



Bringing hearts and minds  
together for children

# HARASSMENT, BULLYING & DISCRIMINATION POLICY

# POLICY STATEMENT

Plan International Inc. Inc. values a safe and inclusive work environment for all staff and expects that all Plan staff and associates treat others with dignity and respect. This is reinforced in Plan's Values and Behaviours which are embedded within the organisation. Plan International Inc. has a policy of zero tolerance of behaviour that is discriminatory, harassing or bullying, including sexual harassment. This is the case for all Plan International Inc. Inc. Staff and, Associates – see Roles and Responsibilities below.

## As an organisation, Plan International Inc. will:

- Provide a safe and inclusive workplace where all staff and associates are treated with dignity, courtesy and respect;
- Provide a workplace where equality and inclusion are integral to how we work, which creates a positive working environment and culture for us all;
- Provide a safe, effective and accessible procedure for complaints;
- Actively promote and support appropriate standards of workplace conduct at all times supported by and in reference to the Plan International Inc. Values and Behaviours;
- Treat all complaints in a professional, sensitive, fair, timely and confidential manner; and will take appropriate action when a complaint has been substantiated and proven to have occurred;
- Ensure any acts of victimisation or retaliation are investigated and dealt with promptly; and take immediate and appropriate action following confirmation and substantiation that a malicious complaint had been lodged.

# SCOPE

- This policy applies to all Plan International Inc. Staff and Associates.
- Plan International Inc. does not dictate the belief and value systems by which Plan International Inc. Staff, Associates, or Managers conduct their personal lives. However, actions taken by them outside of working hours (whether inside or outside of the office environment) that are seen to contradict (or breach) this policy (or its intent) may be considered a violation of this policy.
- This policy supersedes all prior policies, guidelines and practices that pertain to harassment (including sexual harassment), bullying and discrimination.
- This policy should be read in conjunction with local legislation (where possible), however local legislation will take precedence over this policy in the event of a conflict.
- This policy should also be read in conjunction with the following associated policies, as may be amended from time to time:
  - Grievance Policy
  - Disciplinary Policy
  - Whistleblowing Policy
  - Child Protection Policy (Global)
  - Code of Conduct (Global)
  - Gender Equality and Inclusion Policy (Global)

# DEFINITIONS AND EXAMPLES

**Inclusion:** is ensuring all staff are valued, respected and supported. It focuses on the needs of every individual and ensuring the right conditions are in place for each person to achieve his or her full potential.

**Harassment:** is any form of behaviour that is unwelcomed, unsolicited, unreciprocated and usually (but not always) repeated. It is behaviour that is likely to offend, humiliate, or intimidate. It can make it difficult for effective work to be done by the staff member or groups targeted or affected by this behaviour. For harassment to occur, there does not have to be an intention to offend or harass. It is the impact of the behaviour on the person who is receiving it, together with the nature of the behaviour, which determines whether it is harassment.

## Harassment is any type of behaviour that:

- The recipient does not want; and
- Offends, insults, humiliates or intimidates the individual;
- Can be threatening, blackmailing or demanding in nature;
- In the circumstances, a reasonable person should have expected would offend, insult, humiliate or intimidate; and
- May directly result in the recipient feeling stressed, anxious, fearful; and is either
  - Sexual (see below), or
  - Targets an individual or group (can be 2 or more) because of their: race, nationality, ethnicity, class, caste, social origin, pregnancy, parental status, family/carer's responsibility, marital status, disability, sexual or gender orientation (including heterosexual or LGBTIQ – Lesbian, Gay, Bisexual, Transgender/Transsexual, Intersex and Questioning), age, skin colour, language, geographic location, political belief (or lack of), social belief (or lack of), trade union activity (or not), religious belief (or lack of).

## Examples of workplace harassment might include:

- Offensive, derogatory language or intimidating actions or behaviours;
- Insulting or threatening gestures, language (overt or implied) or continual and unwarranted shouting in the workplace;
- Unjustified and/or unnecessary comments about a person's work or capacity for work;
- Openly displayed pictures, posters, graffiti, written materials, emails or digital media which might be offensive to some;
- Phone calls or messages on voicemails or electronic mail or computer networks which are demeaning, threatening, abusive, humiliating, or offensive to staff;
- Persistent following or stalking within the workplace, or to and from work; and
- The exclusion of a person, or group, from normal conversations, work assignments, workplace updates, information, resources, meetings, work related social activities and networks in the workplace.

