

Anti-Bullying & Harassment Policy

Version 3.0

Policy Statement

Here at Eurocraft, we have a zero-tolerance approach to any form of bullying and harassment and are committed to ensuring that all staff are treated, and treat others, with dignity and respect. We understand that experiencing inappropriate behaviour can impact the mental and physical health of those affected, both in their personal and working life, as well as having a negative impact on our workplace culture and productivity. We will treat all allegations seriously and will deal with them in accordance with this policy.

Status of this policy

This policy does not give contractual rights to any individuals. The Company reserves the right to alter any of its terms at any time. This policy is reviewed regularly to ensure it remains up to date and in order to monitor its effectiveness. We will notify you of any changes accordingly.

Responsibility for this policy

Laura Loveys, Managing Executive, has overall responsibility for this policy, but has delegated responsibility for managing its implementation to the HR department. Any suggestions for change should be reported to the HR Department.

Day to day responsibility for the operation of this policy sits with the HR department and line managers. If you have any questions about this policy, you should direct them to the HR department.

All managers are expected to lead by example, conducting themselves in accordance with this policy and ensuring that those they manage do the same. Supervisors and managers should ensure that staff understand the standards of behaviour expected by them under this policy and take action when behaviour falls below the required standards.

Who this policy applies to and what it covers.

This policy applies to all employees, workers, agency workers, contractors, apprentices, job applicants and volunteers (together referred to as **'staff'**.)

It applies to bullying or harassment by members of our staff as well as third parties. It covers all areas of the business.

This policy deals with bullying, harassment and victimisation. We explain what these terms mean below.

This policy applies to prohibit harassment and bullying in the workplace (which for home and hybrid workers includes their home) and in work-related situations outside the workplace (for example, when on a business trip or event, including a social event, when dealing with customers, suppliers or other work-related contacts, when wearing a work uniform, when on social media, etc.) It can also apply outside of a work-related situation, where the incident is

relevant to your suitability to carry out your role. In this policy, when we use the phrase '**at work**', we are referring to any or all of the above circumstances.

This policy covers bullying and harassment of our staff, whether by other members of staff or by third parties. It also covers bullying or harassment of third parties by our staff.

Third parties include, for example, our customers, self-employed contractors, suppliers, or visitors to our premises.

What type of treatment amounts to harassment?

"Harassment" is any unwanted physical, verbal or non-verbal conduct 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.

Harassment is unlawful where:

- It relates to a protected characteristic such as age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation;
- involves conduct of a sexual nature ('sexual harassment'); or
- where someone is treated less favourably because they have submitted to or refused to submit to unwanted conduct which is of a sexual nature or is related to gender reassignment or sex.

Our stance is that harassment is unacceptable even if it does not fall within any of these categories.

Harassment can take many forms. Non-exhaustive examples of harassment include:

- Verbal abuse, "banter", offensive comments, jokes, taunts or pranks, whether or not related to a protected characteristic;
- Unwanted physical conduct, intimidation or "horseplay" (such as touching, pinching, grabbing, hitting, or pushing or jostling.)
- Unwelcome sexual advances or suggestive behaviour (even if the harasser perceives the conduct as harmless, or the conduct has not been unwelcome in the past);
- Lewd or suggestive comments or gestures, including offensive comments or gestures about appearance, or dress, innuendo, leering and whistling.
- Sending or displaying material by any means that some people may find offensive, pornographic, inflammatory, abusive, or that some people might find offensive (including "pin-ups", graffiti, emails, text messages, video clips and/or images sent electronically or posted online);
- Offensive emails, text messages or social media content;
- Disclosing or threatening to disclose someone's sexual orientation or transgender status;
- Gossip and speculation about someone's sexual orientation or transgender status, including spreading malicious rumours;
- Derogatory comments about pregnancy, maternity leave or IVF treatment;

- Continued suggestions for social or sexual activity after it has been made clear such suggestions are unwelcome;
- Suggestions or threats by managers or supervisors that sexual favours could affect someone's job security or prospects;
- Disrespecting a person's gender identity, name and pronouns. This may include 'misgendering' a person (i.e. deliberately or repeatedly referring to the person using a pronoun that does not correctly reflect the gender with which they identify), or using a trans person's 'dead name' (i.e. the trans person's name before they transitioned);
- Excluding or making derogatory comments about someone because of a perceived protected characteristic, or because they are associated with someone with a protected characteristic.

