



# VERSION 1

# ANTI-BULLYING & ANTI-HARASSMENT

At Version 1, we are committed to providing a working environment free from harassment and bullying, where all individuals are treated, and treat others with dignity and respect. We want you to enjoy your time working with your colleagues in Version 1.

## The purpose of this policy is to:

- Outline what behaviours are deemed to be unacceptable, in addition to identifying appropriate sanctions for those who have been proven to exhibit such behaviours. Please note that Version 1's core values are an essential part of the expected standard of behaviour.
- Set out the procedure for dealing with sensitive complaints such as sexual harassment, racial harassment and bullying.
- Set out the responsibilities of individual employees and their line managers, describing the formal and informal routes through which employees can obtain support and guidance in resolving matters.

This policy applies to all Version 1 employees, irrespective of their status, and should also be adhered to by everyone who works on our premises including contractors, agency workers, suppliers and visitors. This policy is non-contractual and can be amended at any time.

This policy is applicable at all times during an employee's employment with the Company, inclusive of their behaviour whilst on Version 1 premises, working remotely, or in any other work-related settings, such as during business travel, at external meetings, on customer sites or at work related social events. In addition, this policy will apply during an employee's contractual notice period, including those on garden leave.

Failure to abide by this policy may result in disciplinary action, which could lead to dismissal.

All employees can prevent harassment and bullying by being sensitive to the reactions and needs of others and ensuring that their conduct does not cause offence.

The Company will not tolerate discrimination, bullying, sexual harassment, or harassment by one employee or group of employees against one another or others for any reason. Lack of respect may be shown in words, conduct, acts or demeanour. The Company promotes a workplace culture of dignity, respect and openness to diversity which should be reflected in the actions and behaviour of all employees.

## HARASSMENT

Harassment is defined as any form of unwanted conduct related to any of the protected characteristics. Conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Harassment may involve conduct of a sexual nature, or it may be related to 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.

The key point about harassment is that it constitutes any behaviour which is unwelcome from the point of the recipient. Therefore, it is the impact on the recipient which will determine whether behaviour amounts to harassment, not the intent of the alleged harasser. Furthermore, harassment is based on association and perception, and therefore, employees may report any behaviour which they find offensive or unacceptable, but which is not directed at them, even



# VERSION 1 ANTI-BULLYING & ANTI-HARASSMENT

if other employees do not object.

Harassment may be persistent, or it may result from an isolated incident. It may be directed towards one individual or a group of individuals.

## EXAMPLES OF HARASSMENT (NOT EXHAUSTIVE)

**Physical Conduct:** unnecessary touching, gestures, assault, pinching, initiation ceremonies, intrusion by following/spying on; coercing sexual activities, physical threats or unwarranted attention.

**Verbal or Written Conduct:** threats, intimidation, unwelcome advances, propositions or remarks, malicious gossip, innuendoes, lewd comments or abusive language, slogans or songs based on or referring to sex, sexuality, religion, race, ethnicity, disability, age or other personal characteristics and any form of inappropriate/offensive electronic communication to include but not limited to – text messaging, instant messaging, emails and all social networking sites.

**Non-Verbal Conduct:** the display of posters, graffiti, pornographic or suggestive pictures, isolation, exclusion from social activities, or interference with job performance.

## SEXUAL HARASSMENT

Sexual harassment is defined as conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment. To constitute sexual harassment, the conduct does not have to be repeated. Such conduct may take the form of unwanted verbal, non-verbal or physical conduct of a sexual nature. This may include acts of physical intimacy, any request for sexual favours, or any other act or conduct including spoken words, gestures or the production, display or circulation of written words, pictures or other material.

## RACIAL HARASSMENT COULD INCLUDE:

- Name calling, racist abuse, stories, jokes and comments.
- The display of racially offensive written material or graffiti.
- Insulting behaviour including threats or physical assault.
- Being subject to pranks or being 'set-up'.

## HARASSMENT RELATED TO DISABILITY COULD INCLUDE:

- Any behaviour which leaves a disabled person feeling threatened or compromised.
- Any action or remark based on an unjustifiable assumption about the abilities of disabled people.
- Undignified treatment including derogatory remarks, personal questions, patronising behaviour, staring, ostracising or mimicking.
- Ridiculing of people because of their disability.



