



GENIUS JUNCTION

# **Genius Junction**

## **Bullying and Harassment Policy**

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### **1. Scope**

This policy applies to all colleagues and is non-contractual and without prejudice to your statutory rights.

### **2. Policy Statement**

The Company expects its colleagues to behave in a professional way towards all colleagues, both at work and socially. The Company seeks to eliminate any form of bullying and harassment at work and to promote equal opportunities for all colleagues regardless of gender, trans-gender status, marital status, sexual orientation, religious belief, race, age, Trade Union membership, pregnancy/maternity, or disability.

Harassment may be construed as discrimination.

Bullying may be defined as offensive, intimidating, malicious or insulting behavior, an abuse or misuse of power through means intended to undermine, humiliate, or injure the recipient.

Harassment may be defined as any conduct that is unsolicited, unwanted and fails to respect the individual. It may be persistent or an isolated incident and may be directed towards one or more individuals. Harassment may be intentional or unintentional and is determined by the perceptions and feelings of the other person to whom the behavior is directed.

It is not always necessary for the individual to be in the same room for bullying or harassment to take place. The potential for harassment or bullying by telephone and letter has now expanded to include 'cyber-bullying' i.e. via emails, text messages and material posted on web sites, including personal blogs, social networking sites or similar.

It is the duty of ALL colleagues to accept their personal responsibilities for the application of this policy. The Company acknowledges the responsibility of management to create an appropriate working environment and to protect colleagues from bullying and enable them, if necessary, to make a complaint or assist in an investigation

without fear of reprisal. This policy aims to ensure that if inappropriate behavior does occur in the workplace it is dealt with promptly, fairly, sensitively and to prevent victimization.

### **3. Principles**

Bullying, harassment, or victimization in any form will not be condoned at work, or outside work if it has a bearing on the working relationship. Remit has a zero-tolerance approach. This includes behavior either in person or via other methods. Any instance of this or other inappropriate behavior that is likely to cause offence or breach the dignity and respect of colleagues will be regarded as serious misconduct. Colleagues responsible for such behavior will be subject to disciplinary action, up to and including summary dismissal, depending on the nature and seriousness of the behavior.

The Company does not tolerate physical or verbal behavior which:

- Causes an individual to feel threatened, intimidated, or humiliated;
- Adversely affects an individual's personal dignity;
- Interferes with an individual's job performance;
- Undermines an individual's job security;
- Physical harassment - ranging from unnecessary physical body contact to assault; and
- Excludes the person or group from normal conversation, work assignments, work-related social activities, and networks in the workplace.

Examples of possible offences may include:

- Discriminatory, vulgar, or offensive jokes or banter;
- Offensive language, shouting or swearing, including discriminatory references;
- Unacceptable derogatory personal comments;
- Intimidating manner toward/from colleagues or customers;
- Unacceptable personal demands i.e. unrelated to requirements of the business;
- Threatened or actual assault;
- Inequality of treatment toward colleagues at any level;
- Offensive remarks/behavior or intimidation from colleague's relatives/relations; and
- Detrimental texts, comments or images of work colleagues which could cause offence via mobiles, e-mail, social networking sites etc.

This list is not exhaustive and colleagues should note that the motive behind any offence is irrelevant. The intent will not be negating the breach of policy.

In each case, the action will be viewed in terms of the distress caused to the individual.

## **4. Responsibility**

All colleagues are responsible for ensuring we help and support each other at work and therefore comply with the guidelines laid out in this policy. It is important to be aware of the problems that bullying and harassment can cause to ensure that a colleague's own behavior does not cause concern or offence to others. Any colleague who is aware or receives a complaint of bullying must respect confidentiality and should encourage the person to report the incident in line with this policy.

The complainant must be assured that they will not be discriminated against or victimized for raising a complaint. Confidentiality will be observed throughout and any need for disclosure of the details will be discussed and agreed in advance.

## **5. Procedure**

If the organisations have grounds to believe that a colleague may have been bullying or harassing another colleague, whether there has been a formal complaint, the organisations will instigate an investigation into the alleged bullying and/or harassment.

All colleagues have the absolute right to complain where they believe another colleagues' conduct amounts to bullying and harassment. Where appropriate, the colleague may wish to speak directly to the individual whose actions have caused offence and ask them to stop. This may result in an informal resolution.

The colleague against which the allegations are made should be given the opportunity to respond as part of the investigation process.

In the event of any doubt on how to escalate a complaint, the People team are available to provide confidential support and advice as required.

If it has not been possible, or it is not appropriate to resolve the matter informally, the colleague should put a formal grievance in writing to the appropriate manager.

The Company's 'Grievance Policy' is available on Fuse for further information. At this stage, the colleague should seek advice from their line manager or the People Department as required.

The line manager, or an appropriate independent manager must initiate an appropriate confidential investigation with a view to resolving the matter as quickly as possible.

Temporary relocation or authorized paid leave may be considered to facilitate a full and fair investigation.

Bullying, harassment, or victimization may constitute gross misconduct and must be fully investigated on every occasion under the disciplinary policy.

As soon as possible following the conclusion of the investigation, the organisations will inform the colleague suspected of bullying or harassment as to the outcome. The organisations will decide at that point whether it is appropriate to instigate disciplinary action against the colleague. Any disciplinary proceedings will, where possible, be conducted by a different manager from the person who conducted the investigation.

## **Notes**

- If the bullying, harassment, or victimization relates to the colleague's manager and the colleague does not feel able to raise this in the first instance with him/her, the colleague should inform their manager's manager or the People Department who will arrange for the matter to be investigated by a suitable member of management;
- Any colleague found in breach of this policy may be subject to disciplinary action up to and including dismissal;
  - In cases of discrimination-based harassment, the consequences for employers and individuals can be serious;
- The organisations reserve the right to suspend or temporarily redeploy either the colleague suspected of bullying or harassment or the colleague raising a complaint of bullying or harassment during the investigations, if it is considered in the best interests of the individual(s) or the organisations to do so. Suspension in these circumstances does not constitute disciplinary action and will be on full pay.

**The Company will fully support any colleague who brings a complaint of bullying, harassment, or victimization but if that complaint is found to be untrue and has been brought irresponsibly, they may be subject to disciplinary action.**

All Line Managers are responsible for operating within and maintaining these guidelines within their department.

Approved By:  
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