



**ACS Construction Group
HR Policy**

Harassment and Bullying Policy

Ref : ACS / HR / 12
Issue No. : 5
Issue Date : 25.04.18
Originated By : C. Dunphy
Approved By : P. Grady
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What this policy covers

As part of the Company's overall commitment to equality of opportunity, it is fully committed to promoting a fair and harmonious working environment in which everyone is treated with respect and dignity and in which no individual feels bullied, threatened or intimidated. The aim of this policy is to prevent harassment and bullying in the workplace which includes harassment and bullying by other workers or by third parties you encounter while doing your job.

Harassment or bullying at work in any form is unacceptable behaviour and will not be permitted or condoned and will be viewed as a gross misconduct offence which may result in dismissal without notice.

What is harassment and bullying?

Harassment and bullying detract from a productive working environment and can impact on the health, confidence, morale and performance of those affected by it, including anyone who witnesses or has knowledge of the unwanted or unacceptable behaviour.

Definition of harassment

Harassment is any unwanted physical, verbal or non-verbal conduct based on sex, sexual orientation, marital or civil partnership status, gender reassignment, religious belief, age, race or disability which affects the dignity of anyone at work or creates an intimidating, hostile, degrading, humiliating or offensive environment. A single incident of unwanted or offensive behaviour can amount to harassment. Some examples are given below, but many forms of behaviour can constitute harassment. These examples are:

- Physical conduct, ranging from touching, pushing or grabbing to punching or serious assault;
- verbal or written harassment through jokes, offensive language, defamatory remarks, gossip, threats or letters;
- unwelcome sexual behaviour, including unwanted suggestions, propositions or advances;
- the sending or displaying of material that is pornographic or obscene, including e-mails, text messages, video clips, photographs, posters, emblems or any other offensive material;
- isolation, non-co-operation at work or exclusion from social activities;
- coercion, including pressure for sexual favours;
- inappropriate personal contact, including intrusion by pestering or spying

It should be noted that it is the impact of the behaviour that is relevant and not solely the motive or intent behind it.

Definition of bullying/ (violence)- *"Any incident in which an employee is abused, threatened or assaulted in circumstances relating to their work"*

Bullying is persistent, offensive, abusive, intimidating or insulting behaviour, which, through the abuse of power, makes the recipient feel upset, threatened, humiliated or vulnerable.

Bullying can be a form of harassment and can undermine an individual's self-confidence and self-esteem and cause them to suffer stress.

Bullying can take the form of physical, verbal and non-verbal conduct. As with harassment, there are many examples of bullying, which can include:

- shouting at or humiliating others;
- high-handed or oppressive levels of supervision;
- unjustified, offensive and/or insulting remarks about performance;
- excluding employees from meetings, events or communications without good cause;
- physical or emotional threats
- cyber bullying which includes sending text messages, e-mails or posting information on social media sites which is of an intimidating or threatening nature.

Bullying can occur in the workplace and outside of the workplace at events connected to the workplace, such as social functions or business trips.



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Your rights and responsibilities

Your rights

You have the right to work in an environment which is free from any form of harassment or bullying. The Company recognises your right to complain about harassment or bullying should it occur. All complaints will be dealt with seriously, promptly and confidentially.

Every effort will be made to ensure that, when you make a complaint, you will be protected from further acts of bullying and harassment. If others also give evidence or information in connection with the complaint, they equally will be protected. Perpetrators of these acts will be subject to disciplinary action which may warrant dismissal.

Your responsibilities

You have a responsibility to help ensure a working environment in which the dignity of everyone is respected. You must comply with this policy and you should ensure that your behaviour to colleagues and anyone connected to the Company, does not cause offence and could not in any way be considered to be harassment or bullying.

You should discourage harassment and bullying by making it clear that you find such behaviour unacceptable. You should also support colleagues who suffer such treatment and are considering making a complaint. You must alert a manager or supervisor immediately to any incident of harassment or bullying to enable the Company to deal with the matter promptly and effectively.

The Company's responsibilities

The Company will ensure that adequate resources are made available to promote respect and dignity in the workplace and to deal effectively with complaints of harassment and bullying. This policy and procedure will be communicated effectively to all employees, and the Company will ensure that all employees are aware of their responsibilities. Appropriate training, where necessary, will be provided.

Procedure

In order to raise a complaint of harassment or bullying, please refer to the Company Grievance Procedure. (As outlined in the Employee Handbook).

ACS is committed to the continued development and implementation of a range of measures and procedures, to protect and support an employee whilst engaged in the company's business, including:

- Robust security systems and procedures which have the capacity to prevent and control situations which may lead to the threat of violence/bullying,
- Provision of adequate and relevant information for employees and others
- Reporting and recording systems for incidents, near misses and activity that raises concern
- The provision of all necessary medical and professional support to employees who are victims of violence/bullying whilst at work
- Periodic monitoring and review

Support for Staff (Reporting)

Any employee who feels that he or she has been the target of workplace violence/bullying (verbal or physical) must report this to their line manager and complete an incident form (in a case where the line manager is the aggressor, the employee should report the incident to the line manager's manager, or in exceptional circumstances, their dedicated Human Resources Officer). Once complete, the incident form should be sent to the Health and Safety department.

