

## **Bullying and Harassment Procedure**

### **Aims and Objectives**

Romec is committed to creating an environment where harassment, bullying, unfair treatment and victimisation are not acceptable. Romec employees and everyone we come into contact with should be treated with dignity and respect.

Managers have a particular responsibility to demonstrate this commitment by personal example.

To this end we seek to prevent behaviour which is not in line with the spirit of this policy. This includes harassment and bullying of employees by customers and where such behaviour is reported the company will take all reasonable steps to prevent a recurrence and to protect its employees from such behaviour.

### **What type of treatment amounts to Bullying or Harassment?**

Harassment is inappropriate and unwanted behaviour that could reasonably be perceived by the recipient or any other person by association as violating their dignity, or creating an intimidating, hostile, degrading, humiliating and offensive environment. This behaviour may focus on a person's age, creed, disability, nationality, race, sex, sexual orientation, family status, religion or any other personal characteristic that may affect the dignity of any individual or group of individuals at work. Harassment may include suggestive remarks or gestures, pin ups, graffiti, offensive comments, jokes and banter based on any of the above.

Bullying is intimidation on a regular and persistent basis, which serves to undermine the competence, effectiveness, confidence, and integrity of the person on the receiving end. A bully misuses his or her power, position or knowledge to criticise, humiliate and undermine a subordinate or colleague.

Victimisation is when an employee is treated less favourably because they have made, supported or suspected of making a complaint of bullying and harassment.

It is important to recognise that conduct which one person may find acceptable may be unacceptable to another. Employees should treat colleagues with respect and appropriate sensitivity.

Employees who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

### **Informal approach**

In the first instance the individual should wherever possible try to deal with the issue informally. The employee can try to resolve the matter themselves by explaining clearly to those involved why their behaviour is unacceptable. They may ask their manager, union representative or colleague to assist. In more serious cases it may not be possible or appropriate to try to resolve the matter informally, in which case it should be taken straight into the formal process.

### **Formal complaint procedure**

If informal resolution is unsuccessful or inappropriate the employee should submit a written complaint to the Human Resources department. This should include details of the behaviour complained of – the nature of the harassment & bullying, dates and times when the harassment or bullying occurred (so far as possible), any action taken to resolve the matter informally, names of those involved, and any witnesses.

HR will allocate the complaint to an appropriate Manager for investigation. This would normally be the second line Manager or a manager of an equivalent grade. The investigating manager will normally write to the employee within 2 working days of receipt of a formal complaint, inviting them to an interview. The meeting would normally occur within a further 3 days. The employee may be accompanied at interview by a trade union representative or work colleague.

The interview will provide a further opportunity to consider whether informal resolution is possible. As soon as reasonably practicable and normally within 3 working days, the respondent should be invited for an interview. A minimum of 2 working days notice will be given. A trade union representative or work colleague may accompany them. Full details of the complaint will be provided in writing with the invitation.

In consultation with the complainant the investigating manager will assess the case and decide what further action is most appropriate, either:

- Informal resolution with the agreement of the complainant. If so, the investigating manager must obtain the complainant's agreement in writing and record why this decision has been made.
- Further investigation, including interviewing witnesses.

Making a decision without further investigation (normally when the complainant and respondent are not in dispute on the facts of the case).

Where the manager and complainant cannot reach a decision on the most appropriate way forward then the investigating Manager will determine the next steps.

### **Further investigation**

The investigating manager will, as far as possible, identify, contact and interview all relevant witnesses for both the complainant and the respondent and undertake any other investigation necessary within 14 working days of the interview with the respondent. The investigating manager should carefully consider the need to re-interview the complainant, respondent and / or witnesses to clear up any ambiguities or discuss any new evidence.

### **Decision**

The investigating manager will meet separately with the complainant and respondent to communicate their decision, which will be confirmed in writing, giving summary reasons.

### **Recommendations**

Where a complaint is upheld recommendations of the investigating manager must be implemented.

Remedies include timely, relevant, informal corrective action or joint training to address the situation in the workplace. It is imperative that remedies are implemented as soon as practicable so that the behaviour complained of is recognised and stopped.

Where disciplinary action is considered necessary the case will be dealt with under the provisions of the conduct procedure. The case will be handed over to a new manager who will be responsible for dealing with the conduct case. The evidence gathered under the Bullying & Harassment procedure may be used to substitute the investigative meeting stage.

### **Appeals**

The complainant will have the right to an appeal against the decision if their complaint is not upheld. The respondent has a right of appeal if the complaint is upheld. In either case, the appeal should be submitted in writing to the Human Resource Department, as soon as possible and normally within 5 working days of the decision being given.

### **Appeal process**

The appeal will consider:

- Whether the correct process and procedure has been followed
- Whether any new evidence has come to light which would have materially affected the outcome
- Whether there is any way in which the decision could be found to be inherently unfair

A representative of the Human Resources department will hear the appeal and will not have had any previous involvement in the complaint. The appeal manager will examine the evidence and conduct any further investigation required.

A face-to-face meeting with the appellant must be offered and a minimum of 2 working days hours written notice of the meeting will be provided. Employees will have the right to be accompanied by a trade union representative or work colleague.

The appeal manager will normally provide a final decision within five days of the meeting and has the authority to either uphold or overturn the decision of the original investigator. The decisions will be communicated in writing to both the complainant and respondent and will outline any remedies required.

### **Access to Documents**

An employee will be provided with personal and other documents relevant to their case, unless there is a legal or contractual obligation which prevents this. In these circumstances the reason for the decision will be explained in writing to the employee. Witness statements where necessary will be made anonymous.

### **What a person should do if they are being Bullied or Harassed by a customer or supplier?**

If an individual believes that they are bullied or harassed by a customer, supplier or someone else with whom they have contact at work, they should raise this with their first line manager. The line manager must report the issue to Human Resources to agree how it will be progressed. Such complaints will be investigated and reported to the relevant employer.