



## HARASSMENT AND DISCRIMINATION RESOLUTION PROCEDURES

### **Purpose:**

The purpose of these procedures is to provide guidance to staff and managers in dealing with harassment, raising issues and resolving them and making formal complaints. The procedures outline a range of options.

Harassment in this procedures document includes discrimination, sexual harassment, personal harassment, abuse of supervisory/managerial authority and bullying.



- Reach out privately to the person.
- Supporting the person to raise with an appropriate person.

**Steps that may be taken to resolve the issue informally:**

The manager may suggest the member of staff find a person to support them in the process of resolving the issue. This could be a friend, a family member, a trade union representative or associate.

The Employee Assistance Programme is available to Staff. The University has engaged EAP Services to provide professional and confidential support to staff in instances of harassment. EAP Services will provide immediate advice, discuss various options available and assist them in attempts to remedy the situation.

Where the parties agree, the manager may convene a meeting between the parties to resolve the matter informally.

It may also be appropriate to seek assistance from a mediator to facilitate a resolution to the matter. Mediation can bring the matters out in a safe yet confidential environment and assist the parties to understand the nature and impact of harassing behaviours. It can also assist and facilitate the on-going working relationship between parties. If the complainant is satisfied with the outcome, the matter will be deemed to be resolved. Mediation may not be appropriate in all situations and should be carefully weighed up by all parties.

To find out more about mediation procedures and processes you can contact:

- Labour Department Mediation Services
- Massey University Disputes Advisor
- Massey University Mediation Service

**Formal Complaint:**

The member of staff may choose to make a formal complaint along with any further explanation as appropriate about the incident that has taken place. A formal complaint does not need to be in any special form but must be in writing and outline the events, when and how they occurred and the impact of any situation on the employee concerned, any action the complainant may have taken to stop the behaviour, and an indication of the desired outcome the complainant is seeking.

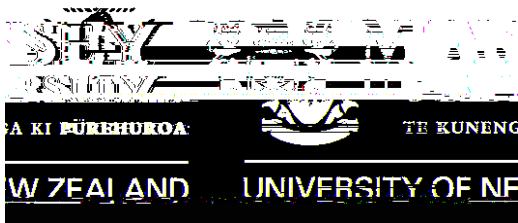
The complaint is to be lodged with the appropriate manager or with the Deputy Vice-Chancellor People and Culture. Any manager who receives a complaint must deal with it promptly.

If the complaint has sufficient substance, the manager should commission an investigation. Where it appears that there has been an incident of misconduct or serious misconduct (and possibly a criminal offence to be referred to appropriate external authorities), an employment investigation will be undertaken in accordance with the staff member's employment agreement and the principles of natural justice.

On receipt of a formal complaint, the complainant will be informed of how the investigation will proceed and be provided with an indicative timeframe for the investigation. The complainant will be kept informed throughout the course of the investigation.

During the course of an investigation it may be necessary to gather information and interview other individuals. Content of any interviews will be documented and verified by the individual supplying the information for the purposes of being included in the investigation and the investigation report.

Where a formal complaint is submitted for investigation, the complaint together with any supplementary information obtained during the course of the investigation will, in line with the principles of natural justice, be given to the member of staff who is the subject of the complaint, to answer.









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Under Health and Safety at Work Act 2015 Massey University has a primary duty of care to ensure that as far as reasonably practicable, the health and safety of workers and of others persons is not put at risk from work carried out by Massey University (Section 36). Massey University also has a duty to eliminate risks to the health and safety so far