ANTI-HARASSMENT POLICY

Policy statement

The Company seeks to provide a work environment in which all employees are treated with respect and dignity and that is free of harassment and bullying based upon an employee's race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation, gender reassignment, age, marital or civil partnership status or disability.

Employees must not harass, bully or intimidate other employees on these grounds. Such harassment not only contravenes the Company's policy but it may also constitute unlawful discrimination. Such behaviour will be treated as potential gross misconduct under the Company's disciplinary procedure and could render the employee liable to summary dismissal. Employees should bear in mind that they can be held personally liable for any act of unlawful harassment. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

All employees are responsible for conducting themselves in accordance with this policy and the Company will not condone or tolerate any form of harassment, bullying or intimidation, whether engaged in by employees or by outside third parties who do business with the Company.

Employees should draw the attention of their line manager to suspected cases of harassment, bullying or intimidation. They must not victimise or retaliate against an employee who has made allegations or complaints of harassment or who has provided information about such harassment. Such behaviour will be treated as potential gross misconduct under the Company's disciplinary procedure. Employees should support colleagues who suffer such treatment and are making a complaint.

This policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, for example, business trips and work-related social events.

Bullying and harassment

Bullying is offensive or intimidating behaviour or an abuse or misuse of power which undermines or humiliates an employee.

Harassment occurs where, on the ground of an employee’s race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation, gender reassignment, age, marital or civil partnership status or disability, a person engages in unwanted conduct that:

- has the purpose of violating the employee’s dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee; or
- is reasonably considered by the employee to have the effect of violating his or her dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee, even if this effect was not intended by the person responsible for the conduct.

Conduct may be harassment whether or not the person intended to offend. Something intended as a ‘joke’ or as ‘office banter’ may offend another person. This is because different employees find different levels of behaviour acceptable and everyone has the right to decide for themselves what behaviour they find acceptable to them.

Behaviour which a reasonable person would realise would be likely to offend an employee will always constitute harassment without the need for the employee having to make it clear that such behaviour is unacceptable, for example, touching someone in a sexual way. With other forms of behaviour, it may not always be clear in advance that it will offend a particular employee, for example, office banter and jokes. In these cases, the behaviour will constitute harassment if the conduct continues after the employee has made it clear, by words or conduct, that such behaviour is unacceptable to him or her. A single incident can amount to harassment if it is sufficiently serious.

Harassment also occurs where, on the ground of the employee's rejection of or submission to unwanted conduct of the kind specified above, a person treats the employee less favourably than he or she would treat him or her had he or she not rejected, or submitted to, the unwanted conduct.

Examples

Bullying and harassment may be verbal, non-verbal, written or physical. Examples of unacceptable behaviour covered by this policy include, but are not limited to, the following:

- Unwelcome sexual advances, requests for sexual favours, other conduct of a sexual nature.
- Subjection to obscene or other sexually suggestive or racist comments or gestures.
- The offer of rewards for going along with sexual advances or threats for rejecting sexual advances.
- Jokes or pictures of a sexual or racial nature.
- Demeaning comments about an employee's appearance.
- Questions about a person's sex life.
- The use of nick names related to an employee's sex, sexual orientation, gender reassignment, race, religion, age or disability.
- Picking on or ridiculing an employee.
- Isolating an employee or excluding him or her from social activities or relevant work-related matters.

Reporting and investigation of complaints

All allegations of harassment or bullying will be dealt with seriously, confidentially and speedily. The Company will not ignore or treat lightly grievances or complaints of harassment from members of a particular race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation or age or from employees, who have undergone gender reassignment, are married, have entered into a civil partnership or have a disability.

While the Company encourages employees who believe they are being harassed or bullied to notify the offender (by words or by conduct) that his or her behaviour is unwelcome, the Company also recognises that actual or perceived power and status disparities may make such confrontation impractical.

In the event that such informal, direct communication between employees is either ineffective or impractical or the situation is too serious to be dealt with informally, the following steps should be followed in reporting a complaint of harassment or bullying:

1. Any employee who believes he or she has been or is being harassed or bullied in violation of this policy, or who wishes to report an incident of harassment or bullying, should report the situation to their line manager. If the employee does not wish to speak

to their line manager, they can instead speak to an alternative manager or to a member of the Personnel Department.

2. Such reports should be made promptly so that investigation may proceed and any action taken expeditiously.

3. All allegations of harassment or bullying will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, the employee will be interviewed and asked to provide a written witness statement setting out the nature and details of the incident or complaint and the basis for it. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, the Company must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation. For example, the identity of the complainant and the nature of the allegations must be revealed to the alleged harasser so that he or she is able to fairly respond to the allegations. The Company reserves the right to arrange for another manager to conduct the investigation other than the manager with whom the employee raised the matter.

4. The Company will also invite the employee to attend at least one meeting at a reasonable time and place at which his or her complaint can be discussed and the employee must take all reasonable steps to attend that meeting. The employee has the right to be accompanied at that meeting by either a trade union official or a fellow employee of their choice.

5. Once the investigation has been completed and after the meeting with the employee has taken place, the employee will be informed in writing of the outcome and the Company's conclusions and decision as soon as possible. The employee will also be notified in writing of his or her right to appeal against the Company's decision if he or she is not satisfied with it. The Company is committed to taking appropriate action with respect to all complaints of harassment or bullying which are upheld. If appropriate, disciplinary proceedings will be brought against the alleged harasser (see below).

6. If the employee wishes to appeal against the Company's decision, he or she must appeal in writing to a more senior manager or to a Director of the Company within five working days of the Company's decision. On receipt of such a request, a more senior manager or a Director (who may not be the person to whom the employee addressed their appeal) shall make arrangements to hear the appeal at an appeal meeting and at that meeting the employee may again, if they wish, be accompanied by either a trade union official or a fellow employee of their choice. The employee must take all reasonable steps to attend that meeting. Following the meeting, the relevant manager or Director will inform the employee in writing of the Company's final decision on the employee's appeal.

7. If an employee's complaint is upheld and the harasser remains in the Company's employment, the Company will take all reasonable steps to ensure that the employee does not have to continue to work alongside the harasser if he or she does not wish to do so. The Company will discuss the options with the employee.

8. If an employee's complaint is not upheld, arrangements will be made for the employee and the alleged harasser to continue or resume working and to repair working relationships.

9. Employees will not be penalised or victimised for raising a complaint, even if it is not upheld, unless the complaint was both untrue and made in bad faith.

Alternatively, the employee may use the Company's grievance procedure to make a complaint.

Disciplinary action

Any employee of the Company who is found to have harassed another employee in violation of this policy will be subject to appropriate disciplinary action under the Company's disciplinary procedure. Such behaviour may be treated as potential gross misconduct and could render the employee liable to summary dismissal.

In addition, line managers who had knowledge that such harassment had occurred in their departments but who had taken no action to eliminate it will also be subject to disciplinary action under the Company's disciplinary procedure.

Training

The Company will take such measures as may be necessary to ensure the proper training, supervision and instruction to enable line managers to deal more effectively with complaints of bullying and harassment.

The Company will also provide training to all employees to help them understand their rights and responsibilities under this policy and what they can do to create a work environment that is free of bullying and harassment.

Signed Dr Adnan Niazi (Managing Director)
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