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Harassment Policy Template

# About this policy

This harassment policy is designed as an addendum to an existing equality-focused policy, or as a special insert.

# Introduction

In order to ensure all our staff feel comfortable raising any concerns they have regarding harassment, we have created a detailed harassment policy. We hope that the policy will be read by all staff and referred to, should any concerns arise. If you have any questions or require any clarifications regarding our harassment policy, please speak to [Enter name of relevant officer].

# The Equality Act 2010 – Harassment definition

Harassment occurs when a person engages in unwanted conduct that has the purpose or effect of violating your dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for you.

Harassment is also defined as unwanted conduct related to relevant protected characteristics that have the purpose or effect of violating your dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for you.

The relevant protected characteristics are:

* Age
* Disability
* Gender reassignment
* Marriage and civil partnership
* Pregnancy and maternity
* Race
* Religion or belief
* Sex
* Sexual orientation

# Sexual harassment

Sexual harassment is a particular type of discrimination which is typically defined as unwelcome sexual advances or other verbal, physical or non-physical conduct of a sexual nature in the workplace. This could be used as a factor in decisions affecting some aspect of employment or substantially interferes with an individual’s employment by creating an intimidating or hostile work environment. Unwelcome sexual advances, requests for sexual favours and other verbal, physical or non-physical conduct of a sexual nature that could constitute sexual harassment when:

* Submission to such conduct is either explicitly or implicitly made a term or condition of an individual’s employment
* Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual
* Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment or otherwise adversely affects an individual’s employment opportunities.

In addition, “romantic” or “consensual” relationships, dating or even isolated sexual encounters between senior and junior personnel may constitute or lead to sexual harassment because the junior person involved may not be a willing participant notwithstanding the perception of the senior person or statements of the junior person.

# Harassment through bullying

The Advisory, Conciliation and Arbitration Service (ACAS) defines bullying as offensive, malicious or insulting behaviour. It is an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure you. Bullying tactics can include hostile verbal or nonverbal communication, sabotage, exclusion, manipulation, and psychological or physical abuse.

# Examples of harassment behaviours

Examples of harassment behaviours include:

* Rape, molestation, assault or attempts to do any of these actions
* Physical assaults of a sexual nature such as touching, pinching, patting, grabbing or brushing against another person’s body.
* Making unwanted sexual advances or propositions
* Sexually orientated gestures, noises, remarks, jokes or comments about a person’s sexuality or sexual experiences
* Making a hostile work environment
* Putting people down or deliberately embarrassing them
* Making insulting or offensive comments or jokes
* Using insulting words or threatening body language
* Leaving offensive or discriminatory displays anywhere in the workplace, such as posters, graffiti, screensavers or other materials which may be demeaning or pornographic.
* Spreading malicious rumours
* Treating someone unfairly
* Picking on or regularly undermining someone
* Denying someone’s training or promotion opportunities
* Making threats or comments about job security without foundation
* Deliberately undermining a competent worker by overloading and constant criticism

# Purpose and scope

All organizations face the risk of harassment in the workplace.

[Enter Company’s name here] takes harassment very seriously. We encourage open communication from our employees. We want you to feel secure about raising your concerns. All staff have statutory protection if they raise concerns regarding harassment in the right way. This policy is designed to give staff that opportunity and protection.

It does not matter if you are mistaken. You do not have to prove anything about the allegation you are making but you must reasonably believe the information you have tends to show some form of harassment. This policy applies to employees, contractors and other workers within [Enter Company’s name here], including agency workers and those who work from home.

# What is whistleblowing

Whistleblowers are workers who report certain types of wrongdoing. You can raise a concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future. Confidentiality agreements cannot be used to silence whistleblowers.

**No employee should be afraid to be a whistleblower when it comes to harassment.**

There is a difference between whistleblowing and raising a grievance:

* Whistleblowing is where a person exposes any kind of information or activity which is deemed illegal, unethical or incorrect within an organization (e.g. because it threatens clients, third parties or the public).
* A grievance or complaint generally relates to your own employment position and does not have an additional public interest dimension.

