



## WHAT THIS POLICY COVERS

As part of the Regal London overall commitment to equality of opportunity, it is fully committed to promoting a fair and harmonious working environment in which everyone is treated with respect and dignity and in which no individual feels bullied, threatened or intimidated. The aim of this policy is to prevent harassment, sexual harassment and bullying in the workplace which includes harassment, sexual harassment and bullying by other workers or by third parties you encounter while doing your job.

Harassment, including sexual harassment, will not be tolerated and is unlawful. Bullying in any form is unacceptable behaviour.

## WHAT IS HARASSMENT, SEXUAL HARASSMENT AND BULLYING?

Harassment, sexual harassment and bullying detract from a productive working environment and can impact on the health, confidence, morale and performance of those affected by it, including anyone who witnesses or has knowledge of the unwanted or unacceptable behaviour.

## DEFINITION OF HARASSMENT

Harassment is any unwanted physical, verbal or non-verbal conduct based on sex, sexual orientation, marital or civil partnership status, gender reassignment, religion or belief, age, race or disability which has the purpose or effect of violating the dignity of another individual or creates an intimidating, hostile, degrading, humiliating or offensive environment.

A single incident of unwanted or offensive behaviour can amount to harassment. Some examples are given below, but many forms of behaviour can constitute harassment.

These examples are:

- physical conduct, ranging from touching, pushing or grabbing to punching or serious assault
- verbal or written harassment through jokes, offensive language, defamatory remarks, gossip, threats or letters
- inappropriate posts or comments on or via social media commonly known as "cyber bullying"
- isolation, non-co-operation at work or exclusion from social activities
- coercion
- inappropriate personal contact, including intrusion by pestering or spying

## DEFINITION OF SEXUAL HARASSMENT

The Company has a legal duty to take reasonable steps to prevent sexual harassment of workers in the course of their employment, and this includes sexual harassment of workers by their colleagues (including consultants, contractors and agency workers) and by third parties. 'In the course of employment' can include behaviour at and following workplace events.

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of either violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

A single incident can amount to sexual harassment, and a person can be sexually harassed by someone of the same or a different sex.

Sexual harassment also includes treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex, in the past.

Sexual harassment is not always motivated by sexual interest – it can be used to humiliate or belittle, or to try and "put people in their place". A person may be sexually harassed even if they were not the intended target, for example by pornographic images displayed on a colleague's computer in the workplace.

Sexual harassment can include (but is not limited to):

- unwanted suggestions, propositions or sexual advances
- the sending or displaying of material that is pornographic or obscene, including e-mails, text messages, video clips, photographs, posters, emblems or any other offensive material
- coercion, including sexual favours
- sexual comments or jokes / banter
- suggestive looks, staring or leering
- intrusive questions about a person's private or sex life, or a person discussing their own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwelcome touching, hugging, massaging or kissing

The Company treats all allegations of sexual harassment and sexual misconduct with the appropriate level of seriousness.

Those found to have committed sexual harassment, or other sexual misconduct will face disciplinary action up to and including dismissal if they are committed in a work situation or during any situation related to work (such as at or following a social event with colleagues).

The Company's strict zero-tolerance approach to sexual harassment and victimisation (see below) also applies where the allegations relate to a colleague or other person connected to the Company outside of a work situation (including on social media) and against anyone outside of a work situation where the incident is relevant to their suitability to carry out their role.

The Company will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

If any sexual harassment or victimisation of staff occurs, the Company will take steps to remedy any complaints and to prevent it from happening again.

## DEFINITION OF VICTIMISATION

Victimisation is subjecting a person to a detriment because of action they have taken, are suspected to have taken or are intending to take, to assert legal rights against discrimination or to assist a colleague in that regard.

Victimisation can take many forms, and may include, for example:

- making promises in return for sexual favours
- sexual gestures

## DEFINITION OF BULLYING

Bullying is offensive, abusive, malicious, intimidating or insulting behaviour, which, through the abuse of power, makes the recipient feel upset, threatened, humiliated or vulnerable.

Bullying can be a form of harassment and can undermine an individual's self-confidence and self-esteem and cause them to suffer stress. Bullying can take the form of physical, verbal and non-verbal conduct.

# HARASSMENT, SEXUAL HARASSMENT and BULLYING POLICY



As with harassment, there are many examples of bullying, which can include:

- shouting at or humiliating others
- high-handed or oppressive levels of supervision
- unjustified, offensive and/or insulting remarks about performance
- excluding employees from meetings, events or communications without good cause
- physical or emotional threats

Bullying can occur in the workplace (whether that is in the office or remotely) and outside of the workplace at events connected to the workplace, such as social functions or business trips and whether on or off Company premises.

## THIRD-PARTY SEXUAL HARASSMENT

Third-party harassment occurs where a person is harassed or sexually harassed by someone who does not work for, and who is not an agent of, the Company, but with whom they have come into contact during the course of their employment.

Third-party harassment could include unwelcome sexual advances from a client, customer or supplier of the Company visiting the Company's premises, or where a person is visiting a client, customer or supplier's premises in the course of their employment.

Third-party sexual harassment will not be tolerated, in the same way that sexual harassment committed by the Company's own staff is not tolerated.

All staff are encouraged to report any third-party harassment they are a victim of, or witness to, via the various channels provided for by this policy.

The Company will take active steps to try to prevent third-party sexual harassment of staff. If any third-party harassment of staff occurs, the Company will take steps to remedy any complaints and to prevent it happening again.

Any sexual harassment by a member of staff against a third-party may lead to disciplinary action up to and including dismissal.

## PROCEDURE

In order to raise a complaint of harassment, or bullying, please refer to the Company Grievance Procedure (outlined elsewhere in this Employee Handbook).

## SEXUAL HARASSMENT

the Company recognises that people who are being sexually harassed may have different needs and wishes. You have the opportunity to report sexual harassment formally (as above, using the Company grievance procedure).

Alternatively, you have the option of reporting the matter via a different channel (see below) and / or informally. There is always the option to report informally at first, and then proceed to a formal report later if you wish.

Those making a complaint will be asked if they wish to do so anonymously or if they are comfortable being named in the complaint. We fully recognise that staff may be nervous about putting their name to a complaint and, if so, that should be respected. Please note that:

- it may not be possible to guarantee anonymity. The alleged harasser may find out your identity, for example through context and by process of elimination, or the information could be disclosed as part of legal proceedings
- if you provide the complaint on an anonymous basis, it may not be possible to carry out a full and thorough investigation – the rules of natural justice dictate that

people should have the full case put to them so that they can provide their response

For those reasons, we encourage you to make any complaints on a named basis. The Company will, however, do everything reasonably possible to ensure your anonymity, if that is your preference.

You should be aware that you will not be disciplined or treated detrimentally in circumstances where your complaint has not been upheld; complaints of sexual harassment that are brought in good faith will not be punished even if, after a full investigation, there is no finding of sexual harassment made. However, any staff member who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under the Company's Disciplinary Procedure.

## OTHER WAYS TO REPORT SEXUAL HARASSMENT

In addition to the above, there are a number of ways in which sexual harassment can be reported as follows:

- to Ghislaine Halpenny, Director of ESG & Corporate Affairs: Ghislaine.Halpenny@regal.co.uk
- via the dedicated Company email address: hr@regal.co.uk

**Damien Cartmell**

Director  
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