**Sexual Harassment:** is a term covering verbal, non-verbal, written or physical conduct which is sexual in nature, is unwelcomed, is unsolicited, is unreciprocated and offends, humiliates or intimidates the person at whom it is aimed. It occurs in circumstances whereby a reasonable person would have anticipated that the person harassed would be offended. It is not about the intent of the person making the comment, gesture or other behavioural element, but rather about the impact on the recipient. It extends from gender harassment through to sexual harassment through to sexual assault.

Sexual harassment/assault is any type of behaviour or conduct which could take the form of:

- Gestures;
- The display of offensive material, sexist comments, comments of a sexual nature;
- Posting or sharing pornography, sexual pictures or cartoons, sexually explicit graffiti, or other sexual images (including online);
- Implicit or explicit demands for sexual activity, subtle pressure for sexual favours;
- Outing someone's sexual orientation or gender identity;
- Unwanted kissing, staring, physical contact, touching;
- Stalking;
- Insinuations about a person's private life;
- Repeated and unwanted personal contact, including by text, telephone, Skype, email, or any other form of digital or social media;
- Inappropriate or offensive comments on dress or physical appearance;
- Making repeated comments about someone's physical appearance;
- Gender, gender identity and sexual orientation related insults;
- Workplace pranks which are lewd in nature or reciting lewd jokes, or sharing sexual anecdotes;
- Asking sexual questions, such as questions about someone's sexual history or their sexual orientation.

This list is not exhaustive and definitions of what may be meant by "harassment" or "sexual harassment" may vary based on location and cultural context.

Sexual harassment does not arise in the context of a mutual sexual attraction and/or flirtation based upon choice and consent. Offensive behaviour does not need to be repeated in order to constitute sexual harassment; nor is it limited to one sex harassing the other.

**Bullying:** may be described as repeated and unreasonable behaviour directed toward a person, or a group of people, that creates a risk to health, safety and well-being. Repeated behaviour refers to the persistent nature of the behaviour and refers to a range of behaviours over time. Unreasonable behaviour is behaviour that a reasonable person, having regard to circumstances, may see as unreasonable (in other words, it is an objective test). Bullying hampers productivity by creating dysfunction and damaging morale within working environments. It includes behaviour (generally a pattern of behaviour) that intimidates, offends, degrades or humiliates another person, including by electronic devices including email, blogs, notice boards, social networking sites and websites.

Examples of behaviours that may constitute bullying include, but are not limited to:

- Intimidation;
- Victimisation;
- Verbal abuse or threats, including yelling, screaming, offensive language;
- Excluding or isolating people from workplace activities;
- Assigning impossible tasks or dead-lines, meaningless tasks unrelated to their job, or giving someone the majority of unpleasant tasks;
- Undermining responsibility;
- Withholding information essential to complete a task properly;
- Copying ("Cc") emails that are critical about someone to others, who do not need to know;
- Using blind copy ("Bcc") on emails inappropriately;
- Making threats or comments about job security without foundation;
- Changing workplace arrangements (i.e. leave) to inconvenience a particular employee;
- Excessive scrutiny of work;
- Spreading malicious rumours;
- Cyber bullying; or
- Physical, intellectual or emotional abuse.

**Discrimination:** refers to treating a person, or a group of people less favourably than another person or group and can be on the grounds or situations listed below.

***Discrimination on the grounds of:***

- Gender or Gender identity<sup>1</sup>
- Sexual orientation;
- Marital status, or pregnancy;
- Family/carer responsibilities;
- Language;
- Race, nationality, ethnicity; skin colour;
- Class, caste, social origin;
- Level or type of education;
- Religious beliefs (or lack of);
- Health status (dependent on role requirements);
- Disability or impairment;
- Age;
- Trade union activity (or lack of).
- Political or particular belief (or lack of).

It is important that all staff ensure that discrimination does not occur during business activity such as recruitment. The following could be deemed to be discriminatory and are included as examples:

- Failing to hire a job applicant or terminating employment on any of the above grounds;
- Failing to reasonably accommodate reasonable adjustments for job applicants and employees (e.g. with a disability).
- Unfair treatment of an applicant or an employee for a position in the organisation on one of the above listed grounds.
- Following formal or informal policies/practices that deprive people of employment or advancement opportunities or adversely affect employees that possess a protected characteristic.
- Retaliating against an employee who has filed a complaint.
- Treating an employee unfairly or unequally in situations with respect to their compensation.

