

AMF ACCESS SERVICES HARASSMENT AND BULLYING



1. Introduction

AMF Access Services Limited, are committed to developing a working environment in which bullying and harassment are known to be unacceptable and are not tolerated at any level of the organisation. The Company seeks to ensure that every individual can work effectively in comfort and dignity. The Company will provide any employee who suffers bullying or harassment with an appropriate form of redress and seeks to guarantee that complainants will not encounter any form of reprisal or victimisation as a result of their complaint.

2. Objectives

The objectives of this policy are to:

- Create a supportive working environment free from all forms of bullying and harassment.
- Prevent the harassment and victimisation of employees in the workplace.
- Make explicit those behaviours which will not be tolerated.
- Provide practical guidance to all employees on how to deal with harassment and bullying.
- Deal with any allegation of harassment seriously, confidentially and with the utmost discretion.
- Encourage all employees to behave in an appropriate manner at all times.
- Communicate the procedures relating to harassment and ensure that they are implemented.

3. Definitions

Harassment is defined as unreciprocated and unwelcome comments or actions, which are considered objectionable by the recipient. The policy encompasses harassment with regard to gender, race, sexuality, disability, religion, age or political views. The three main forms of harassment are sexual, racial and disability. Types of behaviour the policy seeks to prevent include:

- Unwelcome sexual remarks, jokes or verbal abuse.
- Unwanted physical contact.
- The display of pornographic pictures.
- Behaviour which ridicules an individual because of their sexuality.
- Racially derogatory remarks or racist jokes.
- The display of racially offensive material.

Bullying is defined as persistent actions, criticism or personal abuse, which humiliates, intimidates or undermines the individual involved. Bullying can involve a person in authority abusing their power and bullying subordinates or an individual bullying a peer or a group of people picking on one individual.

Bullying can take varying forms including:

- Severe verbal abuse.
- Intimidating or aggressive behaviour.
- Excessive teasing or humiliation.
- Imposing unrealistic targets.
- Unfair and excessive criticism, possibly in front of colleagues.
- Isolating or openly ignoring someone.
- Physical assault.
- Taking credit for others' initiatives and achievements.
- Sending abusive or intimidating messages by e-mail.

As with harassment, bullying is defined largely by the impact of the behaviour on the recipient, not its intention.

4. Effects of Harassment

Harassment carries with it a high price for both the Company and its employees. The Company recognises that harassment can cause employees to be subject to fear, stress and anxiety, which can put great strains on personal and family life. It can lead to illness, increased absenteeism, an apparent lack of commitment, poor performance and even resignation. All these have a direct impact on organisational effectiveness.



The damage, tension and conflict within the workplace which harassment creates not only results in poor morale but higher labour turnover, reduced productivity, lower efficiency and divided teams. Although the effects may be difficult to quantify, they will eventually show through in the performance of the Company.

Certain types of harassment may constitute unlawful discrimination under Employment Equality Legislation/ Regulations e.g. Gender, sexual orientation, religion or belief, race, disability, or age.

5. Responsibilities

All employees are responsible for their individual compliance with the terms of this policy and for the development of a working environment in which the dignity of all employees is respected.

All managers have a duty to ensure that harassment does not occur in work areas for which they are responsible. Managers have a further responsibility to explain the Company's policy to their staff and to take steps to positively promote the policy.

All Managers/Supervisors must be responsive and supportive to any member of staff who complains about harassment; provide advice on the procedure to be adopted and maintain confidentiality.

It is the responsibility of the Company to regularly review complaints of harassment and bullying and how they have been resolved, in order to ensure that the Company's policy is working effectively.

The complainant should be contacted following the formal resolution of the problem to establish whether the solution has been effective. Where it has not, further action may be necessary.

All employees and in particular Supervisors/Managers etc. have responsibilities to ensure the continuing success of the implementation of the policy by:

- Refraining from harassment and bullying.
- Bringing to the attention of the Management any suspected practices in breach of this policy.
- Working together to promote a harmonious working environment free from all forms of bullying and harassment.

No manager shall threaten or insinuate, either explicitly or implicitly, that an employee's rejection of sexual advances will be used as a basis for an employment decision affecting that employee. Such conduct by a manager will be treated as a serious offence.

Disciplinary action, up to and including dismissal, will be taken against those failing to fulfil their responsibilities under this policy.

6. Bullying and Harassment Complaints Procedure

An employee subjected to bullying or harassment has two options in seeking a resolution: an informal and formal approach. (These options are not mutually exclusive).

6.1 Informal Approach

An employee can seek confidential informal advice and support from their manager or a Director.