It should be noted that a single incident can amount to harassment. It is the impact of the conduct and not the intent of the action that determines whether harassment has taken place. It is important to recognise that conduct which one person may find acceptable, another may find unacceptable.

A person may be harassed even if they were not the intended target. For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment. As another example, a person may be sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

What type of treatment amounts to bullying?

There is no legal definition of bullying. However, we regard "bullying" to be behaviour (aimed at an individual or group of individuals) which creates a threatening, intimidating or humiliating environment that undermines the confidence and self-esteem of the recipient. In some cases, the bully misuses the power they hold from being in a position of authority; other times the power may be the bully's personal strength or the power to coerce through fear or intimidation.

Bullying conduct may be physical, verbal and/or non-verbal. Non-exhaustive examples of bullying include:

- Physical or psychological threats;
- Verbal abuse, such as shouting or swearing at colleagues;
- Rifling through, hiding, or damaging personal property;
- Practical jokes, initiation ceremonies, or inappropriate birthday rituals;
- Supervision which is overbearing or intimidating;
- Deliberate exclusion from work activities or conversations at work;
- Making inappropriate derogatory remarks about someone's performance in front of others;
- Withholding information a person needs in order to do their job;
- Cyberbullying, i.e. using information and communications technology (particularly mobile phones, the internet and social media) to upset or humiliate someone.

The following do not, of themselves, amount to bullying: appropriate criticism of an employee's behaviour; proper performance management; reasonable instructions given to staff in the course of their employment.

If the bullying relates to a person's protected characteristic, it may also constitute unlawful discrimination.

What type of treatments amounts to victimisation?

Unlawful victimisation is retaliating against a person who has complained about discrimination or harassment, or who has supported someone else's complaint about discrimination or harassment. This includes where someone mistakenly believes that the person victimised has done so.

Non-exhaustive examples of victimisation include:

- Denying someone an opportunity because they have made (or because you suspect that they intend to make) a complaint about harassment;
- Dismissing or failing to promote someone because they gave the evidence on behalf of a colleague at an internal disciplinary hearing, grievance hearing or employment tribunal hearing where sexual harassment was alleged.

The company's position on bullying, harassment and victimisation

We believe that a culture of equality, diversity and inclusion is vital to supporting the wellbeing of all staff working within our business and we are committed to providing a safe and respectful workplace for all members of our staff. We expect all staff to be treated with due respect and appropriate sensitivity.

We will not tolerate any bullying and harassment of our staff, whether by other members of staff or by third parties. Nor will we tolerate bullying and harassment of third parties by our staff.

You should be aware that if a court or tribunal finds that you have bullied or harassed someone, you could be personally liable to compensate the victim. In some circumstances, the treatment may amount to a crime punishable by a fine or imprisonment.

In addition, we will not tolerate any retaliation against, or victimisation of, any person who has been involved in bringing a complaint of harassment or bullying.

We will treat all allegations of bullying, harassment and victimisation seriously, whether the conduct is a one-off act or a repeated course of conduct, and whether it appears the conduct was undertaken deliberately or not.

If we have grounds to believe bullying, harassment or victimisation has occurred, the perpetrator, where appropriate, will be dealt with under our disciplinary policy, which may lead to disciplinary action up to and including dismissal. Note that we will take into account aggravating factors, such as power of abuse of a more junior colleague, in deciding what disciplinary action to take. If our disciplinary policy does not apply to the alleged perpetrator, the process we will follow will depend on the status of our relationship with them.

