

1. Policy Statement

- 1.1 The Company wishes to create a motivating and supportive working environment which will enable all of its staff to realise their personal potential. Such an environment cannot exist if any member of staff is subjected to bullying, harassment, intimidation or coercion.
- 1.2 We recognise that harassment is unlawful under the Equality Act 2010. Harassment on the grounds of age, disability, gender reassignment, marital partnership, pregnancy and maternity, race, religion or ethnicity and sexual orientation is unacceptable and will not be tolerated.
- 1.3 The Company will bring all employees up to date with the rules and policies relating to unacceptable behaviour at work and ensure that all employees understand the prohibition of harassing and bullying behaviour.
- 1.4 The Company recognises that harassment and bullying can exist in the workplace and that this can seriously affect the working lives of employees by interfering with their job performance and creating a hostile, intimidating and unpleasant working environment. Employees should feel empowered to raise any complaints or concerns.
- 1.5 The Company will take all complaints of harassment and bullying seriously and will investigate them promptly and confidentially. We recognise that we have a duty to implement measures to prevent harassment and bullying.
- 1.6 We will also endeavour to monitor its effectiveness.

2. Harassment and Bullying

- 2.1 There is no legal definition of harassment. Broadly speaking, bullying at work may be defined as unwanted behaviour that is:
 - 2.1.1 offensive, intimidating or abusive; or
 - 2.1.2 an abuse or misuse of power that undermines, humiliates or causes physical or emotional distress.
- 2.2 Under the Equality Act 2010, harassment is defined as:
 - 2.2.1 sexual harassment; or
 - 2.2.2 harassment on the grounds of a protected characteristic, i.e. age, disability, gender reassignment, marital partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation;
 - 2.2.3 less favourable treatment on the grounds of harassment related to sex, sexual orientation or gender reassignment.
- 2.3 In order to be considered harassment, the unwanted behaviour must have:

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2.3.1 violated the

2.3.2 created an
environment for the

grading, humiliating or offensive

2.4 Bullying or harassm
subtle, face-to-face

or an isolated incident, obvious or

2.5 Examples of behav
(but are not limited t

te harassment or bullying include

2.5.1 spreading m

2.5.2 professional

2.5.3 insulting beh

2.5.4 unwelcome s

ical contact;

2.5.5 unfounded th

urity;

2.5.6 calculated u
through a co
supervision;

oyee's competence, for example
or unfair workload or overbearing

2.5.7 physical ass

2.5.8 abusing a po

2.5.9 blocking pro

velopment opportunities;

2.5.10 verbal abus
ridicule, insu

ame-calling, inappropriate banter,
arrassing jokes;

2.5.11 cyber-bullyin
posting emb

emails, texts or visual images, or
al media;

2.5.12 derogatory
material; and

lay of derogatory or offensive

2.5.13 inciting othe

bove.

2.6 A worker does not a
characteristic in ord
complain of unlawfu

the relevant protected
of harassment. An employee can
e experienced:

2.6.1 harassment
individual wh

ated to, or associate with, an
protected characteristic; or

2.6.2 harassment
relevant prot

mistaken belief that they possess a

3. Unlawful Grounds of Har

The Company reiterates
bullying, regardless of the
events even if they occur
expressly unlawful grounds

any instance of harassment or
will equally apply to work-related
al workplace. The following are
experience harassment:

3.1 Sex

This is behaviour th
or to do with an ind
sexually suggestive
that sexual favours

come that could be seen as sexual
xist jokes. This might also include
necessary touching or suggestions
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- 3.2 Gender Reassignment**
Harassment or bullying on the basis of a person's gender reassignment status, including a person who is transsexual, that a person intends to undergo gender reassignment or has undergone gender reassignment or has been assigned gender reassignment or has been assigned gender reassignment or has been assigned gender reassignment.
- 3.3 Race**
Harassment or bullying on the basis of a person's race, colour, ethnicity or nationality. This might include making derogatory remarks about an individual's race, ethnic or national origin or ridiculing an individual on racial stereotypes.
- 3.4 Disability**
Bullying or harassment on the basis of a person's disability. This might include making derogatory remarks or offensive remarks based on an individual's disability.
- 3.5 Sexual Orientation**
Bullying or harassment on the basis of a person's sexual orientation, including "opposite sex" orientation and "both sexes" orientation. This might include 'outing' an individual without their permission or asking an individual about their private life.
- 3.6 Religion or Belief**
Harassment or bullying on the basis of a person's religion or beliefs. This might include making derogatory remarks about a particular item of clothing or jewellery worn by a person as a result of their religion.
- 3.7 Age**
Harassment on the basis of a person's age, applying equally to all people regardless of age. This might include making fun of older people or younger people.
- 4. Reporting Harassment**
- 4.1** Employees have the right to report harassment if they believe it constitutes harassment.
- 4.2** Employees who make a complaint under this policy will not be subjected to any unfavourable treatment or victimisation as a result of making the complaint.
- 5. Third party harassment**
- 5.1** The Company also has a policy in relation to harassment of one of its employees by a third party such as a client OR [customer] or visitor. All employees must report any instances of harassment involving a third party to the HR department using the procedure, set out below.
- 5.2** If an allegation of harassment by a third party proves to be well-founded, steps will be taken by the Company:
- 5.2.1** warning the third party of the inappropriate nature of their behaviour;
- 5.2.2** banning the third party from the Company's premises; and
- 5.2.3** reporting the third party to the police.