In certain instances it may be appropriate for the complainant to approach the alleged perpetrator personally indicating that a particular action is regarded as offensive. The complainant should warn the alleged perpetrator that should the behaviour continue a formal complaint will be made to the alleged perpetrator's line manager. The threat of a formal complaint will often be sufficient to dissuade the alleged perpetrator from repeating the behaviour. Alternatively the complainant can request a colleague or manager to speak to the alleged perpetrator informally.

If the informal approach has proved ineffective or the alleged offence is of a serious nature it may be necessary to adopt a formal approach.



6.2 Formal Approach

At all times, whether or not informal steps have been taken, any employee who feels that they have been harassed or bullied may make a formal complaint.

Because of the sensitivity of such complaints and the need to resolve them speedily, the complaint should be made in writing and sent to the complainant's manager as soon as possible.

Should the allegation be made against the manager, the written complaint should be sent to a more senior level of Management (e.g. Director).

Every effort should be made to address the issue within five working days from the receipt of the complaint.

6.3 Investigation Procedure – Formal Approach Only

The manager/director will ensure that a full investigation is made into any allegation of bullying or harassment.

The complainant and the person against whom the allegations are made will be interviewed separately and the proceedings will be confidential.

Both the complainant and the person against whom the allegations are made may be accompanied or represented at all stages of the procedure by a fellow employee. The individual under investigation and the complainant must understand that no victimisation, as a result of the complaint, is to occur.

Any witnesses will be interviewed and will be required to respect the need for confidentiality. Any breach of this confidentiality may result in disciplinary action.

An accurate record will be made of the investigation and its conclusion. Both the complainant and the person against whom the allegations are made will be informed in writing of the findings of the investigation and the action to be taken within five working days after the conclusion of the investigation.

6.4 Outcome

If, following investigation, it is found that bullying/harassment has taken place, appropriate use should be made of the Company's Disciplinary procedure. **Disciplinary action up to and including the possibility of dismissal may be taken.**

If it is considered appropriate to issue a disciplinary warning, it may be necessary to consider an alternative post or reallocation of work for the offender in order that they and the complainant do not continue to work together should they work in close proximity.

If an employee is dissatisfied with any disciplinary decision, an appeal can be made in accordance with the company's Appeals Procedure.

If, following investigation, it is considered that no bullying or harassment has taken place, any record of the accusation will be removed from the accused's personal file.

Employees shall be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against an employee for complaining about harassment is a disciplinary offence.

It must also be advised that any employee who raises a complaint, which upon investigation is proven to be deliberately vexatious, then that employee will themselves become the subject of disciplinary proceedings.

If the complainant is not satisfied with the outcome then they may ask to have the case reviewed by the Company.

Any allegation of harassment or bullying which is found to be malicious will also be treated as a serious disciplinary offence.

7.0 Definition

Sexual harassment is a form of sex discrimination which is unlawful and contrary to the Sex Discrimination Act 1975. It is improper and inappropriate behaviour which lowers morale and interferes with work effectiveness.



The following are examples of inappropriate behaviour covered by this policy and should not be regarded as an exhaustive list:

Physical Conduct of a Sexual Nature: Unwanted and repeated physical contact including unnecessary touching, patting, pinching, brushing against another employee's body, assault or coercing sexual intercourse.

Verbal Conduct of a Sexual Nature: Unwanted sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, offensive flirtations, suggestive remarks, innuendoes or lewd comments.

Non-verbal Conduct of a Sexual Nature: The display of pornographic or sexually suggestive pictures, objects or written materials, leering, whistling or making sexually suggestive gestures.

Sex-based Conduct: Conduct that ridicules or is intimidatory or physically abusive of an employee because of his or her sex, such as derogatory or degrading abuse or insults which are gender related.

8.0 Sexual Harassment Complaints Process

- 1) Wherever possible, an employee who believes that they have been the subject of sexual harassment should, in the first instance, ask the person responsible to stop the harassing behaviour as it is unacceptable to them. Person to person reproof at an early stage will often be sufficient to stop the behaviour which is causing the offence without involving third parties.
- 2) If the recipient needs help or advice, they should seek the involvement of trusted friends. This would still be short of making the matter official by involving management.
- 3) All complaints will be handled in a timely and confidential manner. Employees shall be guaranteed a fair and impartial hearing and the matter will be investigated thoroughly.
- 4) If the investigation reveals that the complaint is valid, prompt attention and disciplinary action designed to stop the harassment immediately and prevent its recurrence will be taken. In such circumstances, if relocation proves necessary, every effort will be made to relocate the harasser and not the victim.
- 5) Employees shall be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against an employee for complaining about sexual harassment is a disciplinary offence.

NB Whilst the objectives of this policy are clearly stated, and are to be followed, for reasons of equity and justice, it must also be advised that any employee who raises a complaint, which upon investigation is proven to be deliberately vexatious, then that employee will themselves become the subject of disciplinary proceedings, up to and including dismissal.