The above list and examples are not exhaustive and includes actual, potential, alleged, assumed and perceived status.

**What harassment, bullying and discrimination is not:**

Workplace harassment, bullying or discrimination must not be confused with legitimate comments and advice (including negative or constructive feedback or comment) from managers and supervisors on work performance or work related behaviour of an individual or group.

The process of providing feedback to workers during a formal (or informal) performance appraisal or review, or counselling workers regarding their work performance, will not always be free of stress or tension. Managers should manage these processes with sensitivity and respect; however they should not avoid their responsibility to provide full, candid and honest feedback to workers.

The following behaviours do **NOT** constitute harassment, or workplace bullying and discrimination:

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<sup>1</sup> Gender identity refers to how an individual feels about their own gender. Individuals may identify as male, female or as something else and their gender identity may or may not be the same as the sex that they were assigned at birth. Everyone has a gender identity and expresses their gender in a unique and personal way.

- Reasonable management practices, including performance management and disciplinary action and/or procedures;
- A direction to carry out reasonable and lawful duties and instructions; and

A direction to comply with Plan International Inc. policies, procedures and guidelines.

# ROLES AND RESPONSIBILITIES

All Plan International Inc. staff, management and associates are responsible for maintaining a working environment free from any form of harassment, bullying and discrimination. Plan International Inc. staff must value and respect the full diversity of our colleagues' experiences and strive for inclusion. Plan International Inc. staff and associates agree to abide by the policy in the workplace and in relation to all beneficiaries of Plan International Inc. programmes.

## All Plan International Inc. Staff and Associates will:

- Demonstrate compliance to, and support of this, and any prevailing policies and procedures; at all times, by signing a copy of this policy when they join any part of Plan International Inc. and, if requested to do so again as part of any refresher training or updated policy release;
- Be aware of the issue of harassment, bullying and discrimination, and the forms it can take and of the damage it can do to individuals and to Plan International Inc.;
- Not engage in any types of behaviour which constitute bullying, harassment or discrimination as indicated in this policy;
- Report any potential breaches of this policy to their immediate manager, Human Resources or via Plan International Inc.'s secure web portal Safecall\*\* where concerns can be raised and will be logged and appropriate responses/actions taken. Contact [www.safecall.co.uk/report](http://www.safecall.co.uk/report) or email to [plan@safecall.co.uk](mailto:plan@safecall.co.uk);
- Comply fully and confidentially with any investigation relating to potential breaches of the policy;
- Contribute to building an environment free from Harassment, Bullying and Discrimination;
- Behave in accordance with Plan International Inc.'s Purpose, Values and Code of Conduct;
- Speak out against harassment, bullying or discrimination if and when witnessed.

## The International Board, CEO and Executive Management (incl. Regional Directors, Country Directors, and Other Directors) will:

- Escalate proven breaches of this policy to the relevant external authorities as appropriate/deemed necessary and appropriate.
- Establish and support high standards of professional behaviour in the workplace; and
- Plan International Inc. Executive and Management Teams should take all reasonable steps to monitor, and prevent any form of harassment, bullying and discrimination from arising in the workplace.

## Managers will:

- Establish and support high standards of professional behaviour in the workplace;
- Ensure the workforce is aware and informed of this policy and its application;
- Monitor the workplace and take action to stop discrimination, bullying and harassment immediately if it is observed or reported;
- Encourage staff to report instances and respond promptly, seriously and with respect and sensitivity to every complaint;
- Advise the Human Resources/ People and Culture team of any potential breach and/or complaint within 24 hours of becoming aware;
- Communicate any changes to this policy to the workforce.

## Human Resources will:

- Ensure that this policy is published and available to all staff so that Plan's workforce is aware and informed;
- Provide advice, guidance and ongoing support to managers, staff and associates in relation to the policy and on the complaint and resolution process. As a member of the Core Humanitarian Standard (CHS) Alliance, Plan International Inc. will consider bespoke Protection from Sexual Exploitation and Abuse (PSEA) training to ensure managers are prepared to conduct investigations into potential non-compliances of this policy;
- Participate, and provide independent investigations as required; and
- Keep abreast of any changes to local law requirements that may impact this policy or operation.

