

# Bullying and Harassment Policy

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## References:

The term ‘company’, ‘the company’ or ‘company’s in this document refers to “Firstsource Solutions Limited”.

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## Introduction

Firstsource is committed to providing a working environment free from bullying and harassment. We aim to ensure that all staff are treated, and treat others, with dignity and respect.

The company takes all allegations of bullying and harassment with the upmost seriousness and where the allegations are proven to be true, the employee at fault will be subject to our Disciplinary process.

Harassment and bullying is a misconduct offence, however where it is sufficiently serious, this will be categorised as gross misconduct which may lead to your dismissal. Each case will be considered on its own facts.

This policy covers bullying or harassment which occurs at work and out of the workplace, including on work trips or at work-related events or social functions. This policy applies to all staff at all levels including employees, management, agency and casual workers, and independent contractors.

## Definitions

### Harassment

Harassment is any unwanted physical, verbal, or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. This can also involve matters such as offensive jokes through to conduct of a sexual nature (i.e., unwanted sexual advances) and need only be a single incident.

Harassment need not be on grounds of a Protected Characteristic. As such, unwanted conduct directed at an individual because of their weight would also be caught by the policy.

A single incident can amount to harassment. A person may be harassed even if they were not the intended "target". Harassment also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

It is unlawful under the Equality Act 2010 to harass a person because of their age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. It also includes conduct of a sexual nature (sexual harassment).

Harassment is unacceptable even if it does not fall within any of these categories.

It does not matter if you did not intend to cause offence, although this may be relevant as to the severity of the matter. What matters is the effect it has on the recipient of the unwanted treatment.

## Bullying

Bullying is categorised as offensive, intimidating, malicious or insulting behaviour, involving the misuse of power that can leave an employee feeling vulnerable, upset, humiliated, undermined or threatened.

Bullying can include the use of personal strength or the power to coerce through fear or intimidation, not necessarily from someone in a position of authority.

## Cyberbullying

Cyberbullying can be defined as the use of information and communication technologies to support deliberate, repeated, and hostile behaviour by an individual or group that is intended to harm others.

Typical cyber bullying involved the use of the Intranet, email or mobile phones to send or post text or images intended to hurt or embarrass another person. In many cases, the spreading of offensive jokes or shocking or sexual material through phone or email mat also constitute cyber-harassment

Anyone found to be using technology to bully or harass a colleague or third party will be subject to the disciplinary procedure.

## Employee responsibilities

### Employees

All our employees have a responsibility to help us to secure and maintain a good and harmonious working environment.

All our employees must comply with this policy and endeavour to ensure that their behaviour towards work colleagues and clients or customers does not amount to harassment.

Employees should discourage harassment by making it clear that they find such behaviour unacceptable and should support colleagues who suffer such treatment.

Any employee who is aware that an incident of harassment has occurred should alert a manager or supervisor about it to enable the Company to deal with it. If you are concerned that your behaviour, manner or attitudes might be regarded as harassing to others, you should consult the HR team for discussion and advice.

## Manager Responsibilities

Managers and supervisors have a duty to implement this policy and to make every effort to ensure that harassment does not occur, particularly in the work areas for which they are responsible.

Managers and supervisors have a responsibility to deal appropriately with any incidents of harassment which they are aware of, or ought to be aware of. If harassment does occur, they must deal effectively with the situation.

Managers and supervisors should:

- Explain the Company's policy to staff and take steps to promote awareness of the procedure for dealing with complaints.
- Support any member of staff who makes an allegation of harassment by providing clear advice about the Company's policy and procedures; by maintaining confidentiality; and, by seeking to ensure that the member of staff does not suffer further harassment, or victimisation, whilst a complaint is being addressed, or after it has been resolved.
- Set a good example by treating all workers and clients or customers with dignity and respect.
- Be alert to unacceptable behaviour and take appropriate action in accordance with the Company's policy and procedures.

## Company Responsibilities

The Company will ensure that:

- Adequate resources are made available to implement this policy and to deal effectively with complaints of harassment.
- This policy and the procedure for dealing with complaints are communicated effectively to all managers, supervisors and workers.
- Appropriate training is provided to all managers, supervisors and workers so that each person is aware of his or her own responsibility for implementing this policy and associated procedure.
- All complaints of harassment are addressed promptly, seriously and confidentially.

## Informal approach

Initially it may be possible for you to raise this issue informally with the person responsible for the unwanted behaviour. Sometimes that person maybe unaware that their behaviour is causing offence to you (i.e., rude jokes) and may genuinely be upset to learn they have caused offence. Where you are able to do so, you should explain to the employee that their behaviour is not welcomed and makes you uncomfortable and could they avoid such behaviour in the future. Make a note of any conversation you have with the person involved.

## Formal approach

If you are unable to deal with this issue informally, you can raise a formal complaint in writing with your line manager. Your complaint should set out the full details of the unwanted conduct and include dates, times, locations, and the names of any witnesses to the unacceptable behaviour.

You are under no obligation to pursue the matter informally first and you may raise a grievance at any stage.

We will treat all complaints made with the strictest confidence and will look to investigate the issue in a prompt and timely manner.

## Investigation

We will treat all complaints made with the strictest confidence and will look to investigate the issue in a prompt and timely manner.

We will undertake an investigation into the allegations and all investigations will be thorough, impartial and objective. In order to discuss the outcome of your investigation, we will invite you to a meeting, usually within seven days of receiving your complaint. You have the right to be accompanied to this meeting by either a fellow colleague or a Trade Union Representative.

Where your complaint relates to a fellow colleague, we will consider whether suspension on full pay or alterations to the employee's working arrangements, pending the outcome of the investigations, is necessary.

A further meeting will be scheduled with you, usually within seven days of receipt of this report so that we can discuss the outcome of the investigation and any proposed action. Again, you have the right to be accompanied by a fellow colleague or a Trade Union Representative.

## Counselling and Mediation

The company provides an employee assistance program to support through difficult situations, further details can be provided by HR. Counselling is available at any stage and can be helpful to resolve conflicts at the earliest opportunity.

Independent and impartial mediation will be made available to assist in the resolution of the dispute between the person who is being bullied and harassed and the alleged perpetrator.

If either party wishes to request third party mediation, they may do so by speaking to HR. However, mediation will only be considered where both parties agree to enter into the process/

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result.

## Malicious Complaints

However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our disciplinary procedure. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our disciplinary procedure.

**This Policy is not contractual and maybe changed in line with business needs.**