Support following a violent incident

If the employee has been the target of physical violence and has injuries, the employee must receive any necessary medical treatment and advice; a first aider/ambulance should be called.



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In the event of an employee being a victim of physical or verbal violence, ACS will offer appropriate and timely, help and support. Managers should be sensitive to the employees need to talk about the incident and may wish to seek additional support from Senior Management Team and/or Human Resources.

It is important to recognise that the employee may be suffering some distress and require support in dealing with the post-incident effects. It is not possible to be prescriptive here because individuals react differently to particular experiences. There are a range of measures that can be implemented to support a victim:

Debriefing – enabling the victim to talk through their experience and to express their emotions, concerns and needs is often helpful. How this is best achieved depends upon the relationship with the individual and their reaction to the incident. In some situations the line manager may be appropriate, on others the use of a trained counsellor or the Chaplaincy services may be the most appropriate means of support. In such cases, advice can be obtained through the Human Resources Department.

Employee support – this can take many forms, e.g. temporary changes in role, location or working practices; and in serious cases such support may include time off, phased return to work, referral to Occupational Health or counselling. Advice and assistance in determining the extent to which support can be provided is available via the Human Resources Department

Colleague support - the importance of colleague support should never be underestimated. Colleagues are likely to be seen as primary emotional supports. If the employee is a member of a Trade Union he/she may find this an appropriate source of practical and emotional support.

Additional advice and information is available from Human Resources

Witnesses to violence

Any employee who witnesses workplace violence (be it verbal or physical) should feel able to report this to their line manager without fear of intimidation.

Extreme Acts of Violence

In the event of an employee or group of employees being victims of, or witnessing, an extreme act of violence ACS will offer appropriate and timely, help and support. It is not possible to be prescriptive about the support because individuals react differently to particular experiences.

In the event of a violent incident on the construction site/office involving one or more major injuries, death, multiple deaths or casualties, the business continuity team will take responsibility for managing the situation and will act as the co-ordinator

Responsibilities:- Corporate

The Board of Directors has ultimate responsibility for the health, safety and welfare of all ACS employees, to ensure that proper procedures are in place to implement this policy and to monitor compliance. In practice, the Board of Directors delegates the management functions for the effective implementation of the policy to Duty Holders.

Directors

Directors/Safety must take all reasonable steps to ensure that adequate arrangements are in place to review the working practices, procedures and working environment of their members of staff. This will be done in consultation with employees and other relevant persons to develop appropriate safe systems of work (i.e. a risk assessment). In so doing, the aim is to:



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- prevent employees being placed in situations which present significant risks to their personal safety (*this is a fundamental principle*)
- identify those posts, where those occupying them may be considered to be 'at risk' from violence/bullying due to the nature of the work activities, location or other pertinent factors
- ensure that those 'at risk' are provided with all necessary information, instruction and training to enable the individual to identify circumstances which may give rise to the potential for violence, how to avoid such situations and how to deal with them should they arise
- effectively communicate safe working procedures to all employees, including part-time and temporary employees
- develop employee awareness, via induction processes, line-manager supervision and intervention, team meetings etc.
- enable sensitive and careful consideration to expressions of concern by employees, (*the threat of violence or aggression should not be taken lightly*)
- ensure that all incidents of violence are reported and recorded, notified to the appropriate manager(s), and that appropriate actions are taken to support the individual, prevent a recurrence and to investigate promptly and thoroughly any reported incidents
- report all suspicious incidents to duty holders, so as to prevent potentially violent incidents from arising
- monitor incidents of violence and review the effectiveness of the arrangements made

All employees:


Effective policies and procedures to tackle the issue of violence at work, depend upon the co-operation between employers and employees. Thus, it is expected that all employees will:

- familiarise themselves with this Policy and any associated procedures, guidelines and instructions
- take reasonable steps to avoid situations, which may have the potential for the risk of violence
- report and record all incidents of violent, aggressive, threatening or abusive behaviour, (*or any incident or behaviour which they consider may lead to such acts*), to their site-manager immediately.
- actively participate in training events or other preventative measures designed to raise awareness, deal more effectively with potentially violent situations and to minimise the potential for such incidents
- co-operate with their site-manager in the identification of situations which may give rise to the potential for violence and assist in the development of 'safe systems of work'

Links to ACS Policy and Guidelines

Staff:

- Violence at Work Guidelines
- Code of Conduct
- Disciplinary Procedure
- Whistleblowers policy
- Grievance Procedure
- Equal opportunities policy
- Accident and Near Miss Reporting Procedure
- Fraud and bribery policy
- employee leaflet
- Business Continuity Plan
- Work procedures
- Health surveillance procedures

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Links for further information

www.hse.gov.uk/violence/ Health and Safety Executive

www.suzylamplugh.org/ Charity with information on personal and workplace safety