# ANTI-BULLYING and HARASSMENT POLICY

[Within this Policy Formula One Autocentres Ltd will be referred to as 'the Company']

**Scope:**

This policy applies to all employees, customers, suppliers and contractors, whether permanent or temporary.

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

**Purpose:**

The Company is committed to creating and maintaining a working environment that is safe, secure and free from any form of harassment and bullying. This policy covers harassment or bullying which occurs at work and out of the workplace, such as on business trips or at work-related events or social functions. It covers bullying and harassment by staff (which may include consultants, contractors and agency workers) and also by third parties such as customers, suppliers or visitors to our premises.

**Definitions:**

Harassment may take place because of issues relating to the following;

- Gender
- Race
- Colour
- Age
- Ethnic or National Origin
- Religious or Political Belief
- Disability
- Marital Status
- Family Circumstance
- Sexual Orientation

Harassment is any behaviour that is inappropriate, unsolicited and unacceptable to the person receiving it, causing them unease, stress, distress and possible loss of self-esteem. It includes 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. A single incident can amount to harassment.

It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to 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. Harassment is unacceptable even if it does not fall within any of these categories.

The following list does not aim to define all unacceptable behaviour, but to provide examples of potential harassment;

- Unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- Continued suggestions for social activity after it has been made clear that such suggestions are unwelcome.
- Sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- Spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of gender, race, colour, age, ethnic or national origin, religious or political belief, disability, marital status, family circumstance and sexual orientation);
- Outing or threatening to out someone as gay or lesbian;
- Copying memos or emails that are critical about someone to others who do not need to know;
- Ridiculing or demeaning someone – picking on them or setting them up to fail;
- Exclusion or victimisation;
- Unfair treatment;
- Mocking, mimicking or belittling a person's disability;
- Overbearing supervision or other misuse of power or position;
- Unwelcome sexual advances – touching, standing too close, the display of offensive materials or suggestive behaviour (which the harasser may perceive as harmless);
- Making threats or comments about job security without foundation;
- Deliberately undermining a competent worker by overloading them and/or by constant criticism;
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

Bullying is very similar to harassment and involves the persecution of the victim through intimidating, unfair, sarcastic, physical, malicious, insulting or angry behaviour that causes them to feel uneasy or threatened. It can involve the misuse of power that can make a person feel vulnerable, upset, humiliated or undermined. 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.

Examples of bullying include;

- An abuse of power including verbal, psychological or physical threats and/or violence
- Deliberate withholding of knowledge or information
- Setting unrealistic targets
- Ridicule of the recipients work, ideas, opinions, appearance or behaviour
- Deliberate occupation of public shared space or communal areas to routinely exclude others or make them feel uncomfortable
- Overbearing and intimidating levels of supervision

Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

Both harassment and bullying may be 'one-off' incidents or a series of incidents taking place over a period of time. Both harassment and bullying may be committed by individuals or groups.

**Policy Statement:**

The Company does not accept or condone bullying or harassment. Equality of opportunity is everyone's concern and everyone's responsibility. All employees are responsible for creating a safe environment free of bullying and harassment and should take action to stop unfair treatment. All employees have a duty not to ignore, condone (by their silence) or collude (join in) with acts of harassment or bullying.

Every member of staff has a responsibility to treat all colleagues with dignity and respect, ensuring that their own conduct does not cause offence or misunderstanding.

If you are being harassed or bullied, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If informal steps are not appropriate, or have not been successful, you should raise the matter formally under our Grievance Procedure.

Any incident that infringes your or other people's rights should be reported confidentially. If you are experiencing harassment or bullying or have witnessed either, you should talk, in confidence to your Line Manager or Human Resources. They will be able to provide confidential advice and assistance in resolving the issue formally or informally.

The Company's zero tolerance stance means that all incidents will be investigated as quickly as possible in a confidential manner and every effort will be made to ensure the safety of the victim whilst on Company premises. In severe cases, this may mean that the perpetrator(s) are suspended pending investigation and/or consideration of evidence. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. We will consider whether any steps are necessary to manage any ongoing relationship between you and the person accused during the investigation.

Once the investigation is complete, we will inform you of our decision. Action will be taken under the Company's Disciplinary Procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious breaches of this policy will be treated as gross misconduct. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Employees must not victimise or retaliate against an employee who has made allegations or complaints of bullying or harassment or who has participated in any investigation into harassment. Such behaviour will be treated as potential gross misconduct in accordance with the Company's Disciplinary Procedure.

## Record Keeping:

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Fair Processing Notice (Employee Data).

## Review:

This policy will be monitored periodically by the Company to judge its effectiveness and will be updated in accordance with changes in legislation.

[This Policy is not contractual in nature, but merely a statement of current intention on the part of the Company, which it can change with or without consultation