS

North Harbour Hockey – Harassment Policy	3
Background	3
Policy Purpose.....	3
Policy Objective	3
Policy	3
Policy Application.....	3
Definitions of harassment.....	4
Our commitment.....	5
Your responsibilities	6
Our Process.....	6
False Disclosures.....	10
Support available.....	10
Relevant Legislation	10
Relevant policies	10
Questions and feedback	11

NORTH HABROUR HOCKEY - HARASSMENT POLICY

BACKGROUND

North Harbour Hockey Association (NHHA) is proud of the diversity of our community, and we will continue to grow and celebrate by all our stakeholders sharing our views.

It is essential to NHHA that we provide and nurture a community environment that is free from harassment and where everyone is treated with dignity and respect.

POLICY PURPOSE

NHHA is committed to providing an environment that is free from harassment through setting standards of conduct that are adopted by the wider NHHA whānau. We believe that everyone employed or engaged by NHHA has the right to dignity and to be treated with respect. Therefore, we take any form of harassment very seriously and have a 'no tolerance' attitude towards such behaviour.

Our goal is to have a positive environment where the prevention of harassment is central to all that we do. This policy sets out NHHA's process for addressing harassment within our organisation (The **Policy**).

Unfortunately, there are occasions when there is unwelcome direct or indirect conduct which causes a person to feel offended, humiliated, intimidated, or harassed, even if unintentional. Harassment in any form is unacceptable and will not be condoned or tolerated at NHHA.

POLICY OBJECTIVE

This Policy outlines how NHHA identifies harassment and our process to address issues so that we can create the community environment we strive for. It is our aim to ensure that everyone understands their rights and responsibilities so we can have a culture where everyone feels secure.

POLICY

POLICY APPLICATION

This Policy applies to all NHHA staff including employees, contractors, players, coaches, officials, volunteers and anyone who undertakes work or activities for NHHA.

This Policy includes all personnel listed above who undertake work or activities for NHHA outside the workplace environment including working at home, vehicles used for NHHA related activities, work undertaken remotely such as conferences or training, and any work-related activities or social events.

We encourage anyone to speak up if you experience or witness behaviour that you consider unacceptable and may be considered harassment. Any complaints will be handled appropriately, fairly and promptly and with privacy and respect for all parties involved.

The enforcement authorities for this Policy are the NHHA CEO and the Board.

DEFINITIONS OF HARASSMENT

Harassment refers to unacceptable, verbal or physical behaviour that is unwelcome, offensive, humiliating or intimidating to another person. A person is considered to have harassed another person if they have engaged in a pattern of behaviour that is directed against another person which may be either repetitive, or of a significant nature that it has a detrimental effect.

We have set out some specific types of harassment below, however this is not an exhaustive list.

1. Racial Harassment

Refers to language (verbal or written), visual material, or physical behaviour that expresses hostility against, humiliates or is offensive to any other person on the grounds of colour, race, ethnic origin, or cultural references of a person.

This may include but is not limited to stereotyping, derogatory jokes or race based comments, mimicking, gestures, ignoring or exclusion.

2. Sexual Harassment

Refers to any unwelcome, embarrassing, or intrusive behaviour of a sexual nature and may include sex-orientated abuse or comments (verbal or written), innuendos, gestures, unwanted sexual advances including physical contact, requests of any sexual nature, offensive material, and persistent and unwelcome social invitations or contact.

This may include but is not limited to the threat or implied threat of detrimental treatment, employment benefits, or playing status.

This conduct could occur in connection with NHHA, such as NHHA-related functions outside of work hours or hockey facilities.

Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect between consenting parties.

3. Bullying

Refers to repeated, deliberate and unreasonable behaviour directed towards a person or group of people that can lead to physical, emotional or psychological harm, and may be in the form of victimising, humiliating, intimidating or threatening a person.

This may include but is not limited to physical abuse (hitting, kicking, taking or damaging belongings), verbal abuse, threats of violence and intimidation, persistent remarks or gestures which are condescending and undermines a person's integrity, public criticism and humiliation, ignoring and/or isolating behaviour, unachievable workloads or tasks, and, withholding or concealing information.

Genuine feedback about performance or behaviour, expressing differences in opinion, reasonable directions or expectations, or isolated rudeness, insensitivity, or thoughtlessness will not be considered bullying for the purpose of giving effect to this Policy.

