BULLYING, HARASSMENT AND DISCRIMINATION POLICY

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NOTICE: this Policy may be freely copied, adopted, and adapted by SIGANZ Members, or other Screen Industry participants, in order to tackle and prevent bullying, harassment, or discrimination in their own business or undertaking. Together we can make a change.

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PART 1: POLICY, SCOPE, PURPOSE, RIGHTS & RESPONSIBILITIES

Policy Statements

Our Commitment

I. The Screen Industry Guild Aotearoa New Zealand (**SIGANZ**) is committed to creating and maintaining a safe, inclusive, and equitable working environment, where everyone can contribute to the best of their abilities, feel valued and safe, and be treated with dignity and respect. We value inclusivity, appreciate difference, welcome learning from others, and consider people equal without prejudice or favour.

Shared Responsibility

II. We all have a role in preventing and eliminating behaviours such as bullying, harassment, and discrimination from the workplace. No-one should tolerate bullying, harassment, or discrimination within the workplace. Regardless of whether those behaviours also constitute unlawful acts, they have no place in our workplace or our industry. This Policy therefore creates clear expectations (rights *and* responsibilities) of everyone.

No Bystanders

III. We encourage a 'no-bystander' culture, where everyone who witnesses such behaviour has the shared commitment, tools, and procedures to identify and tackle it. If you are on the receiving end of such behaviour, or witness it, please use the tools and procedures in this Policy, or speak to SIGANZ' Welfare Officer (presently Kelly Lucas, the SIGANZ Executive Officer) about what you can do.

Zero Tolerance

IV. SIGANZ will regard any incident of bullying, harassment, or discrimination as a serious matter. SIGANZ will act promptly upon and investigate fairly and thoroughly all formal and informal complaints, with due sensitivity, and in accordance with this Policy, to ensure the preservation of a safe, inclusive, and equitable work environment for all.

Application & Scope

This Policy applies to all persons engaged by SIGANZ (including employees, contractors, volunteers, trainees, officers, executives, or other SIGANZ representatives) ("**Workers**").

It applies to behaviours that occur within the workplace, at work related events, or in connection with work (even if outside the workplace or outside ordinary work hours), **including social media** and other forms of digital communication.

Purpose

The purpose of this Policy is to foster a safe, inclusive, and equitable working environment and minimise the likelihood of bullying, harassment, or discrimination occurring, by:

1. setting the tone of expected behaviour;
2. ensuring all Workers know and understand their rights and responsibilities regarding workplace bullying, harassment, or discrimination, including encouraging all Workers to identify, prevent, report and/or safely resolve incidents;
3. defining unacceptable behaviours like bullying, harassment, discrimination, victimisation, and other unacceptable behaviours;
4. providing procedures and guidelines for raising and resolving concerns about behaviour, that ensure such behaviour is taken seriously, and dealt with promptly and with due sensitivity.

Rights and Responsibilities to create a safe, inclusive, and equitable workplace

Freedom from bullying, harassment, discrimination, or victimisation

1. All Workers have the right to be free from bullying, harassment, discrimination, or victimisation, unlawful or otherwise, in the workplace, at work related events, and in connection with work.
2. All Workers have the right in good faith to object to bullying, harassment or discrimination, unlawful or otherwise, whether or not they are the subject of such behaviour or witness such behaviour, and to do so without victimisation, disadvantage, or reprisal.

Shared Responsibilities

3. **All Workers** have a responsibility to ensure that they:
    a. are familiar and comply with this Policy;
    b. create and maintain a safe, inclusive, and equitable workplace;
    c. behave in a responsible, respectful, and professional manner, including treating all persons (regardless of role, status, or seniority) equally and with courtesy, dignity, and respect;
    d. give and be open to receiving legitimate feedback delivered in a fair, reasonable, and constructive way;
    e. support any Worker that genuinely feels they have been subject to bullying, harassment discrimination, or victimisation, including supporting them to follow any pathways for resolution in this Policy;
    f. respect the privacy and confidentiality of complainants in accordance with the guidance in this Policy;
    g. and **do not:**
        i. bully, harass, discriminate, or victimise any person;
        ii. become a bystander, but rather identify and discourage any form of bullying, harassment, discrimination or victimisation by making it clear that such behaviour is unacceptable;
        iii. take any action in bad faith, nor knowingly make any false, misleading, or frivolous allegations.
4. **In addition** to obligations in paragraph 3, all SIGANZ Officers, executives, managers, or supervisors, are to take reasonable steps to:
    a. ensure that all Workers reporting to them are familiar with, and understand their rights and responsibilities under this Policy;
    b. ensure that the work environment is free from harassment, bullying, discrimination, and victimisation, and that any risks are identified and mitigated;
    c. treat all complaints seriously, and take prompt steps in accordance with this Policy to investigate fairly and thoroughly all formal and informal complaints, with due sensitivity and will take prompt and appropriate action;
    d. protect and support the right of all Workers to use the resolution procedure in this Policy, and ensure Workers are not victimised or suffer any reprisal or disadvantage from initiating or participating in good faith in any investigation;
    e. review these Policies and compliance regularly.
5. Where any complaint of bullying, harassment, or discrimination is substantiated, SIGANZ may manage such behaviours with facilitated sessions, training, cautions, or other proportionate action. Serious breachers may result in a disciplinary process and remedies up to and including termination of the offender's employment/engagement.
6. SIGANZ acknowledges that where offensive, hurtful, or undesirable behaviour does not meet the definitions of bullying, harassment, or discrimination used in this Policy, that is not necessarily the end of an appropriate health and safety enquiry. SIGANZ reserves the right, therefore, to deal with all undesirable work behaviours (even one-off incidents) regardless of whether the behaviours fall under the definitions of bullying, harassment, or discrimination herein, and regardless of any informal or formal complaint. Such behaviours may escalate, or be part of a broader pattern of behaviour, and will not be ignored.

7. Incidents which cross the line into criminal behaviour should always be reported to the Police. Physical threats or abuse should also be reported to Police.

Legal Responsibilities and Liabilities

8. This Policy is intended to meet and go beyond the minimum legal requirements (set out below) for preventing and tackling harassment, bullying, or discrimination.

Responsibility for Health and Safety

9. SIGANZ acknowledges that it has responsibilities under the Human Rights Act 1993 and the Health and Safety at Work Act 2015 **("HSWA")** (and the Employment Relations Act 2000 in relation to employees) to actively address complaints of bullying, harassment, or discrimination made by or against Workers. SIGANZ has a duty of care to ensure as far as reasonably practicable that the health and safety of Workers, and other persons affected by SIGANZ' work, is not put at risk.
10. Many Workers on productions **may also be PCBU's** ("persons conducting a business or undertaking") for the purposes of the Health and Safety at Work Act 2015. You may therefore also have a duty of care to ensure the health and safety of others. If in doubt, get advice about your legal responsibilities.
11. All Workers (PCBUs or otherwise) also have responsibilities under ss 45 & 46 of the HSWA, including to comply with policies relating to health and safety (such as this Policy), and to not adversely affect the health and safety of others.

