

Anti-harassment and bullying policy

Introduction

All employees are entitled to be treated with dignity and respect in their place of work. This means free from behaviour by colleagues that can be interpreted as bullying or harassment or that causes offense and access to redress if such behaviour does arise. It also means standards of everyday behaviour that contribute to a working environment in which mutual respect and individual dignity are maintained.

Personal harassment takes many forms but whatever form it takes, it is unlawful under the Equality Act 2010 and will not be tolerated.

For information on our zero-tolerance approach to sexual harassment in the workplace, including what behaviour can amount to sexual harassment, third-party sexual harassment and what to do if you witness or are subjected to sexual harassment, you should read our separate Sexual Harassment Policy.

This policy covers all areas of the Company's organisation.

We recognise that we have a duty to implement this policy, and all employees are expected to comply with it. We will also endeavour to review this policy at regular intervals in order to monitor its effectiveness.

Bullying and harassment

Behaviour can constitute bullying or harassment where it violates the dignity of an employee on the grounds of their protected characteristics, such as:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy or maternity
- race
- religion or belief
- sex
- sexual orientation.

Bullying and harassment can also be recognised through behaviour which creates an intimidating, hostile, degrading, humiliating or offensive environment. Individual or accumulative acts can seriously undermine the dignity, confidence and work satisfaction to such an extent that it has an effect on job performance and general happiness both inside and outside work.

Conduct becomes harassment if it persists and it has been made clear that it is regarded as offensive by the recipient or a witness to the conduct, although a single offensive act can amount to harassment if it is sufficiently serious.

Whatever form it takes, personal harassment is always taken seriously and is totally unacceptable.

We recognise that personal harassment can exist in the workplace, as well as outside and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.

Scope

We deplore all forms of personal harassment and seek to ensure that the working environment is sympathetic to all our employees. The aim of this policy is to inform employees of the type of behaviour

that is unacceptable and provide employees who are the victims of personal harassment with a means of redress.

Employee responsibilities

The Company requires its employees to behave appropriately and professionally at all times during the working day and this may extend to events outside of working hours which are classed as work-related, such as social events. Employees should not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time.

Any form of harassment or victimisation may lead to disciplinary action up to, and including, dismissal if it is committed:

- in a work situation
- during any situation related to work, such as a social event
- against a colleague or other person connected to the employer outside of a work situation, including on social media
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

A breach of this policy will be treated as a disciplinary matter.

Employer responsibilities

The Company will be responsible for ensuring all members of staff, including seniors and those within management positions, understand the rules and policies relating to the prevention of harassing and bullying behaviour at work and during work-related social events. We will promote a professional and positive workplace, whereby managers are alert and proactively identify areas of risk and incidents of harassment, sexual harassment and bullying.

We will also take into account aggravating factors, such as abuse of power over a more junior colleague, when deciding what disciplinary action to take.

Where an incident is witnessed, or a complaint is made under this policy, the Company will take prompt action to deal with this matter. All incidents will be deemed serious and dealt with in a sensitive and confidential manner.

Definitions

Harassment

Personal harassment takes many forms and employees may not always realise that their behaviour constitutes harassment. Personal harassment is unwanted behaviour by one employee towards another that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Examples of harassment include:

- insensitive jokes and pranks
- spoken words
- written words
- lewd or abusive comments
- graffiti
- physical gestures
- facial expressions
- mimicry
- acts affecting a person's surroundings
- aggression
- physical behaviour towards a person or their property
- deliberate exclusion from conversations

- displaying abusive or offensive writing or material
- abusive, threatening or insulting words or behaviour
- name-calling
- picking on someone or setting them up to fail
- exclusion or victimisation
- undermining their contribution/position
- demanding a greater work output than is reasonably feasible
- blocking promotion or other development/advancement.

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

Sexual harassment

Sexual harassment can take place in many forms within the workplace and can go undetected for a period of time where employees do not understand that particular behaviour is classed as sexual harassment. Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It can include:

- sexual comments or jokes
- displaying sexually graphic pictures, posters or photos
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwelcome touching, hugging, massaging or kissing.

Sexual harassment can also take place where an employee is treated less favourably because they have rejected, or submitted to, the unwanted conduct that is related to sex or is of a sexual nature. Whether less favourable treatment occurs as a result will be examined broadly and includes areas such as blocking promotion and refusal of training opportunities or other development opportunities.

