

 TARASIS ENTERPRISES	POLICY TITLE: Equal Opportunities or Harassment Complaints Policy	
Last Updated by: J Garvey	Approved By: C Rafferty	Ratified By: M Mackle
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Introduction

Tarasis Enterprises is an equal opportunities employer. This means that we will make good faith efforts to comply with the spirit and letter of equality laws.

Tarasis Enterprises is committed to ensuring equal opportunities and fair treatment in the workplace for its entire staff. Tarasis Enterprises aims to promote a good and harmonious working environment where everyone in work is treated with respect and dignity, and we will not discriminate unlawfully against or harass any person on the grounds of actual, perceived or associated age, disability, marital or civil partnership status, political opinion, racial group, religion or similar philosophical belief, sex, gender reassignment, sexual orientation, pregnancy or maternity.

We will also endeavour to ensure that our workplace and our employment policies and practices do not unreasonable exclude or disadvantage job applicants and employees who have disabilities. To the end we comply with the duty to make reasonable adjustments.

Queries on the application or interpretation of this policy should be directed to the Human Resources Department.

Policy

This policy aims to ensure that no employee within the organisation is subjected to any form of harassment or bullying by raising awareness and communicating clearly the type of behaviour that is not acceptable in the workplace. The purpose of this policy is also to provide a route for employees who believe that they have been harassed or bullied to raise a complaint either informally or formally.

The Company will treat all complaints of harassment seriously and will investigate them promptly, efficiently and, as far as possible, in confidence. The main aim of this policy is to provide a framework for resolving complaints of harassment or bullying and for stopping any behaviour that is causing offence or distress.

Definition of Discrimination, Harassment or Bullying

At its broadest, harassment/ bullying includes any behaviour that has caused offence, humiliation, embarrassment or distress. However, if the harassment occurs on discriminatory grounds, then the legal definition of harassment is unwanted conduct relating to a protected characteristic which has the purpose or effect of violating a person's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may be unintentional.

Bullying and harassment may be physical, verbal or non-verbal conduct, e.g. by letter or e-mail. All members of staff should be aware that some forms of harassment may also amount to criminal offences.

Many forms of behaviour can constitute harassment or bullying. Some examples of unacceptable behaviour that are covered by this policy include (but are not limited to) the following:

- physical conduct ranging from unwelcome touching to serious assault
- unwelcome sexual advances

- Verbal and written harassment through jokes, racist, ageist, sexist or sectarian remarks, homophobic comments, comments about a person's disability, offensive language, gossip, slander, sectarian songs, mobile telephone ring tones, threats, letters, e-mails, etc.
- the use of obscene gestures
- the open display of pictures or objects with political, sexual, sectarian or racial overtones, even if not directed at any particular person, e.g. magazines, calendars or pin-ups, computer screen-savers, downloaded images, flags, bunting or emblems, clothing, graffiti or slogans or any other material likely to give offence
- coercion, including pressure for sexual favours, pressure to participate in political or religious groups or to contribute to political collections etc.
- isolation or non-cooperation at work
- intrusion by pestering, spying, stalking, etc.
- spreading malicious rumours about a colleague's personal life,
- excluding someone from social activities

Even if any of the above behaviour is not related to a protected characteristic, it could still amount to bullying.

Employees' Responsibilities

All employees must comply with this policy. They must treat each other with dignity and respect. They must not themselves commit any acts of unlawful discrimination, bullying or harassment against any other person, such as their co-workers, our job applicants or service users. Such behaviour will not be permitted or condoned. We will treat it as misconduct which may warrant dismissal from employment.

All employees should discourage discrimination, bullying and harassment by making it clear that they find such behaviour unacceptable and by supporting co-workers who suffer such treatment. Any employee who is aware of any incident of discrimination, bullying or harassment should alert a manager to enable the Company to deal with it. The Company will take all such reports

seriously and will treat the information in strict confidence as far as it is possible to do so. If the reports of bullying or harassment come from a third party, the Company has an obligation to raise it with the employees concerned (both victim and harasser) for example, to see if the victim wishes to make a formal complaint, or even if he/she does not, to determine whether the matter merits further action.