Liability for certain acts

12. For the avoidance of doubt, this Policy also prohibits unlawful acts by any Worker. These include *unlawful harassment* (prohibited the Harassment Act 1997), *sexual harassment, racial harassment, unlawful discrimination* (prohibited by the Human Rights Act 1993), and *harmful digital communications* (cyberbullying) (prohibited by the Harmful Digital Communications Act 2015).
13. Workers are personally liable for their own behaviour that breaches these Acts. Besides disciplinary action we might take, Workers who breach these Acts may face penalty, remedy, or conviction by other authorities or Courts. In circumstances where a Worker's conduct may involve a breach of any New Zealand law, SIGANZ will operate a zero tolerance policy, and may be legally entitled or legally obliged to notify relevant authorities.

Training

14. To help all Workers build confidence and understanding of this Policy, Screensafe and Screen Women's Action Group run a full day Professional Respect Training Workshop. To ask questions or secure your seat for the next workshop, please email workshops@screenguild.co.nz.

PART 2: DEFINITIONS AND GUIDANCE

Bullying, harassment, and discrimination can take many forms. They may involve language (verbal or written), behaviour (including gestures), actions, or visual material. They can occur in-person or electronically (e.g. through email, messaging, or posting on social media). They can occur privately or publicly, directly 'face-to-face' or indirectly 'behind-someone's-back'. They can be overt or subtle, directed at an individual or group, or not specifically targeted. They may be intended, or unintended.

It is therefore important to:

- familiarise yourself with the **Definitions, Guidance, and Examples** in this Part 2;
- remember your **Rights and Responsibilities** to create a safe and equitable work environment, and to identify, tackle, and prevent such behaviours (whether you experience or witness them) (see Part 1); and
- if in doubt, remember the general guiding principle: to treat one another with courtesy, dignity, and respect.

What is Bullying?

Definition	➢ ***"Bullying"*** *is unreasonable behaviour directed towards a worker or a group of workers that could lead to physical or psychological harm either because of its nature, or its seriousness, or because it is repeated or poses a reasonable risk of being repeated.* ➢ ***"Unreasonable"*** *means actions that a reasonable person in the same circumstances would see as unreasonable. It includes victimising, humiliating, intimidating, belittling, or threatening a person.* ➢ ***"Repeated"*** *does not require that identical behaviour be repeated, or that it be directed to the same person more than once. It is sufficient to constitute "repeated" behaviour if there is a pattern of unreasonable behaviours (same or different), directed at the same or different workers over time, and which taken together constitute repetition of bullying behaviours. Note that what may appear to one complainant to be one-off may, rather, be part of a broader pattern of behaviours directed at a broader group, which when taken together will constitute bullying.*
Guidance	Bullying is a form of harassment. Bullying *usually* involves one or more of the following: ● an intention to harm; or ● an intention to have dominance, power, or unwarranted control over another; or ● misuse of power; or ● repeated behaviours or patterns of behaviour over time. While each of these will make bullying more serious, they are not necessary requirements, and bullying may exist if one or all are missing. The key test is whether the behaviour is objectively unreasonable and could lead to harm by virtue of its nature, seriousness, repetition, or risk of repetition. For the avoidance of doubt bullying behaviour can be: 1. Targeted at an individual or a group. 2. Not specifically targeted, but have an overall impact that creates a negative or harmful culture or work environment. 3. Intentionally harmful or unintentionally harmful. Bullying may objectively exist regardless of the doer's motivation. 4. One-off, continuous, or "Repeated" (see definitions and guidance above). Note that one-off behaviours can also constitute any of the forms of "harassment" or "discrimination" prohibited by this Policy if the behaviour meets the relevant definitions (below). 5. Physical, verbal, textual, visual. It may be face-to-face, over the telephone, by email, text message, and online e.g. forums, social media platforms. 6. Between workers and/or managers at the same or different levels in the organisation. 7. In the same or different departments or areas of work within or outside of the organisation.

	8. Between employees, contractors, volunteers, and/or external persons contractors and/or clients within or outside of the organisation. 9. Mobbing – when more than one person is involved. 10. Neglect or marginalisation. 11. During daily work activities, at work-organised events held on-site or off-site, inside and outside of working hours. 12. Overt or covert. Public or private. Be particularly vigilant and sensitive at 'crunch times' – when everyone is working long hours to meet a deadline, tempers can be short, and people may be exhausted.

Examples	The following is by no means an exhaustive list, but it highlights a range of '"unreasonable" behaviours.
	
	Bullying behaviours may be "**overt**" such as:
	• *verbal abuse:* e.g. shouting, screaming, threats, insults, swearing at a person or name calling;
	• *physical abuse:* e.g. intimidating, threatening, or throwing things;
	• *stand-over tactics, and coercion*;
	• *humiliation:* e.g. mocking or ridiculing somebody's opinions, or humiliating them through sarcasm, or insulting or demeaning someone; whether in private, at meetings, or in front of colleagues/customers/clients;
	• *belittling:* e.g. belittling a person's creative input or not letting them express their opinion in the first place;
	• *dismissive behaviour* / gestures (including non-verbal dismissive communications during interactions such as eye-rolling, sighing);
	• *unfairly blaming others:* e.g. for the failures of technology or failures meeting deadlines;
	• *taking credit* for others' ideas, or refusing to give credit where due;
	• *'picking on'* someone: e.g. unfairly targeting them
	• *initiation practices*;
	• *unwanted physical advances* (sexual or otherwise): e.g. touching, standing too close
	• *offensive or degrading language* or gestures: e.g. homophobic, racist, or sexist;
	• *unwanted or offensive teasing*, banter, practical jokes/pranks, innuendo.
	
	Bullying behaviours may be **"covert"** such as:
	• *deliberately excluding* an individual or a group from workplace activities;
	• *ignoring, blanking, or socially isolating* a person, including in digital communications on a consistent basis;
	• *sabotaging or impeding somebody's work,* including for instance by:
	  • deliberately withholding or excluding information or resources (e.g. documents, equipment) that a person needs to adequately undertake their role, or supplying incorrect information;
	  • deliberately or persistently overloading a worker;
	• *preventing* individuals progressing by intentionally blocking promotion or training opportunities;
	• *spreading gossip,* rumours, making statements that are hurtful or that undermine a person's work or reputation to another person;
	• *invading a person's privacy* by pestering, spying, or stalking;
	• *"gaslighting"* (manipulating someone by psychological means that undermine or twist their sense of reality or judgment, such as causing them to doubt their own perceptions, memories, or sanity e.g. doing something abusive or offensive and then denying it happened, or asserting the person is over-sensitive).
	• *abuse of power* such as:
	  • making decisions that are discriminatory (defined below); or
	  • making decisions on the basis of sexual advances being accepted or rejected (see sexual harassment defined below);
	  • coercion or making implied or overt threats about job security without foundation;
	  • unreasonable administrative sanctions, punishment, or unjustified interference;
	  • setting people up to fail.