# Your responsibility

Everyone is responsible for their own behaviour. You must:

* Treat everyone with dignity and respect
* Not bully or harass anyone
* Not victimise or attempt to victimise anyone who has made complaints of discrimination, or provided information to support a complaint
* Report incidents to your manager or Human Resources (HR) if you think they are inappropriate.

Managers should make sure that staff reporting to them are aware of this policy. If you are a manager, you must take action if you become aware that bullying, harassment or victimisation is happening. It is not acceptable to say that bullying behaviour is part of your management style.

If you believe that discrimination is taking place, whether, against you or a colleague, it is important that you bring it to our attention in the ways set out in our policy.

# Our guarantee

[Enter Company’s name here] is committed to this policy.

If you use this policy to raise a concern, we give you our assurance that you will not suffer any form of retribution or detrimental treatment. We will treat your concern seriously and act according to this harassment policy. If you ask for a matter to be treated in confidence we will respect your request and only make disclosures to third parties, partners, or other staff with your consent. This assurance applies regardless of whether the subject matter of your concern, report or disclosure relates to this company, a client or third party.

# Procedure for raising concerns under this policy

If you are concerned about any form of malpractice covered by this policy, you should normally first raise the issue with your immediate supervisor. If for whatever reason, you feel you cannot tell your immediate supervisor, you should raise the issue with [Enter name of relevant officer].

Concerns can be raised orally or in writing. When raising the concern, you may choose to either include your identity or remain anonymous. You may wish to discuss your concern with a colleague before you formally raise it under this policy. However, remember that once you have raised your concern (alone or with your colleague), in the interests of everyone involved, **this is a confidential process.**

# Responding to concerns raised

After an employee has raised a concern, we will record that concern in our central Report Register which is maintained by [Enter name of relevant officer].

We will then decide how to respond in a responsible and appropriate manner under this policy. This will usually involve making internal enquiries first, but it may be necessary to carry out an investigation at a later stage. This may be formal or informal, depending on the nature of the concern raised. We will endeavour to complete investigations within a reasonable time. We will keep you informed of the progress of the investigation carried out and when it is completed. Please note that we will not be able to inform you of any matters that would infringe the duty of confidentiality owed to others.

# Raising your concern externally (exceptional cases)

The purpose of this policy is to give staff the opportunity and protection they need to raise concerns internally. We expect that in almost all cases, raising concerns internally would be the most appropriate action for you to take.

# Regulatory disclosures

If, for whatever reason, you feel you cannot raise your concerns internally and you reasonably believe the information and any allegations are substantially true, you can consider raising the matter with [Enter name of relevant officer].

# Wider disclosures

If you have good reasons for not using the internal or regulatory disclosure procedures described above, you may consider making a wider disclosure, e.g. by reporting the matter to the police or to the media.

**Caution:** if you make wider disclosures of this type will only be protected in certain circumstances (such as from dismissal or suffering detrimental treatment). [Enter Company’s name here] recommends that employees take independent legal advice before following this course of action.

# Respecting client and third-party confidentiality

When making external disclosures, you should be aware of your obligation to keep the affairs of a supplier confidential unless:

* Disclosure is required or permitted by law; or
* The supplier consents.

You should only divulge relevant information regarding a potential harassment incident to the appropriate staff member. Defaming a supplier without undergoing the correct procedure could needlessly defame a supplier.

# Consequences of breaching this policy

Those using the procedure outlined in this policy to raise a concern are assured that they will not suffer any form of retribution or detrimental treatment. To ensure the protection of all our employees, those who maliciously make a false allegation will be liable to disciplinary action.

# Further information

If you have any questions about the application of this policy, please contact the [Enter name of relevant officer].

# Monitoring and review

[Company name] will regularly monitor the effectiveness of this policy at least annually to ensure it is working in practice. We will provide information and/or training on any changes that are made.

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