

1. Policy Statement

It is the aim of the Company to promote a workplace that is free of harassment and bullying. Any form of harassment and bullying, whether of a sexual or racial nature or otherwise, occurring in the workplace or in other settings in which employees may find themselves in connection with their employment will not be permitted or condoned by this Company. Further, any retaliation against an individual who has complained about harassment, bullying or retaliation against individuals for co-operating with an investigation of a harassment or bullying complaint will not be tolerated. To achieve our goal of providing a workplace free from harassment and bullying, the conduct that is described in this policy will not be tolerated, and we have provided a procedure by which inappropriate conduct will be dealt with if encountered by employees.

2. Definition

Harassment in general terms means unwanted and unwelcome conduct that an individual may find offensive, which causes him or her to feel threatened, humiliated, patronised or harassed and creates an intimidating, hostile or humiliating work environment for the individual. It may be related to race, sex, disability, sexual orientation, gender reassignment; marriage or civil partnership; pregnancy or maternity; religion or belief or age of the individual, and may be open or covert, direct or indirect, persistent or an isolated incident. It may also include, in certain circumstances, off-duty conduct.

3. Scope

Please note that while this policy outlines our aims of ensuring the prevention of harassment and bullying, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment and bullying.

If any employee believes that he or she or any other employee has been discriminated against or otherwise treated unfairly because of race, sex, disability, sexual orientation, gender reassignment; marriage or civil partnership; pregnancy or maternity; religion or belief or age then he or she should report the matter as soon as possible to the Administration Manager so that there can be an investigation and consultation with a view to establishing the facts and any steps which need to be taken.

Any form of discrimination or harassment towards any other employee or a third party on the basis of race, sex, disability, sexual orientation, gender reassignment; marriage or civil partnership; pregnancy or maternity; religion or belief or age is unacceptable and may amount to gross misconduct, leading to the employee's summary dismissal without notice or payment in lieu thereof.

4. Unwanted

An essential characteristic of harassment is that it is unwanted by the complainant, and therefore it is for each individual to determine reasonably what behaviour is acceptable to them and what he or she regards as offensive.

5. Unacceptable

Unwanted conduct may be considered to constitute harassment if the complainant's rejection of or submission to such conduct is used explicitly or implicitly as a basis for a decision which affects that person's access to vocational training or employment, continued employment,

promotion, salary or any other employment decisions, or if such conduct creates an intimidating, hostile or humiliating working environment for the recipient.

6. Victimization

Victimization occurs when a member of staff treats an existing or former member of staff less favourably because:

- That other person has in good faith brought proceedings alleging that he or she has been unlawfully discriminated against; or
- Has indicated that he or she intends to make such a claim or claims; or
- He or she has assisted a colleague to make such a claim, whether or not that claim is accepted as having any merit.

7. Of a Sexual Nature

While it is not possible to list all those circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, the severity of the conduct and its pervasiveness:

- Sexual advances - whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences;
- Discussion of one's sexual activities;
- Persistent sexual attention after it has been made clear by the recipient that it is offensive; and
- Other conduct based on sex affecting the dignity of the recipient at work.

All employees should take special note that, as stated above, victimisation or retaliation against an individual who has complained about sexual harassment, and victimisation or retaliation against individuals for co-operating with an investigation of a sexual harassment complaint will not be tolerated by this Company.

8. Future Examples of Unacceptable Behaviour

While it is not possible to list all those circumstances that may constitute harassment, the following are some examples of conduct which, if unwelcome, may constitute harassment depending upon the totality of the circumstances, the severity of the conduct and its pervasiveness:

- Spreading malicious rumours, or insulting someone (particularly on gender/race/disability/age grounds)
- Copying memos that are critical about someone to others who do not need to know
- Ridiculing or demeaning someone (particularly on gender/race/sexual orientation/religious belief/disability/age grounds) – picking on them or setting them up to fail.
- Exclusion or victimisation
- Unfair treatment

- Overbearing supervision or other misuse of power or position
- Making threats or comments about job security without foundation

9. Definition of Bullying

What actually amounts to bullying will largely be defined by the impact of an individual's behaviour on the recipient. Whilst some may think bullying will only involve a person in authority abusing their authority and picking on those below him/her, a person may also bully a peer, and groups of individuals may also bully individuals.