	Bullying behaviours may be **subtle** and can include behaviours that aren't **deliberately** intended to bully or harm, for instance:
	• *unfair treatment,* such as:
	  • regularly overloading;
	  • setting impossible deadlines;
	  • regularly assigning meaningless or menial tasks unrelated to a job;
	  • under-work, or unwarranted removal of responsibility;
	  • changing schedules to unfairly inconvenience or favour particular individuals;
	  • repeatedly demonstrating a clear bias or preferential treatment of one Worker over another without reasonable justification;
	  • criticism or accusations that are biased or not properly or fairly substantiated;
	  • constant criticism, fault finding, or nit-picking to the point of being unreasonable and undermining;
	  • constantly changing targets and expectations without reasonable justification;
	• *not providing appropriate resources* or training;
	• *undermining* another's authority or standing in the workplace;
	• *breaching a person's expectation of privacy* or confidentiality, such as:
	  • copying memos that are critical about someone to others who do not need to know;
	  • tampering with a person's personal belongings or work equipment, or touching them in an unreasonable way.
	
	Whilst all of these behaviours are unacceptable, some will be considered more serious than others.

What is Harassment?

Where this Policy refers to "Harassment", it may refer to any or all of the following four types of harassment.

- **Harassment (general)**
- **Sexual Harassment**
- **Racial Harassment**
- **Civil or Criminal Harassment**

All are prohibited by this Policy. "Racial Harassment" , "Sexual Harassment" and "Civil or Criminal Harassment" (explained below) can constitute unlawful acts.

Harassment (general)

Definition	➢ ***"Harassment"*** *is any type of unreasonable and unwelcome behaviour that offends, humiliates, degrades, or intimidates any other person.* To constitute Harassment the behaviour usually must be of such a significant nature that it has or is likely to have a detrimental effect on the person or their work.
Guidance	Harassment can take many forms. Bullying, Racial, Sexual, and Civil or Criminal Harassment are all types of Harassment. You should read and be familiar with the Guidance on each. The intentions of the alleged harasser are not relevant. What is important is the effect of the behaviour on the recipient (i.e. whether the recipient feels offended, humiliated, degraded, or intimidated) and whether the behaviour was unreasonable.
Examples	General examples include: • *unwanted physical contact* (ranging from invasion of space, to assault); • *unwelcome remarks about* such things as a person's appearance, race, sex or sexual orientation;

	• *embarrassing, threatening, humiliating, patronising, or intimidating remarks* or behaviour;
	• *belittling* opinions or constant criticism;
	• *practical jokes* which cause embarrassment or awkwardness;
	• *offensive* jokes, gestures, insults or comments;
	• *display* of visual materials which are offensive;
	• *written, verbal, or physical abuse*, hostility, threats, or intimidation;
	• *outing* a gay person without their consent.
	
	Covert and **subtle** examples of harassing behaviour include:
	• *sabotaging* or impeding work performance by for instance:
	  • deliberately *withholding* work-related information and / or resources, or supplying incorrect information;
	  • *deliberately or* persistently *overloading* an individual with work they cannot reasonably be expected to complete;
	• *subjecting* a person in the workplace to unreasonable scrutiny;
	• *invasions* of another's privacy such as:
	  • posting their personal information on social media, or monitoring a person's use of the internet, email or any other form of electronic communication without their consent;
	  • putting up pictures of a person (e.g. on social media) without their consent.
	• *undermining* another's authority / standing in the workplace;
	• *isolating, ignoring, or excluding* a person deliberately or consistently;
	• engaging in *favouritism* (both overt and covert);
	• *spreading malicious rumours* or insulting someone;
	• *criticism that* humiliates, intimidates, or demeans;
	• *constant criticism* without providing constructive support to address any performance concerns.
	
	Harassment often relates to a person's attributes, such as gender identity, sex, marital status, religious or ethical belief, disability, age, political opinion, employment status, family status, sexual orientation, or involvement in the activities of an organisation.
	
	e.g. examples of Harassment because of a woman's pregnancy include:
	• derogatory or unwanted comments about her physical size and shape;
	• pictures, screen savers or other visual material portraying pregnant women in a demeaning or hostile manner;
	• unwanted touching of a pregnant woman's abdomen or other parts of her body;
	• negative comments about a pregnant worker's needs, habits, or other characteristics associated with pregnancy;
	• unwelcome references to the presumed changes in a pregnant woman's private life, such as changes in her sex life or relationship with her partner.
	
	Whilst all of these behaviours are unacceptable, some will be considered more serious than others.
	
	See also Bullying examples (above), which can also apply.

Sexual Harassment

Definition	➢ ***"Sexual Harassment"*** *is:* *a) the use of language (written or spoken), visual material, or physical behaviour, of a sexual nature that directly or indirectly subjects another person to behaviour that is unwelcome or offensive to that person (whether or not the recipient communicates that to the doer) and that is either repeated, or of such a significant nature, that it has a detrimental effect on that person; OR* *b) a direct or indirect request for sexual activity of any sort that contains an implied or overt promise of preferential treatment, or implied or overt threat of detrimental treatment person.*

	Sexual Harassment is unlawful and legally prohibited if it occurs in relation to any of the **"prohibited areas"** specified by the Human Rights Act 1993 and (where applicable) the Employment Relations Act 2000. Prohibited areas include: employment (including contractors, unpaid, or volunteer work, and including job performance, job satisfaction, and job applications), partnerships, memberships of unions or professional or trade associations, access to any approval or authorisation or qualification, vocational training, access to places or vehicles or facilities, access to goods or services, access to land or housing or accommodation, education, participation in fora for the exchange of ideas and information.
Guidance	Sexual Harassment may be unintentional. Even if the person being offensive is unaware of its effect, or doesn't have any actual sexual feelings toward the recipient, they can still be held responsible. What's important is how the behaviour affects the recipient/s or others. Victims of Sexual Harassment may not be just the target of the behaviour, but anyone affected by it. For example, a co-worker standing nearby when inappropriate sexual comments are said may be affected, even if the comments aren't directed toward them. Exercise caution, because what is acceptable to one person is not necessarily acceptable to another. As with general Harassment, Sexual Harassment can take many forms, verbal, physical, written, or visual. It can occur publicly, privately, face-to-face, digitally (e.g. through messaging or social media), or 'behind-their-back'. Sexual Harassment may be overt or subtle, directed at an individual or a group. Sexual Harassment may be one-off or repeated. It can take place at work related social functions and may involve a supervisor, co-worker, volunteer, or even a supplier, customer or client. Sexual Harassment is gender neutral and orientation neutral. It can happen to, and be carried out by, someone of any orientation or gender. It may be directed against members of the same or opposite gender.
Examples	Sexual Harassment is not mutual attraction between people - such friendships (sexual or otherwise) are a private concern. Sexual Harassment may consist of one or a combination of any of the following – **the key** is whether the conduct is of a sexual nature, is unwelcome or offensive to another person, and has a detrimental effect on them (including for instance on their job performance, or satisfaction). *Touch* • unnecessary or unwelcome physical contact or threats of physical contact (e.g. patting, pinching, touching, hugging, or kissing, unnecessary familiarity such as deliberately brushing up against a person or putting an arm around another person); *Invitations* • repeated invitations or requests for a date or a drink where the person invited has refused similar invitations before; • sexual propositions; • any other persistent or unwelcome social attention or invitations (whether at work, at home, in person, in writing, via telephone, or via digital communications (email, social media etc)). *Gestures & physical behaviour* • offensive or unwelcome crude hand or body gestures; • staring in a sexually suggestive or offensive manner (such as leering at body parts), or wolf whistles; • following a person home; • impeding or blocking an individual's movement. *Comments* • making remarks or comments about a person's appearance, dress, or body parts; • asking intrusive questions or making unwanted or offensive comments or teasing about a person's relationships, sexual activities, history, orientation, gender identity, or private life; • stereotypical comments which could be interpreted as sexist and make people uncomfortable;

