

## Informal Processes

These processes should not be used in cases where criminal sexual behaviour has occurred or there is a significant power imbalance between the Complainant and the Respondent.

These processes should only be used if the Complainant feels comfortable. The Complainant should not be prevented from using other processes in this Manual if they choose not to use the processes below.

### 1. Self-Help Procedures

The informal Self-Help procedures provide the concerned party with a number of possible methods to address the alleged sexual harassment if they feel comfortable.

- (a) Speak to the perpetrator directly, name the concerning behaviour saying the behaviour is not acceptable to you, and ask the person to stop.
- (b) Ask for help from family, friends or colleagues. They may offer some other ideas on how to address the issue. It is important that matters are dealt with in a way that does not have an adverse impact on the process or cause others to be victimised or defamed. Speak only to those who need to know about the matter.
- (c) Keep a log or diary of events that occur. This can help you make a decision about appropriate action, and also provides good information in the event of a formal complaint proceeding.
- (d) Talk with your manager or Human Resources team member about behaviour and ask for help in coming up with a plan for addressing concerns directly.
- (e) Write a letter or email to the perpetrator:
  1. Setting out the behaviour that you find inappropriate;
  2. Identifying the impact of this behaviour on you;
  3. Stating what you would like to happen.
  4. If appropriate, you might decide to add a consequence (positive or negative) if the behaviour stops or does not stop.

An example might read:

To: (Perpetrator)

*PERSONAL AND CONFIDENTIAL*

*Over the last three weeks you have been making comments of a sexual nature towards me and making sexual jokes in my presence.*

*I find these offensive; and*

*I would like you to stop doing this.*

*If you do stop this, then we will be able to continue working together effectively as*

*colleagues (i.e. positive consequence) OR if you don't stop this then I may have to make a formal complaint regarding your behaviour (i.e. a negative consequence).*

*Yours sincerely*

*Complainant*

- (f) Report the events to The Salvation Army person in charge and request a facilitated meeting be arranged with the perpetrator or some other action be taken to stop the behaviour.

If these actions fail, and the complainant wants to take the matter further, formally report the matter to the Responsible Leader as set out in the formal procedure.

## **2. Request Informal Intervention**

This is an informal process aimed at stopping the behaviour(s) of concern. The third party may be a manager or some other internal or external person. The third party listens to the concerns of the person who has raised a concern of sexual harassment. Third party interventions involve a "No Blame" approach and are not disciplinary.

- Third party interventions may involve manager interventions, mediation or facilitation – these approaches involve developing agreements between affected parties regarding future behaviour. Agreements are copied to the Territorial Secretary for Personnel and monitored by the Divisional Commander/National Director/Cabinet Secretary responsible for the respondent's line manager to ensure the people concerned uphold the agreements. If agreements are breached then the parties concerned may seek further informal intervention or make a formal complaint.
- The following processes may be used;
  - Ongoing monitoring and review
  - Managerial intervention
  - Direct mediation

The views and feelings of the concerned party and the severity of the allegations should be taken into account when deciding on which process to follow.

The Salvation Army's Guide for Addressing Complaints or Concerns of Bullying or Harassment (available on the Intranet <https://intranet.sarmy.net.nz/index.php/departments-a-services/human-resources/staff-policies>) provides some guidance on these processes. Please note this guide was designed to address bullying and non-sexual harassment issues so advice should be sought from HR or the Territorial Secretary for Personnel for guidance on using these processes.

- Third party interventions may be initiated by request to the line manager (Responsible Leader) of the person breaching the policy and copied to the Territorial Secretary for Personnel at Territorial Headquarters.

- If there is discomfort around raising a concern directly to the Responsible Leader, the concern may be submitted directly to the Responsible Leader's line manager, Human Resources or the Territorial Secretary for Personnel stating reasons for the discomfort. The person to whom the concern is submitted must contact the Territorial Secretary for Personnel or HR for advice and will then decide, in conjunction with the Territorial Secretary for Personnel and the appropriate Divisional Commander (for personnel in Corps, Family Stores and Community Ministries), National Director (for personnel in social programmes), or Cabinet Secretary (for Headquarters or National Office staff), on the appropriate person to receive and follow up the concern and meet with the concerned party.

NOTE: If a situation is not resolved through Self-Help procedures or informal processes a formal investigation is still an option.

***Excerpted from Appendix 3 in the Sexual Misconduct Policies and Complaints Procedures Manual (February 2016 Version).***