

## **Non contractual policy – UK**

### **Anti-Harassment, Sexual Harassment or Bullying**

Harassment is not permitted or condoned in the work environment under any circumstances. Everyone must be treated fairly and is entitled to work in an environment free from harassment, victimisation and bullying.

All employees are strongly urged to become familiar with behaviour that may be construed as harassment as detailed in the Company Harassment Policy in Section 5 of the Employee Handbook and pub-based employees should be particularly mindful of how their behaviour may be received or interpreted as their working environment and customer interaction provides a more social and relaxed workplace atmosphere. All employees should remember that this policy applies to Company social functions and training events and the policy of no harassment applies to colleagues, customers, contractors and visitors.

### **Anti-Harassment Policy - Why do we have a Harassment Policy?**

Harassment is harmful. It can subject individuals to fear, stress and anxiety. Great strains can be put on work, personal and family life. Harassment can lead to illness, accidents, absenteeism, and poor performance, an apparent lack of commitment and employee turnover.

### **The Company's Commitment**

As a Company we are committed to being a business in which everyone is treated fairly, with dignity and without intimidation. This includes providing an environment free from harassment due to any protected characteristic (race/nationality/ethnic origin; religion or belief; age; disability; sex/ gender identity; gender reassignment/trans; sexual orientation; marital status/ civil partnership; pregnancy or maternity).

### **Anti-Harassment**

Harassment is unwanted conduct related to a relevant protected characteristic and that has the purpose or effect of violating another employee's dignity at work or that creates an intimidating, hostile, degrading, humiliating or offensive environment for another employee at work.

The legally defined protected characteristics under the Equality Act are:

1. Age
2. Disability
3. Race
4. Religion or belief,
5. Sex,
6. Sexual orientation,
7. Gender reassignment,
8. Marriage or civil partnership,
9. Pregnancy or maternity.

Harassment can take many forms:

- Unwanted physical conduct and behaviour of a sexual nature such as unnecessary touching, patting, pinching, brushing against another person's body, insulting or abusive behaviour or gestures, physical threats, assaults, coerced sexual intercourse or rape.
- Unwanted verbal conduct (name calling, abusive language, mockery) or unwanted non-verbal conduct (social media/text messages or pictures, notices or written comments) related to an individual or groups race/nationality/ethnic origin, religion or belief, age, disability, sex/ gender identity, gender reassignment/trans, sexual orientation, marital status/civil partnership, or pregnancy/maternity will not be tolerated. This includes conduct inside or outside of the workplace that denigrates, ridicules, intimidates or is abusive to the individual or group, and extends to exclusion of an individual from work or organised social activity.

## **Expected Standards**

- Every employee has a responsibility to behave in a way that is not offensive to others and to encourage others to do the same. You must ensure that your behaviour towards colleagues and customers does not cause offence and could not in any way be considered to be harassment.
- All employees should discourage harassment by making it immediately clear to any person who is harassing them or another that they find such behaviour unacceptable and by supporting those who are suffering such treatment and are considering making a complaint.
- All employees should alert a line manager to any incident of harassment as soon as it is practical to do so to enable the Company to deal with the matter and prevent any further escalation of the problem.
- In deciding whether or not harassment has taken place the Company will investigate the alleged comments or actions and the effect they had on the recipient, the intent to cause offence and any other relevant factors.
- If an employee feels unable to bring a concern to the attention of their line manager they should inform the next level of management immediately or if the matter is of a particularly confidential nature they can contact the Personnel & Training Department.

## **Breaches of Anti-Harassment Policy**

- Any complaints of harassment should be brought to the attention of the employee's line manager, or if that is not possible their line manager or the personnel team, immediately so the Company can address them appropriately.
- Disciplinary action, up to and including summary dismissal, will be taken against any employee failing to fulfil their responsibilities under this policy.
- Harassers, their supervisors and their line manager may be held personally liable in the event of any legal proceedings.
- From the outset or during an investigation into an allegation, the Company may relocate employees should it be considered necessary. (this may include the complainant/s if it is not practicable for business reasons to move other person/s at least prior to the conclusion of the investigation).
- Allegations that are proved to be false or malicious will be regarded as gross misconduct for disciplinary purposes, which could lead to action up to and including summary dismissal.

Any employee who makes a harassment complaint and fails to maintain proper confidentiality at any time during the process, or an employee who is interviewed in connection with someone else's complaint and likewise fails to maintain confidentiality, may be dealt with under the Company Disciplinary and Dismissal procedures.

### **Anti-Bullying**

Bullying is defined separately to harassment and includes persistent criticism and personal abuse, either in public or private, which humiliates or demeans the individual(s) involved. It is different to harassment by definition but it can include harassment and harassment can include bullying if it is related to a relevant protected characteristic. Bullying can be harmful. It can subject individuals to fear, stress and anxiety and cause individuals to not attend work or leave the Company altogether. Great strains can be put on work, personal and family life by bullying at work. Bullying can cause illness, accidents, absenteeism, and poor performance, an apparent lack of commitment and employee turnover.

Constructive criticism about your behaviour or performance from your manager or colleagues is not bullying. It is part of normal employment and management routine, and should not be interpreted as anything different.

The Company does not tolerate bullying and it will investigate complaints of bullying and if necessary take disciplinary action, up to and including summary dismissal, against any employee knowingly bullying another employee or failing to fulfil their responsibilities under this policy. Individuals bullying others, and their line manager, may be held personally liable in the event of any legal proceedings.

## **Cyber Bullying**

This is bullying that is conducted through any form of social media, including blogs and social networking sites. It also includes but is not limited to text messages, inappropriate postings or photographs, offensive or threatening comments or sensitive personal information being posted to others (including outside of work). The Company views cyber bullying as unacceptable behaviour and if complaints are founded the conduct will be treated as a breach of the Company's Anti-Bullying Policy and it may be dealt with under the Disciplinary and Dismissal Procedures.

Any employee who makes a bullying complaint and fails to maintain proper confidentiality at any time during the process, or an employee who is interviewed in connection with someone else's complaint and likewise fails to maintain confidentiality, may be dealt with under the Company Disciplinary and Dismissal procedures.