	• persistently referring to the gender identity history of a transgender person; • deliberately using the wrong name or pronoun in relation to a transgender person; • threatening to disclose a person's sexuality or gender identity to others without permission; • sexually explicit, suggestive, or provocative jokes, taunts, teasing, name calling, or innuendo; • sexual anecdotes; • crude, vulgar or obscene language (written or verbal); *Media* • displaying, viewing, sending, or sharing with any other person any sexually inappropriate media which may include nude, semi-nude, pornographic, sexually explicit, suggestive, provocative, vulgar, or lustful content. Media can include images, objects, gestures, sounds, videos, posters, photographs, gifs, calendars, screen savers, messages, words, letters, notes, or digital communications (including by email or sharing on social media sites such as Facebook or Twitter). **Bottom line**: Any behaviour with a sexual connotation that is unwelcome or offensive to that person, and has a detrimental effect on them. Note that the following serious examples are always Sexual Harassment regardless of proving any detrimental effect, or whether the behaviour was offensive or unwelcome to the recipient: *Abuse of Power* • any implied hints or overt promises of benefits or preferential treatment in return for sexual favours; or hints or threats of differential treatment (such as work status or conditions) if you say no to advances; • any discrimination experienced directly or indirectly by a person after rejecting another person's advances; • using authority or physical strength to place someone in a situation where they feel they need to provide sexual favours to respond to the threat; • sexual assault and rape.

Racial Harassment

Definition	➢ ***"Racial Harassment"*** *is the use of language (written or spoken), or visual material, or physical behaviour that expresses hostility against, or brings into contempt or ridicule, any other person on the ground of the colour, race, or ethnic or national origins of that person; and is hurtful or offensive to that person; and is either repeated, or of such a significant nature, that it has a detrimental effect on that person.* Racial Harassment is unlawful and legally prohibited if it occurs in relation to any one of the "**prohibited areas"** specified by the Human Rights Act 1993 and (where applicable) the Employment Relations Act 2000. Prohibited areas include employment (including contractors, unpaid, or volunteer work, and including job performance, job satisfaction, and job applications), partnerships, memberships of unions or professional or trade associations, access to any approval or authorisation or qualification, vocational training, access to places or vehicles or facilities, access to goods or services, access to land or housing or accommodation, education, participation in fora for the exchange of ideas and information.
Guidance	Racial Harassment may be unintentional. The person who is being offensive may be unaware of its effect, but they can still be held responsible. What is important is how the behaviour affects you or others. Victims of Racial Harassment may not be just the target of the behaviour, but anyone affected by it. For example, a co-worker standing nearby when inappropriate racial comments are said may be affected, even if the comments aren't directed toward them. Exercise caution, because what is acceptable to one person is not necessarily acceptable to another.

	As with other types of harassment, Racial Harassment can take many forms, verbal, physical, written, or visual. It can occur publicly, privately, face-to-face, digitally (e.g. through messaging or social media), or 'behind-their-back'. Racial Harassment may be overt or subtle, directed at an individual or a group. Racial Harassment may be one-off or repeated. Racial Harassment can take place at work related social functions and may involve a supervisor, co-worker, volunteer, or even a supplier, customer or client.
Examples	Examples of Racial Harassment include: • making offensive remarks, noises, or jokes about a person's race, colour, ethnicity or nationality; • copying, mimicking, or making fun of the way a person speaks; • calling people by racist names; • pretending not to understand a person when they speak; • deliberately mispronouncing or mocking people's names. • displaying or distributing racially offensive, mocking, or demeaning material in the workplace; • playing songs of a racist nature; • denying people the opportunity to fulfil ethnic requirements; • recruiting persons to racist organisations or groups.

Civil & Criminal Harassment

Definition	Civil and Criminal Harassment are unlawful, and are prohibited by the Harassment Act 1997. ➢ ***"Civil Harassment"*** *means engaging in a* ***"pattern of behaviour"*** *that is directed against another person and that involves doing any* ***"specified act"*** *to the other person.* ➢ ***"Pattern of behaviour"*** *in this context means either:* *doing any 2 specified acts on separate occasions within a period of 12 months. The specified acts may be the same or different acts, and need not be done to the same person as long as the pattern of behaviour is directed against the same person; OR* *doing one continuing specified act carried out over any period. "Continuing" includes a specified act done on one occasion that continues to have effect over a protracted period (for example where offensive material about a person is placed in any electronic media and remains there for a protracted period).* ➢ ***"Specified act"*** *means watching, loitering near, or hindering that person's access to or from any place that persons frequents for any purpose; following, stopping, or accosting that person; making contact with them in any way; interfering with their property; giving or leaving offensive material where it is likely to be brought to their attention (including online); or acting in any other way that reasonably causes them to fear for their safety.* ➢ ***"Criminal Harassment"*** means Civil Harassment in circumstances where the harasser intends the harassment to cause the target to fear for their safety or the safety of any person with whom they are in a family relationship; or the harasser knows that the harassment will reasonably cause the target to so fear.
Guidance	This Act prohibits a person from repeatedly or continuously doing "specified acts" directed at another, and provides the victim with specific protections and remedies. The "specified acts" are intended to prohibit certain types of intimidating behaviour. If, however, a person attacks you or destroys your property, or threatens to do so, contact the Police immediately about protections and redress.

