



OUR POLICY ON ANTI-HARASSMENT AND BULLYING

What's this policy about?

We want to ensure that our organisation is free from harassment and bullying, and that all Staff are treated, and treat others, with dignity and respect.

Our aim is to:

- cover harassment or bullying that occurs both in and out of the workplace (such as on business trips or at work-related social functions),
- cover bullying and harassment by Staff and any third parties, and
- assure you that we'll take allegations of harassment or bullying seriously and try to address them quickly and confidentially.

Is this policy part of my contract of employment?

No, and we can change this policy at any time, but if any changes are made, we'll always make you aware of them. We may also vary things like time limits, if we feel we need to.

Who's covered by this policy?

This policy applies to all employees, directors and other officers, workers and agency workers, volunteers and interns. We also require in any contracts with self-employed consultants or contractors that they comply with this policy, and we'll make sure they're given access to a copy. All these people are referred to as '**Staff**' in this policy.

We also refer to '**third parties**' in this policy, who are any customers, suppliers or visitors to our premises.

Who's responsible for this policy?

All managers are responsible for complying with this policy, making sure that Staff understand and comply with this policy and taking action if it's not complied with.

The successful operation of this policy also depends on you. Please take the time to read and understand which types of behaviour are unacceptable under this policy and go back to your manager with any questions.

It's important you understand that you may in some cases be personally and legally liable to colleagues or third parties for harassment and could be ordered to pay compensation by a court

or employment tribunal.

If you become aware of any non-compliance with this policy, please also report this to your manager.

What is harassment?

Harassment is any unwanted physical, verbal or non-verbal conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them. This may be a single incident or ongoing actions that you either know or ought to know would cause someone alarm or distress.

Harassment can be unlawful if it involves conduct of a sexual nature (also called 'sexual harassment'), or if it's related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. In any event, harassment is unacceptable even if it doesn't fall within one of these categories.

A person may be harassed even if they weren't the intended target, and the harassment was unintentional. For example, joking about a different ethnic group can still create an offensive environment, so you should consider whether your words or conduct could be offensive.

Some examples of harassment are:

- unwanted physical conduct or 'horseplay', including touching, pinching, pushing, grabbing, purposely brushing past someone, invading their personal space, and more serious forms of physical or sexual assault,
- unwelcome sexual advances or suggestive behaviour (even if the harasser perceives it as harmless) or suggestions that sexual favours may advance your career or hinder it if you refuse,
- continued suggestions for social activity after you've made clear that these suggestions are unwelcome,
- sending or displaying e-mails, text messages or video clips and images sent by mobile phone or posted on the internet or social media that are pornographic or may be offensive to some people,
- offensive or intimidating comments or gestures, or insensitive jokes or pranks,
- mocking, mimicking or belittling a person's disability,

- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender,
- outing or threatening to out someone as gay or lesbian,
- ignoring or shunning someone (such as deliberately excluding them from a conversation or a workplace social activity), or
- treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

What is third-party harassment?

Third-party harassment is where you are harassed by someone who doesn't work for our organisation but who you have come into contact with during your employment. Third-party harassment could include, for example, derogatory comments about a person's age, disability, pregnancy, colour, religion or belief, sex or sexual orientation, from a client, customer or supplier visiting our workplace, or where you are visiting a client, customer or supplier's premises or other location while working for us.

Third-party harassment can result in legal liability and won't be tolerated. You are encouraged to report any third-party harassment that you are a victim of, or witness, in accordance with this policy

Any harassment by a member of Staff against a third-party may lead to disciplinary action up to and including dismissal.

We'll take active steps to try to prevent third-party harassment of Staff.

If any third-party harassment of Staff occurs, we'll take steps to resolve any complaints and to prevent it happening again.

What is bullying?

Bullying is any physical, verbal or non-verbal behaviour that is offensive, intimidating, malicious or insulting. This includes using power to make a person feel vulnerable, upset, humiliated, undermined or threatened. 'Power' doesn't always mean being in a position of authority – it can be personal strength and the ability to pressure someone through fear or intimidation.

Some examples of bullying are:

- shouting at, being sarcastic towards, ridiculing or demeaning others,
- physical or psychological threats,
- overbearing and intimidating levels of supervision,
- inappropriate and/or derogatory remarks about someone's performance,
- abuse of authority or power by those in positions of seniority, or
- deliberately excluding someone from meetings or communications without good reason.

