

Policy No: LIEURAPP22021

Policy Name: Bullying and Harassment Policy

1.0 Policy Statement

LI Europe is committed to providing a working environment that is free of harassment and bullying, and where everyone is treated, and treats others, with dignity and respect. The Company will not permit or condone any form of bullying or harassment.

This policy covers bullying or harassment of or by anyone engaged to work at the Company, and also by third parties such as learners, customers or suppliers. The policy encompasses bullying or harassment that occurs in the workplace, and also out of the workplace, such as on business trips or at work-related social events.

This policy does not form part of your contract of employment, and we may amend it at any time.

2.0 Definitions

2.1 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 that person. A single incident of this nature can amount to harassment if sufficiently serious.

Unlawful harassment may involve sexual harassment, or it may be related to any other of the Protected Characteristics detailed in our Equal Opportunities policy (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). The Company's stance is that harassment is unacceptable, whether or not it is targeted at any of these categories.

Examples of harassment may include (but are not limited to) the following:

- Display or circulation of sexually suggestive material or material with racial overtones;
- Use of slang names for racial groups, or age groups, or for disabled persons;
- Professional or social exclusion;
- Unwanted physical conduct, such as touching, pinching, pushing and grabbing;
- Unwelcome sexual advances or suggestive behaviour;
- Offensive emails, text messages or social media content.

It is important to note that harassment occurs even if the harasser perceives his/her behaviour as being harmless and without malice, or 'just a bit of fun'. What matters is how the behaviour makes the recipient feel, and not what the perpetrator's intentions were. Also, a person may be harassed even if they were not the intended 'target' of the behaviour. For example, a man may be harassed by sexist jokes about women if the jokes create an environment that is offensive to him.

2.2 Bullying

Bullying is a sustained form of psychological abuse. It is defined as offensive, intimidating, malicious or insulting behaviour, involving the abuse or misuse of power, which has the purpose or effect of belittling, humiliating or threatening the recipient.

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Workplace bullying usually takes one of three forms: physical, verbal or indirect. It can range from extreme forms such as violence and intimidation, to less obvious actions, such as professional or social exclusion.

Examples of bullying may include (but are not limited to) the following:

- Shouting or swearing at people in public or private;
- Spreading malicious rumours;
- Inappropriate derogatory remarks about someone's performance;
- Physical or psychological threats;
- Constantly undervaluing effort;
- Rages, often over trivial matters;
- Ignoring or deliberately excluding people;
- Overbearing and intimidating levels of supervision;
- Deliberately sabotaging or impeding work performance.

Please note that managers are duty-bound to give their team members feedback and to generally manage their performance. Legitimate, reasonable and constructive criticism of a team member's performance or behaviour, or reasonable instructions given to an employee in the course of their employment, will not amount to bullying on their own.

3.0 What to do if you are being harassed or bullied

3.1 Informal approach

You may be able to sort out matters informally. The person may not know that their behaviour is unwelcome or upsetting, so an informal discussion may help them to understand the effects of their behaviour and agree to change it.

If you feel able to, tell the person what behaviour you find offensive and unwelcome, and say that you would like it to stop immediately. You should keep a note of the date and what was said and done. This will be useful if the unacceptable behaviour continues and you wish to make a formal complaint.

If this is too difficult for you, then please talk to your manager, or a trusted colleague, for advice and assistance. They may for example speak to the person concerned on your behalf, or accompany you when you speak to them.

If the informal approach is not appropriate, or has not been successful, you should raise a formal grievance.

3.2 Formal procedure

When a team member feels that they need to deal with an issue of harassment or bullying formally, they should do so according to the Company's grievance procedure.

Complaints will be investigated in a timely, confidential and sensitive manner. The investigation will be conducted where possible by someone with appropriate seniority and experience, and no prior involvement in the complaint. Details of the investigation, and the names of the people involved, will only be disclosed on a 'need to know' basis. We will consider

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whether any steps are necessary to manage the ongoing working relationship between you and the person accused during the investigation.

