EMEC
THE EUROPEAN MARINE ENERGY CENTRE LTD

Harassment & Bullying Policy

February 2024






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Contents

1 Policy statement 1
2 Scope 1
3 Definitions 1
4 Detailed guidelines 2
4.1 What to do if you are being harassed or bullied 2
4.2 What to do if you are accused of harassment or bullying 2
4.3 What to do if you feel harassment or bullying is taking place 3
4.4 Guidance for senior management 3
5 Communication and review 3
6 Reference documents 3

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1 Policy statement

EMEC is an equal opportunities employer and is committed to providing a working environment free from harassment and bullying. Bullying and harassment are not tolerated in the workplace and all staff are required to treat each other and customers, suppliers and visitors, with dignity and respect.

Breaches of this policy will be dealt with in accordance with the Disciplinary Policy. Serious cases of bullying or harassment may amount to gross misconduct resulting in dismissal.

Staff who make complaints or who participate in good faith in any investigation will not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action. Making a false allegation deliberately and in bad faith will be treated as misconduct and will be dealt with under the Disciplinary Policy.

This policy guideline provides a guide for all employees on policy and procedures and explains what you should do:

- As an employee experiencing harassment or bullying
- As an employee accused of harassment and bullying
- As a colleague of someone who you believe is being harassed or bullied
- As a manager receiving a report of harassment or bullying.

2 Scope

The policy applies to all employees and contractors. This policy covers bullying or harassment which occurs at work and out of the workplace, including on work trips or at work-related events or social functions including those not held on EMEC premises.

3 Definitions

Harassment occurs where a person engages in unwanted conduct which has the purpose or effect of violating the other's dignity at work or creates an intimidating, hostile, degrading, humiliating or offensive work environment for the other person. A single incident can amount to harassment. A person may be harassed even if they were not the intended 'target'.

It is unlawful under the Equality Act 2010 to harass a person because of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. It also includes conduct of a sexual nature (sexual harassment). Harassment is unacceptable even if it does not fall within any of these categories.

Examples of harassment include:

- unwanted jokes, banter, mocking, mimicking or belittling a person;
- unwanted physical conduct including touching, pinching, pushing and grabbing;
- unwelcome sexual advances or suggestive behaviour;
- offensive e-mails, text messages or social media content or the display of offensive materials.

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Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying can include the use of personal strength or the power to coerce through fear or intimidation, not necessarily from someone in a position of authority.

Bullying may be physical, verbal or non-verbal. It can include conduct that is not face-to-face, including via text message, e-mail and social media.

Examples of bullying include:

- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- inappropriate derogatory remarks about a person or their performance;
- shouting at staff;
- persistently picking on people in front of other or in private;
- setting a person up to fail by overloading them with work or setting impossible deadlines;
- regularly and deliberately ignoring or excluding an individual from work activities or work-related social events;
- blocking promotion and training opportunities.

Legitimate and reasonable criticism of a staff member's performance or behaviour, or reasonable management instructions, do not amount to bullying.

4 Detailed guidelines

4.1 What to do if you are being harassed or bullied

If you believe you are being harassed or bullied, you may wish to raise the problem informally with the person responsible if you feel safe and comfortable to do so. Explain the situation and how it has made you feel. It can be helpful to describe the event, so the other person is clear about your concerns. Use the opportunity to ask the person to change or stop their behaviour. Alternatively, you may speak to any member of the Executive Team or the HR Manager who can provide confidential advice and assistance in resolving the issue formally or informally.

If you do not feel that informal steps are appropriate, or they have been unsuccessful, you should raise the matter formally under the Grievance Policy. All complaints will be investigated in accordance with the Policy.

If it is considered that there is sufficient evidence to suggest you have been harassed or bullied appropriate action will be taken. If the person accused is an employee, this may include involving actions under the Disciplinary Policy. Whether or not your complaint is upheld, consideration will be given on how best to manage any ongoing working relationship between you and the person concerned.

Keep notes of each event. These could be useful to refer to when discussing the matter with the person responsible or if you are seeking advice from another party. If formal steps are required to resolve the issue any notes will assist the investigation.

4.2 What to do if you are accused of harassment or bullying

If you are accused of harassment or bullying:

- Remain calm and listen to the allegations. Don't confront the accuser. Be prepared to acknowledge that your behaviour may have caused offence and be prepared to apologise.

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- Seek advice from a colleague or friend.
- You have the right to be informed of the allegations and of any formal complaint.
- You have the right to representation throughout the process.

If a formal grievance has been made you have the right to a full investigation, fair application of the procedures and prompt action.

Keep notes of any discussions you have either with the accuser or any witnesses. If formal steps are required to resolve the issue any notes will assist the investigation.

4.3 What to do if you feel harassment or bullying is taking place

If you feel that a colleague is being harassed or bullied, offer them advice and support. Explain that you feel the treatment they are receiving is wrong and that steps can be taken to put an end to it using EMEC's procedures.

If the colleague is reluctant to tackle the problem continue to offer support, but do not initiate action on their behalf.

4.4 Guidance for senior management

Your actions and attitude can help create a workplace where everyone is treated with respect.

- Make sure everyone knows and understands the policy guidelines on harassment and bullying.
- Treat each incident seriously and follow the guidelines.
- Always maintain confidentiality both for the complainant and for the complainer.
- Keep those involved informed of what action will be taken. Follow through on the policy. Be sensitive and alert to potential problems.
- Encourage all employees to be supportive of the policy. Prevention is better than cure.

5 Communication and review

This policy will be communicated to staff via the Employee Handbook, during induction, and at staff meetings.

This policy will be reviewed on a biennial basis.

6 Reference documents

Disciplinary Policy MAN072
Grievance Policy MAN071
Equal Opportunities Policy MAN044
Equality Act 2010 (legislation.gov.uk)

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