

# Bullying and Harassment Policy

## **About this policy**

This policy details Premier Foods approach to bullying, harassment and general dignity at work and the process a colleague should follow if they wish to complain about being bullied, sexually harassed, and/or harassed at work.

## **Who does this policy apply to?**

This policy applies to all corporate colleagues who are employed by Premier Foods. Manufacturing locations should refer to local policy.

## **Responsibility for this policy**

The HR function have overall responsibility for this policy and colleagues who have any queries relating to it, should contact their local HR representative.

# Bullying, Harassment & Dignity at Work Policy

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### 1. Policy Statement

Premier Foods is committed to promoting a harmonious working environment, free from harassment and bullying, where all colleagues should be treated, and treat others, with dignity and respect and can carry out their role without fear of being harassed, bullied, discriminated against, or victimised.

Harassment and bullying can have very serious consequences for both victims and perpetrators, as well as for Premier Foods. We will not tolerate bullying or harassment of any kind towards a colleague or group of colleagues and all allegations of bullying and harassment will be investigated and, if appropriate, disciplinary action will be taken.

All individuals have the right to be treated with dignity and respect and we have a responsibility to ensure that all colleagues feel that they are protected from any kind of harassment. This also applies to the treatment of clients, customers and members of the public who have dealings with the Company and its colleagues.

This policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, e.g. business trips and work-related social events. It covers bullying and harassment by colleagues (including consultants, contractors, and agency workers) and by third parties such as customers, suppliers, or visitors to our premises.

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

## 2. What is Bullying?

**Bullying** is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power (not necessarily by someone more senior) for example isolating an individual, which is meant to undermine, humiliate, or injure the person on the receiving end.

Bullying behaviour may involve the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined, or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation. This behaviour can include:

- Abusive language
- Persistent unfair criticism
- Continually ignoring or excluding a colleague
- Setting objectives with unreasonable deadlines
- Offensive gestures and behaviour
- Unwelcome physical contact

## 3. What is Harassment?

**Harassment** is unwanted physical, verbal, or non-verbal contact that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

A single incident can amount to harassment if it is sufficiently serious, and a range of conduct will constitute both harassment and bullying.

Legitimate, reasonable, and constructive criticism of performance or behaviour, or reasonable instructions given to colleagues at work, will not amount to bullying or harassment.

**It's about what a colleague thinks is unacceptable.**

What may be acceptable to one person may be quite unacceptable to another. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. Behaviour which any reasonable person would deem to be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to them.

Harassment may be an isolated incident, or it may be persistent and may be directed towards one or more individuals.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by 'banter' aimed and enjoyed between two people but which the third party finds offensive.

There may be cases where it is not as clear in advance that the behaviour would be unwelcome or could offend, e.g. certain "banter". In these cases, first-time conduct, which unintentionally causes offence may not be harassment, but it will become harassment if the conduct continues after the recipient has made it clear that the behaviour is unacceptable to them.

#### **4. What is victimisation?**

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing him/her or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.

Premier Foods will not tolerate victimisation of a person for making allegations of bullying or harassment in good faith or supporting someone to make such a complaint. Victimisation is a disciplinary offence.

#### **5. Forms of Harassment**

The following are examples of harassment and form a list that is not exhaustive:

- Physical contact including touching, pinching, pushing and serious assault.
- Verbal and written harassment through sectarian jokes/songs, offensive language, gossip, or slander
- Offensive emails, text messages or social media content, including Teams chats.
- Sending or displaying material that is pornographic that some people may find offensive.
- Isolation and non-co-operation at work
- Exclusion from social activities or continued suggestions for social activities after it has been made clear that such suggestions are unwelcome.
- Coercion, including pressure for sexual favours or to participate (or cease to participate) in activities (social gatherings, political/religious groups etc.)
- Intrusion by pestering, spying, or following.
- Exerting undue pressure of a verbal or physical nature on a colleague to undermine their position in the eyes of colleagues.
- Intrusive questioning about a person's ethnic origins, marital status, sexual orientation, or personal life

## 6. Reasons for Harassment

Any conduct relating to any of the following characteristics that either has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or is reasonably considered by that person to do so, even if this effect was not intended by the person responsible for the conduct is likely to constitute harassment and every colleague has a duty to prevent and deter from any such comments:

- Race, ethnic origin or nationality.
- Gender or gender reassignment
- Sexual orientation
- Marriage or civil partnership status
- Religious or political beliefs
- Membership or not of a trade union
- Disability of any kind, capability
- Physical appearance
- Criminal conviction
- Age
- Willingness and/or ability to challenge the harassment.
- Lack of position/power in the organisation

## 7. Sexual Harassment

Sexual harassment is unwanted behaviour of a sexual nature. The law protects employees and workers, contractors, and job applicants against sexual harassment at work.

