

CAST COMMERCIAL ACUMEN LIMITED

Harassment & Anti-Bullying Policy

1. Policy Statement

- 1.1 The Company wishes to provide a stimulating, psychologically safe and supportive working environment which will enable its team members to fulfil their personal potential. Such an environment cannot exist where any member of the team is subjected to bullying, harassment, intimidation, aggression, victimisation, or coercion.
- 1.2 We recognise that harassment and victimisation is unlawful under the Equality Act 2010. Harassment or victimisation on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation is unacceptable and will not be tolerated.
- 1.3 The Company will be responsible for ensuring all team members understand the rules and policies relating to the prevention of harassing and bullying behaviour at work and during work-related social events.
- 1.4 The Company recognises that personal harassment can exist in the workplace and that this can seriously affect team members' working lives by interfering with their job performance or by creating a stressful, intimidating, and unpleasant working environment. All team members should feel empowered to raise any complaints or concerns if they see or experience inappropriate behaviour.
- 1.5 The Company will treat all complaints of harassment and bullying seriously and will investigate them promptly and in confidence. We recognise that we have a duty to implement this policy and all team members are expected to comply with it.
- 1.6 We will also endeavour to review this policy at regular intervals in order to monitor its effectiveness.

2. Harassment and Bullying

- 2.1 There is no legal definition of bullying but, broadly speaking, bullying at work may be defined as unwanted behaviour that is:
 - a) offensive, intimidating, malicious, aggressive, or insulting; or
 - b) an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to an individual.
- 2.2 Under the Equality Act 2010, there are three types of harassment:
 - a) sexual harassment, i.e., unwanted behaviour of a sexual nature.
 - b) harassment related to certain protected characteristics, i.e., age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.
 - c) less favourable treatment as a result of harassment related to sex, sexual harassment, or gender reassignment.

- 2.3 In order to be considered as harassment, the unwanted behaviour must have:
- a) violated the individual's dignity; or
 - b) created an intimidating, hostile, degrading, humiliating or offensive environment for the individual.
- 2.4 Bullying or harassment may be persistent or an isolated incident, obvious or subtle, face-to-face, or indirect.
- 2.5 Examples of behaviour which may constitute harassment or bullying include (but are not limited to):
- a) spreading malicious rumours.
 - b) professional or social exclusion.
 - c) insulting behaviour.
 - d) unwelcome sexual advances or physical contact.
 - e) unfounded threats relating to job security.
 - f) calculated undermining of a team members competence, for example through a consistently unreasonable or unfair workload or overbearing supervision.
 - g) physical assault.
 - h) abusing a position of power.
 - i) blocking promotion or access to development opportunities.
 - j) verbal abuse, threats, derogatory name-calling, inappropriate banter, ridicule, insults and offensive or embarrassing jokes.
 - k) cyber-bullying e.g., sending offensive emails, texts, or visual images, or posting embarrassing images on social media.
 - l) derogatory graffiti/insignia or display of derogatory or offensive material; and
 - m) inciting others to commit any of the above.
- 2.6 A worker does not actually need to possess the relevant protected characteristic in order to make a complaint of harassment. A team member can complain of unlawful harassment if they have experienced:
- a) harassment because they are related to, or associate with, an individual who possesses a relevant protected characteristic; or
 - b) harassment by a colleague with the mistaken belief that they possess a relevant protected characteristic.

3. **Unlawful Grounds of Harassment or Bullying**

The Company reiterates that it will not tolerate any instance of harassment or bullying, regardless of the grounds. This Policy will equally apply to work-related events even if they occur away from the normal workplace. The following are expressly unlawful grounds by which a person may experience harassment:

3.1 **Sex**

This is behaviour that is unwanted or unwelcome that could be seen as sexual or to do with an individual's gender e.g., sexist jokes. This might also include sexually suggestive jokes or innuendo, unnecessary touching, or suggestions that sexual favours may advance their career.

3.2 **Gender Reassignment**

Harassment or bullying on the grounds that a person intends to undergo gender reassignment, is currently undergoing gender reassignment or has already undergone gender reassignment.

3.3 **Race**

Harassment or bullying on the grounds of race, colour, ethnicity, or nationality. This might include offensive remarks about an individual's race, ethnic or national origin or ridicule/assumptions based on racial stereotypes.

3.4 **Disability**

Bullying or harassment on the grounds of a person's disability. This might include making assumptions or jokes/offensive remarks based on an individual's disability.

3.5 **Sexual Orientation**

Bullying or harassment on the grounds of a person's sexual orientation, applying equally to "same sex" orientation, "opposite sex" orientation and "both sexes" orientation. This might include 'outing' an individual without their permission or asking intrusive questions about their private life.

3.6 **Religion or Belief**

Harassment or bullying on the grounds of a person's religion or beliefs. This might include derogatory remarks made about a particular item of clothing or jewellery worn by an individual as a symbol of their religion.

3.7 **Age**

Harassment on the grounds of a person's age, applying equally to all people regardless of age e.g., banter or jokes that make fun of older people or demean their abilities.

4. **Reporting Harassment**

4.1 Team members have the right to complain if they are treated in a way that they believe constitutes harassment or bullying.

- 4.2 Team members who make a genuine complaint under this policy will not be subjected to any unfavourable treatment or victimisation as a result of making the complaint.

5. **Third party harassment**

- 5.1 The Company also operates a zero-tolerance policy in relation to harassment of one of its team members by a third party, such as a client or customer or visitor. All team members are encouraged to report any instances of harassment involving a third party in line with the reporting procedure, set out below.
- 5.2 If an allegation of harassment by a third party proves to be well-founded, steps taken by the Company may include:
 - c) warning the individual about the inappropriate nature of their behaviour.
 - d) banning the individual from the Company's premises; and
 - e) reporting the individual's actions to the police.

