

WESTOAKS BUILDERS LTD
Harassment and Bullying Policy
14th Jan 2012

1. **Policy Statement**

1.1 The Company wishes to provide a stimulating and supportive working environment which will enable its staff to fulfil their personal potential and creativity. Such an environment cannot exist where any member of staff is subjected to harassment, intimidation, aggression or coercion.

1.2 The Company is fully committed to the principles of equality and diversity in the workplace and regards harassment as a form of discrimination.

2. **Harassment**

2.1 Harassment is unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may be on the grounds of sex, race, disability, sexual orientation, religion or beliefs, age or gender reassignment. For the purposes of this policy this list should be considered non-exhaustive, and harassment or bullying on any grounds will not be tolerated by the Company.

2.2 Harassment may be persistent or an isolated incident, obvious or subtle, face-to-face or indirect. It may even be through unequal or unfair application of monitoring systems, for example through computer monitoring of breaks where it is not applied to all employees.

2.3 Examples of behaviour which may constitute harassment or bullying include (but are not limited to):

- spreading malicious rumours;
- professional or social exclusion;
- unwelcome sexual advances;
- unfounded threats relating to job security;
- calculated undermining of an employees competence, for example through a consistently unreasonable or unfair workload or unnecessary circulation of critical memoranda;
- physical assault;
- verbal abuse, threats, derogatory name-calling, ridicule, insults and jokes;
- derogatory graffiti/insignia or display of derogatory or offensive material; and

- inciting others to commit any of the above.

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

The Company wishes to reiterate that it will not tolerate any instance of harassment or bullying regardless of the grounds. The following however are expressly unlawful grounds on which a person may experience harassment or bullying.

3.1 **Sex**

Harassment or bullying on the grounds of a person's sex.

3.2 **Sexual Harassment**

This is distinct from sex harassment, as it is conduct of a physical, verbal or non-verbal that is sexual in nature.

3.3 **Race**

Harassment or bullying on the grounds of race, colour, ethnicity or nationality, be it deliberate or otherwise.

3.4 **Disability**

Bullying or harassment on the grounds of a person'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.

3.6 **Religion or Belief**

Harassment or bullying on the grounds of a person's religion or beliefs.

3.7 **Age**

Harassment on the grounds of a person's age, applying equally to all people regardless of age.

3.8 **Grievance**

Harassment or bullying as a consequence of a person raising a grievance.

4. **Complaints**

4.1 Any employee who feels that they have been subjected to

harassment or bullying by any other member of staff should raise the matter according to one, or both, of the following methods.

4.1.1 **Informal Procedure**

4.1.1.1 If you feel able, you should speak up at the time when you feel that you are being harassed or bullied. It is important to be direct and to state explicitly that you feel you are being harassed and that the behaviour is unacceptable to you. You could also discuss the matter with another colleague or your supervisor and ask them to speak to the harasser on your behalf.

4.1.1.2 Alternatively, if you feel you are unable to speak directly to the harasser, you could write a letter to them which clearly identifies the offending behaviour and requesting that it stops immediately. You should sign and date any such letter and ensure that you keep a copy for any possible future formal complaint.

4.1.2 **Formal Procedure**

4.1.2.1 Any employee who feels that they have been subjected to harassment or bullying may at any time decide to deal with the issue through formal procedures, regardless of whether informal steps have been taken or not.

4.1.2.2 Where an employee wishes to deal with any issue of harassment formally, they must do so according to the Dedicated Grievance Procedure contained in the Company's Equal Opportunities Policy].

4.2 The Company will treat any complaint received under this Policy confidentially.

5. **Third Party Harassment**

5.1 Third party harassment refers to harassment of an employee by any person who is not an employee of the Company. Third party harassers may include:

5.1.1 customers or clients of the Company;

5.1.2 suppliers of the Company; and

5.1.3 independent contractors.

5.2 Any employee who believes that they have been the victim of third party harassment should immediately inform their supervisor of the incident.

5.3 Where an employee has been harassed on more than one occasion, the Company will take such steps as are reasonably practicable

to prevent any recurrence. For the purposes of third party harassment, it is immaterial whether the third party harasser is a different person in each instance of harassment.

6. **Consequences of Breach**

6.1 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.

6.2 Employees should bear in mind that harassment or bullying may also constitute a criminal offence punishable by a fine and / or imprisonment.

This policy has been approved & authorised by:

Name: A Noble
Position: Managing Director
Date: 14th Jan 2012