



Harassment Policy

Date of application: 8 January 2019

A. INTRODUCTION

INTERPOL is committed, pursuant to its Code of Ethics, to provide and maintain an environment of mutual respect, free of all forms of harassment.

INTERPOL staff members have the right to work in an environment, which allows professional respect and courtesy. All forms of harassment within the workplace or associated with work performed on behalf of INTERPOL, are not acceptable and will not be tolerated.

INTERPOL has a duty to ensure that all appropriate measures are taken towards ensuring a peaceful and welcoming working environment and that staff are protected from any harassment. Such measures shall include preventative measures or effective remedies where prevention has failed. INTERPOL shall place the emphasis on prevention through training and education.

Allegations of harassment made by lodging a complaint, will be treated as allegations of misconduct. Where the claim made involves a staff member of the Organization, a **preliminary inquiry shall be undertaken** and if the allegations of harassment are **upheld they will be treated, after completion of an investigation, in accordance with the disciplinary measures in force.** Where the allegations of harassment involve non-staff members of the Organization, the allegations will be treated in accordance with the terms and conditions of the agreement under which the non-staff members was contracted.

A complainant's rights shall be guaranteed and protected under this policy, and he or she will not be penalized for making a complaint in good faith. If it is found that the complaint was brought maliciously, it will be treated as misconduct in accordance with the disciplinary measures established in the Staff Manual.

This policy establishes the mechanisms for the prevention of all forms of harassment and for reporting them. It also provides practical guidance on what constitutes harassment and the manner in which it will be handled.

It is understood that this is a living document that will be adapted and adjusted according to the experiences encountered by INTERPOL.

This policy shall be reviewed by the management at the end of a 12 month's implementation period.

B. SCOPE OF APPLICATION

This policy shall apply to all INTERPOL staff members as well as to non-staff members. For the purpose of this policy, staff members are individuals under contract whose employment and contractual relationship are defined by a letter of appointment. Non-staff members are interns, interim workers, service contractors, and individual consultants. Therefore, any person working at or on behalf of INTERPOL is covered in this policy.

When a complaint is lodged, INTERPOL will take the appropriate measures to protect the complainant. In these particular cases, the Human Resources Department should be immediately informed in order to react quickly and efficiently.

C. DEFINITIONS

Harassment:

Any improper and unwelcomed conduct that might reasonably be expected or be perceived to cause offense or humiliation to another person. A single incident can be considered harassment if it is so severe that it has a lasting negative impact on the individual(s) concerned.

Acts that constitute harassment include, but are not limited to, the following:

- (a) Persistent, unjustified and unnecessary negative attacks or threats on personal or professional performance intended to offend the individual;
- (b) Manipulation of an individual's personal or professional reputation by rumour, gossip or ridicule;
- (c) Offensive comments or behaviour relating to the ethnic origin, physical characteristics, religious or non-religious beliefs of an individual, sex/gender and sexual orientation;
- (d) Exclusion or continued isolation from professional activities;
- (e) Tirades by a supervisor or colleague(s);
- (f) Threatening, abusive or insulting comments, whether oral or written;
- (g) Malicious and unsubstantiated complaints of misconduct against other individuals.

Sexual Harassment:

Sexual harassment at work is defined as any unwanted sexual advance, request for sexual favours, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a

sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another person.

Sexual harassment cannot be:

- (a) used as a basis for a decision which affects that person's employment or professional situation; or
- (b) used to create an intimidating or hostile work environment for that person.

Sexual harassment may result between a supervisor, a peer or a subordinate or between co-workers. This can also include, consultants, service contractors, interns or interim workers.

Both males and females can be either victims or offenders.

If possible, it is important that the complainant who believes that he or she is the victim of sexual harassment clearly communicates this to the person engaging in the unwanted and unwelcome behaviour.