6. Procedure for

6.1 Any employee who believes that they have been subjected to harassment or bullying, or who witnesses such behaviour of staff, should raise the matter as soon as reasonably practicable.

6.2 Employees should raise their complaint informally and/or formally. They should contact their line manager, the HR Manager>> or another manager in the absence of their line manager where their complaint is against that specific manager.

6.3 Before making a formal complaint, the employee is encouraged to talk directly to the person whom they believe is harassing him or her, using a direct approach. It may be that the person whose behaviour is causing the problem is unaware that their behaviour is unwelcome or that a direct approach can resolve the matter without the need for a formal procedure.

6.4 Informal

6.4.1 If an employee is able to do so, they should speak up at the time they are harassed or bullied. It is important to be direct and for the employee to state explicitly that they feel they are being harassed and that such behaviour is unacceptable to them. The employee can also speak to another colleague or their line manager [or another manager] for them to speak to the harasser on their behalf.

6.4.2 If an employee feels unable to speak to the harasser directly, they should write a letter to them which clearly identifies the problem and requests that it stops immediately. The employee should date any such letter and ensure that a copy is kept for the future formal complaint. It is also advisable that the employee keep an 'incident diary' of any offending behaviour.

6.4.3 If the informal procedure has not resolved an employee's problem, a formal grievance can be raised by the employee.

6.5 Formal

6.5.1 Any employee who believes that they have been subjected to harassment or bullying, or who witnesses such behaviour, should decide to deal with the issue through formal procedure (i.e. the Company's grievance procedure), regardless of whether any informal steps have been taken or not.

6.5.2 When making a formal complaint of bullying or harassment, the employee should provide the following information:

• The name of the person whose behaviour is believed to amount to harassment or bullying;

• How the behaviour is causing offence, with specific examples;

• The date and time when incidents of harassment or bullying occurred;

• The names of any employees who witnessed any incidents;

• Any action the employee has taken to try and address the problem.

6.5.3 The HR Manager will investigate any complaint thoroughly and fairly.

S A M P L E

6.5.4 If an employee who has been the subject of harassment or bullying will be informed of the complaint against them and given a full opportunity to respond at all events.

6.5.5 In addition, the Company reserves the right to suspend or suspend without pay either the employee making the complaint or the employee suspected of harassment or bullying. The employee will be on full pay and is not a disciplinary suspension. When the investigation is complete, the Company will decide whether the employee suspected of bullying or harassment of the complainant. It is appropriate to start disciplinary proceedings.

6.5.6 Following the investigation, a report of the findings will be made to the manager who will hold the grievance meeting. The employee who made the complaint will be invited to attend a grievance meeting on the matter. The meeting will be held in accordance with the grievance policy.

6.5.7 If, following the investigation, it is decided that the allegation is well-founded, the employee will be subject to disciplinary action up to, and including, dismissal in accordance with the Company's disciplinary policy.

6.5.8 The Company is committed to ensuring employees are not discouraged from bringing this procedure and no employee will be brought a complaint.

7. Victimisation

- 7.1 Victimisation occurs when an employee is treated unfavourably as a result of bringing a complaint or doing with a protected characteristic.
- 7.2 Similar victimisation occurs if an employee supports or assists another employee to raise a complaint or to bring a claim to victimisation if they are treated unfavourably.

8. Consequences

- 8.1 Harassment, bullying, victimisation or discrimination is a gross misconduct and will be dealt with according to the disciplinary procedure. Bullying, harassment, victimisation or discrimination is a gross misconduct, punishable by summary dismissal.
- 8.2 Employees should be aware that harassment or bullying may also constitute a criminal offence punishable by a fine and/or imprisonment.

9. Responsibilities

- 9.1 The Company expects all employees to behave appropriately and professionally at all times.
- 9.2 All employees are responsible for their own behaviour and should ensure that they comply with this Policy at all times.
- 9.3 All managers are responsible for implementing this Policy and bringing it to the attention of all employees.
- 9.4 Any complaint brought to the attention of a manager must be dealt with promptly, fairly and consistently.
- 9.5 [All incidents of harassment and bullying will be reported to the HR team.]
- 9.6 Any failure to comply with this Policy may lead to disciplinary action up to and including dismissal.

and is committed:

9.6.1

9.6.2 related to work, such as a social event; or

9.6.3 or other individual connected to the employer
tion, including on social media.

10. **[Support and**

10.1 [The selling and mediation where appropriate.]

10.2 [The conjunction with trade unions in addressing
unac appropriate behaviour.]

11. **Confidential**

11.1 The Complaint received under this Policy confidentially.

11.2 All employees involved in an investigation are required to respect the need
for co

11.3 The records of investigations into alleged incidents of
haras the outcome of the investigations. These records
will be evidence and in line with the Company's Data
Prote

11.4 Any employee who will be subject to disciplinary action.

This Policy has been approved by:

Name: >>>

Position: e.g. Human Resources Manager>>

Date:

Signature: