

Dignity at Work Policy

POLICY STATEMENT

Showcase Training Ltd ("the Company") are committed to creating an environment free from bullying and harassment, where everyone is treated with dignity and respect.

Every individual has the right to be treated with dignity and respect and is entitled to work / train in an environment free from harassment, victimisation or bullying, whether it is related to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (gender), sexual orientation membership or non-membership of a trade union.

Bullying and harassment can have very serious consequences for individuals and the Company. Bullying or harassment may cause stress, affect an individual's health, and their family or social relationships. It can also negatively impact on both the individual and the performance of the Company. Effects on the Company can include loss of morale, poor work performance, increased employee turnover, legal claims and damage to the Company's reputation.

The Company will not tolerate bullying and harassment of any kind. The Company has therefore resolved to create a working and training environment that supports the dignity of all individuals and is free from bullying, victimisation and any form of harassment.

All allegations of bullying, harassment and victimisation will be investigated and, where appropriate, disciplinary action will be taken. The Company will not tolerate the victimisation of a person for raising a complaint in good faith or for supporting someone to make such a complaint. Victimisation is a disciplinary offence. Equally following an investigation, where it is found that such allegations have been made falsely, the Company will take appropriate action against the individual/s involved.

SCOPE AND PURPOSE

This policy covers bullying and harassment of and by managers, employees, contractors, volunteers, agency staff, consultants and anyone else engaged with the Company, whether by direct contract or otherwise.

All employees, consultants, contractors and agency workers will be made aware of the Company's Dignity at Work policy as part of their induction to the Company and will be expected to comply with the standards defined in this procedure.

The policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, e.g. business trips and work-related social events. Any breach of this policy may render an employee liable to disciplinary action under the Company's disciplinary procedure, up to and including summary dismissal.

We are committed to doing everything reasonably practicable to ensure our employees are not subjected to unacceptable behaviour by fellow employees, and/or third parties and will deal with any incidents accordingly.

If any aspect of this policy and procedure causes you difficulty in respect of any disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with the Senior Management team who will make appropriate arrangements, where reasonable and practical to do so.

This policy is non-contractual and may be amended from time to time to reflect best practice and any changes in legislation.

THIRD PARTY HARASSMENT

Third party harassment can occur if an employee of the Company complains of harassment by a person who is not a member of staff. They could for example, be contractors, volunteers, agency staff, consultants or their relatives.

As individuals who are not employed by the Company, they are not subject to discipline under the Company's internal processes. However, the Company has an obligation to protect our employees from such behaviour and as such, all allegations made will be investigated.

If the complainant or alleged harasser is not employed by the Company, e.g. if the worker's contract is with an agency or a third party this policy will apply with any necessary modifications such as the Company could not dismiss the worker but would instead work with the agency/third party to take appropriate action, after investigation and disciplinary proceedings.

All complaints of this nature should in the first instance be directed towards your line manager and the Senior Management team for advice and support.

WHAT IS BULLYING AND HARASSMENT

Bullying and harassment is behaviour that makes someone feel intimidated or offended - harassment is unlawful under the Equality Act 2010:

Bullying is offensive, intimidating, malicious, abusive, insulting behaviour or an abuse or misuse of power which is meant to undermine, humiliate or injure the person on the receiving end. Bullying behaviour is largely identified not so much by what has actually been done, but rather by the effect that it has on others. At its most extreme, bullying can be physical e.g. hitting, pushing, damaging or stealing personal possessions.

Harassment is unwanted conduct related to protected characteristics, which are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (gender), sexual orientation, that:

- Has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- Is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend another person. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.

Behaviour which any reasonable person considers 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 to, or could offend, a particular person e.g. certain "banter", flirting or asking someone for a private drink after work. In these cases, first time conduct which unintentionally causes offence will not be 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 them.

Harassment may also occur where a person engages in unwanted conduct towards another because they perceive that the recipient has a protected characteristic e.g. a perception that he or she is gay or disabled, when the recipient does not, in fact, have that protected characteristic. For example, it would be harassment for an individual to repeatedly tease an individual because of an incorrect belief that the recipient is deaf. 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, wife 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 might be that a supplier makes a series of racist remarks to a black employee. If an employee feels that they have been bullied or harassed by customers, suppliers or visitors, they should report any such behaviour to their manager who will take appropriate action in liaison with the appropriate Manager. Bullying or harassment of customers, suppliers or visitors will be dealt with through the Disciplinary Policy.

A single incident can be harassment if it is sufficiently serious.

All bullying and harassment is misconduct and is a disciplinary offence which will be dealt with under the Company's Disciplinary policy. However, bullying or harassment may be deemed to be gross misconduct, which can lead to dismissal without notice.

Bullying or harassment will constitute unlawful discrimination where it relates to one of the protected characteristics.

Some types of bullying or harassment may constitute unlawful discrimination and allegations may give rise to the possibility of other civil claims or criminal proceedings against you, which would proceed independently of the Company's Disciplinary proceedings. You could be personally liable to pay compensation to the complainant if a successful claim in the employment tribunal or other courts was brought against you. Criminal proceedings could lead to conviction and criminal penalties.

EXAMPLES OF BULLYING OR HARASSMENT

Bullying and harassment may be misconduct which is physical, verbal or non-verbal, e.g. by letter or email.

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to) the following:

- Setting objectives with unrealistic deadlines with the deliberate intention of undermining an individual;
- Spreading malicious rumours or insulting someone;
- Persistently criticising an individual unnecessarily;
- Shouting at colleagues in public or private;
- Picking on someone or setting them up to fail;
- Making threats or comments about someone's job security without any good reason;
- Ridiculing someone;
- Demeaning comments about a person's appearance;
- Unwanted nicknames related to a person's age, race or disability;
- Physical conduct ranging from unwelcome touching to serious assault;
- Unwelcome sexual advances;
- The offer of rewards for going along with sexual advances, e.g. promotion, access to training;
- Threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment, evaluation, pay, assigned work, or any other condition of employment or career development;
- Unwelcome jokes or comments of a sexual or racial nature or about an individual's age;
- Questions about a person's sex life;
- The use of obscene gestures;
- Excluding an individual because they are associated or connected with someone with a protected characteristic, e.g. their child is homosexual, spouse is Asian, or parent is disabled;

- Ignoring an individual because they are perceived to have a protected characteristic when they do not, in fact, have the protected characteristic, e.g. an employee is thought to be Jewish, or is perceived to be a transsexual;
- The open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, e.g. magazines, calendars or pin-ups;
- Cyber bullying – using technology to harass, threaten, embarrass or target another person;
- Isolation or non-cooperation at work; and
- Excluding someone from work or social activities.

Legitimate and constructive fair criticism of an individual's performance or behaviour at work is not bullying or harassment.

It is unacceptable to condone bullying behaviour under the guise of a particular management style. Effective management obtains results whilst ensuring that employees are treated with dignity and respect.

Individuals who are concerned that their comments or behaviour may have caused offence are encouraged to mitigate the impact on others around them by acknowledging this and offering an apology.

WHAT IS VICTIMISATION

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

Provided that you act 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 against you.

Making a complaint which you know to be untrue, or giving evidence you know to be untrue, may lead to disciplinary action being taken against you.

WORK RELATED SOCIAL EVENTS

On occasions employees, volunteers, and third parties may be requested by the Company to attend social events, which may include a wide range of social gathering from sector specific events, work related social events, to employee/management forums and employer events. Although such social events usually take place away from the workplace and outside of normal working hours, the Company's standard code of conduct applies to such events as these can be classed as an extension of employment, for example a leaving party, a conference or training event.

Employees should remember that even though these types of gatherings are classed as social events they are still representing the Company and therefore the same values and principles that are relevant throughout our working days are still applicable. It is in everyone's interests that we expect everyone to adhere to certain procedures. We aim to ensure that everyone can enjoy work-related social events in an atmosphere of conviviality without fear of being made to feel uncomfortable by another person's conduct.

Specifically, those who attend work-related social events must adhere to the Company Values and the following principles:

- Should you decide to consume alcohol, do so only in moderation, irrespective of whether the Company provides or pays for the drinks;

- The use of illegal drugs (including 'legal highs') and substances, including cannabis, whether on Company premises or not is strictly prohibited (please refer to the Alcohol, Drug & Substance Abuse policy for further information);
- You should not say or do anything that could offend, intimidate, embarrass or upset any other person, whether as a joke or not;
- Swearing and intemperate language is unacceptable;
- You must not behave in any way that could bring the Company's name into disrepute.

Employees should, in advance, consider how they will return home following a work-related social event. Driving when under the influence of drink or drugs is illegal and strictly prohibited.

7.2 Third Party Attendance

Third parties may often be invited to attend such Company events. It is the responsibility of our employees who invite such third parties to make them aware of this Policy and the appropriate standards of behaviour expected.

7.3 Absence

Unauthorised absence the day following a work-related social event may be treated as a disciplinary issue.

WHAT SHOULD I DO IF I THINK I AM BEING BULLIED OR HARASSED?

1 Informal

You may be able to sort matters informally. Some people are unaware that their behaviour in some circumstances is unwelcome, upsetting and that it could be deemed to be bullying or harassment. If it is clearly pointed out to them that their behaviour is unacceptable, the problem can in most circumstances be resolved. With this in mind, this procedure includes informal as well as formal action to deal with complaints of bullying.

An informal discussion may help them to understand the effects of their behaviour and agree to change it. You may feel able to approach the person yourself, or with the help of your manager or Senior Management team. Alternatively, an initial approach could be made on your behalf by one of these people.

You should tell the person what behaviour you find offensive and unwelcome and say that you would like it to stop immediately. You may want to add that, if the behaviour continues, you intend to make a formal complaint to your manager or a member of the Senior Management team.

You should keep a note of the date of each incident, who was involved, what was said and done and the names of any witnesses. This will be useful evidence if the unacceptable behaviour continues and you wish to make a formal complaint.

If you feel unable to adopt the above approach, or you believe the bullying is of a very serious nature, you should approach a member of the Senior Management team who will provide informal advice in confidence.

8.2 Formal

If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you can make a formal complaint by using the Company's Grievance Procedure. Further details on this procedure can be found under the Grievance Policy.

You will have the right to be accompanied by a work colleague or trade union representative of your choice at any formal meeting dealing with your grievance.

In very serious cases, a criminal offence may have been committed and you may wish to report matters to the police. Your Manager can discuss this with you and arrange for someone to accompany you to make this type of complaint.

SOURCES OF SUPPORT

Support for managers and individuals encountering bullying and harassment can be sought via the Senior Management team.

INVESTIGATION

All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser.

The Company will appoint an Investigating Manager/Officer who will be responsible for ensuring a thorough investigation of the complaint. This will normally be a Manager supported by a member of the Senior Management team, neither of whom has had any prior involvement in the matter.

As a first stage in the investigation, the Manager will arrange to interview you, and the person against whom the complaint has been made, and any relevant witnesses.

You will be kept informed of the general progress of the process of the investigation and a written outcome will be provided to you. On determining an outcome, the Company will decide on a balance of probabilities, after considering all available evidence, whether or not harassment or bullying has occurred.

Wherever possible, the Company will try to ensure that the complainant and the alleged harasser are not required to work together whilst the complaint is under investigation. This could involve giving you the option of remaining home on special leave, if you wish. In a serious case, the alleged harasser may be suspended whilst investigation and any disciplinary proceedings are underway.

Where the investigation confirms that an act of bullying and harassment has taken place, the complaint will be upheld and dealt with as an act of gross misconduct under the Company Disciplinary Procedure, the sanction for which may include dismissal.

If a complaint is not upheld, the Senior Management team will support the individual, the alleged harasser and the appropriate Manager in making arrangements for all parties to continue or resume working and to help repair working relationships. This may include attending Mediation.

Individuals have a right not to be victimised for either making a complaint in good faith, or supporting a colleague to do so, even if the complaint is not upheld. Disciplinary action will be taken where the Company has good reason to believe that victimisation has taken place against the complainant or individuals giving evidence in support of the complaint.

However, making a complaint which is held to be untrue or not submitted in good faith may lead to disciplinary action being taken against the complainant.

10.1 Timescales

All complaints will be handled and investigated in a timely and confidential manner. The investigation should normally be concluded within 14 working days of the formal complaint being received. If it is not possible to complete the investigation within that timescale, the complainant will be advised of this and given a date when the investigation is expected to be complete.

WHAT HAPPENS IF I AM ACCUSED OF BULLYING OR HARASSMENT?

1 Informal

If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were only joking or think the complainant is being too sensitive. Remember that different people find different things acceptable and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.

You may have offended someone without intending to. If that is the case, the person concerned may be content with an explanation and an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence.

Provided that you do not repeat the behaviour, which has caused offence, it is likely that the matter will be resolved at that stage.

11.2 Formal

If a formal complaint is made about your behaviour, this will be fully investigated and the Company may bring disciplinary proceedings, if appropriate. The Company will follow its disciplinary procedure and you will have the rights set out in that procedure. You will have the right to be informed of the allegations against you and to put forward your version of events and to be accompanied to meetings by a trade union representative or work colleague of your choice.

The procedure will be implemented at the appropriate stage and where substantiated dealt with as an act of gross misconduct under the Company Disciplinary Procedure, the sanction for which may include summary dismissal without notice.

CONFIDENTIALITY

The Company will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Investigations of allegations will normally require limited disclosure on a "need to know" basis. For example, your identity and the nature of the allegations must be revealed to the person you are complaining about, so that they are able to respond to the allegations.

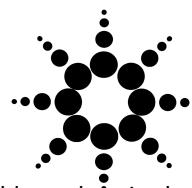
Some details may also have to be given to potential witnesses, but the importance of confidentiality will be emphasised to them.

If the complaint is upheld, and a person who has been found to have harassed you is kept in the Company's employment, Managers may need to be given some information where this is necessary for them to manage the risk of further harassment by that person against you or others.

RESPONSIBILITIES

We all have a responsibility to help create and maintain a work environment free of bullying and harassment. You can help do this by:

- Being aware of how your own behaviour may affect others and changing it, remember you can still cause offence even if you are "only joking";
- Treating your colleagues with dignity and respect;
- Taking a stand if you think inappropriate jokes or comments are being made;



- Making it clear to others when you find their behaviour unacceptable, unless it should be obvious in advance that this would be the case;
- Intervening, if possible, to stop bullying or harassment and giving support to recipients;
- Making it clear that you find bullying and harassment unacceptable;
- Reporting harassment or bullying to your manager or a member of the Senior Management team and supporting the Company in the investigation of complaints; and
- If a complaint of bullying or harassment is made, not prejudging or victimising the complainant or alleged harasser.

13.1 Manager Responsibilities

Managers have a particular responsibility to:

- Set a good example by their own behaviour;
- Ensure that there is a supportive working environment;
- Make sure that staff know what standards of behaviour are expected of them;
- Take positive steps to ensure that bullying or harassment does not occur; and
- Report promptly to your People Manager any complaint of bullying or harassment, or any incident of bullying or harassment witnessed by them.

TRAINING

The Company will provide training to all existing and new employees and others engaged to work at the Company to help them understand their rights and responsibilities under this policy and what they can do to help create a working environment free of bullying and harassment.

The training is mandatory for all employees and will involve an e-learning course via ACAS (Equality and Diversity). Training will be tracked to monitor and assess individual participation and progress on a periodic basis.

MONITORING AND REVIEW

This policy will be monitored annually by the Company to review its effectiveness and will be updated in accordance with changes in the law and the outcomes of cases where complaints of bullying and harassment have been made to check that the proper procedures have been followed and to identify any points that can be learned from those cases and implement any necessary changes.

The Company may also monitor and review how successful we are in creating a workplace free of bullying and harassment which will include review of this policy and its effectiveness through the use of confidential employee opinion surveys, new starter reviews and exit questionnaires.

Issue	Issue Date	Author	Revision Notes
1	23/11/2017	Ellen Mould	Issue of Policy
2	05/03/2018	Ellen Mould	Policy Reviewed
3	28/01/2019	Ellen Mould	Policy reviewed
4	18/03/2020	Ellen Mould	Reviewed and checked
5	25/03/2021	Ellen Mould	Policy reviewed and ratified with team