4. Discrimination

Refers to unwelcome (direct or indirect) conduct which causes a person to be treated less favourably than another person based on the following prohibited grounds: sex, marital status, religious beliefs, ethical beliefs, colour, race, ethnic or national origins, disability, political opinion, sexual orientation, age, family status or employment status.

This conduct may include but is not limited to physical and verbal abuse, threats of violence and intimidation, single or persistent offensive behaviour.

5. Cyber-bullying

Can be defined as using any online platform to distribute a digital communication that may reasonably harm, threaten or demoralise someone resulting in harm or distress.

Online platforms include internet sites, emails, apps, social media or mobile phones. This may include but is not limited to teasing, name-calling, insults, rumours, memes, cyberstalking, disparaging comments or innuendos and exclusion and can occur beyond work or social activities; it may also be indirect, by spreading malicious statements. It is not relevant whether the digital communication is widely circulated or not.

Note: Serious incidents fall under the Harmful Digital Communication Act and are punishable by law.

6. Violence

Refers to physical violence, psychological violence, sexual abuse, and sexual assault. A person is considered to have been physically violent if they have applied physical force to another person without their consent. Psychological violence can include the use of threats, intimidation, or harassment.

OUR COMMITMENT

Providing an environment that is free from harassment is central to this Policy. To achieve this, we will:

- ensure this Policy is available to everyone through various methods including the NHHA website;
- provide information or materials which may enhance awareness, education, and understanding of our Policy;
- intervene promptly to deal with any unreasonable behaviours before they escalate;
- identify factors that contribute to harassment, bullying, discrimination, or violence and put effective control measures in place;
- investigate any complaints or incidents of harassment, bullying, discrimination, or violence promptly, fairly, impartially and confidentiality pursuant to our Concerns and Complaints Process;
- ensure confidentiality and that any party to the matter is not victimised;
- keep all parties informed throughout the process, including the outcome;
- provide appropriate assistance and support for all parties;
- use specialist external advisors when appropriate;
- use the appropriate disciplinary process if an allegation is upheld and also in cases of false reports

We recognise that communication, understanding and awareness of everyone employed or engaged by NHHA is critical to the successful implementation of this Policy. Accordingly, we will:

- distribute and update this Policy to all our employees, contractors, players, coaches, officials, volunteers, and anyone who undertakes work or activities for NHHA regularly;
- provide a copy of this Policy to new employees and contractors as part of the induction or engagement process;
- conduct awareness and training sessions for all employees and contractors where necessary;
- ensure information or material that may enhance our employee's and contractor's awareness and understanding of this Policy is readily available;
- provide additional support including education whether a complaint is upheld or not.

YOUR RESPONSIBILITIES

You can do a lot to maintain an environment that is free from harassment. We expect all the NHHA whānau to act appropriately and responsibly by:

- promoting respect and positive behavior through their own actions;
- accepting personal responsibility for their actions;
- respecting cultural and social differences among the NHHA whānau;
- reporting concerns in good faith – honestly and for genuine reasons;
- attempting to resolve a matter first if they feel safe to do so;
- telling someone within the NHHA organisation if they experience or witness any type of harassment, bullying, discrimination or violence;
- follow our Concerns and Complaints Process when voicing a concern; and
- cooperate with any investigation into harassment, bullying, discrimination, or violence, and provide further information where possible or when requested by NHHA openly and honestly.

OUR PROCESS

NHHA takes their duty of care for all our community seriously and we endeavour to create an environment where people feel safe to disclose any behaviour they find unacceptable. We encourage anyone to speak up if you experience or witness behaviour that you consider unacceptable and may be considered harassment, bullying, discriminatory or violent.

In dealing with concerns and complaints of the types of behaviour outlined in this Policy, or behaviour that falls short of our expectations or our values, we will:

- provide assurance that all concerns will be addressed as appropriate;
- deal with the matter fairly and as quickly as reasonably possible;
- respect the feelings and views of all those involved;
- provide a confidential and fair process for any concerns or complaints made in accordance with this Policy; and
- ensure those who raise concerns and complaints will not be disadvantaged.

Everyone employed, volunteering or engaged by NHHA should be in no doubt that NHHA takes all concerns and complaints seriously. Confidentiality will be maintained -to the extent that is possible and appropriate.

Anyone who is concerned about unacceptable behaviour is encouraged to address this through our concerns and complaints process. These processes refer to both informal and formal approaches.