False accusations of harassment or bullying can have serious effects on innocent individuals. Accordingly, false allegations or actions which are made in bad faith will, where appropriate, be dealt with under our disciplinary policy. Individuals who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

We aim to prevent all forms of harassment and bullying of our staff, including by third parties. Non-exhaustive examples of measures we are committed to taking include:

- Displaying a 'zero-tolerance' stance on any form of bullying and harassment communicated on noticeboards for all staff members and third parties to clearly see when on site.
- Having a dedicated reporting mechanism identified in addition to a confidential reporting channel (wellbeing@eurocraft.co.uk) to allow all staff members to always report any incidents at all times.
- We ensure that all levels of management have received focused training for line managers so that they understand how to implement this policy effectively and their role in preventing and stopping bullying and harassment from occurring at work (including by third parties) and the procedure to follow if an allegation is reported.
- We provide training to all staff on bullying and 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.
- We will regularly review the effectiveness of our training and will provide refresher training at least on an annual basis.
- Ongoing monitoring of workplace and existing risk assessments completed.

Sexual harassment

In addition, we recognise that we have a specific proactive duty to take reasonable steps to prevent sexual harassment of our staff at work (including by third parties) and we take this duty seriously.

We carry out a regular sexual harassment risk assessment which informs the measures we take to address the risk of our staff being subject to sexual harassment, including by third parties. We take active steps to help prevent the sexual harassment of staff in accordance with the risks identified in our risk assessments, which we keep under regular review.

We have appointed the HR department to be the designated lead and to take responsibility for the implementation of our sexual harassment action plan and compliance with the preventive duty.

If you have concerns about sexual harassment, you should generally raise the matter via this policy – see below 'what should you do if you are being bullied, harassed or victimised?' However, if you believe disclosure is in the public interest, you can draw this to our attention in accordance with our whistleblowing policy. If you are uncertain whether or not something is within the scope of our whistleblowing policy, you should seek advice from the HR department.

What should you do if you are being bullied, harassed or victimised?

If you believe you are being bullied or harassed, this policy includes both an informal and formal route to resolving the issue.

As a general principle, the decision whether to raise a complaint formally or informally, and whether to continue with a complaint once raised, is up to you. However, note that we have a duty to protect all staff, and it is possible that we may pursue the matter independently, if in all the circumstances we consider it is appropriate to do so. For example, in some circumstances, we may decide to investigate further and take more formal action, notwithstanding that you raised the matter informally. However, we will consult with you before taking any such steps.

If you are being bullied or harassed: informal resolution:

You may wish to start by trying to resolve the issue informally.

You may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is not welcome or makes you uncomfortable, and that it must stop.

Alternatively, you could speak with your supervisor, manager or HR to seek guidance on how best to resolve the issue. If you feel that you are unable to speak to your supervisor or manager because the complaint concerns them, then you should speak to HR, who has been trained in the handling of harassment and bullying complaints for their advice and support. Your request for help, if at all possible, will be treated confidentiality.

Your supervisor, manager or HR may try to resolve the situation informally by telling the alleged perpetrator(s), without prejudging the matter, that: there has been a complaint that their behaviour is having an adverse effect on a colleague; such behaviour is contrary to our policy (if the perpetrator is a staff member); and the continuation of such behaviour could amount to a serious disciplinary offence (if the disciplinary policy is applicable). It may be possible for your supervisor, manager or HR to have this conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also emphasise the confidentiality of the matter.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. HR will discuss this with you if it is appropriate.

If you are being bullied or harassed: formal complaint procedure:

If informal resolution is inappropriate or unsuccessful, you should make a formal written complaint about the harassment or bullying to Ellie Dando, Human Resources Officer. If the matter concerns that person, you should refer it to Laura Loveys, Managing Executive.

Your formal written complaint should include the following details: the name of the alleged perpetrator(s); the nature of the harassment or bullying; the dates and times the harassment or bullying occurred; the names of any witnesses; and any action taken by you to resolve the matter informally.

If you wish to make a formal complaint about victimisation, you should submit it in writing to Ellie Dando, Human Resources Officer. If the matter concerns that person, you should refer it to Laura Loveys, Managing Executive. Your written complaint should include the following details: the name of the person or persons you believe have victimised you; the reason you believe you have been victimised; the nature of the victimisation; the dates and times at which it occurred; the names of any witnesses; and any action that has been taken so far to attempt to stop it from occurring.

