

16.2 BULLYING, HARASSMENT, AND SEXUAL HARASSMENT POLICY

At Calabash Mint, bullying, harassment, and sexual harassment are unacceptable, whether in the workplace or outside the workplace, where it may affect an individual's work or where it involves or affects the Company in any way. Everyone should be treated with dignity and respect, and as such, the Company will not tolerate any form of bullying, harassment, and sexual harassment, whether intentional or otherwise.

These behaviours are considered serious offences and are likely to be regarded as gross misconduct. If you engage in bullying, harassment, or sexual harassment (or condone such behaviour), you could be the subject of disciplinary action, which may result in immediate dismissal.

This policy specifies that all employees and any individuals in contact with Calabash Mint are protected from bullying, harassment or sexual harassment. This includes individuals of all genders, ethnicities, sexual orientations, and other characteristics protected under the Equality Act 2010.

This policy is designed to prevent bullying, harassment, and sexual harassment and to deal with any cases that occur. All employees have a responsibility to observe, uphold, and apply this policy at all times and report any behaviour that contravenes it.

Company Commitment

Calabash Mint is committed to ensuring a workplace that is free from bullying, harassment, and sexual harassment. To maintain this commitment, the Company will:

- Take all reasonable steps to comply with the Worker Protection (Amendment of Equality Act 2010) Act 2023:

Calabash Mint will ensure compliance by regularly assessing the risks of bullying, harassment, and sexual harassment and implementing proactive measures such as conducting annual risk assessments, providing comprehensive training to all staff, and enforcing strict reporting and investigation procedures. This proactive approach ensures that the Company meets its legal obligation to prevent sexual harassment before it occurs, particularly in high-risk areas or situations (e.g., client interactions, after-work events).

- Regularly review the 16.2 Bullying, Harassment, and Sexual Harassment Policy:

The Company will implement a clear and robust anti-bullying, harassment, and sexual harassment policy that sets out what constitutes bullying, harassment, and sexual harassment. This policy will be reviewed at least annually, or more frequently if required, to ensure it remains effective and up to date with current legislation and best practices.

- Provide clear definitions and examples:

The Company will ensure that all employees are aware of the definitions of bullying, harassment, and sexual harassment, as well as what behaviours are considered unacceptable. This will be included in training and company communications to promote understanding across the organisation.

- Establish an effective reporting procedure:

The Company will ensure that employees have clear and accessible channels to report any incidents of bullying, harassment, or sexual harassment. All reports will be handled promptly, confidentially, and impartially, and employees will be protected from retaliation.

- Provide training and resources:

The Company will provide regular training to all employees on recognising and preventing bullying, harassment, and sexual harassment. Additional training will be provided to managers on handling complaints and maintaining a positive, inclusive workplace culture.

- Create a safe and respectful workplace:

Calabash Mint is committed to fostering a work environment where all employees feel safe and respected. The Company will promote a culture of inclusion and respect and will actively work to prevent bullying, harassment, and sexual harassment from occurring.

- Prevent and address third-party harassment:

The Company is committed to ensuring that harassment from third parties, such as clients or customers, is prevented, addressed, and reported appropriately. Calabash Mint will take immediate action against any third-party misconduct and provide employees with the necessary tools and guidance to report these issues.

- Maintain professional conduct at work-related social events:

Calabash Mint will take all reasonable steps to ensure professional conduct is maintained at work-related social events, and this includes preventing incidents that may arise due to the presence of alcohol. Employees will be reminded of appropriate behaviour before such events, and any incidents of harassment during these events will be treated as serious misconduct.

Definitions

Bullying

Bullying is the repeated less favourable treatment of a person by another or others. Bullying can take the form of physical, verbal and non-verbal conduct.

Examples of what is unacceptable behaviour, including what may be defined as bullying can be found below:

- Spreading malicious rumours, or insulting someone;
- Copying memos that are critical about someone to others who do not need to know;
- Ridiculing or demeaning someone - picking on them or setting them up to fail;
- Exclusion or victimisation;
- Unfair treatment;
- Overbearing supervision or other misuse of power or position;
- Making threats or comments about job security without foundation;
- Deliberately undermining a competent worker by overloading and constant criticism;
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying Does Not Include:

- Occasional differences of opinion, non-aggressive conflicts or problems in working relations;
- Workplace counselling, managing under-performance and other actions in line with company procedures.

Harassment

Harassment is unwanted conduct that has the purpose, or effect, of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Harassment may be related to, age, disability, gender re-assignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.

A single incident can amount to harassment. Even if harassment does not fall into any of the categories above, it is still considered unacceptable.

Sexual Harassment

Sexual harassment is a form of harassment that involves unwanted behaviour of a sexual nature. It can include both physical and verbal conduct, whether in person or online. Examples include:

- Unwelcome sexual advances, comments, or gestures.