Once the investigation is complete, we will inform both parties (separately) of our decision. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

4.0 Consequences of a breach of this policy

If after due investigation it is considered that a team member or apprentice has been harassed or bullied by an employee, the matter will be dealt with under the disciplinary procedure as a case of possible misconduct or gross misconduct. The person concerned may be suspended on full pay during the disciplinary investigation until any eventual disciplinary proceedings have been concluded. If the complaint of bullying or harassment is upheld, a disciplinary penalty may be imposed up to and including dismissal, depending on the seriousness of the offence and all relevant circumstances.

If after due investigation it is considered that an apprentice has been involved in bullying or harassment, this will trigger the intervention policy.

Some bullying or harassment will constitute unlawful discrimination if it relates to any of the Protected Characteristics as detailed above and in the Equal Opportunities policy. Such behaviour could constitute a criminal offence, punishable by a fine and/or imprisonment.

Where it is found that an employee has been harassed by a third party, such as a customer, supplier or independent contractor, the Company will take such steps as are reasonably practicable to prevent any recurrence.

If someone makes a complaint which is not upheld, and the Company has good grounds for believing that the complaint was not made in good faith, the Company will take disciplinary action against the person making the false complaint.

5.0 Protection and support for those involved

Team members or apprentices who make complaints in good faith, or who participate in any investigation must not suffer any form of retaliation or victimisation as a result. Any employee engaged in retaliation will be subject to disciplinary action.

6.0 Record-keeping

Information about a complaint by or about an employee may be placed on either party's personnel file, along with a record of the outcome and any other notes or documents compiled during the process. These will be processed in accordance with our Data Protection policy.

7.0 How we can all help to stop bullying and harassment

We all have a shared responsibility to help create and maintain a working environment free of bullying and harassment. You can do this by:

- Considering how your own behaviour may affect others, and changing it;

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- Being receptive, rather than defensive, if asked to change your behaviour;
- Treating your colleagues with dignity and respect;
- Taking a stand if you think inappropriate jokes or comments are being made;
- Making it clear to others when you find their behaviour unacceptable;
- Intervening, if possible, to stop harassment or bullying, and giving support to victims;
- Reporting harassment or bullying to your manager or another appropriate officer of the Company;
- Being open, honest and objective in any investigation of complaints.

Managers have a particular responsibility to:

- Set a good example by their own behaviour;
- Ensure that there is a supportive working environment in their team;
- Communicate to team members what standards of behaviour are expected from them;
- Intervene to stop bullying or harassment;
- Report promptly to senior management any complaint of bullying or harassment.

7.0 Related Policies

LIEURAPP22001 – Apprenticeship Continuity Plan

LIEURAPP22002 – Equality and Diversity Policy

LIEURAPP22003 – Safeguarding Adults Policy

LIEURAPP22004 – Prevent Duty Policy

LIEURAPP22005 – Health & Safety Policy

LIEURAPP22006 – Concerns, Complaints and Compliments Policy

LIEURAPP22007 – Recognition of Prior Learning Policy

LIEURAPP22008 – Quality and High Standards in Apprenticeship Training Policy

LIEURAPP22009 – Employee Professional Development Policy

LIEURAPP22011 – GDPR Policy

LIEURAPP22014 – Safer Recruiter Policy

LIEURAPP22017 – Functional Skills Subcontracting Policy

LIEURAPP22018 – Intervention Policy

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LIEURAPP22019 – Plagiarism and Malpractice Policy

LIEURAPP22020 – External Speaker Policy

LIEURAPP22021 – Bullying and Harassment Policy

LIEURAPP22022 – Additional Learning Support Policy

LIEURAPP22023 – Whistleblowing Policy

LIEURAPP22024 – Malpractice in Certification and Assessment Policy

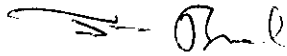
LIEURAPP22025 – Recruitment of Ex-Offenders Policy

LIEURAPP22026 – Academic Appeals Policy

LIEURAPP22027 – Apprenticeship Code of Conduct

LIEURAPP22028 – Conflict of Interest Policy

Policies are reviewed in January on an annual basis.

Company Director  _____

Date 22 / 11 / 23

