

Anti-Harassment and Bullying Policy

Introduction

All members of staff are entitled to be treated with dignity and respect in their place of work. This means freedom from behaviour by colleagues that can be interpreted as bullying or harassment or that causes offence, and access to support if such behaviour does arise. It also means standards of everyday behaviour that contribute to a working environment in which mutual respect and individual dignity are maintained.

Personal harassment takes many forms but whatever form it takes, it is unlawful under the Equality Act 2010 and will not be tolerated.

For information on our zero-tolerance approach to sexual harassment in the workplace, including what behaviour can amount to sexual harassment, third-party sexual harassment and what to do if you witness or are subjected to sexual harassment, please refer to the Company's separate Sexual Harassment Policy.

This policy covers all areas of the Company and includes all offices and sites.

We recognise that we have a duty to implement this policy, and all employees are expected to comply with it. This policy is reviewed regularly to ensure it remains up to date and in order to monitor its effectiveness. Any required changes will be implemented and communicated.

Bullying and harassment

Behaviour can constitute bullying or harassment where it violates the dignity of a member of staff on the grounds of their protected characteristics, such as:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy or maternity
- race
- religion or belief
- sex
- sexual orientation.

Bullying and harassment can also be recognised through behaviour which creates an intimidating, hostile, degrading, humiliating or offensive environment. Individual or accumulative acts can seriously undermine the dignity, confidence and work satisfaction to such an extent that it has an effect on job performance and general happiness both inside and outside work.

Conduct becomes harassment if it persists and it has been made clear that it is regarded as offensive by the recipient or a witness to the conduct, although a single offensive act can amount to harassment if it is sufficiently serious.

Whatever form it takes, personal harassment is always taken seriously and is totally unacceptable.

We recognise that personal harassment can exist in the workplace, as well as outside and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.

Scope

We deplore all forms of personal harassment and seek to ensure that the working environment is sympathetic to all our employees. The aim of this policy is to inform employees of the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment with a means of redress.

Responsibilities

Employee responsibilities

The Company requires its employees to behave appropriately and professionally at all times during the working day and this may extend to events outside of working hours which are classed as work-related, such as social events. Employees should not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time.

Any form of harassment or victimisation may lead to disciplinary action up to, and including, dismissal if it is committed:

- in a work situation
- during any situation related to work, such as a social event
- against a colleague or other person connected to the employer outside of a work situation, including on social media
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

A breach of this policy will be treated as a disciplinary matter.

Employer responsibilities

The Company will be responsible for ensuring all members of staff, including those within management positions, understand the rules and policies relating to the prevention of harassing and bullying behaviour at work and during work-related social events. We will promote a professional and positive workplace, whereby managers are alert and proactively identify areas of risk and incidents of harassment, sexual harassment and bullying.

We will also take into account aggravating factors, such as abuse of power over a more junior colleague, when deciding what disciplinary action to take.

Where an incident is witnessed, or a complaint is made under this policy, the Company will take prompt action to deal with this matter. All incidents will be deemed serious and dealt with in a sensitive and confidential manner.

Definitions

Harassment

Personal harassment takes many forms and employees may not always realise that their behaviour constitutes harassment. Personal harassment is unwanted behaviour by one employee towards another that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Examples of harassment include:

- insensitive jokes and pranks
- spoken words
- written words
- lewd or abusive comments
- graffiti
- physical gestures
- facial expressions
- mimicry
- acts affecting a person's surroundings
- aggression
- physical behaviour towards a person or their property
- deliberate exclusion from conversations
- displaying abusive or offensive writing or material
- abusive, threatening or insulting words or behaviour
- name-calling
- picking on someone or setting them up to fail
- exclusion or victimisation
- undermining their contribution/position
- demanding a greater work output than is reasonably feasible
- blocking promotion or other development/advancement.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of personal harassment.

Sexual harassment

Sexual harassment can take place in many forms within the workplace and can go undetected for a period of time where employees do not understand that particular behaviour is classed as sexual harassment. 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.

A separate policy dealing specifically with sexual harassment is available. Please refer to that policy in relation to any complaints relating to sexual harassment.

Less favourable treatment for rejecting or submitting to unwanted conduct

This occurs when:

- a. someone is subjected to unwanted conduct:
 - a. of a sexual nature
 - b. related to sex
 - c. related to gender reassignment
- b. the unwanted conduct has the purpose or effect of:
 - a. violating their dignity
 - b. creating an intimidating, hostile, degrading, humiliating or offensive environment for them
 - c. them being treated less favourably because they submitted to, or rejected, the unwanted conduct.

Detrimental behaviour because of an association with a protected characteristic

Bullying and harassment may not be based on the fact that a colleague belongs to a particular group, but simply because the individual has been singled out for such treatment or associates with someone with a protected characteristic. For example, this would include claiming someone is gay when they are not or making fun of someone who has a disabled relative.

