

Anti-Bullying and Harassment Policy

About this policy

Banijay UK is committed to providing a working environment free from harassment and bullying and ensuring all staff are treated, and treat others, with dignity and respect. This policy applies to all people who work in any Banijay UK company or label, whether as an employee, freelancer, consultant, temporary or permanent staff member or in any other capacity. It covers conduct in the workplace itself as well as outside of the workplace such as business trips, location productions, events or social functions which are organised by the company. This policy does not form part of any employee's contract of employment and we may amend it at any time.

What is harassment?

Harassment is any unwanted physical, verbal or non-verbal 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. A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past. Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.

Harassment is unacceptable even if it does not fall within any of these categories. Harassment may include, for example:

- (a) unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- (b) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- (c) offensive e-mails, text messages or social media content;
- (d) mocking, mimicking or belittling a person's disability.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

What is Bullying?

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example: (a) physical or psychological threats; (b) overbearing and intimidating levels of supervision; (c) inappropriate derogatory remarks about someone's performance; Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

If you are being harassed or bullied If you believe are being harassed or bullied, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable.

If this is too difficult or embarrassing, you should speak to your line manager or the Human Resources Department, who can provide confidential advice and assistance in resolving the issue formally or informally. If informal steps are not appropriate, or have not been successful, you should raise the matter formally under our Grievance Procedure. We will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a “need to know” basis. We will consider whether any steps are necessary to manage any ongoing relationship between you and the person accused during the investigation. Once the investigation is complete, we will inform you of our decision. If we consider you have been harassed or bullied by an employee the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Protection and support for those involved

Individuals who make complaints or who participate in good faith in any investigation must 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 under our Disciplinary Procedure.

Confidential Representative

We recognise that reporting some instances of unacceptable conduct may be particularly difficult and have therefore appointed a confidential representative that we would encourage you to speak to if you do not feel able to speak to anyone else. The confidential representative shall be available to anyone, who works within the building or on the premises of Banijay UK and who is confronted with sexual harassment, aggression or violence. The confidential representative’s major duties shall include:

- providing initial care for the individual ensuring they can tell their story to someone;
- providing counselling on possibilities for resolving the problem;
- if necessary, making referrals to external experts and acting as an intermediary with respect to a complaint; that is, in consultation with the confidential representative, an attempt may be made to resolve the complaint informally first through mediation.
- The confidential representative shall not take any action without the permission of the individual filing the complaint;
- assisting the individual if actual steps are taken or need to be taken (such as filing a complaint with Banijay UK’s management or, if a criminal offence is involved, reporting this to the police).

Louisa Lockett shall be the confidential representative within Banijay UK and can be contacted at louisa.lockett@endemolshineuk.com or 0208 222 4950.

Record-Keeping

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.