

ANTI-HARASSMENT AND BULLYING POLICY

Statement and Purpose of Policy

1. Intelligence Recruitment (the **Employer, we or us**) is committed to providing a work environment free from harassment and bullying and ensuring that all staff are treated, and treat others, with dignity and respect.
2. This Policy does not form part of any employment contract and the Employer retains the right to amend it at any time, in its absolute discretion.

What Does This Policy Cover?

3. This Policy covers harassment, victimisation and bullying which takes place within and outside of the workplace, including on business trips, work-related social functions or events.
4. This Policy applies to all staff, irrespective of seniority, tenure and working hours, including all directors and officers, casual or agency staff, trainees, interns, fixed-term staff, volunteers, consultants and contractors. It also covers harassment and bullying by third parties, such as customers, suppliers or visitors to the business premises.

What is Harassment?

5. Harassment is defined as unwanted conduct related to a relevant protected characteristic (within the Equality Act 2010) which has the effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
6. Unlawful harassment may involve conduct of a sexual nature or it may be related to age, race, colour or nationality, ethnic or national origins, sex, gender reassignment, sexual orientation, disability, religion or belief, pregnancy or maternity.
7. Harassment can arise in some cases even though the person complaining does not actually possess a protected characteristic but is perceived to have it (for example, when a person is harassed because they are (wrongly) believed to be homosexual) or associates with other people who possess a protected characteristic (for example, because they have a spouse who is Muslim).
8. A person may also be subject to harassment even if they were not the intended target. For example, a person may be harassed by a sexist joke about a different gender if it creates an offensive environment for them to work in.
9. Examples of harassment include, but are not limited to:
 - a. use of insults or slurs based on a protected characteristic or of a sexual nature or other verbal abuse or derogatory, offensive or stereotyping jokes or remarks;
 - b. physical or verbal abuse, threatening or intimidating behaviour because of a protected characteristic or behaviour of a sexual nature;
 - c. unwelcome physical contact including touching, hugging, kissing, pinching or patting, brushing past, invading personal space, pushing grabbing or other assaults;
 - d. mocking, mimicking or belittling a person's disability, appearance, accent or other personal characteristics;
 - e. offensive or intimidating gestures or comments (regardless of if they were made in person, over emails, text messages or in social media content);
 - f. unwelcome requests for sexual acts or favours, verbal sexual advances, vulgar, sexual, suggestive or explicit comments or behaviour;

- g. repeated requests, either explicitly or implicitly, for dates;
 - h. repeated requests for social contact or after it has been made clear that requests are unwelcome;
 - i. comments about body parts or sexual preference;
 - j. displaying or distributing offensive or explicit pictures, items or materials relating to a protected characteristic or of a sexual nature;
 - k. shunning or ostracising someone, for example, by deliberately excluding them from conversations or activities;
 - l. 'outing' or threatening to 'out' someone's sexual orientation (i.e. to make it known);
 - m. explicit or implicit suggestions that employment status or progression is related to toleration of, or acquiescence to sexual advances, or other behaviour amounting to harassment;
 - n. racists, sexist, homophobic or ageist jokes, and stereotypical remarks about a particular ethnic or religious group or gender;
 - o. posters, graffiti, obscene gestures, flags and emblems; and
 - p. isolation from normal work or study places, conversations or social events.
10. Other important points to note about harassment:
- a. a single incident can amount to harassment;
 - b. behaviour that has continued for a long period without complaint can amount to harassment;
 - c. it is not necessary for an individual to intend to harass someone for their behaviour to amount to harassment;
 - d. it is not necessary for an individual to communicate that behaviour is unwelcome before it amounts to harassment; and
 - e. the burden is on each individual to be certain that their behaviour and conduct is appropriate and is not unwanted and, in the case of doubt, you must refrain from such conduct.

What is Victimisation?

