



Harassment and bullying Policy 2025

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1 Policy statement

- 1.1.1 The Company is committed to ensuring that all its staff are treated with dignity and respect and treat others in the same way. We believe that all staff have the right to work in an environment which is free from any form of harassment and/or bullying. This policy therefore covers harassment and bullying that occurs:
- in the workplace; and
 - outside the workplace in a work-related context, such as on business trips, customer or supplier events or work-related social events.
- 1.1.2 This policy applies to all staff working for us at any of our premises, including: casual and agency staff, consultants, contractors, directors, employees, homeworkers, managers, and officers and volunteers. We also make it clear to our customers AND/OR clients, visitors and other who work with us that harassment of our staff is unacceptable.
- 1.1.3 All staff are required to read this policy and to ensure that they understand what types of behaviour are unacceptable. If you have any queries, please refer to [Insert Name]
- 1.1.4 This policy does not form part of any employee's contract of employment. We may amend it at any time and decide to follow a different procedure where we consider it appropriate.

2 Harassment

- 2.1.1 It is the Company's policy that the harassment of any of its employees is unacceptable behaviour. Anyone found to be in breach of this policy will be liable to disciplinary action, which could result in dismissal without notice.
- 2.1.2 Harassment may take many forms (including bullying), occurs on a variety of different grounds and can be directed at one person or a number of people. Harassment need not be directed at the complainant and can occur if the complainant witnesses another person being harassed.
- 2.1.3 Harassment involves subjecting an individual to conduct which is unwanted and where the conduct has the purpose or effect of violating the victim's dignity or creating an environment that is intimidating, hostile, degrading, humiliating or offensive to the victim.
- 2.1.4 Harassment also occurs where the perpetrator engage in unwanted conduct of a sexual nature and that conduct has the purpose or the effect referred to above. An individual of any gender may be the victim of sexual harassment.
- 2.1.5 A person will also commit harassment if they (or anyone else) engages in unwanted conduct (of a sexual nature or otherwise) that has the purpose or the effect referred to above and the victim either rejects or submits to it and, because of that rejection or submission, that person treats the victim less favourably. For example, it will be harassment for a manager whose repeated advances to a more junior female employee have been consistently rebuffed subsequently to give the woman a poor performance review because she had rejected him.
- 2.1.6 Conduct usually becomes harassment if it continues even though it has been made clear that it is regarded by the recipient as offensive or unwanted. However a single incident may amount to harassment if it is sufficiently serious.
- 2.1.7 The unwanted nature of the conduct distinguishes harassment from friendly behaviour that is welcome and mutual. Staff must always consider the whether their words or conduct may be considered offensive.
- 2.1.8 Harassment can occur whether or not it is intended to be offensive, as it is the effect on the victim which is important, not whether or not the perpetrator intended to harass them. Harassment or bullying is unacceptable even if it is unintentional.
- 2.1.9 Harassment may relate to:
- age;

- disability (past or present);
- gender reassignment;
- race, colour, nationality, ethnic or national origins;
- religion or belief; and/or
- sexual orientation ; and/or
- trade union membership (or non-membership); and/or
- part time or fixed term status; and/or
- power or hierarchy ; and/or
- willingness to challenge harassment (leading to victimisation).

2.1.10 The phrase 'relate to' is very wide and therefore covers harassment based on a perception of another person, for example that the person is gay, or is disabled, whether or not this perception is correct and even if the perpetrator knows that their perception is, in fact, wrong and harassment that occurs because someone is associated with another person, for example, someone who is harassed because they care for a disabled person, or who is harassed because they are friends with a transsexual person, or a white worker who sees a black colleague being subjected to racially abusive language which also causes an offensive environment for her.

2.1.11 Whilst not an exhaustive list, forms of harassment include:

- physical contact and obscene or offensive gestures;
- 'jokes', 'banter', gossip, slander, offensive language, shouting and/or behaving in an intimidating manner;
- offensive, insensitive or sectarian songs or messages (including email);
- displaying posters or pictures, graffiti, emblems, flags obscene or offensive gestures;
- offensive email and screen savers etc;
- isolation or non co-operation and exclusion;
- coercion for sexual favours and sexually suggestive remarks;
- pressure to participate in political/religious groups;
- intrusion by pestering, spying and stalking; and
- continued requests for social activities after it has been made clear that such suggestions are not welcome and verbal, non-verbal or physical conduct of a sexual nature;

2.1.12 Harassment is unlawful in many cases and individuals may be held personally liable for their actions. In some cases their behaviour may also amount to a criminal offence.

3 Sexual Harassment

3.1.1 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 also covers treating someone less favourably because they have submitted to, or refused to submit to, unwanted conduct of a sexual nature or in relation to gender reassignment or sex.

3.1.2 Sexual harassment may be committed in the course of work by a fellow worker, an agent of an organisation, or a third party. It does not need to occur in person. It can occur via digital means, including social media channels. Someone may be sexually harassed even if they were not the target of the behaviour.