Bullying can take many forms, the following is a non-exhaustive list of how bullying may appear:

- open aggression, threats, shouting abuse/obscenities
- subjecting an individual to humiliation or ridicule, belittling their efforts, often in front of others;
- subjecting an individual to excessive supervision without justification, excessive monitoring of their work and being over critical about minor things
- constantly taking the credit for other people's work, but never the blame
- constantly overruling an individual's decisions, without reason
- without justification removing whole areas of work responsibility from an individual or reducing the job routine tasks that are below their skills and capabilities
- deliberately withholding information that an individual requires in order to do their job effectively
- ostracising / marginalising an individual by unreasonably excluding that person from discussions, decision, etc.
- spreading malicious rumours about the individual.

It will not necessarily be a defence that such incidents consist of words or behaviour that might be claimed to be "common place" or which were intended as a joke or were not intended to be offensive. However, nothing in this policy takes away a manager's right to manage, including the imposition of reasonable pressure to perform or behave to an acceptable standard and, where appropriate, of disciplinary sanctions. Where the manager's conduct is a reasonable response to a perceived problem this will not constitute bullying or harassment, notwithstanding that this response may cause an employee to feel under threat or otherwise distressed.

10. Complaints and Disciplinary Action

Where an employee believes that he or she is being harassed, victimised or discriminated against contrary to the law or to the equal opportunities policy they can invoke the complaints procedure, whether formal or informal, against the alleged harasser or discriminator.

Every complaint will be investigated and dealt with sympathetically, without bias and as quickly as is practicable. The Company recognises that some complainants may prefer not to have their names used going forward. The Company will seek to accommodate such requests as far as is practicable, but staff will appreciate that if the Company is unable to mention names this may limit its ability to investigate the complaint with the alleged perpetrator. This in turn may limit the extent to which the Company can pursue the complaint and/or take action against the perpetrator.

Every effort will be made to ensure that employees who make a complaint in good faith will not suffer any further detriment or be victimised because of making such a complaint. Any

complaint of victimisation will be dealt with seriously, promptly and (so far as is practicable) confidentially.

Only data collected as a result of a complaint will be used to investigate and proceed with disciplinary action, this data will be kept securely.

11. Informal Procedure

Prior to adopting the formal procedure set out below an informal approach may be taken. Whilst recognising that it may not always be appropriate, the Company recommends in most cases that employees take an informal approach as the first step to stopping the harassment. This is particularly the case where the inappropriate action or omission was a one-off, and/or where the employee has reason to believe that the alleged perpetrator was suffering from stress, fatigue or illness or in some other respect not functioning normally.

If the employee feels he or she has been subjected to harassment and/or discrimination or victimisation and considers that the informal procedure is appropriate he or she should, if possible, advise the harasser that their behaviour is unwelcome, must be stopped and is interpreted by the complainant as harassment and/or discrimination and/or victimisation as defined by the Company's policy statement. If preferred, this may be in writing.

If the behaviour does not cease or the employee finds approaching the harasser difficult, further assistance is available. Employees, who wish to discuss such a complaint in confidence, should contact the HR Manager. Alternatively, a complainant may move to the formal procedure.

12. Formal Procedure

Where the informal method fails or serious harassment or discrimination occurs or if the complainant prefers, he can bring a formal complaint against the alleged harasser or discriminator. Assistance can be obtained to help the complainant do this. The complaint should be made in writing and, where possible, state the following:

- The name of the alleged harasser/discriminator;
- The details of the harassment/discrimination/victimisation alleged;
- The date and time when the harassment/discrimination or victimisation occurred;
- The names of any witnesses to the harassment/discrimination or victimisation; and
- Details of any action which may already have been taken by the complainant to stop the harassment/discrimination or victimisation.

