



 **Compliance Group**
Bullying and Harassment Policy

Electrical

Fire

Water

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Compliance Group Limited is registered in England and Wales with company number 12351374 and registered address at 85 Great Portland Street, London, England, W1W 7LT

Approval

The signatures below verify that this policy has been reviewed and accepted and demonstrates that the signatories are aware of all the requirements contained herein and are committed to ensuring their provision.

	Name	Position	Date
Prepared by	Phillipa Clark	HR Advisor	30/06/2023
Approved by	Cally Hickman	Group HR Director	

Amendment Record

This policy is reviewed to ensure its continuing relevance to the systems and process that it describes.

Revision	Document Reference	Changes made	Date
0	Whole document	New document. Document issued at Rev 0.	30/06/2023

The electronic version of this policy is the latest revision. It is the responsibility of the individual to ensure that any paper material is the current revision. The printed version(s) of this document is uncontrolled.

1. Introduction

Compliance Group Limited is committed to operating and maintaining an inclusive and productive working environment where all employees are treated with dignity and respect at work. Bullying and harassment scenarios are harmful to our employees and our business. The Company will seek to address any form of bullying or harassment where it occurs in the workplace.

Under the Equality Act 2010 the Company has a legal requirement to ensure that bullying and harassment on the grounds of a protected characteristic, such as someone's race, sex, disability, sexual orientation, gender reassignment, religion or belief, age, pregnancy or maternity, marital or civil partnership status or harassment on any other grounds, does not take place at work, as this is discrimination.

2. Scope

The purpose of this policy and procedure is to assist you, your colleagues and the Company in developing a working environment in which bullying and harassment are unacceptable and to allow you to have the confidence to complain about harassment or bullying, should it arise, in the knowledge that your concerns will be dealt with appropriately, fairly and respectfully.

This policy and procedure outlines the procedures to be followed if you feel that you are being harassed or bullied in the course of your work or as a result of your employment with the Company. This applies to all colleagues, irrespective of your pattern of hours or length of contract and applies not only to the interaction whilst working at the Company's offices and those of any clients or contacts, but also extends to time spent travelling, away from home whilst on business, on training courses and at social events organised by the Company.

This policy and procedure is not contractual and the Company reserves the right to amend the procedure should it, in its sole discretion, elect to do so. Any questions relating to the interpretation of this policy should be directed to HR in the first instance.

3. Policy

Compliance Group Limited will take all allegations or concerns of bullying and harassment seriously. Allegations will be dealt with carefully and addressed as promptly as possible and in confidence.

If you feel that you are the subject of bullying or harassment (either by a colleague, your Line Manager, or anyone else whom you come in contact within the course of your work) you may wish to make a note of incidents, dates, times and any witnesses for future reference. If you consider yourself to have been the subject of bullying or harassment you have the right to be listened to and to be given informed advice on how the matter may be resolved.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power that is viewed as demeaning, unacceptable or personally offensive to the recipient and which is meant to undermine, humiliate or injure the person receiving the perceived unwanted conduct.

4. Principles

Harassment is defined as any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile degrading, humiliating or offensive environment for them. A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past. Harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, religious belief, sex or sexual orientation.

Actions or behaviours which are unwelcome, unreasonable and offensive to the recipient and which affect your dignity at work are unlawful and will not be tolerated. Complaints of such behaviour will be investigated, as quickly as possible and without bias, and in so far as possible, the strictest confidence, to protect both you, as the complainant and the alleged harasser.

Whilst confidentiality will be maintained if possible, the Company has the duty to protect all of its employees and in some circumstances may have to pursue a matter independently, whether or not a formal complaint has been made. Any employee who is found to have harassed, bullied or discriminated a colleague will be subject to disciplinary action up to and including summary dismissal.

Conduct may qualify as harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend one person but not another person. Different people find different things acceptable; if you believe that another person's conduct amounts to bullying or harassment then you have the right to raise this issue. Behaviour which any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to him or her e.g. sexual touching. It may not be so clear in advance that some other forms of behaviour would be unwelcome too, or could offend a particular person e.g. flirting or asking someone for a private drink after work.

In these cases, first-time conduct which unintentionally causes offence will not be deemed as harassment but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him or her.

