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Harassment, Bullying and Victimization Policy

1.0 Purpose

The aim of this policy is to prevent harassment, bullying and/or victimisation, provide guidance to resolve any problems should they occur, and avoid recurrence.

2.0 Scope

Leask Marine has a legal duty to protect its members of staff and this policy emphasises that harassment, bullying and/or victimisation is unacceptable. Such conduct must not be ignored and any complaints of harassment, bullying and/or victimisation of any individual who makes a complaint of harassment or bullying will be taken seriously and investigated as a matter of urgency. Harassment, bullying and victimisation are viewed as gross misconduct, and disciplinary action, including dismissal, may be taken if any complaint of harassment, bullying or victimisation is upheld. All employees have an obligation to comply with this policy.

3.0 Responsibilities and Requirements

It is the responsibility of all line managers to ensure they have familiarised themselves with and understand this policy. Line managers and Supervisors have an obligation to tackle harassment, bullying and victimisation.

Definitions

Harassment: Men and women have a right not to be subjected to harassment at work or work in an intimidating environment. Legally, it is defined as occurring where an individual engages in unwanted conduct which has the purpose or effect of violating another person's dignity, or creating an intimidating, hostile, degrading or offensive environment for that person. Please note that an individual may feel harassed or offended even when the inappropriate comment or conduct is not made towards or about the individual personally.

Harassment can take a variety of different forms and can be written, verbal, non-verbal or transmitted electronically.

All forms of harassment intentional or not are covered by this policy and procedure. The following are examples of unacceptable behaviour. This list is not exhaustive:

- Sexual harassment can be physical conduct ranging from the invasion of personal space and/or inappropriate touching to serious assault. It can include questions or remarks about a person's sex life, comments or ridicule about appearance or dress, unwanted sexual advances, sexually explicit

remarks or innuendoes and/or pressure for sexual favours, displays or distribution of pornographic or sexually suggestive material, including graffiti, posters or other offensive material.

- ☉ Racial harassment may include obscene gestures or jokes about, or gratuitous references to, a person's colour, race, religion or nationality. It can include deliberate exclusion for reasons related to race. It can also include offensive remarks about dress, culture or customs which have the effect of ridiculing or undermining an individual, or fostering hatred and/or prejudice towards individuals or particular ethnic groups. It also includes inappropriate displays of posters, or other offensive material. In some circumstances it can include pressure to participate in political/religious groups.
- ☉ Harassment of people with disabilities can take the form of individuals being ignored, disparaged, ridiculed or denied opportunities because of mistaken assumptions about their capabilities. In such cases, disability, rather than ability, has become the focus of attention. Such harassment can include inappropriate personal remarks, jokes or inappropriate references to an individual's appearance.
- ☉ Harassment on the grounds of actual or perceived sexual orientation can include homophobic remarks or jokes (whether spoken, written or sent by email), offensive comments relating to a person's sexuality, threats to disclose a person's sexuality to others or offensive behaviour/abuse relating to HIV or AIDS status.
- ☉ Harassment on the grounds of religious belief can include jokes or insults about items of clothing, religious artefacts, religious beliefs or rituals.
- ☉ Harassment on the grounds of gender reassignment can include jokes, name calling, humiliation, exclusion or being singled out for different treatment.
- ☉ Harassment on the grounds of age can include jokes or insults about a person's age, or singling a person out for different treatment as a result of their age.

Bullying: The exercise of power over another person through persistent, negative acts or behaviour that undermines an individual, personally and/or professionally. Bullying can be threatening, insulting, abusive, disparaging or intimidating behaviour placing inappropriate pressure on the recipient which can affect self-confidence and self-esteem or has the effect of isolating or excluding them. Bullying can take the form of persistent shouting, sarcasm or derogatory remarks; it can be constant criticism, without constructive support, to assist a member of staff to address performance concerns; it may also include cyber bullying, i.e. using the internet and related technologies to harm another person in a deliberate, repeated and hostile manner

The distinction between good management and bullying is that, whilst the former is intended to support and develop potential and to promote desired work performance, the latter is intended to hurt, intimidate and undermine the individual.

Victimisation: Leask Marine will not tolerate victimisation against a member of staff because he or she has made, or intends to make, a complaint or allegation, or has given, or intends to give, assistance and/or evidence in an investigation. The Company will also not tolerate victimisation or discrimination against members of staff who have left; for example, by refusing to give a reference because the person has made a genuine complaint.

Responsibilities

Leask Marine is legally responsible for ensuring that harassment or victimisation on the grounds of someone's race, sex, sexual orientation, religious belief [including lack of belief], gender reassignment, disability or age does not take place at work. Harassment can be a breach of criminal law, specifically the Criminal Justice and Public Order Act 1994 and the Prevention of Harassment Act 1997.

In addition, under the Health and Safety at Work Act 1974, the Company is responsible for the health, safety and welfare at work of all members of staff, and is liable for the actions of its employees at work.

Leask Marine also has a responsibility to ensure that its employees are not subjected to unacceptable behaviour by contractors or service providers. Any complaints about such behaviour or conduct should be made to the Managing Director. Contractors or service providers breaching this policy may be regarded as in breach of contract, which may lead to the removal from a site of an individual, or termination of the contract.

All Line Managers & Supervisors have a duty to implement this policy, and to make every effort to ensure that harassment, bullying or victimisation does not occur, particularly in the areas of work for which they are responsible. Any concerns relating to harassment, bullying or victimisation must be investigated promptly and effectively.

All employees must comply with, and demonstrate active commitment to, this policy respecting age, beliefs, convictions and orientation of others and not behave in ways which cause offence, or which in any way could be considered to be harassment, bullying or victimisation.

4.0 Review and Monitoring

This procedure will be reviewed as part of the Company's internal audit programme.

Signed:

A handwritten signature in black ink that reads "D Leask". The signature is written in a cursive style with a large, looped 'D' at the beginning.

Name: Douglas Leask, Managing Director

Date: 1st January 2020