Employer's Responsibilities

Tarasis Enterprises will continually make good faith efforts to implement this policy. All managers have a special responsibility for enforcing this policy on a day-to-day basis, especially in setting a good example for other employees to follow and for intervening where necessary to protect and reassure employees. To implement this policy, the Company will:

- provide all employees and line managers with a copy of this policy and explain it to them
- ensure that all complaints of discrimination, bullying or harassment are dealt with promptly, seriously and confidentially and in accordance with our internal grievance procedure
- set a good example by treating employees with fairness, dignity and respect.
- be alert to unacceptable behaviour and will take appropriate action to stop it.
- monitor all incidents of discrimination and harassment and review the effectiveness of this policy periodically.

Procedure For Making A Complaint

All employees have the right to work in an environment which is free from any form of harassment. This includes protection from work colleagues and third parties such as service users or customers. The Company recognises fully the right of employees to complain about harassment should it occur. All complaints will be dealt with seriously, promptly and confidentially. It is the policy of the Company that employees who make a complaint in good faith, and others who give evidence or information in connection with a complaint, are protected

against victimisation. Any complaint of victimisation will be dealt with seriously, promptly and confidentially. Victimisation will result in disciplinary action and may warrant dismissal.

Informal Procedure

Any employee who has a complaint may wish to try to deal with the situation informally by:

- Making it clear to the harassing person that their behaviour in this situation is unacceptable. In this approach he or she may wish to seek the confidential advice, assistance, or support of a colleague or manager who will help in the attempt to solve the problem without resort to formal procedures.
- Requesting a manager to approach the alleged harasser on his/ her behalf.

Alternatively an employee may request a confidential meeting with the HR Manager who will provide support and/or assistance with the informal resolution of the problem. Where an employee seeks the support of a Line Manager or HR Manager, he/she will be sensitively informed that:

- Their role during the informal stage can only be one of support or assistance
- A formal investigation and possible disciplinary action can only be taken if the complaint is investigated under the formal procedure

A written record of the action taken will be maintained to assist with any formal proceedings, which may arise if the behaviour complained of does not cease. (Failure to maintain such a record will not invalidate any proceedings at the formal stage.)

All reported incidents of harassment/discrimination will be monitored and in the event of patterns emerging, management reserves the right to initiate its own formal investigation and to take appropriate remedial action.

Formal Procedure

This procedure will be invoked if:

- Any person making a complaint prefers to pursue it formally
- The substance of a complaint is sufficiently serious to render the informal approach inappropriate
- The behaviour complained of has not ceased after the informal attempt at resolution.

The HR Manager will be responsible for all proceedings at the formal stage they will assist throughout the procedure, attending all meetings and maintaining a written record of all the proceedings.

Any person wishing to make a formal complaint should raise the matter in line with Tarasis Enterprises.'s Grievance Procedure. All complaints will be deal with seriously, promptly and confidentially.

The investigating manager will consider what action is necessary in order to prevent further contact between the complainant and the alleged harasser and this may include where appropriate:

- Precautionary suspension
- Specific arrangements to exclude the possibility of contact during working hours
- Specific instructions to both parties that there must be no direct or indirect communication between them in relation to the complaint

Having obtained all the relevant information possible, the investigating manager will consider whether the complaint is substantiated and, if so, will decide on the appropriate course of action. The range of possible actions available to the investigating manager is listed below and one or more of these will be considered, as appropriate to the facts of the particular case:

- To initiate disciplinary proceedings and action as allowed within the Disciplinary Procedure
- To provide further training
- To provide counselling

- To re-deploy within acceptable guidelines
- To prescribe measures which prevent further contact within the workplace

In each case, appropriate follow-up arrangements will be put in place to ensure that the complainant's employment remains free from victimisation or further possible harassment.

Tarasis Enterprises will maintain records of investigations into alleged incidents of discrimination, harassment or bullying, the outcome of the investigations and any corrective or disciplinary action taken. These records will be maintained in confidence and in line with the provisions of the General Data Protection Regulation (GDPR) May 2018.

Exceptions & Exemptions

Tarasis Enterprises and employees will normally be expected to follow the standard procedure unless they have reasonable grounds to believe that by doing so this would result in a significant threat, such as violent, abusive or intimidating behaviour, or, that this would result in further harassment. There will always be a certain amount of stress and anxiety for both parties when dealing with any complaint, but this exemption will only apply where the Company or employee reasonably believes that they (or some other person) would come to serious physical or mental harm; their property (or that of some other person) would be threatened or the party has already harassed them and this may continue. If an employee considers himself/herself to be in this position, he/she should approach the HR Manager on a confidential basis to agree how best to proceed.

Exceptions to the policy and procedures contained herein can only be made with the express approval of the Managing Director who will normally seek the advice of the HR Manager prior to such approval.