

11 Harassment & Bullying Policy

1. Introduction

- 1.1. We are committed to providing a work environment where everyone is treated with dignity and respect. We do not tolerate bullying and harassment.
- 1.2. This Policy:
 - a Explains the concepts of 'bullying' and 'harassment'
 - b Sets out our expected standards of behaviour
 - c Sets out the process you should follow if you have a bullying or harassment complaint
 - d Explains how we will deal with any complaints
- 1.3. This Policy applies to everyone who works for us, including employees, workers, agency workers, consultants, casual workers, volunteers and interns.
- 1.4. This Policy does not form part of your contract with us. We reserve the right to amend or remove this Policy.

2. What is 'bullying'?

- 2.1. Bullying is unwanted behaviour from a person or group that is one of the following:
 - a Offensive, intimidating, malicious or insulting
 - b An abuse or misuse of power that undermines, humiliates or causes physical or emotional harm
- 2.2. Bullying can take many different forms. Examples of bullying behaviour include:
 - a Spreading malicious rumours about someone
 - b Consistently putting someone down and undermining them
 - c Deliberately giving someone a heavier workload than everyone else
 - d Excluding someone from team social events
- 2.3. Bullying could involve a pattern of behaviour or a one-off incident. It could happen face-to-face, online, by phone or in writing. It can be verbal and non-verbal. It is not always obvious to others.
- 2.4. Although bullying is often connected to a power imbalance, that does not mean that it always involves a more senior person bullying a more junior person. It can also be directed at someone more senior than the bully. It may take the form of spreading rumours, refusing to follow instructions, undermining authority, making fun of or mocking the more senior person or spreading rumours about them.

- 2.5. Constructive and fair feedback about your behaviour or performance from your manager or colleagues is not bullying. It is part of normal employment and management functions.

3. What is 'harassment'?

- 3.1. When bullying or unwanted behaviour is related to certain protected characteristics under discrimination law, then we refer to it as 'harassment'. The protected characteristics which apply are:
- a Sex
 - b Sexual orientation
 - c Race
 - d Religion or belief
 - e Gender reassignment
 - f Age
 - g Disability
- 3.2. Discrimination law also recognises sexual harassment as when someone is subjected to unwanted conduct of a sexual nature.
- 3.3. Harassment can also occur when a person is treated less favourably because they have accepted or rejected unwanted conduct of a sexual nature or unwanted conduct that is related to sex or gender reassignment.
- 3.4. Harassment in each of the above forms is unlawful.
- 3.5. It is also unlawful to treat someone badly because they have made a complaint of harassment in any form or have helped someone else make a harassment complaint. This is called 'victimisation' and is not tolerated in our business.
- 3.6. *[Consider providing examples to illustrate each definition of the different forms of harassment, which are relevant to your working environment]*
- 3.7. Behaviour can still be harassment even if the person being harassed does not complain or ask for it to stop.
- 3.8. We define harassment as behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic. Name-calling, lewd comments, excluding colleagues, making insensitive jokes and displaying pornographic material are all examples of harassment.
- 3.9. Even if you did not intend to harass someone, if your behaviour has this effect on someone else, then you may be found to have harassed them. They may only be a bystander to behaviour you directed at someone else, but they may still have been harassed.
- 3.10. The law protects people who are harassed because they are thought to have a certain protected characteristic when they do not or they are linked to someone who has a certain protected characteristic even if they don't have it themselves.

4. Third-party harassment¹

- 4.1. We want to create a workplace which is free of harassment. This objective extends beyond acts of harassment by those working for us to harassment by third parties such as [*customers, visitors, clients, suppliers – insert third parties relevant to your business*].
- 4.2. The law requires employers to take reasonable steps to prevent sexual harassment by third parties. We are committed to doing this.
- 4.3. You are encouraged to report any third-party harassment you are a victim of, or witness, in accordance with this Policy.
- 4.4. We will take active steps to prevent third-party harassment of staff. Action may include [*include details of action to be taken including, for example, warning notices to customers or recorded messages at the beginning of telephone calls.*]
- 4.5. We will assess the risk of third-party harassment in the workplace and undertake to keep our risk assessment under regular review. We encourage you to come forward with any areas in which you believe our third-party harassment protection could be improved. Please let your [Manager] know.
- 4.6. If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. [*Action may include warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police, and sharing information with other branches of the business*].

5. Our position

- 5.1. We will not tolerate bullying, harassment or victimisation by anyone working for us.
- 5.2. We expect you to treat people with respect and dignity in all communications you have with them, whether face-to-face, over the phone or in writing.
- 5.3. The law requires employers to take reasonable steps to prevent sexual harassment of workers in the course of their employment.
- 5.4. [Our managers are trained to recognise behaviours which may amount to bullying and harassment and to intervene.]
- 5.5. We will assess the risk of harassment in the workplace and keep our risk assessment under regular review. We encourage you to come forward with any areas in which you believe harassment protection could be improved. Please let your [Manager] know.
- 5.6. You are encouraged to report any harassment you are a victim of, or witness, in accordance with this Policy.

¹ The 2024 technical guidance on the EHRC code makes it clear that the new duty to prevent sexual harassment under the Worker Protection (Amendment of Equality Act 2010) Act 2023 (in force from 26th October 2024) applies to harassment by third parties as well as workers. As this policy covers all forms of harassment and not just sexual harassment this section is drafted to apply to all harassment claims (not just sexual harassment). The law is likely to expand in this area in 2026. The recently-published Employment Rights Bill proposes to introduce liability for third party harassment covering all protected characteristics. .

