

## **Bullying and Harassment Policy**

Bullying and harassment damages the working environment and can have a devastating effect on the health, confidence, morale, and performance of those affected by it. It may also have a damaging effect on other staff who are not themselves the object of unwanted behaviour but are witness to it or who have knowledge of the behaviour.

This Company deplores all forms of bullying and harassment and will seek to maintain a working environment which respects employees' personal dignity, and which is free from objectionable conduct. Harassment relating to age, disability, sex, gender reassignment, race (including colour, nationality and ethnicity), sexual orientation, religion or belief is unlawful. These are known as 'protected characteristic'.

Bullying and harassment means any unwanted behaviour that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct. An employee can also make a complaint of harassment where he or she is offended by behaviour even if it is not directed at him or her. The employee does not need to possess the relevant protected characteristic.

It is not necessarily always obvious or apparent to others, so it can happen in the workplace without an employer's awareness. It can be between two individuals or it may involve groups of people. It might be obvious, or it might be insidious. It may be persistent or an isolated incident. It can also occur in written communications, by phone, email not just face-to-face actions.

All employees are expected to comply with this policy. Bullying or harassment is a disciplinary offence and incidents will be dealt with under the Company's Disciplinary Procedure.

A single incident can amount to harassment. It is not always obvious what behaviour might constitute harassment, but it is the responsibility of individuals to try and recognise that what is acceptable to one colleague may not be acceptable to another. It is the impact of the behaviour which is relevant and not the intent behind it.

Bullying is not a reasonable instruction given by a manager or the appropriate application of the Company's Disciplinary Procedure.

The Company recognises its duty to safeguard staff against harassment by third parties and shall take all reasonable steps to prevent such harassment occurring. This occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable:

- the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment)
- it must be aware that the previous harassment has taken place; and
- it must have failed to take reasonable steps to prevent harassment from happening again.

## **Bullying and Harassment Policy**

### **Making a complaint of bullying or harassment**

If an employee believes that they have suffered or are suffering any form of harassment and/or bullying, including harassment by third parties, e.g. clients, customers, or visitors, the matter should be raised under the Company's Grievance Procedure. The complaint should be made in writing and state:

- the name of the alleged harasser or bully
- the nature of the harassment
- dates and times when harassment or bullying occurred
- names of witnesses, if any, to any incidents of harassment or bullying
- any action already taken by the complainant to stop the harassment or bullying
- any suggested remedy

All complaints will be thoroughly investigated. All investigations will be carried out in an independent and objective manner by someone unconnected to the allegations, with sensitivity and due respect for the rights of both the complainant and the alleged harasser, and without unreasonable delay.

The investigation will focus on the facts of the complaint. Notes will be kept of all stages of the investigation and those interviewed will receive notes of the interview to agree. Parties will not be required to repeat distressing or embarrassing details any more than is necessary.

The importance of confidentiality will be stressed to all those interviewed and everyone will be strictly required not to discuss the complaint with colleagues or friends. Breach of confidentiality may give rise to disciplinary action.

Wherever possible, consideration will be given to ensuring that the complainant and the alleged harasser are not required to work together whilst the complaint is under investigation.

The complainant will be kept informed of the general progress of the investigation and will be informed whether the complaint has been upheld or not. Where a complaint is upheld, and the harasser is an employee, the matter will be treated as a disciplinary issue, and the Company's Disciplinary Procedure will be invoked. Serious acts of harassment may constitute gross misconduct and could lead to dismissal.

The Company will seek to ensure that the complainant does not suffer any detriment, whether directly or indirectly, for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped.

Even where a complaint is not upheld, for example where the evidence is inconclusive, consideration will be given to effecting arrangements which will enable the parties not to continue to work together against the wishes of either party.

Any complaint that is unfounded and not made in good faith, for example a malicious complaint will be treated as a disciplinary offence.

## Bullying and Harassment Policy

### Harassment outside work

Employers can be held liable for incidents of harassment which take place at work-based social events whether or not they are outside the workplace. Accordingly, the Company may take disciplinary action against anyone who subjects a member of staff to harassment outside the workplace.

Signed:



Name: Robert Turner

Position: Director

Date: 05/01/2023