# VERSION 1 ANTI-BULLYING & ANTI-HARASSMENT

## BULLYING

Bullying is prohibited by the Company and is defined as repeated, inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the person's right to dignity at work. It is the effect of the treatment on the individual, and not the intent of the alleged perpetrator, that will be taken into consideration when determining whether the treatment constitutes discrimination, harassment, sexual harassment or bullying.

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened, over a period of time. Bullying can take the form of physical, verbal and non-verbal conduct.

### Examples of bullying:

These examples are illustrative but not exhaustive.

- Spreading malicious rumours or insulting someone by word or behaviour (sharing information that is critical or sensitive about someone to others who do not need to know, ridiculing or demeaning someone – picking on them).
- Verbal abuse, including shouting and use of obscene language.
- Showing hostility through sustained unfriendly behaviour or exclusion.
- Constant humiliation and belittling efforts – often in front of others.

## WHAT BULLYING IS NOT:

- An isolated incident of inappropriate behaviour may be an affront to your dignity at work but, as a once off incident, is not considered to be bullying, e.g., a bout of anger or a conflict of views.
- Fair and constructive criticism of an employee's performance conduct or attendance.
- Reasonable disciplinary action arising from good management of the performance of an employee at work.
- Actions taken which can be justified as regards the safety, health and welfare of employees.
- Complaints relating to instructions issued by a manager, assignment of duties, terms and conditions of employment or other matters which are appropriate for referral under the normal grievance procedure.

## VICTIMISATION

Where a person is treated less favourably than others because they have either given evidence or brought a complaint of harassment or discrimination, this constitutes victimisation.

## PROCEDURE FOR REPORTING

Discrimination, victimisation, harassment and bullying of any form are prohibited. Should any employee feel that they have been discriminated against, harassed, sexually harassed or bullied, they are advised to follow either the informal or formal procedures outlined below.

An employee may choose to follow either procedure and will not be penalised for failing to initiate the informal procedure in the first instance.

## INFORMAL APPROACH

It may be appropriate in some instances to adopt an informal approach, which might resolve the difficulty that has arisen with the minimum of conflict. An employee may wish to explain to the person who is engaging in the conduct to which the employee objects to that what they are doing is inappropriate, unwelcome, improper or offensive.



A designated contact person may assist an employee in preparing to make this approach or may make the approach on behalf of an employee in certain circumstances. For example, the employee may wish to ask their line manager, their team manager or a member of the People Operations team for appropriate support in dealing with the situation in an informal manner.

These strategies may often be sufficient to stop the harassment/bullying/victimisation, especially if the person is unaware that their actions have been causing offence.

Version 1's primary aim, wherever possible, is to resolve the situation on an informal basis so that those involved experience minimum disruption and embarrassment. However, where this is impossible or inappropriate, employees have the right to make a formal complaint.

## FORMAL APPROACH

Allegations of harassment, bullying and victimisation will be treated seriously and investigated promptly.

All complaint procedures are based on the principle of fairness. Employees should be aware that if a complaint is deemed serious, the Company may consider it their duty to commence an investigation, even if an employee is not prepared to proceed with a formal complaint. In making a complaint, it is helpful to record any incidents – i.e., where, when, and what took place, any witnesses and copies of any written material. Where an employee notices a colleague(s) is/are experiencing problems they should notify the Version 1 HR team.

## HOW TO MAKE A FORMAL COMPLAINT

The matter should be raised formally by submitting a formal complaint using the Grievance procedure. The complaint should include full details of the conduct, including the name of the alleged perpetrator and the nature of the harassment/bullying/victimisation that they have experienced, along with any other relevant details and dates. Formal complaints will be dealt with in a timely and confidential manner.

The manager dealing with the grievance will meet with both the person making the complaint and the alleged perpetrator individually. Both will be entitled to be accompanied to any meetings by a colleague, friend or representative. If deemed appropriate, both parties may be offered the option of mediation. Where both parties are agreeable to mediation, an independent mediator will be appointed. The mediator will seek to find a solution that would be satisfactory to both parties. If this stage fails, or if either party refuses to accept the offer of mediation, then the complaint will progress further.