Harassment may also occur where a person engages in unwanted conduct towards another because he/she perceives that the recipient has a protected characteristic (for example, a perception that he or she is homosexual or disabled). Similarly, harassment could take place where an individual is bullied or harassed because of another person with whom the individual is connected or associated, for example if his/her child is disabled, partner is pregnant or friend is a devout Christian.

Harassment also includes circumstances where an individual is subjected to unwanted conduct from a third party, such as a client or customer. For example, it may be that a client makes a series of racist remarks to an employee. If any employee feels that he/she has been bullied or harassed by customers, suppliers, vendors or visitors he/she should report any such behaviour to their Line Manager who will take appropriate action.

Victimisation is subjecting a person to a detriment because he/she has in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing him/her or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because he/she has made a complaint or giving him/her a heavier or more difficult workload.

The Company will not tolerate any form of bullying and harassment in the course of work. Some examples of what is considered unacceptable behaviour may include, but are not limited to:

- Behaviour, whether intentional or not, which demeans people's dignity at work
- Lewd comments about appearance
- Speculation about a person's private life and sexual activities
- Subjecting a pregnant employee to derogatory comments relating to her pregnancy
- Shunning an employee, such as deliberate exclusion from the conversation
- Unwanted and repeated physical contact, including unnecessary touching, patting, pinching, brushing against another employee's body, assault or coercing sexual activities
- Unwelcome sexual remarks, jokes, verbal abuse or pranks
- Unwanted sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, offensive flirtations, suggestive remarks, innuendoes or lewd comments
- Behaviour which ridicules an individual because of their sexuality
- The display or transmission of pornographic or sexually suggestive pictures, objects or written materials
- Leering, whistling or making sexually suggestive gestures
- Conduct that ridicules or intimidates or is physically abusive of an employee because of his or her sex, such as derogatory or degrading abuse or insults which are gender-related
- Racially derogatory remarks or racist jokes
- The display or transmission of racially offensive material
- Severe verbal abuse
- Intimidating or aggressive behaviour
- Excessive teasing or humiliation
- Imposing unrealistic performance targets
- Unfair and excessive criticism, possibly in front of colleagues
- Isolating or openly ignoring someone
- Physical assault
- Taking credit for others' initiatives and achievements
- Sending abusive or intimidating messages by e-mail, text or other social media
- Preventing individuals progressing by intentionally blocking promotion or training opportunities with no good cause
- False or malicious allegations

5. Complaints Procedure

If you think you are experiencing bullying or harassment you should feel confident about coming forward to make a complaint and you are encouraged to act promptly. You should not feel you have to tolerate it or that it is your fault. It is not a sign of weakness to need support when addressing an issue of bullying or harassment.

Complaints are often resolved at an informal level. However, if there is a serious issue and always where a criminal act may have occurred, you should normally proceed to the formal stage. If you wish to seek advice or discuss concerns about bullying and harassment you may approach your Line Manager, a more senior manager or HR.

During the informal procedure confidentiality will be maintained unless otherwise agreed. However, there may be circumstances which arise, for example risk of physical assault, which means the Company will need to disclose information to additional Company employees or to third parties as and where appropriate. This will be discussed with you.

5.1 Informal Procedure

Complaints are often resolved at an informal level, however, where there is a serious issue, and always where a criminal act may have occurred or is alleged to have occurred, it is appropriate to proceed immediately to the formal stage.

Nevertheless, if you are comfortable with informal approaches there are a number of informal options you could consider; this list is not exhaustive:

- Approach the Company Employee Assistance Programme (EAP)
- Discuss the matter with the alleged bully/harasser. As part of these discussions, it is important that the bully/harasser understands what their offending behaviours are, the impact that they have and that they understand that these behaviours must stop. It may be appropriate for another person, for example a member of the Human Resources team, to facilitate such a meeting. In circumstances where you feel unable to articulate this face-to-face, doing so in a written format may be an alternative solution. You may seek help from your Line Manager or HR to draft out an appropriate communication.
- You can seek a confidential meeting with your Line Manager/senior manager or your HR to discuss possible options to resolve the situation. This could involve arranging an informal meeting with both parties to discuss the matter. In these circumstances the alleged bully/harasser would have to be informed in advance of the allegation to give them a fair opportunity to respond. Both parties could be accompanied by an appropriate person.