	Civil Harassment is unlawful. It does not require proof of motive, or an intent to cause harm. It is sufficient that there is a "pattern of behaviour" directed at a person that involves the "specified acts". It may give rise to restraining orders against the harasser and their associates. Breach of a restraining order is a criminal offence punishable by imprisonment or fine. Criminal harassment may be punished by imprisonment. Help for dealing with this type of Harassment may be found by contacting Police, or by visiting your community law centre (www.communitylaw.org.nz), or Citizens Advice Bureau (www.cab.org.nz/vat/gl/laws/Pages/Harassment.aspx).
Examples	The "specified acts" are defined above. An example of behaviour that this is designed to prohibit is "**stalking**" which may be characterised by repeated and unwanted behaviours such as: • repeatedly following a person; • persistently contacting, or attempting to contact, a person by any means; • loitering in any place (whether public or private) with the intention of catching the attention of someone, who does not wish for contact; • interfering with any property in the possession of a person; • watching or spying on a person including through the use of CCTV or electronic surveillance; • giving of gifts which are unwanted or inappropriate. Also unlawful is leaving offensive material (including online) where it is likely to be brought to a person's attention, such as posting sensitive information or intimate details about a person online. Acting in any way (intentionally or unintentionally) that causes a person to reasonably fear for their safety is unlawful.

What is Discrimination?

Definition	➢ ***"Discrimination"*** *is a situation where a person is* ***directly or indirectly*** *treated unfairly or less favourably than others in the same or similar circumstances are treated, or would be treated, because of a prohibited ground.* ➢ ***"Prohibited grounds"*** *include the person's: sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origin, disability, age, political opinion, employment status, family status, or sexual orientation.* ➢ ***"Indirect discrimination"*** *occurs when any conduct, practice, requirement, or condition that is not apparently discriminatory (e.g. it is imposed on everyone), has the effect of treating a person or group of persons differently on one of the prohibited grounds. Practices, requirements, or conditions that are indirectly discriminatory are not permitted under this Policy unless there is a good and reasonable reason or exception for them.* Discrimination is unlawful and legally prohibited if it occurs (directly or indirectly) in relation to any of the **"prohibited areas"** specified by the Human Rights Act 1993 and (where applicable) the Employment Relations Act 2000. Prohibited areas include: employment (including contractors, unpaid, or volunteer work, and including job performance, job satisfaction, and job applications), partnerships, memberships of unions or professional or trade associations, access to any approval or authorisation or qualification, vocational training, access to places or vehicles or facilities, access to goods or services, access to land or housing or accommodation, education. However, legal "exceptions" exist that permit certain practices to occur based on a prohibited ground (such as age, sex, or disability) or in a prohibited area (such as employment) that would normally be unlawfully discriminatory. For example, measures taken in good faith for the purpose of assisting or advancing persons or groups of persons disadvantaged because of unlawful discrimination, do not constitute discrimination. Certain employment exceptions can also apply. All the exceptions are set out in the Human Rights Act 1993, New Zealand Bill of Rights Act 1990, and Employment Relations Act 2000.

	More information about where and when exceptions apply is available: - from Employment New Zealand here: https://www.employment.govt.nz/resolving-problems/types-of-problems/bullying-harassment-and-discrimination/exceptions-to-unlawful-discrimination/ - or by contacting the Human Rights Commission InfoLine or visiting www.hrc.co.nz.
Guidance	Discrimination may be intentional or unintentional. "Sex" includes gender and gender identity, and includes pregnancy, breastfeeding, and childbirth. SIGANZ has a particular commitment to ensuring a safe, inclusive and equitable environment for groups disadvantaged by discrimination which includes Māori as tangata whenua, pacific peoples, people with disabilities, people with refugee backgrounds, trainees or students from low socio economic backgrounds, lesbian, gay, bisexual, transgender, Intersex (LGBTI, and including people of diverse gender identities).
Examples	Discriminatory behaviour may be any kind of behaviour – **the key** is whether you are directly or indirectly treating a person less favourably *because of* a **"prohibited ground"**. Examples of direct discrimination include: • excluding a Worker from workplace activities, functions, or training because of their age; • diverting away from a transgender Worker opportunities, hours, clients, materials, or other factors that may affect a Worker's pay, esteem, or promotion; • excluding a pregnant Worker from consideration for permanent employment, professional development, promotion, programmes, or project work; • transferring a Worker without their consultation and agreement to another role because of a prohibited ground, and without good reason for it; • dismissal, redundancy, or pressure on a disabled Worker to resign, such as by changing their work conditions; • cancelling a contract for services on a prohibited ground; • demotion or a reduction in seniority; • derogatory or offensive comments about a prohibited ground, such as for instance a pregnant worker's body size, habits, or other perceived characteristics associated with pregnancy such as the desire to eat or urinate frequently (this would also constitute harassment); • not providing services or goods to a person because they don't have a job. Examples of indirect discrimination include: • neglect of responsibilities by the employer that can potentially have adverse effects on the health and well-being of a particular Worker due to a prohibited ground such as failing to create a safe environment for those Workers; • not accommodating the physical requirements of a pregnant worker, such as allowing for more frequent breaks, providing a maternity uniform; • directly or indirectly prohibiting a woman from breastfeeding at work; • not providing suitable access to work areas or common areas for less abled persons. Some examples of discrimination against a transgender person could include: • refusal to hire them because "they won't fit in"; • moving them away from frontline work (unless they ask or agree). Some examples of pregnancy discrimination may include: • relegating less substantive work to a pregnant employee where there is no good reason for it (for example, because of perceptions of the employee's commitment or competencies while she is pregnant); • unreasonable refusal to consider a pregnant employee's request to work overtime or on casual shifts.

What is Victimisation?

Definition	➢ ***"Victimisation"*** occurs if someone suffers detrimental treatment because they have made, or propose to make, in good faith, an allegation of bullying, harassment, or discrimination or appear as a support, or a witness, or provide information about such an allegation.
Guidance	All Workers have the right in good faith to object to bullying, harassment or discrimination, unlawful or otherwise, whether or not they are the subject of such behaviour or witness such behaviour, and to do so without victimisation, disadvantage, or reprisal. Our no bystander culture means that Workers have positive duties to identify and discourage such behaviours, and to support any Worker that genuinely feels they have been subject to such behaviours. (See the Rights and Responsibilities section in Part 1). Note that Victimisation in response to complaints under the Human Rights Act 1993 or Protected Disclosures Act 2000 is unlawful and prohibited under the Human Rights Act.
Examples	Examples of **victimisation** may include: • suggesting to a would be complainant that it would be better for them (or the team) if they did not make a formal complaint; • threatening behaviour; • disciplinary action that is not otherwise warranted and would not have been taken if a complaint had not been made; • unreasonable change (either increase or reduction) in duties, or relocation without consent or justification; • reallocating tasks which are not usually part of a person's normal duties because they have made a complaint; • exclusion or isolation; • failure to promote a person or downgrading a performance rating because they are regarded as a 'trouble maker' due to the complaint.

What is not bullying, harassment, or discrimination?