The complaint should be sent or given to the HR Manager or if the complaint is against him or her then to the Senior Manager. Where a complaint of harassment, discrimination or victimisation is received, consideration will be given to whether it would be helpful and/or practicable to separate the parties. This may involve a temporary transfer of the alleged harasser/discriminator or the complainant to another department or suspension with pay until the complaint has been resolved. This does not amount to a pre-determination of the matter.

The HR Manager or the Senior Manager will carry out a thorough investigation as quickly as possible, maintaining as much confidentiality as possible at all times. The complainant should be aware, however, that if the complaint is to be properly investigated, other employees may have to be asked for witness statements.

All employees (including the complainant) involved in the investigation are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence.

The complainant will be invited to a hearing to discuss his complaint. Copies of witness statements taken may be made available to both parties. Witnesses will be encouraged to appear at any hearing if requested by either party. It is acknowledged that some witnesses may be reluctant to do so. In these circumstances, the HR Manager or the Senior Manager will, if necessary, adjourn the hearing and ask supplementary questions of witnesses in private.

The complainant may if he wishes be supported throughout the procedure and hearing by a colleague of his choice. The employee accused of harassment or discrimination will also have the right to be accompanied at the hearing in accordance with the Company's disciplinary procedures.

The complainant must make all reasonable efforts to attend the grievance hearing. If he or she fails to attend without proper excuse, the Company may proceed with the hearing in his or her absence and draw such inferences as are appropriate from the material in its possession and from such absence. The complainant should bring with him any witnesses to fact or documents that he or she wishes the Company to take into account.

If the offence is proved, the severity of the penalty imposed on the harasser will be consistent with those detailed in the disciplinary procedure. Serious harassment or acts of deliberate discrimination or victimisation may result in summary dismissal. Where a lesser penalty is appropriate, for example a written warning, this may be coupled with action to ensure, as far as is practicable, that the complainant is able to continue working without embarrassment or anxiety. After discussion with the complainant the Company may transfer one party to a different work area, or arrange for an amendment of working practices to minimise contact. This may depend on whether the allegation made is upheld or not, and if so, whether in whole or part only. The result of the hearing will be confirmed in writing to both parties.

13. Appeal

If the matter is not resolved to the complainant's satisfaction then he or she may appeal in writing to the nominated delegate ("the appeal manager"), or such person as the Company may decide is appropriate.

If the complainant wishes to appeal, he or she must notify the appeal manager in writing within 5 working days of the decision complained about. The letter should indicate the full grounds upon which the appeal is made. The conduct of the appeal shall be a matter for the appeal manager who may call such witnesses and consider such documents as he or she feels appropriate. He or she may also adjourn the appeal to conduct any further enquiries that he or she believes are necessary. The complainant must make all reasonable efforts to attend the appeal hearing. If he or she fails to attend without proper excuse, the Company may proceed with the hearing in his absence and draw such inferences as are appropriate from the material in its possession and from such absence. The complainant should bring with him or her any witnesses to fact or documents that he or she wishes the Company to take into account. The Company will inform the complainant of its final decision after the appeal hearing. The decision made at the appeal will be final and there is no further right to appeal.

Employees will be protected from harassment, victimisation or discrimination for making a good faith complaint or assisting in an investigation. Any acts of retaliation or intimidation against an employee making or assisting such a complainant will be treated as a disciplinary offence.

An employee who maliciously makes or assists in an unfounded complaint will be subject to disciplinary action and may be dismissed.

14. Discipline

Any acts of discrimination or acts which contravene this policy may result in the disciplinary procedure being invoked against the employee responsible or involved. In severe cases, an employee may be dismissed without notice. Details of the Company's disciplinary policy are set out in the Company Handbook.

15. Review

- This policy does not form part of any contract of employment and will be kept under regular review and may be amended or withdrawn to reflect changing requirements at Blis Media.
- Blis Media reserve the right to amend this policy and procedure at their discretion.

Document Control	
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