- 3.1.3 We are committed to ensuring that there is no sexual harassment or victimisation in our workplace. Allegations of sexual harassment and victimisation will be treated as a disciplinary matter, although every situation will be considered on an individual basis and in accordance with the principles of our disciplinary procedures.
- 3.1.4 We recognise that complaints of sexual harassment or victimisation can 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 using the procedure below.
- 3.1.5 If you experience sexual harassment and you feel comfortable to do so, 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 could make a written request to the harasser, and your confidential helper can assist you in this.
- 3.1.6 In addition, you may also choose to raise concerns during your regular communication with your manager, eg in a one-to-one meeting. Your manager will listen to you and take your concerns seriously if you do this but may encourage you to follow the reporting procedures set out below. If you don't have a one-to-one meeting scheduled with your manager, you can ask to meet with them to discuss any concerns that you may have.
- 3.1.7 Where the informal approach fails or if the sexual harassment is more serious, you should bring the matter to the attention of the Office Manager.
- 3.1.8 If possible, you should also keep notes of what happened 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.
- 3.1.9 If you witness sexual harassment or victimisation, you are encouraged to take appropriate action to address it. You should not take any action that may put you at risk of sexual harassment or other harm. If you feel able, you should intervene to prevent the matter continuing. If you are not able to do this, your action may include offering support to the person who has been sexually harassed and encouraging them to report the incident or reporting the incident yourself.
- 3.1.10 If reporting the incident, you should bring the matter to the attention of the Office Manager.
- 3.1.11 We provide training to all our staff on sexual harassment to ensure there is a clear understanding of:
- what sexual harassment is, how it may occur and that it will not be tolerated
 - expected levels of behaviour
 - how they can report any incidents of having been sexually harassed or having witnessed it
 - how acts of harassment will be dealt with under the disciplinary procedure, which can potentially result in dismissal.
- 3.1.12 We ensure that all levels of management are trained on implementing this policy, including preventing and managing sexual harassment in the workplace and the procedure to follow if an allegation is reported.

4 Third Party Sexual Harassment

- 4.1.1 Third-party sexual harassment occurs when a member of our workforce is subjected to sexual harassment by someone who is not part of our workforce but who is encountered in connection with work. This includes our customers, suppliers, members of the public, or contractors for example.

- 4.1.2 Third-party sexual harassment of our workforce is unlawful and will not be tolerated. The law requires us as employers to take steps to prevent sexual harassment by third parties and we are committed to doing so.
- 4.1.3 In order to prevent third-party sexual harassment from occurring, we will:
- inform third parties (ie suppliers and customers) of our zero-tolerance approach to sexual harassment within any relevant documentation
 - attach signage to the walls of the areas within the workplace where customers are present to warn that sexual harassment of our staff is not acceptable
- 4.1.4 If you have been subjected to third-party sexual harassment, you are encouraged to report this as soon as possible to the Office Manager.
- 4.1.5 Should a customer sexually harass a member of our workforce, we will inform their employer about their behaviour if they represent an organisation, ban them if they are a customer, share confidential information relating to an incident with other parts of the business if appropriate. Any criminal acts will be reported to the police.
- 4.1.6 We will not tolerate sexual harassment by any member of our workforce against a third party. Instances of sexual harassment of this kind may lead to disciplinary action, including termination of employment.

5 Bullying

- 5.1.1 Bullying may be described as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Bullying may be physical, verbal or non-verbal conduct.
- 5.1.2 Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the 'grey' areas that cause most problems. In our organisation, unacceptable behaviour includes (this is not an exhaustive list):
- spreading malicious rumours, or insulting someone (particularly because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, or sexual orientation);
 - copying memos that are critical about someone to others who do not need to know, ridiculing or demeaning someone, picking on them or setting them up to fail;
 - unfair treatment, deliberately excluding a person from communications or meetings without good reason;
 - overbearing or intimidating supervision and/or other misuse of power or position;
 - making threats or comments about job security without foundation;
 - deliberately undermining a competent worker by overloading and constant criticism; and
 - preventing individuals progressing by intentionally blocking promotion or training opportunities.
- 5.1.3 Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to a worker in the course of their employment will not, on their own, amount to bullying.

6 Harassment and bullying procedure

- 6.1.1 All allegations of harassment and/or bullying will be dealt with seriously, promptly and in confidence. Employees who feel they have been subject to harassment and/or bullying must not hesitate in using this procedure nor fear victimisation. Retaliation against an employee who brings a complaint of harassment and/or bullying is a serious disciplinary offence which may constitute gross misconduct and could result in dismissal.
- 6.1.2 The Office Manager will provide, in confidence, advice and assistance to employees subjected to harassment and/or bullying and assist in the resolution of any problems. If you are in any doubt as to

whether an incident or series of incidents which have occurred constitute harassment and/or bullying, then in the first instance you should approach your Line Manager on an informal confidential basis. They will be able to advise you as to whether the complaint necessitates further action, in which case the matter will be dealt with formally or informally as appropriate.

- 6.1.3 If an incident happens which you think may be harassment or bullying, you may prefer initially to attempt to resolve the problem informally, if you feel able to do so. In some cases it may be possible and sufficient to explain clearly to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends you or makes you uncomfortable and that it interferes with your work. You should make it clear that you want the behaviour to stop.
- 6.1.4 In circumstances where this is too difficult or embarrassing for you to do on your own you could seek support from a friend at work or the Office Manager. If the incident concerns a client or other third party, you may wish to ask your manager to intervene for you on an informal basis.
- 6.1.5 If the conduct continues or if it is not appropriate to resolve the problem informally or you do not feel able to raise it informally, you should raise a formal complaint using the procedure set out in our Grievance Procedure.