Sexual harassment can take many different forms and may include, inter alia, the following:

- (a) Physical conduct of a sexual nature, which, if unwanted and unwelcome, may constitute sexual harassment include touching, patting, or any other unsolicited physical contact;
- (b) Verbal conduct of a sexual nature may include unwelcome verbal advances, sexually oriented comments about physical appearance, and requests for sexual favours and continued suggestions for private social activity after it has been made clear that such requests and suggestions are unwelcome. It may also include jokes of a sexual nature, offensive flirtation or lewd remarks, comments on a person's sexual orientation, or remarks of a sexual nature, such as expressions of sexual interest that are addressed directly to the person.
- (c) Non-verbal conduct of a sexual nature may include the display of sexually suggestive pictures or written material or sexually suggestive gestures.

Who could be a harasser?

The harasser can be a colleague, a supervisor, a supervisor in another unit, a peer or a subordinate. Any staff member or non-staff member could potentially be a harasser.

What would not be considered as harassment?

The line between harassment and other work-related conflicts may, at times, be difficult to evaluate. Nevertheless, the proper exercise of authority by supervisors, constructive and fair criticism of a staff member's conduct or work performance should not be considered as

harassment. Managerial actions, decisions and communications to staff members, when made in good faith, are not considered as harassment.

It is essential to emphasize that sexual harassment refers to conduct which is unwanted and unwelcome to the recipient. Mutually acceptable social behaviour, which is freely and consensually entered into, is not considered to be sexual harassment regardless of the employment relationship.

D. PREVENTION

In a multicultural environment such as INTERPOL, everyone needs to be aware of their responsibilities in fostering an environment free of all forms of harassment. All managers and supervisors have a key role in preventing, recognising and addressing harassment. Managers and supervisors have an important role to play in supporting this policy by being role models for their staff and encouraging a positive work environment.

INTERPOL's responsibilities:

In implementing this policy, INTERPOL shall act consistently and take the appropriate administrative, investigative and disciplinary measures required, regardless of the function, title, length of service and contractual status of the staff member concerned, as well as the appropriate decision with regards to the non-staff members.

This policy will be explained during the induction program and will also be available on the Organization's HR Information page of the intranet.

Additionally, INTERPOL will provide compulsory training to all its current staff members to achieve an increased sensitization and awareness of all forms of harassment and of the adverse effects of harassment on the victim and the Organization.

INTERPOL will also disseminate this document to all non-staff members working at INTERPOL premises.

INTERPOL will take all the necessary measures to prevent and address retaliation against the complainant, witness or any individual involved in the investigation.

Supervisor's responsibilities:

Supervisors shall:

- Promote a harmonious work environment, free of intimidation, hostility, offence and any form of harassment. In order to achieve such an environment supervisors must act as role models by upholding only the highest standards of conduct;

- Ensure that this policy is well known and understood by their teams;
- Ensure that incidents of harassment are promptly addressed. In such cases supervisors must demonstrate fairness, impartiality, and be free from intimidation or favouritism; and
- Ensure that staff members who supervise others do not engage in harassment;
- Take measures consistent with the present document should they witness any acts of harassment;
- Take the necessary measures to prevent acts of retaliation, and to monitor and intervene promptly if there are indications of such behaviours.

The failure of a supervisor to address any known act of harassment may be considered as a breach of the duty of care and may result in the imposition of appropriate disciplinary measures.

Staff members and non-staff members' responsibilities:

The individual shall:

- Be respectful to their colleagues and maintain the highest standards of conduct;
- Maintain a harmonious work environment for other staff members by behaving in a manner which is free of intimidation, hostility, offence and any form of harassment;
- Be aware of the various options and internal channels available to them for addressing harassment; and
- Take measures consistent with the present document should they witness any acts of harassment;
- Refrain from any act of retaliation. Inform the Internal Oversight Services, directly or indirectly either through your supervisor or through the Human Resources Department, if you witness or feel that the complaint is subject of retaliation.

E. HOW TO DEAL WITH A POSSIBLE CASE OF HARASSMENT?

INTERPOL encourages individuals who may feel they are being harassed to:

- Express their feelings without fear of retaliation;
- Not assume that such a behaviour will stop by simply ignoring it;
- Ask for help.

If an individual is witness to or a confidant of a colleague being subjected to harassment of any kind, the individual should not ignore it and should offer their help.

