

Tauranga Yoga Centre Bullying and Harassment Policy

1. Introduction

Tauranga Yoga Centre (TYC) is committed to the provision of a fair, healthy and safe workplace in which teachers, students, visitors and committee members behave and are treated with dignity and respect and in which no individual or group feels bullied, threatened or intimidated.

Unacceptable behaviour can be subtle or overt and there is a responsibility on all members and visitors to manage their own behaviour according to our constitution and the yamas and niyamas of yogic philosophy. It is our collective responsibility to be aware of behaviour that can cause discomfort and/or stress within our TYC community.

Bullying or harassment in any form is unacceptable behaviour and will not be permitted or condoned.

Bullying and harassment can seriously impact on peoples' lives and can affect the health, confidence, morale and performance of those affected by it, including anyone who witnesses it or who has knowledge of the unwanted or unacceptable behaviour.

The intention of this policy is to inform teachers and members of the type of behaviour that is unacceptable and to provide procedural guidance.

The TYC Committee recognises that we have a duty to implement this policy. All officers and teachers are expected to lead by example and to inform members of appropriate behaviour under this policy.

2. Definitions

2.1 Harassment Definition

Harassment is any unwanted physical, verbal or non-verbal conduct based on grounds of age, disability, gender identity, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation which affects the dignity of anyone at work or creates an intimidating, hostile, degrading, humiliating or offensive environment.

A single incident of unwanted or offensive behaviour can amount to harassment.

Harassment can take many forms and individuals may not always realise that their behaviour constitutes harassment. Examples of harassment include:

- Unwelcome touching (teachers need to be very aware of how they adjust students in classes. They have a responsibility to inform students that 'physical adjusting' may be a part of their class and invite students to inform them if they do not want to be adjusted physically.)
- Abusive, threatening or insulting words or behaviour
- Insensitive jokes and pranks
- Lewd or abusive comments about appearance
- Unwelcome attention
- Deliberate exclusion from conversations
- Displaying abusive or offensive writing or material

These examples are not exhaustive, and disciplinary action at the appropriate level will be taken against any TYC member committing any form of harassment.

Appropriate action in relation to an employee or member will include disciplinary action in accordance with TYC's employment disciplinary procedures and constitution.

2.2 Bullying Definition

Bullying is often-repeated, offensive, abusive, intimidating, insulting, or unreasonable behaviour directed towards an individual or a group, which makes the recipient(s) feel threatened, humiliated or vulnerable. Note single incidents of bullying will not be tolerated.

Bullying can occur in the workplace and outside of the workplace at events connected to the workplace, such as social functions or business trips.

Bullying can be a form of harassment and can cause an individual to suffer negative physical and mental effects.

Bullying can take the form of physical, verbal and non-verbal conduct. As with harassment, there are many examples of bullying, which can include:

- abusive, insulting or offensive language or comments
- unjustified criticism or complaints
- physical or emotional threats
- deliberate exclusion from workplace activities
- the spreading of misinformation or malicious rumours
- the denial of access to information, supervision or resources such that it has a detrimental impact on the individual or group

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of bullying. Appropriate action in relation to an employee will include disciplinary action in accordance with the TYC employment policy's disciplinary and termination procedure.

3. Bullying and Harassment Complaint Procedures

3.1 Informal Complaint

We recognise that complaints of bullying, harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague teacher of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper.

If you are the victim of minor bullying or harassment you should make it clear to the alleged bully or harasser on an informal basis that their behaviour is unwelcome and ask the individual to stop. If you feel unable to do this verbally then you should hand a written request to the individual, and your confidential helper can assist you in this.

3.2 Formal Complaint

Where the informal approach fails or if the bullying or harassment is more serious, you should bring the matter to the attention of management in the form of a formal written complaint and again your confidential helper can assist you in this. If possible, you should keep notes of the bullying or harassment so that the written complaint can include:

- the name of the alleged bully or harasser
- the nature of the alleged incident(s) of bullying or harassment
- the dates and times when the alleged incident(s) of bullying or harassment occurred
- the names of any witnesses
- any action already taken by you to stop the alleged bullying or harassment

On receipt of a formal complaint from an employee/teacher, we will act to separate you from the alleged bully or harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged bully or harasser to another work area or suspension of employees (with contractual pay) until the matter has been resolved.

An appropriate person or persons from the TYC Committee will be appointed to hear a complaint.

See also:

- Clause 14 Dispute Resolution & Personal Grievance Procedures, and Appendix 2 of the Teachers Employment Contract

If the complaint is from within committee against another committee member:

- The TYC Executive will also be informed of any formal complaint and will act according to the rules of the constitution as per the TYC Constitution clauses 8.8.4 and 8.8.5.

If the complaint is about a member of TYC:

- The TYC Committee and the executive committee will be guided by the TYC Constitution as per clause 14.0 (Cessation of Membership).

The person/s dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

On conclusion of the investigation, which will normally be within ten working days of the meeting with you, a report of the findings and of the investigator's decision will be sent, in writing, to the complainant and to the alleged bully or harasser.

4. General Notes

If the report concludes that the allegation is well founded, appropriate action will be taken against the bully or harasser.

Anyone who brings a complaint of bullying or harassment will not be victimised for having brought the complaint. However, if the report concludes that the complaint is both untrue and has been brought with malicious intent, appropriate action will be taken against the complainant.

- Appropriate action in relation to an employee will include disciplinary action in accordance with TYC's disciplinary termination procedure.
- Appropriate action in relation to any TYC member will be in accordance with the TYC Constitution.