Where an investigation is considered the appropriate course of action, it will be undertaken as sensitively, quickly, and confidentially as possible while ensuring fairness to all parties involved. Investigations will be carried out having due regard to the employees' rights to information of the complaints against them, representation and the facility to make statements submissions or comments on the allegations before any decision is made. During the investigation, all parties involved in the complaint shall be interviewed which includes the complainant, the alleged perpetrator and any relevant witnesses. If having made a complaint, an employee wishes to know what stage the investigation is at, they may have a confidential discussion with the person carrying out the investigation. An employee may not be entitled to all information relevant to the investigation where issues of sensitivity or confidentiality arise, but every effort will be made to keep those involved in the matter informed of the up-to-date position.

It may be necessary to suspend the alleged perpetrator while the investigation is undertaken.

## THE CONCLUSION OF THE INVESTIGATION

The outcome will be conveyed in writing to the complainant (via email), the person against whom the complaint is made and if appropriate, any other person with a significant involvement in the matters at issue. If, following an investigation, the complaint is substantiated, the disciplinary procedure will be invoked and will proceed to a conclusion in the normal way, which may involve disciplinary action up to and including dismissal of the perpetrator. Where the perpetrator is a third



# VERSION 1 ANTI-BULLYING & ANTI-HARASSMENT

party, the Company will take the appropriate steps to ensure that there is no possibility of a recurrence of the behaviour. This may include termination of a contract for services or restricting the need for both parties to work together.

Any employee against whom a disciplinary finding is made has the right to appeal against the disciplinary decision as provided for in the disciplinary procedure. Also, any employee who feels that their complaint has not been dealt with in a fair or proper manner may raise an appeal through the grievance procedure. An appropriate appeal chair will be appointed to hear the appeal and their decision will be final under the terms of the Company's grievance procedure.

Confidentiality is important during any investigation in order to maintain the trust and confidence of any employees concerned. Breach of confidentiality may give rise to disciplinary action under the terms of the Company's disciplinary procedure.

## RESOLVING THE PROBLEM BY MEDIATION

Mediation is an alternative method of resolving issues relating to bullying and harassment. Mediation involves the parties seeking to arrive at a solution through mutual agreement, rather than through an investigation and decision.

Mediation provides a confidential opportunity for the person who feels that they have been bullied or harassed, and the person accused of carrying out this inappropriate behaviour, to discuss the matter and to reach an agreement on their continuing working relationship.

Mediation is conducted in private, and is directly between the parties concerned, with the support of a mediator, who will act as an independent facilitator. Either party may withdraw from the process at any time by notifying the mediator, in writing, that they wish to do so.

If both parties agree to resolve the issue by mediation, a member of the Version 1 HR team will arrange the mediation process. An appropriate person, acceptable to both parties, from within or outside the Company will be assigned as mediator.

If the mediation process results in an agreement acceptable to both parties, the mediator will draw up a written record of the terms of the settlement for signature by both parties.

If mediation breaks down or fails to achieve its goal, the only other option is to have the matter resolved by investigation. The person involved in the mediation process will not be involved in the investigation process.

## FALSE COMPLAINTS

If, following investigation, a complaint is found to be untrue and reckless or malicious, disciplinary actions will be brought against any person who may be found to have been untruthful or acting in a reckless or malicious way regarding the complaint, or to have knowingly or recklessly abused the policy and procedure on dignity and respect at work.

## RETALIATION OR VICTIMISATION

Retaliation, victimisation or any other adverse action against an employee, resulting from an employee's lodging of a complaint, participation in the investigation of a complaint, or for representing or providing support to a complainant or alleged harasser, will result in the initiation of the disciplinary procedure and it may lead to disciplinary action of up to and including dismissal. Similarly, an employee intending to take an action before the Employment Tribunal or who has opposed an act unlawful under this policy will not be victimised.

## MONITORING

Version 1 is committed to monitoring the workplace to ensure a discrimination, harassment, bullying and sexual harassment-free environment.