Sexual harassment occurs if a person (colleague A) harasses another person (colleague B) by engaging in unwanted conduct of a sexual nature which has the purpose or effect of either.

- violating colleague B's dignity, whether it was intended or not.
- creating an intimidating, hostile, degrading, humiliating or offensive environment for colleague B, whether it was intended or not.

We will do all we can to prevent sexual harassment in the first place by educating our colleagues to treat each other with respect and to take swift action when anyone's behaviour falls short of what is acceptable. All complaints of sexual harassment will be taken very seriously and will be thoroughly investigated.

Any colleague who sexually harasses someone else at work is totally responsible for their own actions.

### *Who can experience sexual harassment?*

Sexual harassment can happen to men, women and people of any gender identity or sexual orientation. It can be carried out by anyone of the same sex, a different sex or anyone of any gender identity.

You could experience sexual harassment from anyone you come into contact with as part of your job, including:

- someone you work with or collaborate with
- a manager, supervisor, or someone else in a position of authority
- someone high profile or influential
- a customer, client or member of the public

### *Examples of sexual harassment:*

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour.

It can happen in person or in other ways, for example via email, teams' messages, social media, voice messages, texts or any other online messaging tool.

Examples include – this is not an exhaustive list:

- flirting, gesturing, or making sexual remarks about someone's body, clothing, or appearance.
- if someone is not interested in a relationship / friendship with you and you persist in contacting them, especially if they have said they are not interested.
- asking questions about someone's sex life.
- telling sexually offensive jokes
- making sexual comments or jokes about someone's sexual orientation or gender reassignment.
- displaying or sharing pornographic or sexual images, or other sexual content
- touching someone against their will, for example hugging them
- sexual assault or rape

What some people might consider as joking, 'banter' or part of their workplace culture is still sexual harassment if:

- the behaviour is of a sexual nature.
- it's unwanted.
- it violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.

Sexual harassment is usually directed at an individual, but this is not always the case. Sometimes there can be a culture of sexual harassment in a workplace that's not specifically aimed at one person – such as sharing sexual images. This situation could still warrant a complaint of sexual harassment and has no place in the working environment at Premier Foods.

We also recognise that colleagues can interact with third parties as part of their day-to-day work activity, for example, customers or clients, so harassment could occur involving people you work with that aren't employed by Premier Foods. Harassment by third parties is equally not acceptable and will not be tolerated. Colleagues are encouraged to report such incidents so that it can be fully investigated, and appropriate action taken against any perpetrator.

## 8. Implications of Bullying & Harassment

Bullying and harassment can damage the health, confidence, morale, and performance of colleagues who are affected by it. Bullying and harassment may also be civil or criminal offences, and harassment is unlawful under equality legislation. At Premier Foods, bullying or harassment may often be considered as gross misconduct, which can lead to dismissal without notice.

## 9. What should I do if I think I am being bullied or harassed?

If you feel able:

- Make it clear to the harasser that the behaviour is unacceptable and unwelcome. In many cases this may be sufficient to stop the harassment, but you will not be victimised if, in the circumstances, you feel this would be inappropriate.
- You should report the harassment verbally or in writing whenever possible to your own line manager or, if not practicable, in accordance with the Grievance procedure
- You should not be afraid to complain even if the harasser is a more senior person either in their department or within the company.

### *Informal Procedure:*

In many cases, an informal discussion with the person giving offence will resolve the situation. You may be able to resolve the issue informally and we'd encourage you to do so. The person may not know that their behaviour is unwelcome or upsetting. It is recommended that these informal meetings are conducted by the Line Manager of the person causing the offence. However, a designated person should be made available outside of the line if the behaviour relates to a situation in which the Line Manager is involved.

You may want to reinforce that if the behaviour continues, you intend to make a formal complaint. You should keep a note of the date and what was said and done. This will be useful evidence if the unacceptable behaviour continues, and you wish to make a formal complaint. If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you can make a formal complaint by using our Grievance Procedure.

### ***Formal procedure:***

If informal attempts have been unsuccessful or the behaviour is deemed inappropriate to be resolved informally, it should be dealt with under the Company's Grievance Procedure.

All complaints will be investigated in a timely and confidential manner in accordance with the Grievance Procedure and individuals not involved in the complaint or the investigation should not be told about it. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint. The investigation will be impartial and carried out with sensitivity and due respect for the rights of all parties concerned.

We will also consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours so as to avoid or minimise contact with the alleged harasser or bully.

It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.

The manager hearing your grievance will decide on a balance of probabilities, after considering all available evidence, whether or not harassment or bullying has occurred and if appropriate, a disciplinary process will start. In a serious case, the alleged harasser may be suspended while investigation and any disciplinary proceedings take place.