5.2 Formal Procedure

Where it has not been possible to resolve a matter informally, or where you feel it would not be appropriate given the nature of the complaint, you should make a written complaint as soon as possible to HR.

A formal written complaint of bullying or harassment should include the following:

- The nature of the complaint, with reference to the dates, times and places (where possible) in relation to specific incident(s);
- the effect of the behaviour; and
- the resolution you are seeking.

The written submission should also include dates and details of any witnesses to any incidents referred to in the complaint, together with any documentary evidence; you should also explain what attempts, if any, have been made to resolve the difficulties.

Witnesses can request anonymity and this will be granted if appropriate, however this is not encouraged in the interests of openness.

Once a written complaint has been submitted, it cannot be retracted as the alleged bully/harasser has the right to know the detail of the complaint, to have it investigated, to respond to any charges and the right to appeal the outcome.

The Company reserves the right, in more serious cases or where the allegation involves a criminal offence, to invoke the Company Disciplinary Policy & Procedure and to suspend the alleged bully/harasser until a conclusion/resolution is reached. Any suspension will be in accordance with the requirements set out in the Company Disciplinary Policy & Procedure.

5.2.1 Investigating a Formal Complaint

On receipt of a formal complaint of bullying or harassment, investigating alleged incidents of bullying and harassment, the emphasis will be placed on the unwelcome nature of the action, as perceived by the recipient rather than the intention of the alleged bully/harasser.

In view of the likely sensitivity of the issue, great care will be taken to ensure that the alleged behaviour or incident(s) can reasonably be regarded as amounting to bullying and harassment under the definitions adopted in this policy and procedure. All allegations of harassment and bullying will be investigated in line with the Company's Disciplinary Policy & Procedure.

Provided that you have acted in good faith i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the Company will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you. If however, you make a complaint you know to be untrue or provide evidence that you know to be untrue, this may lead to disciplinary action being taken against you.

You will be advised in writing: whether the complaint has been upheld, partially upheld or not upheld; any recommendations made; and your right to appeal the decision.

If your complaint is upheld, and the person found to have bullied or harassed you remains in the Company's employment, every effort will be made to ensure that, if possible, you do not have to continue to work alongside the bully/harasser, if you do not wish to do so. We will discuss the options with you. These may include the transfer of the bully/harasser or, if you wish, you may be able to transfer to another post.

Serious cases of harassment will be treated as Gross Misconduct under the Company's Disciplinary Policy & Procedure and may lead to dismissal; less serious cases may result in disciplinary action.

If your complaint is not upheld you, and the alleged bully/harasser, will be supported in making arrangements for you both to continue or resume working and to help repair working relationships. If both of you do not wish for this, and subject to this option being practicable, the Company will consider making arrangements to avoid you and the alleged bully/harasser having to continue to work alongside each other.

The Company will maintain records of investigations into alleged incidents of bullying or harassment, the outcome of the investigations and any corrective or disciplinary action taken. These records will be maintained in confidence and in line with the provisions of the Data Protection Act 1998.

6. Appeals Process

If you are dissatisfied with the outcome of the Formal Bullying & Harassment Process, you have the right to appeal the decision. Your outcome letter will advise you of the process that should be followed and who you will need to appeal to. The appeal should be made in writing within 5 working days of receipt of the outcome letter. You should clearly set out the grounds on which you are appealing, i.e. why you disagree with the decision.

Following receipt of the written appeal, HR will arrange an appeal hearing with the employee as soon as reasonably practicable. This will be heard by an impartial Manager who has had no previous involvement in the Formal Process and, where possible, is more senior than the manager who chaired the formal process.

7. Malicious and Unfounded allegations

The Company seeks to maintain a balance between the right to be protected from bullying and harassment and the right to be free from being the subject of fictitious complaints.

Following the investigation, if it has been determined that an individual has made an unfounded allegation of bullying or harassment for malicious reasons, then this will be investigated and dealt with fairly and objectively under the Company Disciplinary Policy & Procedure.



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