1. Informal complaint

In the first instance, where appropriate, we encourage you to make contact with the person concerned to discuss the matter so long as you feel safe to do so. You can make it clear to the person that you believe is harassing, bullying, discriminating or acting in a violent manner towards you or someone else that their behaviour is unwanted and unacceptable. This could be done in person (privately) or in writing.

This allows the problem to be addressed quickly and kept informal, so they understand the impact of their behaviour and provides them an opportunity to change. You can choose to have a support person with you during this process however we appreciate that you may not be comfortable to do so.

You could also participate in a facilitated discussion to have the matter resolved. In this situation you could approach your manager, coach or an appropriate person within the NHHA organisation that may be able to provide assistance. Both parties can bring a support person to a mediated discussion.

The resolution in this case may be a written or verbal apology or an agreement on how the parties will behave towards each other in future.

2. Formal and Serious complaint

If the informal process has not resolved the issue or if the allegation is, in your view, serious enough to warrant formal action a written complaint needs to be submitted to the Complaints Officer at NHHA via the following email address: complaintsofficer@harbourhockey.org.nz.

There is no template document, therefore it is important that you include all details you believe are relevant to the complaint including what you would determine an appropriate outcome/resolution. The Complaints Officer will undertake an initial assessment of the concern. Based on the nature, seriousness, and circumstances of the concern, the Complaints Officer will determine next steps.

Part of the initial assessment will involve assessing whether there are other appropriate individuals for whom they need to disclose the concern to. The person(s) to whom the concern or complaint will be made known to include someone:

- independent of the issue; and
- in a position to do something about the disclosure - whether that is to refer it to the appropriate external authority for further investigation or to investigate the matter on the organisation's behalf; and
- in a position to put in place any immediate steps that might be necessary to protect the organisation, the public or individuals likely to be affected.

Depending on the nature, seriousness, and circumstances of the issue NHHA will endeavour to resolve the concern within 20 working days of its receipt by the Complaints Officer. It is acknowledged that for some matters this time period may not be sufficient. In this instance NHHA will provide an updated timeline for resolution of the concern to the complainant and all other relevant parties involved.

If there is no one within NHHA that would be appropriate to report the concern to, it may be appropriate for the Complaints Officer to report the concern to an external authority for investigation or advice. Should an external authority be involved in the investigation, that agency will receive the full support of NHHA, and NHHA will support any recommendations made resulting from their investigation.

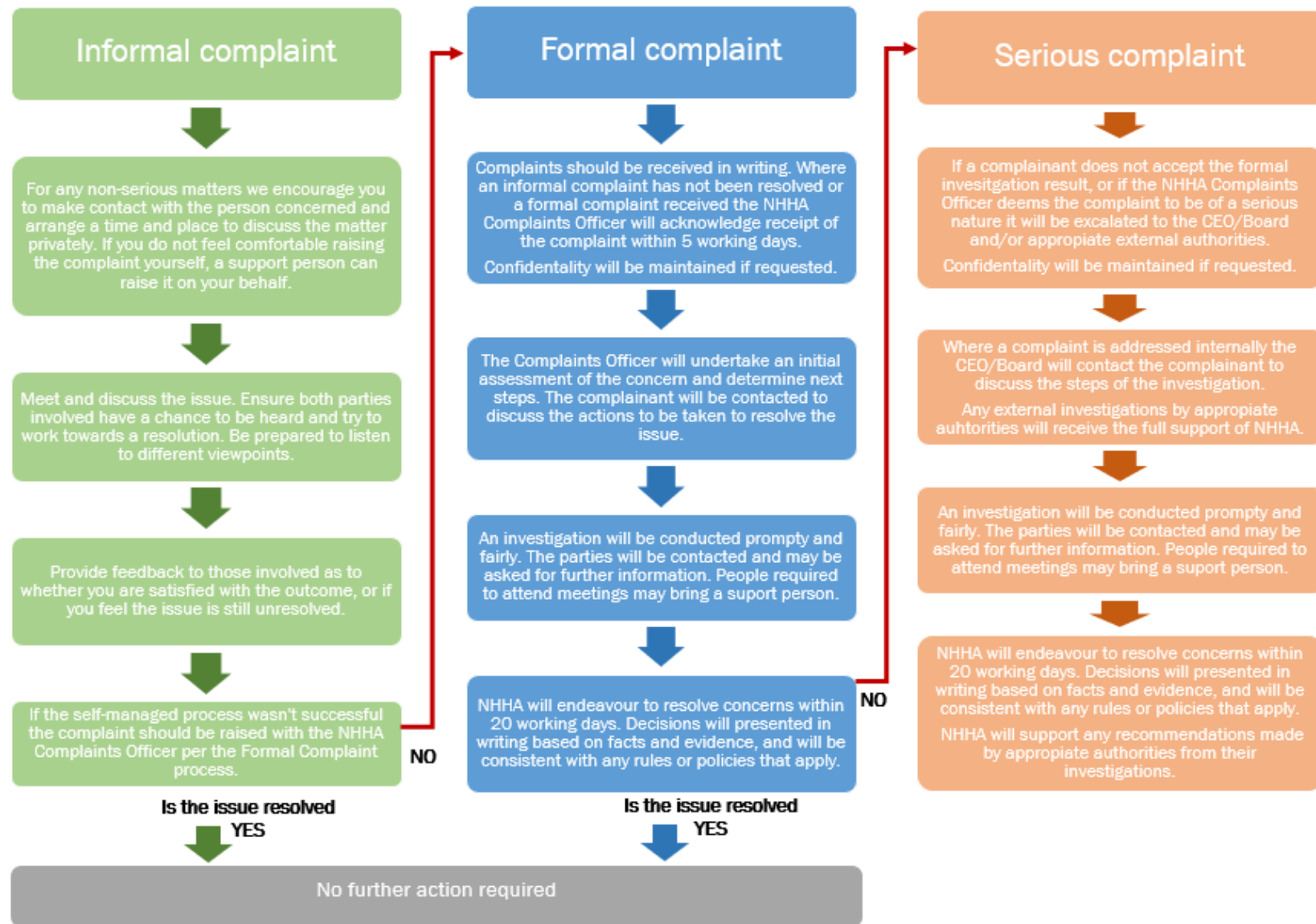
Once an investigator has been appointed, the parties will be advised of the process that will be followed, which may include any temporary arrangements while the investigation takes place (e.g., a change in reporting lines, working from a different location, suspension, supervision).

