

# **ANTI-HARASSMENT POLICY**

## **POLICY**

Basingstoke ITEC is committed to providing a working environment free of bullying, harassment or any other form of behaviour that may threaten dignity, respect and rights. The company therefore will not tolerate any form of harassment or bullying irrespective of sex, sexual orientation, marital status, age, race, colour, nationality, ethnic origin or disability from any person whoever they may be.

Every employee and trainee has a responsibility to comply with this policy and to take appropriate measures to ensure such conduct does not occur. We will treat colleagues, customers, agents, visitors, suppliers, trainees of both sexes, all racial or ethnic groups and those with a disability, with equality, dignity and respect.

Harassment will be considered as misconduct, and disciplinary measures will be taken where it is established that there is a case of personal harassment. Penalties for serious offences will include dismissal.

This policy is also linked to the Safeguarding Policy and Proper Use of the Internet and Staying Safe on Social Networking Sites.

## **CONFIDENTIALITY**

Any employee or trainee who seeks advice or general information will be dealt with confidentially and information will not be revealed without the complainant's knowledge and consent. No employee need fear that they will be victimised for bringing a complaint of harassment.

Records relating to a harassment complaint will be kept securely. When any member of staff involved in a complaint leaves the company, these records will be kept securely for 12 months and then destroyed.

## **WHAT IS HARASSMENT?**

Harassment is defined as improper, offensive and humiliating behaviour, practices or conduct which may threaten a person's job security, create an intimidating, unwelcoming and stressful work environment or cause personal offence or injury.

Harassment is most easily identified when it is continuous, frequent, repetitive and part of an overall pattern. However, some harassment is serious enough to be recognised even if the behaviour occurred only once, and it may be a criminal offence.

It is important to recognise that what one employee may find acceptable, another may find totally unacceptable. The main factor is that the behaviour or attention is unwanted by the recipient.

## **SEXUAL HARASSMENT**

The European Commission defines this as 'unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at work'.

Sexual harassment takes many forms, from relatively mild sexual banter to actual physical violence. Sexually harassing behaviour is unwelcome and uninvited and of a sexual nature or based on the person's sex. Harassment of gays and lesbians is based on a person's sexuality and assumes that heterosexuality is more common and therefore the only 'normal' and 'natural' form of sexual relationships.

The most serious forms may include:

- Actual or attempted rape or sexual assault
- Promises of job benefit in exchange for sexual favours
- Threat of job detriment if sexual favours are not granted
- Intimidation

## **RACIAL HARASSMENT**

This can be defined as 'behaviour based on race or ethnic origin which is unwelcome to the receiver'. It can take many forms from relatively mild abuse to actual physical violence.

## **HARASSMENT OF PEOPLE WITH DISABILITIES**

Harassment of people with disabilities by anyone is unacceptable and will not be tolerated at ITEC or your chosen place of work.

## **BULLYING**

Bullying behaviour is the intentional intimidation or denigration of someone through the misuse of power or position.

## **DISCIPLINARY PROCEDURE**

Harassment will be considered a serious disciplinary offence and will be dealt with in accordance with the company Disciplinary Procedure.

Penalties may include warnings, a transfer to another part of the company or in a case of gross misconduct, dismissal. In certain circumstances employees may also find themselves subject to claims by harassed employees for unlawful actions and may be required to pay damages.

### **WHAT CAN YOU DO IF YOU FEEL YOU ARE BEING HARASSED?**

If any person is experiencing harassment you can either deal with it informally or, in the case of persistent or more serious harassment, by making a formal complaint. Any allegation of harassment will be taken seriously. You can be assured that the matter will be dealt with sensitively and in complete confidence and you will be protected against victimisation or retaliation as a result of bringing the complaint.

If appropriate, meetings with trained counsellors can be arranged.

## **COMPLAINTS PROCEDURES**

### **INFORMAL REMEDY**

In many instances, it is possible for the complaint to be resolved by explaining directly to the harasser that his/her behaviour is unwelcome/embarrassing and that you wish it to stop.

You should prepare yourself by making notes of what the harasser says or does. Write down dates, time, places and ask if anyone else has witnessed or suffered harassment from this person.

If possible get a colleague to be with you when you confront the harasser. If you feel unable to speak to them face to face, write to them detailing exactly what behaviour you wish to stop (keep a copy among your documentary evidence).

You can also seek advice or assistance in confidence from a member of management without this becoming a 'formal' complaint.

## FORMAL REMEDY

If the informal approach fails or a serious harassment occurs, you are advised to bring a formal complaint and you should seek assistance from Management in doing so.

The complaint should be made in writing and contain as many facts as possible, such as:

The name of the harasser

The nature of harassment

Dates and times when harassment occurred

Names of any witnesses to any incidents of harassment

Any action already taken by you to stop the harassment

## **INVESTIGATION PROCEDURE**

An impartial investigation will be carried out as thoroughly and as quickly as possible by two members of staff, at least one of whom should be from management. The investigation will take place as soon as possible, ideally within 24 hours, and will pay due regard to the rights of both the complainant and the alleged harasser. During this time steps will be taken to separate the harassed from the alleged harasser.

All employees involved in the investigation are required to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence.

The procedure will be as follows:

The 'harassed' person will be invited to attend a meeting with the investigators, where they should bring evidence and witnesses or witness statements.

The alleged 'harasser' will be invited to a meeting with the investigators where they will be asked to respond to the allegations providing evidence and statements to support their case. The alleged harasser will be provided with the victim's statement prior to the meeting.

Both parties will have the right to be accompanied by a fellow employee during any investigation meetings. Notes of the meetings will be taken and distributed to both parties.

After a thorough investigation and due consideration the investigators will conclude their findings. If appropriate, corrective action will be recommended with time scales for improvement or penalties will be administered in line with the company's Disciplinary Policy.

Both parties will have the right of appeal in line with the company's Disciplinary Policy.

### **FALSE ACCUSATIONS**

The Company recognises that false accusations of harassment can have serious effects on innocent individuals. It is expected, therefore, that all persons will act responsibly, but if a complaint is found to be maliciously untrue, the accuser will be subject to disciplinary action.

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C A McColl