Bullying and harassment may take the following forms, though again this is not intended as an exhaustive list:

- limiting or withdrawing verbal communication
- isolating a colleague by unfriendly behaviour
- behaviour designed to belittle or produce anxiety in a colleague
- unreasonable scrutiny of work
- unreasonable criticism of work and adopting double standards in expectations of work performance
- unreasonable denial of leave and/or special leave requests
- unreasonable denial of requests for flexible working
- work or staff social activities that deliberately exclude a colleague
- jokes or inappropriate humour at the expense of a colleague.

Standards of work behaviour

- Courtesy towards colleagues.
- Consideration and understanding of the work demands of colleagues.
- Maintaining a temperate tone and temperate language in all verbal and written communication with colleagues.
- Avoidance of the use of foul language.
- Awareness of language and conduct which have the potential to offend a colleague.
- Obtaining the express or implied permission of a colleague before adopting familiarity in conduct or language.

Circumstances which are covered

This policy covers behaviour which occurs in the following situations:

- a work situation
- a situation occurring outside of the normal workplace or normal working hours which is related to work, e.g. a working lunch or social event with colleagues
- outside of a work situation but against a colleague or other person connected to the Company, including on social media
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

Third-party harassment

Third-party harassment occurs when a member of our workforce is subjected to harassment by someone who is not part of our workforce but who is encountered in connection with work. This includes our suppliers, subcontractors, clients and their representatives, architects and members of the public, etc. Third-party harassment of our workforce will not be tolerated.

In order to prevent third-party sexual harassment from occurring, we will:

- attach signage to the walls of the areas within the workplace where third parties are present to warn that harassment of our staff is not acceptable.

If you have been subjected to third-party harassment, you are encouraged to report this as soon as possible to Ravinder Clair, HR Manager. Alternatively, you can report instances of third-party harassment by emailing hr@conistonltd.co.uk.

Should a third party harass a member of our workforce on our premises including our sites, they will be asked to leave our premises and will be reported to their employers. Any criminal acts will be reported to the police.

We will not tolerate 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.

Examples of victimisation

Victimisation takes place when an employee is treated unfavourably as a direct result of raising a genuine complaint of discrimination or harassment. Furthermore, any employee who supports or assists another employee to raise a complaint is also subjected to victimisation if they are treated unfavourably.

Complaining about harassment and/or bullying

The Company is committed to ensuring that there is no harassment or bullying in the workplace. Allegations of harassment will be treated as a disciplinary matter, although every situation will be considered on an individual basis and in accordance with the principles of the grievance and disciplinary policies.

Informal complaint

We recognise that complaints of personal harassment can sometimes 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 with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper.

If you are the victim of minor harassment, and you feel able 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 should hand a written request to the harasser, and your confidential helper can assist you in this.

Formal complaint

Where the informal approach fails or if the harassment is more serious, bring the matter to the attention of Ravinder Clair, HR Manager, ideally as a formal written complaint and again your confidential helper can assist you in this.

Alternatively, you can report instances by emailing hr@conistonltd.co.uk. This mailbox is regularly monitored.

If possible, you should 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.

Where it is not possible to make the formal complaint to the above-named person, e.g. where they are the alleged harasser, we would encourage you to raise your complaint to a Director.

On receipt of a formal complaint, we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter has been resolved.

The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. The meeting will normally be held within 7 working days of receipt of your complaint.

You have the right to be accompanied at the meeting by a work colleague. You and your accompanying person must take all reasonable steps to attend this meeting. Those involved in the investigation will be expected to act in confidence and any breach of confidence may be dealt with under the disciplinary procedure.

On conclusion of the investigation, which will normally be within 10 working days of the meeting with you, the decision of the investigator, detailing the findings, will be communicated to you.

You have the right to appeal against the findings of the investigation and details of how to appeal will be provided to you. You will then be invited to a further meeting. As far as is reasonably practicable, the meeting will be attended by a senior manager who has had no prior involvement in the complaint.

Following the appeal meeting, you will be informed of the final decision, normally within 10 working days, which will be confirmed in writing.

If the decision is that the allegation is well-founded, the harasser will be liable to disciplinary action in accordance with our disciplinary procedure up to and including dismissal. When deciding on the level of disciplinary sanction to be applied, we will take into consideration aggravating factors such as abuse of power over a more junior colleague.

The Company is committed to ensuring employees are not discouraged from using this procedure and no employee will be victimised for having brought a complaint. However, if it is concluded that the complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you.

This policy will be reviewed at least annually or at other intervals deemed appropriate by statutory changes Any alterations to this policy will be recorded below.

Revision	Date	Owner	Changes Made
0.1	01/10/2022	Ravinder Clair	Draft
1.0	01/10/2022	Ravinder Clair	Approved and published
1.0	01/10/2023	Ravinder Clair	Reviewed – no changes
1.0	01/10/2024	Ravinder Clair	Reviewed – no changes
2.0	01/10/2025	Ravinder Clair	Updated to reference the Sexual Harassment Policy
2.1	19/06/2026	Ravinder Clair	Minor grammatical updates