- 11. Victimisation occurs where a member of staff is subjected to detrimental treatment because they have, in good faith, made an allegation of harassment, or has indicated an intention to make such an allegation, or has assisted or supported another person in bringing forward such an allegation, or participated in an investigation of a complaint, or participated in any disciplinary hearing arising from an investigation.
- 12. We seek to protect all staff from victimisation arising as a result of bringing a complaint or assisting in an investigation where they act in good faith. Victimisation is a form of misconduct which may itself result in a disciplinary process.

What is Bullying?

- 13. Bullying is any behaviour, be it physical, verbal or non-verbal, that is offensive, intimidating, malicious or insulting and that involves a misuse of power (e.g. a position of authority or physical strength), which can result in a person feeling vulnerable, upset, humiliated, undermined or threatened.
- 14. Examples of bullying include, but are not limited to:
 - a. unfair treatment;
 - b. inappropriate and/or derogatory remarks about a person's performance;
 - c. physical or psychological threats;
 - d. overbearing and intimidating levels of supervision;

- e. abuse of authority or power by those in positions of seniority;
 - f. constantly changing targets in order to cause someone to fail;
 - g. making false allegations; and
 - h. deliberately excluding someone from meetings or communications without good reason.
15. On their own, any reasonable, legitimate and constructive criticism or comments of a person's performance or behaviour, or reasonable instructions given in the courts of employment, will not amount to bullying.

What If You Are Being Bullied or Harassed?

16. If you are being bullied or harassed, consider if you feel able to raise the problem informally with the person responsible. Clearly explain to them that their behaviour is unwanted and makes you feel uncomfortable. If you cannot speak to the responsible person (for example, because it is too difficult or embarrassing), speak to your line manager or the Employer's HR Department, who can provide confidential advice and assistance in resolving the issue formally or informally.
17. If you are uncertain whether an incident or series of incidents amounts to bullying or harassment, contact your line manager or HR Department for confidential advice.
18. If your request is ignored, the bullying or harassment continues and/or you would prefer to take formal action, you should raise the matter formally under the Employer's Grievance Procedure.
19. Your complaint will be investigated in a confidential and timely manner, by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation, including the names of the person accused of bullying or harassment and the person making the complaint, will be disclosed on a 'need to know' basis. We will also consider if any steps are necessary to manage the ongoing relationship and the person accused of bullying or harassment.
20. When the investigation is completed, you will be informed of the Employer's decision. If we consider that you have been bullied or harassed by a staff member, we will deal with the matter under the Employer's Disciplinary Procedure as a case of possible misconduct or gross misconduct. If we consider that you have been bullied or harassed by a third party, such as a customer or visitor, we will consider what actions will be appropriate to deal with the problem. If you are unhappy with the decision, you can raise an appeal under the Employer's Grievance Procedure.
21. Regardless of whether your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Supporting and Protecting Those Involved

22. Staff who make complaints or who participate in good faith in any investigation under this Policy must not suffer any form of victimisation or retaliation as a result. If you believe to have suffered such treatment, speak to your line manager or HR Department. If the matter is not resolved or remedied, raise it formally under the Employer's Grievance Procedure, where appropriate.
23. Anyone found to have victimised or retaliated against someone will be subject to disciplinary action under the Employer's Disciplinary Procedure.
24. If an investigation under this Policy concludes that a malicious or false claim of bullying or harassment has been made, the complainant may be subject to disciplinary action under the Employer's Disciplinary Procedure.