Managers have responsibilities to manage their workers, particularly with regard to behaviour, work delivery, or unsatisfactory performance of duties. Therefore, harassment and / or bullying must not be confused with reasonable instructions, fair advice, genuine feedback, or legitimate critique from supervisors regarding an individual's work performance that are delivered in a reasonable way.

Freedom of speech, freedom of thought, and differences in background, lived experience, belief, preference, cultural or religious norms etc mean that occasional differences in opinion or conflicts will naturally arise between Workers. Provided these differences, conflicts, or misunderstandings are expressed and navigated respectfully and reasonably they ought not to meet the definitions of bullying, harassment, or discrimination.

It is essential, therefore, that everyone take care to treat one another with courtesy, dignity, and respect, and be open to giving and receiving constructive feedback.

Examples of behaviours that do not ordinarily constitute bullying, harassment, or discrimination include:

- one-off or occasional instances of forgetfulness, or tactlessness;
- minor incidents of miscommunication or misunderstanding;
- reasonable differences of opinion, non-aggressive conflicts, or personality clashes that do not escalate into bullying, harassment, discrimination, or violence;
- robust intellectual debate, or assertively expressing opinions different from others, delivered fairly and reasonably;
- free and frank discussion about issues or concerns in the organisation, without personal insults, bullying etc;
- differences of religious, political, or ethical belief, communicated assertively but respectfully;
- setting high performance standards and goals, for instance because of quality, safety, and team cooperation;
- reasonable management or supervisory actions delivered in a reasonable way, including:

    - setting expectations, deadlines, and workload that are reasonable in the circumstances considering the role, experience level, industry, and other relevant circumstances;
    - rostering and allocating hours of work or leave in reasonable, lawful ways, and in compliance with business needs and systems;
    - direction of day-to-day management;
    - issuing and requiring reasonable work instructions to be carried out (in accordance with business needs, systems, your respective roles & responsibilities, and the nature of the request);
- genuine performance improvement processes delivered in a reasonable way. Performance management is a necessary part of ensuring that Workers meet standards of work and behaviour. This includes:
    - constructive feedback and legitimate advice or peer review;
    - legitimate criticism and evaluative comments about behaviour or performance, delivered respectfully and constructively in the context of performance reviews or assessments;
    - raising genuine concerns, issuing proper cautions, or taking appropriate disciplinary action, done in accordance with SIGANZ' policies and procedures;
- preference shown to others on legitimate grounds (e.g. skill, targeted affirmative action policies, parental leave provisions, or reasonable accommodation and provision of work-aids for staff with disabilities etc);
- mutual friendships or relationships based on mutual consent and respect. However, take care that others within hearing or sight don't find your behaviour unreasonably discriminatory or offensive;
- friendly banter, light-hearted exchanges, compliments, or physical contact that are mutually acceptable. However, take care that others within hearing or sight don't find your behaviour unreasonably discriminatory or offensive.

What if it's not bullying, harassment, or discrimination, but it's still hostile, hurtful, or offensive?

SIGANZ and Workers should always deal seriously with all types of "**undesirable**" work behaviours regardless of whether we or you think the behaviours fall under the definitions of "bullying" or "harassment" or "discrimination" in this Policy.

By undesirable we mean *any* behaviours, whether one-off or repeated, that are unreasonable or hostile and likely to cause harm, distress, or offence if unchecked.

SIGANZ will not ignore such behaviours, and may find that such behaviours breach the **spirit** of this Policy regardless of whether they satisfy specific definitions. This is for three reasons. Undesirable behaviours:

1) may pose a health and safety risk (and it is therefore everyone's responsibility to deal with the risk seriously); or
2) may escalate into more serious behaviour; or
3) may be part of a broader pattern of behaviour that you are unaware of.

If you do not think (or are unsure whether) certain behaviour you have witnessed or experienced meets the definitions of "bullying" or "harassment", but you consider it unacceptable or undesirable or hurtful, then we encourage you still to tackle it using the informal complaint process, or if necessary the formal complaint processes below.

SIGANZ will deal with all genuine complaints seriously, fairly, and appropriately, and may manage such behaviours with facilitated sessions, training, cautions, or other proportionate action.

Additional help and guidance for "Harmful Digital Communications" e.g. "Cyberbullying"

If you are being bullied or harassed through digital communications such as texts, emails, websites, apps, or social media posts, the Harmful Digital Communications Act 2015 can help. Although such conduct is also

prohibited by this Policy, the Act can provide you with a relatively quick and easy way for harm to be reduced, including by getting harmful posts or messages taken down or disabled.

Serious breaches of the Act may also constitute criminal offences, so it is advisable to read the "Guidance" below, and be familiar the 10 **"Communication Principles"** for online/digital behaviour.

Definition	➢ ***"Digital communication"*** means any form of electronic communication (including any text message, writing, photograph, picture, recording, or other matter that is communicated electronically). ➢ The ***"Communication Principles"*** say that a digital communication should not: 1. *disclose sensitive personal facts about a person;* 2. *be threatening, intimidating, or menacing;* 3. *be grossly offensive to a reasonable person in the position of the affected individual;* 4. *be indecent or obscene;* 5. *be used to harass a person;* 6. *make a false allegation;* 7. *breach confidences;* 8. *incite or encourage anyone to send a deliberately harmful message;* 9. *incite or encourage a person to commit suicide; or* 10. *denigrate a person's colour, race, ethnic or national origins, religion, gender, sexual orientation or disability.*
Guidance	An individual who believes that have suffered or will suffer harm as a result of a **"digital communication"** can: a) access a complaints and mediation agency, **NetSafe**, who can investigate and attempt to resolve complaints, provide advice, and liaise with online hosts to request that the digital communication be disabled; b) if NetSafe is unsuccessful, victims can apply to the **District Court** for remedies against the perpetrator and/or the internet host. This includes orders to take-down or disable the material, to cease and desist any conduct, to publish corrections, or apologies. The threshold for applying for a Court order is that there is a serious breach, threatened serious breach, or a repeated breach, of one or more **"Communication Principles"** that is likely to cause harm. As an additional deterrent, the Act creates new criminal offences to penalise the most serious offenders who may become liable to fines or imprisonment. Such instances should be referred to and dealt with by **Police**. The Act makes it a criminal offence to: a) fail to comply with a Court order made under the Act; or b) post or attempt to post a "digital communication" with the intention to cause harm, and where such a post or attempt does cause harm.
Examples	The 10 Communication Principles give broad examples of harmful content. Specific examples of digital communications that are harmful include but are not limited to: cyberbullying, harassing, trolling, doxxing, defamation, threats, privacy breaches, sharing leaked photos, fake accounts, hate speech, image or gender or race based abuse, harmful or objectionable content, embarrassing or humiliating pictures or videos, grooming, incitement, stalking, scams, misinformation, and offensive language.