You will be invited to a meeting to consider your complaint and to discuss any suggestions you have for how it may be resolved. The meeting will normally be held within five working days of

your formal complaint being raised. At the meeting, you may be accompanied by a colleague or a trade union official, who must also respect the confidential nature of the meeting. We will then conduct an investigation into your complaint. The investigation will be carried out by someone with appropriate experience and no prior involvement in the complaint. It may be necessary to interview witnesses as part of the investigation. If so, we will stress to them the importance of confidentiality.

The alleged perpetrator(s) will normally need to be told your name and the details of your complaint in order for the issue to be investigated properly. However, we will carry out the investigation as promptly, confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we may consider it inappropriate for you to continue to do so while the complaint is being investigated and during any consequent disciplinary proceedings. If the perpetrator is a staff member, where appropriate, we may consider suspending them on full pay or transferring them to an alternative role on a temporary basis. We will also consider if there is any other action we need to take to protect you or any other staff while we investigate.

Where the complaint is about a third party, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. We will also seriously consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the alleged perpetrator.

After the investigation, we will meet with you to consider the complaint and the findings of the investigation. At the meeting, you may be accompanied by a colleague or a trade union official, who must also respect the confidential nature of the meeting.

After the meeting (and normally within five working days), we will write to you to inform you of our decision and to notify you of your right to appeal to a more senior manager if you are dissatisfied with the outcome.

If you wish to appeal, you should put your appeal in writing, explaining the reasons why you are dissatisfied with our decision. You should submit your appeal within seven calendar days of receiving written confirmation of our decision. If you submit an appeal, you will normally be invited to attend a meeting to consider it, usually within one week of us receiving your written appeal. Where practicable, the appeal meeting will be conducted by a senior manager who has not been previously involved in the case and is senior to the individual who conducted the previous meeting. They may ask anyone previously involved to be present. You have the right to bring a colleague or trade union representative to the meeting. We will write to you (usually within one week) after any appeal meeting to confirm our final decision. Following this stage, there will be no further right of appeal.

We retain the discretion to choose whether to hold meetings in person or remotely, as appropriate, depending on the circumstances. If a meeting is to be held remotely:

- we will ensure that all participants (including, if applicable, any permitted person that you choose as a companion) can access the necessary technology and materials;

- we ask you to inform us if you have a disability or other accessibility issue that could affect your ability to use video conferencing technology so that we can consider any reasonable adjustments; and
- you must not have anyone else in the room with you during the meeting (other than your chosen permitted companion, if applicable, if they are attending from the same physical location as you).

What happens after the investigation

Where the alleged perpetrator is an employee and the evidence gathered in the investigation indicates that a disciplinary offence may have been committed, our disciplinary policy will usually be instigated and a disciplinary hearing under that procedure will be arranged to deal with the alleged disciplinary offence, which could lead to disciplinary action up and including dismissal. In accordance with that procedure, the alleged perpetrator will be provided with relevant evidence about the allegations against them and will be given a full opportunity to respond.

Where the alleged perpetrator is not an employee, the process we will follow will depend on the status of our relationship with them.

If the investigation concludes that third-party harassment or bullying of staff has occurred, we will take steps to remedy any complaints and to prevent it happening again. Action may include, where appropriate, warning the perpetrator about their behaviour, banning them from our premises, reporting any criminal acts to the police, or informing their employer of the allegation.

Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the individual concerned (for example, we will consider whether mediation, or a change of duties, working location or reporting lines would be appropriate in the circumstances).

If you witness bullying or harassment

Staff who witness bullying or harassment – whether by another staff member or by a third party – are encouraged to take appropriate steps to address it. Depending on the circumstances, appropriate steps could include: intervening where you feel able to do so; supporting the victim to report the incident; reporting the incident on the individual's behalf; and/or co-operating with any investigation.

All witnesses will be provided with appropriate support and will be protected from victimisation.