What Measures are in Place to Prevent Sexual Harassment in Intelligence Recruitment's Workplace

25. The Worker Protection (Amendment of Equality Act 2010) Act 2023 requires all employers to have reasonable preventative measures in place to prevent sexual harassment from occurring in relation to their employees, workers, apprentices, contract workers, partners, members of an LLP, office holders and job applicants in the workplace. This is inclusive of protecting staff members and those listed above from all seniority levels of staff and third parties.
26. Sexual harassment is unlawful and is not tolerated at Intelligence Recruitment's place of business. Incidents of sexual harassment may lead to disciplinary action up to and including dismissal and, if a matter constitutes a criminal offence, reporting of the matter to the police.
27. Sexual harassment includes, but is not limited to, conduct such as:
 - a. sexual comments or jokes;
 - b. showing sexually graphic images (including pictures, posters and photographs);
 - c. making proposals or advances of a sexual nature;
 - d. suggestive or provocative looks, staring or leering (indecent or unpleasant gazing);
 - e. sexual gestures;
 - f. requesting sexual favours (i.e. sexual or inappropriate acts) in exchange for providing something in return (i.e. help with work or a promotion/raise);
 - g. engaging in discussions or asking intrusive questions about staff members' sexual lives;
 - h. spreading sexual rumours about someone;
 - i. sexual comments, messages, or posts on social media;
 - j. sending or exchanging sexually explicit text messages, emails, or other communications;
 - k. unsolicited and unwanted hugging, touching, caressing, massaging, or kissing; and
 - l. less favourable treatment of someone due to their rejection of or submission to another's unwanted previous sexual misconduct (such as the examples above).
28. Intelligence Recruitment aims to anticipate scenarios where sexual harassment may occur and will take action to prevent these from occurring. Where sexual harassment has occurred, we will take all reasonable measures to prevent this from recurring.
29. We will run regular training and refresher sessions to help our staff members understand sexual harassment, the impact it has in the workplace, and Intelligence Recruitment's processes and procedures for preventing and handling sexual harassment. Staff will be trained on what action they should take if they witness or experience sexual harassment, how to make a complaint (as set out in this policy under 'What if you are being bullied or harassed?'), and how to handle complaints surrounding harassment.
30. We encourage supervisors and managers to engage in regular one-to-one check-ins, run staff surveys, and keep an open-door policy with the staff members that they manage to create and sustain a safe environment for staff to engage in sensitive conversations.
31. We will undertake regular risk assessments to determine which factors increase the likelihood of sexual harassment within the workplace and will take actions to manage risks identified. Based on our risk assessments, we will adapt our training sessions to target factors that can increase the likelihood of sexual harassment. Exit interviews will be held for any staff members exiting the business to ensure that no misconduct is going unseen.
32. We have designated 'Safe Space Champions'. If anybody has witnessed or suffered sexual harassment, they should consider first speaking to the Safe Space Champions if possible. All HR managers are designated Safe Space Champions. If this is not a viable course of action, staff members can consider utilising our informal reporting procedure.
33. Where a sexual harassment report or complaint has been made, formally or informally, we will act immediately to resolve the issue taking into account how the staff member who has been victimised would like the issue resolved. This includes protecting the complainant or reporter against ongoing harassment and/or retaliation.

34. We recommend that staff members who have been sexually harassed and/or victimised should additionally seek out external support from:
 - a. the Equality Advice & Support Service: by phone at 0808 800 0082 or online at <https://www.equalityadvisoryservice.com/>.
 - b. Protect: by phone at 020 3117 2520 or online at <https://protect-advice.org.uk/>.
 - c. Sarsas: by phone at 0117 929 9556 or online at www.sarsas.org.uk.
35. Intelligence Recruitment commits to monitoring, reviewing and improving this Anti-Harassment and Bullying Policy and our wider policies and processes for preventing sexual harassment at least 12 months.

Keeping Records

36. Information regarding any complaints made by or about a member of staff may be recorded on their personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. Such data will be processed in accordance with the Employer's Data Protection and Data Security Policy available from your line manager or the HR department.
37. For more information on how we use personal data, refer to the Privacy Notice, which is available from your line manager or the HR Department.

Attribution

38. This Anti-Harassment and Bullying Policy was created using a document from [Rocket Lawyer](https://www.rocketlawyer.com/gb/en) (<https://www.rocketlawyer.com/gb/en>).