



Cook Islands Sports & National Olympic Committee

ANTI-BULLYING POLICY

1. POLICY

Cook Islands Sports & National Olympic Committee does not find any form of violence or aggression acceptable whether within the workplace, from a member of the general public or from clients of the organisation. Workplace bullying is likely to affect staff morale, creativity and productivity and create an unhealthy workplace culture.

2. SCOPE

This policy applies to all Board members staff visitors' clients and the general public. It includes harassment bullying and violence.

3. PRINCIPLES

- 3.1. Creation and maintenance of a safe and secure working environment for employees.
- 3.2. Provision of a positive and harmonious workplace culture which encourages people of differing backgrounds to work well together and with respect for others.
- 3.3. Recognition of the detrimental effects to persons and the organisation of bullying.
- 3.4. Adherence to the Employment Act.

4. DEFINITIONS

- 4.1. **Bullying** is offensive, intimidating, malicious or insulting behaviour and an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
- 4.2. **Harassment** is unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, sexuality, race, disability, religion, nationality, ethnicity or any characteristic of the individual and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient. It is not where performance management is being fairly implemented in accordance with Cook Islands Sports & National Olympic Committee policy.
- 4.3. **Violence** is any incident where staff are abused, threatened or assaulted in circumstances related to their work involving an explicit or implicit challenge to their safety, wellbeing or health.

5. PROCEDURES

- 5.1. All methods used to communicate violence, aggression, harassment and bullying will be treated with equal importance whether face-to-face, letter, email, telephone or text and will be treated seriously.
- 5.2. Perceived violence is different as everyone has personal tolerance levels which vary. Where there is a perception of violence to a member of staff this will be treated seriously.
- 5.3. To provide staff with safe systems of work by ensuring that risks are identified and the necessary actions undertaken to reduce the risks.

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- 5.5. Training will be provided to ensure that staff have the appropriate skills to deal with potential and/or actual violent and aggressive situations.
- 5.6. Threats of, or actual acts of physical violence may also result in legal action being taken.

6. MANAGEMENT OF VIOLENCE OR ABUSIVE BEHAVIOUR FROM A CLIENT OR THIRD PARTY

- 6.1. The member of staff who has been subject to this behaviour must report the incident to the Secretary General / Chief Executive Officer (and complete an **incident form**).
- 6.2. The Secretary General / Chief Executive Officer is responsible for following up with the issue, including clear documentation in the client file and informing any referring agency of the incident and outcomes.

7. MANAGEMENT OF VIOLENCE OR ABUSIVE BEHAVIOUR FROM THE PUBLIC

- 7.1. If the situation was one where the person was verbally abusive to a member of staff but they were unknown to the service and had no further contact it will not be possible or appropriate to take further action other than to support the member of staff as needed.
- 7.2. If the person has regular contact with the service e.g. a visitor then action as above can be considered. Legal advice may be considered where the behaviour is repetitive, threatening and disruptive.
- 7.3. It may be relevant to exclude the visitor from accessing the building.
- 7.4. All incidents of actual violence from a member of the general public must be reported to the police by the Secretary General / Chief Executive Officer and legal action taken where appropriate.
- 7.5. Other non-violent incidents may also be reported to the police. For example, a member of staff working in the community who is followed or subject to threatening behaviour, including sexual exhibitionism.

8. MANAGEMENT OF HARASSMENT, BULLYING, AGGRESSION OR VIOLENCE BY AN EMPLOYEE.

- 8.1. All employees have the right to complain if they are harassed, bullied or subject to aggressive or violent behaviour by another member of staff. This is to be made to the Secretary General / Chief Executive Officer.
- 8.2. Once reported the Secretary General / Chief Executive Officer will meet as soon as possible with the person reporting the situation to discuss what options could be available taking into account as much as is reasonable in their own circumstances and wishes.
- 8.3. Where it is agreed that formal action is warranted a formal investigation into the allegation will take place.
- 8.4. The management of the investigation will depend on the seriousness of the allegation in line with the disciplinary policy.
- 8.5. It is important that the implicated member of staff is supported in the process and that the matter is dealt with fairly, sensitively and in confidence. The implicated member of staff can choose support.
- 8.6. To support their complaint the member of staff may collate evidence, which may include:
 - 8.6.1. A diary of incidents documenting what was said.
 - 8.6.2. Keeping a note of those who have witnessed what was said or done to them.

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8.6.4. Keeping any written evidence (emails, memos, notes etc.).

8.6.5. It may be that the implicated member of staff is unaware of the effect of their approach which may be perceived as bullying. Sometimes just helping someone to be aware of the way they are perceived will change their behaviour.

If at the end of the investigation it is concluded that:

8.7. There is no case to answer (the matter ends there).

8.8. There is a case to answer the witness is not able to progress the case (this can be managed by the issuing of a written caution as in line with the Disciplinary Policy and Procedures).

8.9. There is a case to answer which will be addressed by the full application of **Disciplinary Policy and Procedure**.

9. ACTIONS FOLLOWING AN INVESTIGATION

The action following the investigation may include:

9.1. Counselling

9.2. Training i.e. management skills, assertiveness skills, communication skills.

9.3. Closer support and supervision.

9.4. Monitoring performance.

9.5. Moving either employee.

9.6. Mediation between the parties involved.

9.7. Conciliation between the parties involved.

9.8. Other action in line with the Disciplinary Procedure, i.e. written warning.

The preferred route where ever possible is to facilitate a process to reach conciliation and enable the two parties to continue working together. This should be initiated by the Secretary General / Chief Executive Officer in the first instance. Notes of such meetings must be maintained to demonstrate in chronological order the discussions and agreements made.

10. MANAGEMENT OF HARASSMENT, BULLYING, AGGRESSION OR VIOLENCE FROM AN EMPLOYEE OF A PARTNERING AGENCY

If an employee experiences harassment, bullying, aggression or violence from an employee from a partnering agency, the Secretary General / Chief Executive Officer will need to consider which of the two following forms of action is most appropriate, having established where possible the facts and circumstances of the incident;

10.1. Having a private word with the implicated member of staff to discuss the seriousness of their behaviour and if it continues, it will be necessary to take the matter further.

10.2. Informing the implicated member of staff's line manager in the partnering agency. If this is the chosen course of action, the Secretary General / Chief Executive Officer must then support the partnering agency in their handling of the matter.

11. RESPONSIBILITIES

The Secretary General / Chief Executive Officer is responsible for the effective implementation of policies and procedures and is accountable to the Board for the management of violence, aggression and harassment.

The Secretary General / Chief Executive Officer must ensure that:

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- 11.1. Staff attend appropriate training and that this is recorded appropriately.
- 11.2. Staff are aware of this policy and systems in place to minimize risk of violence and aggression for their personal safety. This must be communicated during orientation for new employees.
- 11.3. There is appropriate information available to service users to advise them of this policy.
- 11.4. Employees have a right to work in an environment that is as safe as possible and to not be subjected to harassment or bullying behaviour regardless of who the perpetrator may be.
- 11.5. Staff have a responsibility to ensure that, they are familiar with this policy and the related systems and procedure
- 11.6. They are respectful and courteous to all persons they come into contact with while at work.
- 11.7. Attend relevant training.

Other Relevant Documents:

- Employee Code of Conduct
- Grievance and Complaint Procedure for Staff
- Disciplinary Process
- Sexual Harassment
- Incident Support for Staff
- Incident and Accident Reporting
- Complaints
- Disaster Response
- Home and Away from Office Visits
- Risk Management

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