- Sexual remarks about someone's body, clothing, or appearance.
- Sharing or displaying inappropriate images or videos of a sexual nature.
- Sending or sharing sexually suggestive content or inappropriate messages via email or online platforms.
- Unwanted physical contact, such as hugging or touching.
- Treating someone less favourably for rejecting or submitting to such conduct.

Sexual harassment can also occur through 'banter' or jokes that are sexual in nature. This applies to both in-person interactions and online communications, including emails and messaging apps. Such behaviour remains unacceptable and may lead to disciplinary action.

Sexual harassment can be carried out by anyone in the workplace, including colleagues, managers, or third parties, such as clients, customers, or members of the public. Employees are encouraged to report any inappropriate behaviour from third parties to their line manager immediately.

A single incident can amount to harassment or sexual harassment. Even if the behaviour does not fall into one of these categories, it may still be unacceptable.

Examples of Harassment

Harassment can take many forms and can be physical, verbal or non-verbal conduct. Examples of harassment may include:

- Racist, sexist, homophobic or ageist jokes or derogatory or stereotypical remarks about a particular ethnic group, religion, gender, sexual orientation or disability;
- Offensive or intimidating comments or gestures;
- Insensitive pranks or jokes;
- Unwelcome sexual advances or suggestive behaviour (whether or not the person making the advance or exhibiting the behaviour perceives the conduct as harmless);
- Unwanted physical conduct and contact.

The examples above are not an exhaustive list. A person may be harassed even if they are not the intended subject. For example, a person may be harassed by racist comments about a different ethnic group if they create an offensive environment.

Harassment by third parties will not be tolerated. Employees are encouraged to report any incidents of third-party harassment, and the Company will take appropriate steps to remedy the complaint and prevent recurrence. These steps may include warning or banning a client or customer, reporting any criminal acts to the police, and sharing information with other relevant parties within the business.

Guidelines

- If you would not say or do it in front of your parents, partner, or close friend of the same or opposite sex: **do not** say it, **do not** do it.
- If you would not want your words or actions to be reported in the media: **do not** say it, **do not** do it.
- If in doubt: **do not** say it, **do not** do it.

Company Approach

Managers are responsible for ensuring that all employees understand that bullying, harassment, and sexual harassment are not tolerated. They must take early corrective action to address behaviour that is offensive or intimidating.

Each employee has an obligation to promote a respectful and inclusive environment. Every employee has a duty to observe and apply this policy at all times.

Disciplinary Actions

Harassment or victimisation, including sexual harassment, may lead to disciplinary action up to and including dismissal. The disciplinary process will take into account any aggravating factors, such as the abuse of power or authority over a more junior colleague.

Reporting Procedures

Informal Procedure

In some cases, it may be possible to resolve the matter informally. Sometimes, individuals may not be aware that their behaviour is unwelcome. An informal discussion can lead to mutual understanding and agreement that the behaviour will cease.

If you think you are a victim of bullying, harassment, or sexual harassment, raise the issue with your line manager in confidence in the first instance. They will investigate the allegations and decide the appropriate approach. Mediation between parties may also be considered, depending on the circumstances.

The Company takes all complaints of bullying and harassment very seriously and will endeavour to deal with each issue promptly, confidentially and adequately to ensure the smooth running of the business.

Formal Procedure

If resolution at the informal stage is unsuccessful or if the complaint is serious, the formal procedure may be used.

The Company encourages the use of its grievance procedure to deal with issues which cannot be resolved informally. It should be noted however, that the Company encourages resolution at an early stage and therefore promotes the use of the informal procedure wherever possible.

Details of the Company's grievance procedure can be found in the preceding policy. Following the outcome of the grievance procedure, if it is found that bullying or harassment has occurred then the relevant disciplinary action will be taken, which may lead to immediate dismissal. In serious cases, incidents may be reported to external authorities. The Company will not tolerate any form of retaliation against an employee who reports or is involved in the investigation of a harassment complaint.

If the harassment involves third parties such as clients or customers, employees are encouraged to report these incidents in the same manner as they would internal harassment. The Company will take immediate action to address third-party misconduct and ensure the safety of employees.

Malicious Complaints

Disciplinary action may be taken if a deliberately false allegation of bullying or harassment is made. However, no action will be taken if a complaint made in good faith is found to be unfounded.

Confidentiality and Protection from Retaliation

An accusation of bullying, harassment, or sexual harassment can be potentially defamatory, particularly if confidentiality is not maintained, and a person's reputation is unfairly damaged. The Company takes confidentiality seriously. All documentation related to complaints will be kept securely and treated with the utmost confidentiality. Failure to maintain confidentiality may result in disciplinary action, including dismissal.

Retaliation against anyone making a complaint of bullying, harassment, or sexual harassment will not be tolerated and may lead to disciplinary action.

Each employee of the Company has a duty to promote and abide by this policy at all times.