### **Subsequent Action**

#### ***a) If the complaint is upheld, and the person found to have bullied or harassed you remains employed by Premier Foods:***

- disciplinary action may be taken against the harasser which may include transfer of site or department, formal warnings, suspension, or dismissal as appropriate.
- we will discuss with you whether there are any alternatives to you continuing to work alongside each other.
- your line manager may intermittently contact the complainant to check that the harassment has ceased and that there are no signs of victimisation occurring.
- it should be recognised that the complainant may need to be offered and undergo a number of counselling sessions to enable them to deal with what has happened.
- it may also be necessary for other parties to receive counselling about what has happened within the work group.



### ***b) If the complaint is not upheld:***

- it may be necessary for the complainant and the other person involved to receive counselling and, dependent upon line management consideration, it may be appropriate to consider whether to transfer or reschedule the work of one or other of the colleagues concerned in the interest of good relations and personal dignity.
- if it is likely that the complainant deliberately misled people with the claim or made a malicious complaint appropriate disciplinary action will be taken
- we will support you in repairing your working relationships with the alleged harasser. You have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all colleagues and may pursue the matter independently if we consider it appropriate to do so.

At the end of the investigation, the investigator will submit a report to HR who will nominate an appropriate person to consider the complaint. The nominated person will arrange a meeting with you, usually within a week of receiving the report, in order to discuss the outcome and what action, if any, should be taken. You have the right to be accompanied by a colleague or a trade union representative at the meeting.

In very serious cases, a criminal offence may have been committed and you may wish to report matters to the police.

## **10. Confidentiality**

We will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Investigation of allegations will normally require limited disclosure on a 'need to know' basis. For example, your identity and the nature of the allegations must be revealed to the person you are complaining about, so they are able to respond to the allegations. Some details may also have to be given to potential witnesses, but the importance of confidentiality will be emphasised to them. If the complaint is upheld, and a person who has been found to have harassed you remains employed by Premier Foods, managers may need to be given some information where this is necessary for them to manage the risk of further harassment by that person against you or others.

## 11. Responsibilities

All colleagues at Premier Foods have a shared responsibility to stop bullying and harassment.

### Colleagues should:

- Be aware of how your own behaviour may affect others and change it, if necessary - you can still cause offence even if you are 'only joking'.
- Treat all your colleagues with dignity and respect.
- Be aware of and comply with this Policy and its full context.
- Report to HR or your line manager any incidents of harassment known to them.
- Give support to anyone you think might be being bullied or harassed by intervening if possible, and/or reporting it to managers.
- Make it clear to others when you find their behaviour unacceptable.
- Not indirectly support any harasser by ignoring what is happening.
- Ensure that their own behaviour does not cause offence or misunderstanding.
- Treat people with dignity and respect

### In particular Managers should:

- Implement all contents of this Policy and bring them to the attention of all colleagues.
- Set a good example by their own behaviour and create a supportive working environment.
- Make sure that colleagues know what standards of behaviour are expected of them.
- Treat complaints of breaches of this Policy seriously, dealing with complaints quickly with sensitivity to personal feelings and perceptions, whilst respecting confidentiality
- Make sure HR are made aware of any complaints made or any incident of bullying or harassment witnessed by them.
- Understand their own responsibilities under this policy and any subsequent grievance or disciplinary proceedings following training or guidance from HR.
- Ensure no victimisation takes place as a result of making a complaint.
- Protect confidentiality of individuals as appropriate
- Point out, without waiting for a complaint to be made, if certain forms of behaviour or language are not acceptable as per this policy.
- Stop the display or circulation of potentially offensive material in the workplace, or socially with colleagues, whether or not a complaint has been made.

HR will monitor the handling of any such cases to determine whether there are any patterns of harassment, which may require wider action.

Premier Foods will ensure that this Policy is regularly reviewed to ensure it adequately protects colleagues from harassment and bullying.

If you are not certain whether an incident or series of incidents amounts to bullying or harassment, you should initially contact your line manager or HR informally for confidential advice.

## 12. What happens if I am accused of bullying or harassment?

If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were only joking or think the complainant is being too sensitive. Remember that different people find different things acceptable, and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.

You may have offended someone without intending to. If that is the case, the person concerned may be content with an explanation, an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence.

Provided that you do not repeat the behaviour that has caused offence, that may well be the end of the matter. If a formal complaint is made about your behaviour, this will be fully investigated and if appropriate a disciplinary process will start. You will be informed of the allegations against you and have the opportunity to put your side of the story.

Complaints of bullying and harassment may be treated as acts of gross misconduct that, if proved, could lead to dismissal without notice. Investigation of allegations and future management of risk, if complaints are upheld, will normally require limited disclosure on a 'need to know' basis. If the allegation is of gross misconduct, you may be suspended on full pay during the investigation and any subsequent disciplinary proceedings. Please note that suspension is a precautionary measure and does not imply guilt. If the complaint is upheld, but you are not dismissed, the organisation could decide to transfer you to another post. If the complaint against you is not upheld, the HR team will support you, the complainant and your manager in helping repair your working relationships.