If you need further advice or help to remedy a harmful digital communication (including removing the material):

- contact Netsafe: call 0508 NETSAFE, visit www.netsafe.org.nz, or text 'Netsafe' to 4282.
- read NetSafe's guidance here https://www.netsafe.org.nz/what-is-the-hdca/ and here https://www.netsafe.org.nz/hdca-report-process/

- read Ministry of Justice guidance here about making or responding to a complaint or applying for an order: https://www.justice.govt.nz/courts/civil/harmful-digital-communications

PART 3: MAKING A COMPLAINT

Making a Complaint – Tips Before you Begin

Your Options

No matter your role, contractual status, or seniority, if anyone thinks they have witnessed or have been subjected to bullying, harassment or discrimination then we encourage them to speak up and use one or both of the following processes to tackle it:

1. **self-help** and **informal resolution**;
2. **formal complaint**.

Both options are explained in detail below. Where appropriate, we encourage you to try to resolve any problems informally in the first instance.

Know Your Rights

Review Part 1 to remind yourself of our shared Rights and Responsibilities to identify, tackle, prevent, and be free from bullying, harassment, and discrimination.

Complainant Advice and Support

If you would like **additional support** with a complaint, SIGANZ can connect you with external support persons trained in dealing with workplace bullying, harassment, and discrimination. SIGANZ have engaged external company Hardcases for this purpose. **Hardcases** can advise and guide you through the processes in this Policy, whether or not you wish to make a formal or informal complaint.

Contact Hardcases: hardcases.co.nz | +64 27 280 1053

A list of other support and resources for complainants, offenders, or witnesses are also available at the end of this Policy.

Abuse, Unlawful Activity, Criminal activity

Any physical or sexual threats or abuse, and any other criminal activity, **should be reported immediately to Police.**

Sexual Harassment, Racial Harassment, Civil Harassment, and Discrimination, can be reported to us in the first instance, however, any complaints of serious or unlawful behaviour can also be made to external authorities such as: the Human Rights Commission (www.hrc.co.nz or 0800 496 877) which includes the Race Relations Office. The Commission can advise, investigate, and attempt to resolve complaints of Sexual Harassment, Racial Harassment, or Discrimination. (NB: Complaints to the Human Rights Commission may be declined if prior to making them you have had knowledge of the complaint for more than 12 months).

In the case of harmful digital communications, contact Netsafe (www.netsafe.org.nz).

These authorities can provide victim support, and help resolve complaints. If the behaviour is serious enough, they may also involve Police or the Courts.

Timing

Although there is no time limit on making a complaint, we strongly encourage all Workers to try to resolve their complaint (by any of the below methods) as early as possible, if you feel able, in order to reduce stress and worry for you and possibly other persons involved, and to give the best opportunity to fairly and reasonably resolve the complaint while detail of what took place can still be freshly remembered by all persons involved.

Make a Written Record

Regardless of how you choose to proceed, we do encourage you always to make a clear written account of what you've experienced or witnessed happen. This is extremely useful later on, should you decide to use either an informal or formal process to address the behaviour.

Consider and record a fully detailed account of the incident: the date it took place, who was involved, any witnesses, how it made you feel during and after, whether the behaviour is ongoing, why you think it is bullying or harassment or discrimination, any actions you have taken, and all other relevant information or concerns you have. Consider also what outcome or possible solutions you would like. Ensure the details are true and accurate description of what happened. You can use SIGANZ' Bullying, Harassment, & Discrimination Complaint Form as a template for your own personal record (whether or not you choose to also disclose this to SIGANZ' Welfare Officer).

You can also make a private and confidential digital record using a tool like SPOT:
https://filmtvcharity.org.uk/your-support/bullying/

Keep a copy of or screenshot any digital communications as evidence (in case the original content is deleted).

Non-victimisation, non-reprisal

SIGANZ will never victimise, disadvantage, unfairly treat, or discipline anybody who makes a genuine formal or informal complaint about bullying, harassment, or discrimination. We aim to offer the best possible support to Workers that experience bullying, harassment, or discrimination.

False allegations

Because allegations of bullying, harassment and discrimination are serious, any complaint must be genuine. If you are found to have intentionally or recklessly made a false or misleading or malicious complaint in bad faith, we may take disciplinary action which could lead to the termination of any engagement of services. Untrue complaints that harm a person's reputation may also be defamatory.

Making a Complaint – The Procedure

Option 1: Self-Help and Informal Resolution

a) Challenging the behaviour by speaking or writing to the perpetrator

It is important to remember that the other person may be unaware of their behaviour and the impact it has on you or others. Your informal feedback may give the person a better understanding. A request to change or stop their behaviour gives them an opportunity to do just that.

Challenge the behaviour by speaking or writing to the person in private:

- clearly identify and describe the unacceptable behaviour (especially if you are speaking to the person after the event): describe the times, places, events or conversations, and any other instances in order to clearly illustrate your point (use the written record you made to help you).
- it is important to state how their behaviour is making you feel (or may be making others feel) (e.g. humiliated, degraded, bullied, ostracised, demeaned, ridiculed etc).
- use clear language to indicate that you consider the behaviour is or may be bullying, or harassment, or discrimination. (If you are unsure if it meets one of those meanings, but is still hurtful or offensive, you should indicate that you consider the behaviour is unwelcome, hurtful, offensive, or unreasonable).
- use the opportunity to ask that the person change or stop their behaviour. You can also refer them to this Policy for additional information, and encourage them to think about how they would like to approach a similar situation in the future.

Try to recognise and challenge the behaviour when you experience or witness it, immediately intervening if you can unless it is unsafe to do so. If you are in the midst of a pressing deadline without time to address the issue fully there and then, tell those involved that the behaviour is unacceptable and that you would like to meet with them privately to discuss it after the work is finished. This shows that bad behaviour has been noted, has consequences, and will be addressed.

If you don't feel comfortable speaking with the perpetrator in person, you can write to them on a "private and confidential" basis, and request that the behaviour stops. Alternatively, you can use a support person or support service per below.

b) Using a Support Person or Service

Optionally, speaking with a trusted support person or support service like Hardcases (hardcases.co.nz | +64 27 280 1053) can help you to resolve your complaint informally. Seeking informal help can help both parties better understand the nature of the complaint, the contents of this Policy, and the options and processes available to resolve the matter.

If you speak to the perpetrator informally and in private about their behaviour, you may ask your support person to be a present but silent witness. Alternatively, if you need additional support to speak with the perpetrator, your support person (or service) may be able to facilitate or mediate the discussion by carefully listening, directing, and holding the discussion so that it proceeds in a fair, frank, confidential and professional manner. If you wish to remain anonymous, a support person may be able to assist you by speaking to the perpetrator anonymously, (however, remember that giving details of the incident is usually necessary for fairly understanding and resolving issues).

If you are not comfortable with any of these "self-help" or informal approaches, or if you have tried them and they have not been effective, you may decide to follow the formal process for addressing complaints. If you have spoken with SIGANZ informally about the matter, SIGANZ may determine the matter is a disciplinary issue which needs to be dealt with formally.