It's important to understand that legitimate, reasonable and constructive criticism of your performance or behaviour, or any reasonable instructions given you during your employment, are not considered bullying on their own.

How we prevent sexual harassment

We have a legal duty to take reasonable steps to prevent sexual harassment of our staff in the course of their employment.

Sexual harassment in the course of employment includes sexual harassment by third parties our staff may encounter while doing their jobs, including clients, customers, contractors, visitors and members of the public.

We'll take a proactive approach to preventing sexual harassment of our staff and we'll prioritise our actions based on our assessment of risks.

Assessing sexual harassment risks

We'll consider all aspects of our operations and include assessment of the risks of sexual harassment alongside our regular Health and Safety risk assessments. We've identified the following as priority areas in which our staff face the greatest risk of being subject to sexual harassment:

- When working alone;
- When visiting customers' or suppliers' premises;
- At work-related social events;
- When travelling for work;
- When serving customers or suppliers;
- When meeting visitors.

How we mitigate the risks we identify

There's no "one-size-fits-all" approach to preventing sexual harassment; the actions we take following our risk assessments will be proportionate and appropriate.

Reporting incidents of sexual harassment

If you're subject to sexual harassment, or if you witness an incidents that you think is sexual harassment, you should report these incidents to management.

We'll keep a register of sexual harassment incidents. We'll regularly review these reports to help us identify and act upon problem or high-risk areas.

Ongoing awareness and training

We'll ensure all staff receive appropriate training both at the induction stage and regularly during their employment.

Training will include elements on their own behaviour; reporting obligations; and tackling sexual harassment.

Management accountability and review

Senior management are responsible for the implementation and ongoing review of our policy on preventing sexual harassment.

What happens if I feel harassed or bullied?

If you think you're being harassed or bullied, think about raising the problem informally with the person responsible, and explain to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, please speak to your manager and they'll be able to provide you with confidential advice and assistance to try to resolve the issue, whether formally or informally.

If speaking with the person responsible isn't an appropriate option, or if you haven't been successful in resolving the issue, you can raise the matter formally under our Grievance Procedure.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

We'll investigate complaints as quickly as we can and keep them confidential. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible.

We'll also consider if additional actions are necessary to manage any ongoing relationship between you and the person accused during the investigation. If the alleged harasser or bully is a third party, we'll consider what the best course of action would be to protect you and other Staff pending the outcome of the investigation.

We'll let you know the outcome of the investigation once it's complete. If we consider that you have been harassed or bullied by Staff, this will be handled, where applicable, under our Disciplinary Procedure as a case of possible misconduct or gross misconduct.

In some cases of gross misconduct, the harasser/bully could be dismissed. If the harasser or bully is a third party, such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem and prevent a reoccurrence.

After the investigation, we'll discuss with you how best to manage any ongoing working relationship between you and the other person concerned, whether or not we conclude that you have been harassed or bullied.

Staff who deliberately provide false information or act in bad faith during an investigation may be subject to action under our Disciplinary Procedure.

What if I think I've witnessed others being harassed or bullied?

We also want to encourage a culture where bullying or harassment is not ignored or accepted. If you believe you've witnessed this sort of behaviour, please take action. This might include giving support to the victim and encouraging them to take action, informally challenging the person showing the unacceptable behaviour, informally mediating between the parties, or telling your manager.

What protection and support will I receive?

You won't be subject to any form of retaliation or victimisation if you make a complaint or participate in good faith in any investigation. If you feel you have been treated this way, please let your manager know and, if the matter isn't resolved, you can raise it formally using our Grievance Procedure.

If anyone retaliates against or victimises another person for making a complaint or assisting in good faith in an investigation, they will be subject to disciplinary action under our Disciplinary Procedure.

How confidential is this process?

Confidentiality is an important part of this policy.

Anyone who is covered under this policy, whether they make a complaint or are involved in an investigation, is responsible for observing the high level of confidentiality that's required. This means that details of an investigation and the names of the people involved can only be disclosed to someone who has a 'need to know'. Failing to do this may result in disciplinary action under our Disciplinary Procedure.

We may include information about a complaint on your employee record if it was made by or about you, including the outcome and any notes or other documents compiled during the process, which will be handled under our policies on data protection.

And that's it... for now

We understand that things change, so we'll continue to review the effectiveness of this policy and make sure it's achieving its objectives.