Confidentiality, data protection and record keeping

We aim to deal with complaints of bullying and harassment sensitively and with due respect for the privacy of the individuals involved. All staff must treat as confidential any information communicated to them in connection with a complaint under this procedure. Details of any investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to action under our disciplinary policy, where appropriate.

Conducting investigations and formal meetings under this procedure involves us processing the personal data, which may on occasion include special category or criminal records data, of the employees concerned. We use this personal data in order to investigate and deal with complaints of bullying and harassment. Depending on the context, our legal grounds for doing so are that it is necessary:

- to comply with our legal obligations (e.g. to investigate and deal with bullying and harassment complaints in accordance with our duties towards staff, including our duty of trust and confidence to our employees and to ensure a safe working environment under health and safety laws)
- for the performance of our contracts with staff (i.e. to investigate and deal with bullying and harassment complaints in accordance with our duty of trust and confidence to our employees)
- in our legitimate interest to deal effectively with bullying and harassment complaints, whether you are the subject of them or are otherwise connected to the issues raised.
- in our recognised legitimate interest to detect, investigate or prevent crime.

Special category data¹ and data relating to criminal convictions or offences may occasionally need to be processed under this policy – for example, where a staff member asserts that they are being bullied or harassed because of their race or sexual orientation, or where a staff member requires a reasonable adjustment to the policy to accommodate a disability.

Depending on the context, our additional legal conditions for using such data are that this is necessary: to exercise legal rights/comply with legal obligations in relation to employment; and to establish, exercise or defend legal claims; the staff member has manifestly made the information public; or it is in the public interest to detect or prevent unlawful acts.

Where we take witness statements from staff with information about the complaint being investigated under this policy, such statements will be treated confidentially and will only be shared with individuals who need to be involved in the process. This will ordinarily be: HR; the person/people conducting investigations; and the managers conducting any formal meeting or appeal. In addition, if in the course of the process it seems that misconduct has taken place which requires investigation under our disciplinary policy, witness statements taken under this policy may be used in any subsequent disciplinary procedure and may therefore be shared with the person/people conducting investigations and hearings, as well as the employee whose conduct is the subject of disciplinary proceedings, to enable them to prepare for the hearing and respond to the allegations against them.

We will ordinarily keep records of complaints dealt with under this policy for 12 months from the date of completion of the policy. However, there may also be circumstances in which it is appropriate for us to keep particular records under this policy for a longer period. In such circumstances, we will decide how long records should be retained in accordance with the criteria set out in our main employee/staff privacy notice.

More general information, including details of who your personal data is shared with, your rights under data protection law and who you should contact if you have any concerns, is contained in our main employee privacy notice, a copy obtained from Mike Bate IT/Facilities Manager.

Summary of your rights and responsibilities

You have the right not to experience bullying, harassment or victimisation (including by third parties) as set out in this policy and to be treated with dignity and respect.

You have a responsibility to comply with this policy and to help us to implement it.

You have a duty not to bully, harass or victimise anyone in accordance with this policy (including third parties with whom you come into contact at work) and not to help anyone else do so.

You also have a duty to treat others with dignity and respect.

Further Support

We understand that anyone affected by, or involved with, a complaint of bullying or harassment may feel anxious or upset and we will do what we can to provide appropriate support.

Support and guidance can be obtained from our Mental Health First Aiders, Gemma Peters and Ellie Dando. Additional support can also be obtained through:

- The Equality Advisory and Support Service (www.equalityadvisoryservice.com).
- Protect (www.protect-advice.org.uk).
- Victim Support (www.victimsupport.org.uk).
- Rape crisis (www.rapecrisis.org.uk).
- Rights of women (England and Wales) (www.rightsofwomen.org.uk).
- Scottish Women's Rights Centre (Scotland) (www.scottishwomensrightscentre.org.uk)

Ongoing monitoring

We will review this policy annually or as the need arises.

We will monitor the treatment and outcomes of any complaints of harassment, bullying or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, offenders (including repeat offenders) are dealt with appropriately, we identify where we need to take additional steps to prevent harassment, bullying and victimisation and that workforce training is targeted where needed.