\*\* Safecall is an ethics telephone hotline and online reporting system, helping national and international organizations create a culture of integrity and openness. They have the ability to handle reports in over 170 languages. When an employee telephones Safecall they will automatically be offered a series of languages appropriate to the location they are calling from.

# THE PROCESS

Bullying, Harassment and Discrimination are regarded seriously and, in some countries is unlawful. It may be treated as grounds for disciplinary action under Plan's Disciplinary Policy.

## Informal stage of process

In line with the above Roles and Responsibilities, complainants are encouraged to talk to someone they can trust if they feel they have experienced any form of harassment, bullying or discrimination. This may be a colleague, a line manager, a trade union representative (if locally applicable) a family member or a friend.

The process of talking through what has happened with someone else can help to determine what action should be taken. Plan encourages staff to stand up and challenge others when they see wrong doing, and encourage a climate of feedback and accountability. Therefore, where appropriate the complainant should provide direct feedback, to the person causing the problem, making it clear that they find their behaviour towards them unacceptable.

If the above approach does not feel appropriate then the guidance is to raise concerns, confidentially to Line Manager or Human Resources.

It is important for any complainants to keep a record of the details of any alleged and relevant incidents which cause distress, particularly, if an individual feels unable to talk to the person/people concerned, or if having raised the issue, the issue persists.

Staff should be aware that if concerns are raised to any member of the Human Resources or Management teams that appears to be extremely serious in nature, then under Plans obligations to safeguard all employees, there may occasions when a decision may be made to investigate the allegations, regardless of whether the individual wishes to raise a 'formal complaint'

## Formal stage of process

If the informal stage, if used, has not resolved the issues, the complainant should communicate their complaint in writing to their manager or their local HR representative under Plan's Grievance Policy or Safecall as mentioned below.

Plan will undertake to investigate the complaint seriously, promptly and objectively. The manager or local HR representative will assign an appropriate level of manager to fully investigate the complaint and ensure that the correct communications and records are retained as applicable. The appointment

manager will be impartial and have been trained in carrying out investigations. All information should remain confidential unless a criminal offence has occurred or there is a risk of personal danger.

In cases which appear to involve serious misconduct, and there is reason to separate the parties, a short period of suspension or re-assignment of the alleged bully/harasser may need to be considered while the case is being investigated. This is not a sanction and normal employment terms continue. The purpose of a suspension is to facilitate a fair and objective investigation for all.

As an outcome of raising a grievance, Plan may conclude that the matter is a disciplinary issue which needs to be dealt with formally at the appropriate level to Plan's Disciplinary Policy, this could be a result of either substantiated allegations under this policy; or allegations that are found to be malicious.

## DEFINITIONS & TERMS

**Plan Staff:** refers to employees of Plan International Inc., Plan Limited and all subsidiaries (including all Country Offices, Liaison and Regional Offices, and International Headquarters).

**Plan Managers:** refers to Plan International Inc. Staff who have responsibility for line managing or supervising the work of Staff or Associates.

**Plan Associates:** refers to contractors and consultants engaged by Plan International Inc., and volunteers and unpaid individuals who work with Plan International Inc. and who agree to abide by this policy.

**Workplace:** can be defined as including "the place where work is carried out, or where there is a sufficient connection to the workplace, including working in the field, in local communities, emergency deployments, and any online activity which relates to work". Under this definition, the workplace may encompass on and off-site work related events including meetings; conferences; business travel, training; social events; work functions, conferences, seminars, webinars, emailing, texting, skype, tweeting or other social media postings; and any other activities that have a connection to the workplace and/or that your participation is because you work for, or are undertaking work for, Plan International Inc.

**A workplace investigation:** is a process instituted by Plan International Inc. to gather information and determine remedial action (if appropriate) in response to an alleged or suspected breach of policy, procedure or practice, any workplace grievance or dispute or any other issue or incident which Plan International Inc. determines requires a workplace investigation.

**Complainant:** is the individual (staff or associate) notifying Plan International Inc. of a workplace issue requiring resolution and/or investigation.

**Respondent:** is an individual (staff or associate) against whom an issue or incident is raised or a complaint or grievance is made

**Victimisation:** Victimisation involves treating someone unfairly (or threatening them) because they have made, or intend to make, a discrimination, bullying or harassment complaint. This also includes those who have supported another person in making a complaint. Immediate action will be taken against another staff member or associate who retaliates or victimises a person for making a complaint (the 'complainant').