A separate policy dealing specifically with sexual harassment is available. Please refer to that policy in relation to any complaints relating to sexual harassment.

Less favourable treatment for rejecting or submitting to unwanted conduct

This occurs when:

- a. someone is subjected to unwanted conduct:
 - i. of a sexual nature
 - ii. related to sex
 - iii. related to gender reassignment
- b. the unwanted conduct has the purpose or effect of:
 - i. violating their dignity
 - ii. creating an intimidating, hostile, degrading, humiliating or offensive environment for them

- iii. them being treated less favourably because they submitted to, or rejected, the unwanted conduct.

Detrimental behaviour because of an association with a protected characteristic

Bullying and harassment may not be based on the fact that a colleague belongs to a particular group, but simply because the individual has been singled out for such treatment or associates with someone with a protected characteristic. For example, this would include claiming someone is gay when they are not or making fun of someone who has a disabled relative. The bullying and harassment may take the following forms, though again this is not intended as an exhaustive list:

- limiting or withdrawing verbal communication
- isolating a colleague by unfriendly behaviour
- behaviour designed to belittle or produce anxiety in a colleague
- unreasonable scrutiny of work
- unreasonable criticism of work and adopting double standards in expectations of work performance
- unreasonable denial of leave and/or special leave requests
- unreasonable denial of requests for flexible working
- work or staff social activities that deliberately exclude a colleague
- jokes or inappropriate humour at the expense of a colleague.

Standards of work behaviour

- Courtesy towards colleagues.
- Consideration and understanding of the work demands of colleagues.
- Maintaining a temperate tone, and temperate language, in all verbal and written communication with colleagues.
- Avoidance of the use of foul language.
- Awareness of language and conduct which have the potential to offend a colleague.
- Obtaining the express or implied permission of a colleague before adopting familiarity in conduct or language.

Circumstances which are covered

This policy covers behaviour which occurs in the following situations:

- a work situation
- a situation occurring outside of the normal workplace or normal working hours which is related to work, e.g. a working lunch or social event with colleagues
- outside of a work situation but against a colleague or other person connected to the Company, including on social media
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

Third-party harassment

Third-party harassment occurs when one of our colleagues is subjected to harassment by someone who is not part of our Company but who is encountered in connection with work. This includes our customers, suppliers, members of the public, etc. Third-party harassment of our colleagues will not be tolerated.

Should you be subjected to third-party harassment, you are encouraged to report this as soon as possible to your Line Manager and HR.

Should a customer harass a member of our team, they will be warned that continued provision of our service to them will cease if they are to act in a similar way again. Should their behaviour recur, they will be informed that our service to them will cease. Any criminal acts will be reported to the police and

we will share information relating to the incident with all of our teams to ensure that we maintain a consistent approach to the cessation of our services.

Examples of victimisation

Victimisation takes place when an employee is treated unfavourably as a direct result of raising a genuine complaint of discrimination or harassment. Furthermore, any employee who supports or assists another employee to raise a complaint is also subjected to victimisation if they are treated unfavourably.

Complaining about harassment and/or bullying

The Company is committed to ensuring that there is no harassment or bullying in the workplace. Allegations of harassment will be treated as a disciplinary matter, although every situation will be considered on an individual basis and in accordance with the principles of the grievance and disciplinary procedures, a copy of which is available from HR.

Informal method

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

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

Formal method

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

- the name of the alleged harasser
- the nature of the alleged harassment
- the dates and times when the alleged harassment occurred
- the names of any witnesses
- any action already taken by you to stop the alleged harassment.

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

On conclusion of the investigation, which will normally be within 5 days of the meeting with you, a report of the findings will be submitted to the manager who will hold the grievance meeting.

You will be invited to attend a meeting at a reasonable time and location to discuss the matter once the person hearing the grievance has had opportunity to read the report. You have the right to be accompanied at such a meeting by a colleague and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

You will be able to put your case forward at the meeting and the manager will explain the outcome of the investigation. You have a right to appeal the outcome, which is to be made to the person named within the outcome letter within 5 days of receiving the outcome.

If the decision is that the allegation is well-founded, the harasser will be liable to disciplinary action in accordance with our disciplinary procedure up to and including dismissal. When deciding on the level of disciplinary sanction to be applied, we will take into consideration aggravating factors such as abuse of power over a more junior colleague.

The Company is committed to ensuring employees are not discouraged from using this procedure and no employee will be victimised for having brought a complaint. However, if it is concluded that the complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you.