An integral part of our process is ensuring everyone has the appropriate support. All parties will be given the opportunity to have a support person or representative with them when they attend meetings or interviews about the issue. Support may also be contracted from external agencies who can provide confidential support during the investigation process and afterwards.

At the conclusion of the investigation process those involved will be advised of the actions to be taken to resolve the issue. Reports of unacceptable conduct will be treated seriously and empathetically. We encourage anyone who feels they have experienced unacceptable conduct to raise the issue as soon as possible. If you wish to dispute the resolution you can lodge a complaint with the appropriate external agency including the Human Rights Commission. Employees can also refer to the section of their employment agreement dealing with the resolution of employment problems.

To assist the reader, below is a visual representation displaying at a high level the NHHA Concerns and Complaints Process.

NHHA Concerns and Complaints Process



FALSE DISCLOSURES

The purpose of the concerns and complaints processes detailed above and related to this Policy are to provide an avenue to raise genuine concerns in good faith.

If an individual makes a vexatious, malicious or deliberately false concern or complaint, we will address the matter with the individual concerned by way of a disciplinary or other process, as appropriate. However, just because a complaint is not upheld does not mean that it is vexatious and/or malicious.

BREACH

If any employee or contractor breaches this Policy, it may result in disciplinary action for serious misconduct up to and including termination of employment or engagement.

SUPPORT AVAILABLE

You can seek support from:

- Your manager
- Your coach or club
- NHHA employees can contact EAP (0800327 669 or www.eapservices.co.nz/booking)

RELEVANT LEGISLATION

This Policy considers the following legislation:

- Employment Relations Act 2000;
- Harassment Act 1997;
- Health and Safety at Work Act 2015;
- Human Rights Act 1993;
- Privacy Act 2020;
- Harmful Digital Communications Act 2015; and
- Crimes Act 1961

RELEVANT POLICIES

Other relevant NHHA policies:

- NHHA Reporting Concerns and Complaints and Whistle blower Policy;
- NHHA Child and Safeguarding Policy ;
- NHHA Code of Conduct;
- NHHA Mental Health and Wellbeing Policy
- NHHA Social Media Policy

September 2023

- NHA Youth Representation Policy
- NHA Adult Representation Policy
- NHA Health & Safety Policy

QUESTIONS AND FEEDBACK

If you have any questions or feedback about this Policy, please contact the NHA CEO.