Option 2: The Formal Process (Making a Formal Complaint)

1. **Put your complaint in writing.** If it is not possible to put your complaint in writing, or you feel uncomfortable doing so, please speak to SIGANZ anyway. We will investigate all complaints made in good faith.

   Include a fully detailed account of the incident: the date it took place, who was involved, any witnesses, how it made you feel during and after, whether the behaviour is ongoing, why you think it is bullying, harassment, or discrimination, any actions you have taken, what outcome you would like, and all other relevant information or concerns. Ensure the details are a true and accurate description of what happened. We recommend using SIGANZ Bullying, Harassment, & Discrimination Complaint Form for this (but it is not a requirement).

   (It is a principle of natural justice that complainants provide all relevant information to the accused. A detailed written complaint completed as soon as possible after the incident will provide SIGANZ with the best opportunity to fairly and reasonably investigate the complaint, while detail of what took place can still be freshly remembered by persons involved. A written record of your complaint also helps to hold SIGANZ to account for the way in which we investigate it).

2. **Submit your formal complaint** to SIGANZ' Welfare Officer (presently the SIGANZ Executive Officer) in person or at this email address: [insert appropriate complaint email address] ; or If the complaint is about the Welfare Officer, to another Officer or Board Member, or to external agency Hardcases: hardcases.co.nz | +64 27 280 1053.

   They will send you a written acknowledgement of the complaint.

3. The **Procedure** for investigating your complaint will be as follows:
   a) SIGANZ will arrange a meeting with you promptly to discuss the problem;
   b) you have the right to be accompanied by a support person at the meeting;
   c) we will listen to the complaint and discuss with you what steps are appropriate in the circumstances (including, but not limited to, facilitating an informal resolution with the accused perpetrator, or commencing a formal investigation);
   d) we may need to speak to the perpetrator, or other witnesses, privately and in confidence;
   e) we will investigate fairly, thoroughly, objectively, and with due care and sensitivity, and in accordance with principles of natural justice. This normally requires providing the accused

perpetrator with all relevant information, and giving them adequate opportunity to respond to the complaint;

f) after considering all the facts, a decision about your complaint will be made promptly and communicated to you, including any recommendations or appropriate actions;

g) if you or the accused perpetrator are unhappy with the result you have the right to appeal.

4. The complainant, witnesses, and the person accused of acting inappropriately are entitled to seek advice and support at any time.

5. After the investigation, if we think that bullying, harassment or discrimination has occurred, all practicable steps will be taken to ensure that the offending behaviour is not repeated, which may include disciplinary action up to and including the termination any engagement of services.

Other options that may be used for resolving a complaint include:

- facilitating a formal apology from the perpetrator;
- establishing measures to restore the relationship (if possible) and accountability;
- an agreement to undertake an education or training programme; or
- counselling, mentoring, or training.

Privacy and Confidentiality

SIGANZ understands that reporting bullying, harassment, or discrimination can be intimidating. We aim to make the process clear, straightforward, supportive, and to ensure to the extent possible privacy and confidentiality is maintained.

1. All information collected relating to alleged or proven breaches of this Policy shall be treated and used strictly in accordance with the requirements of the Privacy Act 2020.
2. SIGANZ will respect and maintain confidentiality where possible and to the extent that we can. SIGANZ are required to investigate allegations of bullying, harassment, or discrimination seriously and fairly. Natural justice normally requires disclosing and discussing the details of a complaint with the subject of the complaint. It may also involve discussing details with any witnesses to allow the complaint to be properly investigated. Where we make any necessary disclosures to anyone involved in a complaint, we shall speak to each person involved about their responsibility to respect and maintain privacy and confidentiality.
3. We ask that the complainant also maintain confidentiality about all issues and people concerned at all times. Discuss your bullying or harassment complaint in private and in confidence and only with those who need to know (this can include a support person or external advisors).
4. As we have a duty to protect all Workers, there may be times when we decide to act on a complaint independently of the complainant. In these situations we will encourage complainants to use our support services and will inform them of the outcome of our investigation if they wish to know.

Additional External Support & Resources

There are a number of resources and external support services available to help you get the advice you need.

Follow these links, or talk to us, for assistance and support with:

Making a formal or informal complaint:

- contact Hardcases | www.hardcases.co.nz | +64 27 280 1053.

Removing harmful digital communications:

- contact Netsafe | www.netsafe.org.nz | call 0508 NETSAFE (0508 638 723) | or text 'Netsafe' to 4282.

Victim support and counselling:

- contact Victim Support Manaaki Tangata | www.victimsupport.org.nz | 0800 842 846 | a free national support service for victims of crime and trauma, 24 hours a day, seven days a week;
- contact Need to Talk helpline | call or text 1737 | get support from a trained counsellor, free any time, 24 hours a day, seven days a week.
- contact Lifeline helpline | www.lifeline.org.nz | 0800 543 354 | or text 'help' to 4357 | for free confidential support, including suicide prevention support, available 24 hours a day, seven days a week.

Transgender support:

- contact Agender New Zealand | www.agender.org.nz | 0800 AGENDER (0800 2436337)

Sexual harm support:

- contact Safe to Talk sexual harm helpline anytime | 0800 044 334 | a confidential and free helpline, available 24 hours, seven days a week;
- contact HELP Auckland | www.helpauckland.org.nz | 0800 623 1700 | support for sexual abuse survivors, 24 hours a day, seven days a week;
- contact HELP Wellington | www.wellingtonhelp.org.nz | 04 801 6655 (and push '0' at the menu);
- to be connected with additional therapy or support, contact ACC's Find Support programme | www.findsupport.co.nz | 0800 044 334. The programme connects you with free (ACC-funded) therapy following sexual abuse or assault, in your time, on your terms.

Human Rights Commission contact www.hrc.co.nz | 0800 496 877 | infoline@hrc.co.nz

Human Rights Commission resources

- for guidance on Sexual Harassment and the complaint process: https://www.hrc.co.nz/files/6814/9516/8571/46693-NZHRC-_Dealing_with_Sexual_Harassment_Booklet_v6.pdf
- for guidance on Racial Harassment and the complaints process: https://www.hrc.co.nz/your-rights/racial-discrimination/
- for guidance on prevention of pregnancy discrimination (https://www.hrc.co.nz/files/6814/2378/0069/12-Jun-2005_20-16-44_Pregnancy.pdf)
- for guidance on breastfeeding discrimination (https://www.hrc.co.nz/files/5314/2378/0071/14-Dec-2005_16-09-38_breastfeeding_flyer_English.pdf)
- for guidance and resources on Transgender discrimination: https://www.hrc.co.nz/our-work/sogiesc/

Feeling unsafe?

- If you are concerned for your immediate safety or the immediate safety of someone else you should contact the Police by calling 111.