- 5.7. As a business, we are guided by our core values, including [insert relevant values]. These values impact the way we view workplace behaviours and our expectations of you. Our managers are trained to recognise behaviours which may amount to bullying and harassment. We will provide regular training to everyone on what our values mean and explain how you must 'live' these values in your interactions with others.
- 5.8. We have clear and universal standards of workplace conduct [*delete/amend as appropriate*]:
- a Bad and/or offensive language or gestures of any nature should not be used in the workplace, whether directed at a particular person or not.
 - b You should not treat a colleague differently because they have raised a complaint of harassment, or you think they might do so, or if they have supported someone else's complaint.
 - c Inappropriate images or other content should not be viewed or shared at work.
 - d You should always think before making a joke in the workplace – could anyone be upset or offended by what you say?
 - e You should never invade colleagues' personal space.
 - f You should not exclude colleagues unfairly from discussions or events.
 - g You should not use crude humour.
 - h You should not use an aggressive tone or aggressive language when speaking with colleagues.
 - i You should not be physically aggressive towards colleagues.
 - j You should not make sexually suggestive comments
 - k You should not mock, mimic or belittle colleagues in relation to any protected characteristic or otherwise
 - l
 - m You should not gossip about your colleagues.
- 5.9. Our standards of workplace conduct and zero tolerance of harassment in the workplace apply equally:
- a at work; or
 - b during any situation related to work such as at a social event with colleagues; or
 - c against a colleague or other person connected to the employer outside of a work situation, including on social media; or
 - d against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.

6. Raising a complaint

- 6.1. If you believe that you are being bullied or harassed, then you should first consider whether it would be appropriate to discuss the matter informally with the person who is bullying or harassing you. Sometimes, people do not realise how their actions are impacting others and it might be that an informal discussion can resolve the issue and reset behaviours.
- 6.2. If you do not feel comfortable approaching the person yourself, or a direct approach has not worked, then you should refer to our [*Grievance Policy*], which sets out a clear process for raising complaints (both informally with an appropriate manager, and formally, if you prefer). You can also choose to follow our whistleblowing procedure outlined in our [*Whistleblowing Policy*]².
- 6.3. [We realise that bullying and harassment are sensitive topics. We want to make sure that you have options available so that you feel able to come forward and report any issue you are having in confidence. For this reason, we have set-up an anonymous reporting option for cases of bullying and harassment. These systems: [*insert details of systems*] allow you to report concerns anonymously should you feel that you need to. They are accessible by [*insert method of access and access details*].
- 6.4. We may, if we think it necessary, separate you from the person you are complaining about whilst we investigate. This is not a prejudgment of your complaint. It is simply a way to stop things from getting worse during the investigation.
- 6.5. If you notice behaviour of others which may be in breach of this Policy, then you should first consider whether it is appropriate to challenge the behaviour yourself. Only do so if you feel comfortable. If you don't feel comfortable, or a direct approach has not worked, then please report the matter to your [*insert relevant person or department*], who will investigate. You also have the anonymous reporting channels available to you (see above) in sensitive cases.
- 6.6. If we decide that your complaint is not upheld, we will always tell you why in accordance with our [*Grievance Policy*] and/or [*Whistleblowing Policy*]. Regardless of the formal outcome, if your complaint related to a colleague, we will consider ways of improving your relationship with your colleague[s] and may, for example, suggest mediation or offer training.
- 6.7. Anyone who raises an allegation of bullying or harassment with us in good faith will not be subjected to any detriment as a result.
- 6.8. We will monitor the treatment and outcomes of any complaints of harassment or victimisation we receive to make sure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and workforce training is targeted where needed.

7. Confidentiality

- 7.1. To protect the interests of the person complained about, the person who has raised the complaint and any others who may be involved as witnesses or otherwise, confidentiality will be maintained during any investigation process as far as is possible.

² The Employment Rights Bill specifies that allegations of sexual harassment form 'qualifying disclosures' under whistleblowing laws. Although this change is unlikely to come into effect until 2026 at the earliest, it is a good idea to offer the option that complaints are handled under your whistleblowing policy. You as the employer may also choose, on occasion, to treat an allegation as a potential 'protected disclosure' and follow your whistleblowing procedure. The process is likely to be similar regardless.

- 7.2. [There are anonymous reporting channels available to you if you feel uncomfortable raising an issue openly. Information regarding these can be found above].
- 7.3. If you fail to maintain confidentiality when you are involved in some way in a bullying and harassment complaint, then you may face action under our [*Disciplinary Policy*].
- 7.4. We may place information and documents about a complaint raised by or about you on your personnel file. These will be processed in accordance with our [*Data Protection Policy*].

8. Breaches of this Policy

- 8.1. Any breaches of this Policy will be handled under our [*Disciplinary Policy*] and may result in action including dismissal for gross misconduct or the termination of your contract with us.
- 8.2. Aggravating factors such as abuse of power over a more junior colleague will be taken into account in deciding what disciplinary action to take.

9. Useful links

- 9.1. The following internal policies contain additional guidance [*delete/amend as appropriate*]:
 - a [*Wellbeing Policy*]
 - b [*Whistleblowing Policy*]
 - c [*Grievance Policy*]
 - d [*Disciplinary Policy*]
 - e [*Data Protection Policy*]
 - f [*Insert details of any other relevant policies*]

10. Administration of the Harassment & Bullying Policy

- 10.1. [*Insert relevant person or department*] is responsible for the administration of the Harassment & Bullying Policy. Should you have any feedback, please contact [*insert contact details*].