INTERPOL prohibits any form of retaliation against any individual who reports harassment or participates in an investigation of such reports.

F. REPORTING PROCEDURE

When facing a situation that amounts to what one would envisage as harassment, a complainant shall lodge a claim to the Internal Oversight Services either:

- (a) Directly or;
- (b) Indirectly through his or her direct supervisor who shall transmit it to the Internal Oversight Services.

In exceptional situations, and in particular if the claim involves staff of the Directorate of Human Resources, the Office of Legal Affairs, the Internal Oversight Services, or the Cabinet of the Secretary General, arrangements will be made to ensure an independent and impartial submission and processing of the claim.

There is no time-limit for reporting harassment. However, complainants are strongly encouraged to report cases as soon as possible after the incident has occurred, as early reporting is critical to the success of any investigation and may significantly contribute to INTERPOL's ability to address the allegations.

The Internal Oversight Services will deal with each case swiftly through the conduct of a preliminary inquiry. The purpose of the preliminary inquiry is to assess the credibility of the allegations and to determine whether a full investigation is warranted.

If, as a result of a preliminary inquiry, the Internal Oversight Services – in consultation with HRM and OLA - concludes that a complaint does not warrant a full investigation, the Internal Oversight Services closes the matter. In this case, alternative methods of dispute resolution can be envisaged such as mediation or referral to management.

When the Internal Oversight Services determines – in consultation with HRM and OLA - that there is reasonably sufficient evidence to support that a staff member has engaged in a behaviour that amounts to harassment, it will initiate a full investigation.

Upon completion of an investigation, the Internal Oversight Services prepares a report summarizing its findings. The facts determined in the full investigation and fact-finding exercise are reviewed by HRM who decides, in consultation with OLA, whether to:

- withdraw the case and close the matter;
- refer the case to the Joint Disciplinary Committee for advice as to what measures, if any, are appropriate;
- summarily dismiss the harasser for serious misconduct.

G. ADDITIONAL MEASURES

Any individual against whom allegations have been made shall have the right to defend himself or herself in accordance with the provisions of the Staff Manual, including the right to know who their accuser is and the full facts of the allegation.

INTERPOL acknowledges that a complainant has the right to request that his or her identity is kept confidential to the maximum extent possible during the investigation.

In order to provide confidence to individuals wishing to bring forward to the Organization's attention issues of concern, with the principal object of promoting a work environment free of harassment, INTERPOL shall accept reports, which are made in good faith, from a third party who wishes to make such allegations anonymously.

The right to confidentiality or anonymity shall not prejudice the complainant's or third party's rights in any way. Retaliation against persons who make a good-faith report of harassment or participate in such investigations is strictly prohibited and will not be tolerated.

Executive Directors, Directors and line Managers have an obligation to ensure that staff members who report allegations of sexual harassment or provide information related to such incidents are not subject to retaliation. Directors and line Managers who witness, receive a complaint about, or otherwise become aware of sexual harassment or retaliation must promptly report the incident to the Internal Oversight Services.

H. CONFIDENTIALITY

Anyone who is aware of harassment complaints, or involved in their resolution, must apply the necessary confidentiality measures and respect the sensitivity of the allegations. All related information and documentation will therefore be treated and kept confidentially.

I. RETALIATION

Threats or acts of retribution against an individual who raises concerns, makes claims or assists in providing information about harassment.

Retaliation can take many different forms and may include, inter alia, the following:

- (a) Threatening the non-renewal of a contract;
- (b) An unsubstantiated negative PAR;
- (c) Publicly or privately speaking of the allegations (e.g. with the complainant);
- (d) Continued harassment in any form, discriminatory treatment, isolation;
- (e) Failure to consider the staff member concerned for a warranted post or promotion.

J. FALSE ALLEGATIONS

Allegations of harassment can have serious consequences. Making a malicious complaint is unacceptable and it will not be tolerated. False allegations of harassment will be subject to disciplinary measures. In the case of complaints determined to be unfounded, but made in good faith, steps may be taken to protect the reputation of all parties.