

# Anti-Harassment and Bullying Policy

The purpose of this policy is to ensure that everyone is treated, and treats others, with dignity and respect, free from harassment and bullying. We should always consider whether words or conduct could be offensive. Even unintentional harassment or bullying is unacceptable.

This policy covers harassment or bullying which occurs both in and out of the workplace, such as on business trips or at events or work-related social functions. It covers bullying and harassment by employees and also by third parties such as customers, suppliers or visitors

We will take allegations of harassment or bullying seriously and address them promptly and confidentially where possible. Harassment or bullying by an employee will be treated as misconduct under our Disciplinary Procedure. In some cases, it may amount to gross misconduct leading to summary dismissal.

Any instances of harassment or bullying should be reported to the **HR Director**.

We follow a procedure to ensure fair and confidential treatment of all involved in any instance of alleged harassment or bullying. This involves advice to all on how assess and report issues. This policy is available to employees in our Staff Handbook

In the first instance individuals are advised to raise the issue informally with others and work towards a resolution suitable for all.

If this does not resolve the situation then there is a formal procedure to follow - see below

## **Raising a formal complaint**

If you wish to make a formal complaint about bullying or harassment, you should submit it in writing to the **HR Director** whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned. If the matter concerns that person, you should refer it to a Director.

Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all employees and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

## **Formal investigations**

We will investigate complaints in a timely and confidential manner. Individuals not involved in the complaint or the investigation should not be told about it. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint. The investigation should be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned. We will arrange a meeting with you, usually within one week of receiving your complaint, so that you can give your account of events. You will be given a provisional timetable for the investigation. The investigator will arrange further meetings with you as appropriate throughout the investigation. Where your complaint is about an employee, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. The investigator will also meet with the alleged harasser or bully to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond. Where your complaint is about someone other than an employee, such as a contractor, customer, service user, supplier, or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party. We will also seriously consider any requests that are made eg changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours so as to avoid or minimise contact with the alleged harasser or bully. It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasized to them. At the end of the investigation, the investigator will submit a report to the **HR Director** nominated to consider the complaint. The **HR Director** will arrange a meeting with you, usually within a week of receiving the report, in order to discuss the outcome and what action, if any, should be taken. A copy of the report and the **HR Director's** findings will be given to you and to the alleged harasser.

## **Action following the investigation**

If the **HR Director** considers that harassment or bullying has occurred, prompt action will be taken to address it.

Where the harasser or bully is an employee the matter will be dealt with as a case of possible misconduct or gross misconduct under our Disciplinary Procedure.

Where the harasser or bully is a third party, appropriate action might include putting up signs setting out acceptable and unacceptable behaviour; speaking or writing to the person and/or their manager about their behaviour; or, in very serious cases, banning them from the premises or terminating a contract with them.

Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the alleged harasser or bully. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties.

Any individual who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to disciplinary action or termination of contract.

## **Appeals**

If you are not satisfied with the outcome you may appeal in writing to the **HR Director** stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you. We will hold an appeal meeting, normally within one week of receiving your written appeal. This will be dealt with impartially by a manager who has not previously been involved in the case (although they may ask anyone previously involved to be present). We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.

## **Protection and support for those involved**

Individuals who make complaints or who participate in good faith in any investigation conducted under this policy must not suffer any form of retaliation or victimisation as a result. If you believe you have suffered any such treatment you should inform **a Director**. If the matter is not remedied, you should raise it formally using our Grievance Procedure or this procedure if appropriate. Anyone found to have retaliated against or victimised someone for making a complaint or assisting in good faith with an investigation under this procedure will be subject to disciplinary action under our Disciplinary Procedure.

## Confidentiality and Data Protection

Confidentiality is an important part of the procedures provided under this policy. Everyone involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. Breach of confidentiality may give rise to disciplinary action under our Disciplinary Procedure.



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