6. **Procedure for Complaints**

- 6.1 Any team member who feels that they have been subjected to harassment or bullying by any other member of staff, should raise the matter as soon as reasonably practicable.
- 6.2 Team members can raise a complaint informally and/or formally. They should contact Clayton John Ainger or another manager in the absence of that manager or where their complaint is against that specific manager.
- 6.3 Before raising a formal complaint, the team member is encouraged to talk directly and informally to the person whom they believe is harassing him or her, using the informal procedure below. It may be that the person whose behaviour is causing offence is genuinely unaware that their behaviour is unwelcome or causing distress and that a direct approach can resolve the matter without the need to use the formal procedure.
- 6.4 **Informal Procedure**
 - 6.4.1 If the team member feels able to do so, they should speak up at the time when they feel harassed or bullied. It is important to be direct and for the team member to state explicitly that they feel they are being harassed and that the behaviour is unacceptable to them. The team member can also discuss the matter with another colleague or their line manager and ask them to speak to the harasser on their behalf.
 - 6.4.2 Alternatively, if the team member feels unable to speak to the harasser directly, they could write a letter to them which clearly identifies the offending behaviour and requests that it stops immediately. The team member should sign and date any such letter and ensure that a copy is kept for any possible future formal complaint. It is also advisable that the team member keep an 'incident diary' of any offending behaviour.

6.4.3 Where the informal procedure has not resolved a team member's complaint, a formal grievance can be raised by the team member.

6.5 **Formal Procedure**

6.5.1 Any team member who feels that they have been subjected to harassment or bullying may at any time decide to deal with the issue through formal procedures (using the Company's grievance procedure), regardless of whether informal steps have been taken or not.

6.5.2 When bringing a complaint of bullying or harassment, the team member should state:

- a) The name of the person whose behaviour is believed to amount to bullying or harassment.
- b) The behaviour that is causing offence, with specific examples.
- c) Dates and times when incidents of harassment or bullying occurred.
- d) The names of any team members who witnessed any incidents.
- e) Details of any action the team member has taken to try and address the bullying/harassment.

6.5.3 The Company will investigate any complaint thoroughly and fairly.

6.5.4 A team member accused of harassment or bullying will be informed of the exact nature of the complaint against them and given a full opportunity to give their version of events.

6.5.5 During the investigation, the Company reserves the right to suspend or temporarily redeploy either the team member making the complaint of harassment or bullying, or the team member suspected of harassment or bullying. Suspension will be on full pay and is not a disciplinary sanction. As soon as the investigation is complete, the Company will inform the team member suspected of bullying or harassment of the outcome and decide if it is appropriate to start disciplinary proceedings.

6.5.6 On conclusion of the investigation, a report of the findings will be submitted to the manager who will hold the grievance meeting. The team member who has made the complaint will be invited to attend a meeting to discuss the matter. The meeting will be held in accordance with the Company's grievance policy.

6.5.7 If, following the hearing it is decided that the allegation is well- founded, the harasser will be subject to disciplinary action up to, and including, dismissal in accordance with the Company's disciplinary procedure.

6.5.8 The Company is committed to ensuring team members are not discouraged from using this procedure and no team member will be victimised for having brought a complaint.

7. **Victimisation**

- 7.1 Victimisation takes place when a team member is treated unfavourably as a result of raising a complaint to do with a protected characteristic.
- 7.2 Similarly, a team member who supports or assists another team member to raise such a complaint is subjected to victimisation if they are treated unfavourably.

8. **Consequences of Breach**

- 8.1 Harassment is a disciplinary offence and will be dealt with according to the Company's disciplinary procedure. Bullying, harassment, victimisation, or discrimination may constitute gross misconduct, punishable by summary dismissal without notice.
- 8.2 Team members should bear in mind that harassment or bullying may also constitute a criminal offence punishable by a fine and/or imprisonment.

9. **Responsibilities of Team members and Managers**

- 9.1 The Company requires its team members to behave appropriately and professionally at all times.
- 9.2 All team members are responsible for their own behaviour and should ensure that they comply with this Policy at all times.
- 9.3 All managers are responsible for implementing this Policy and bringing it to the attention of team members.
- 9.4 Any complaints under this Policy brought to the attention of a manager must be dealt with promptly, confidentially, fairly, and consistently.
- 9.5 Any form of harassment or victimisation may lead to disciplinary action up to and including dismissal if it is committed:
 - 9.5.1 in a work situation.
 - 9.5.2 during any situation related to work, such as a social event; or
 - 9.5.3 against a colleague or other individual connected to the employer outside of a work situation, including on social media.

10. **Support and Advice**


- 10.1 The Company will arrange counselling and mediation where appropriate.

11. Confidentiality

- 11.1 The Company will treat any complaint received under this Policy confidentially.
- 11.2 All team members involved with an investigation are required to respect the need for confidentiality.
- 11.3 The Company will maintain records of investigations into alleged incidents of harassment or bullying and the outcome of the investigations. These records will be maintained in confidence and in line with the Company’s Data Protection Policy.
- 11.4 Any breaches in confidentiality will be subject to disciplinary action.

12. Policy Review and Implementation

- 12.1 The Company shall review this Policy not less than two years and otherwise as required in order to ensure that it remains up-to-date and fit for purpose.
- 12.2 This Policy will be updated as necessary to reflect current best practice, official guidance, and in line with current legislation.

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Signature:	

This Harassment and Anti-Bullying Policy is not contractual and may be varied by Cast Commercial Acumen Limited at any time.