Anti-harassment and bullying policy

We believe that all employees should be able to work in an environment where they feel safe, respected and valued.

At Open GI we have zero tolerance for any form of harassment or bullying whether face to face, online or in any work-related setting (including social events, conferences or offsite meetings).

Cases of bullying or harassment will usually be dealt with under the company's disciplinary procedure, with this type of behaviour being viewed as potential gross misconduct.

We want to be a company where people feel confident speaking up — knowing they'll be heard, supported, and treated fairly. If you ever believe you are being bullied or harassed, please do report this so that it can be dealt with appropriately.

Scope of policy

This policy applies to anybody working for or with Open GI which includes employees and contractors.

It also covers harassment by a third party such as clients, customers, or suppliers. If an employee is subject to this type of harassment from a third party, they should immediately make their manager aware that it has taken place and report the details so that appropriate action can be taken.

Legislation

Harassment related to protected characteristics is covered by the Equality Act 2010 and can be deemed as unlawful. It may also be unlawful under criminal law or law of negligence.

Protected characteristics under the Equality Act 2010 are as follows:

- Sex
- Gender reassignment (i.e. transgender status)
- Race (which includes colour, nationality and ethnic or national origins)
- Disability
- Sexual orientation
- Marital status
- Religion or belief
- Pregnancy and maternity
- Age

What is harassment and bullying

Harassment is unwanted behaviour, (verbal, non-verbal, written or physical) related to protected characteristics that:

- Makes someone feel uncomfortable, intimidated, degraded, humiliated or offended; or
- Creates a hostile or unpleasant working environment

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Examples include:

- Physical contact
- Offensive jokes, comments or gestures
- Mocking, ridiculing or stereotyping based on someone's background, identity or beliefs
- Deliberately excluding or isolating someone
- Using slurs, nicknames, or images that are discriminatory or degrading
- Repeated unwanted contact either online or in person
- Coercion for sexual favours
- Spying/stalking.

It's very important to keep in mind that harassment can occur whether the behaviour was intentional or not – it is the impact of the behaviour that matters. This can happen with banter and jokes, so it is always important to be mindful of what you say.

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that undermines, humiliates, or causes harm to a person.

Bullying can be one off behaviour or something that is repeated over time.

Examples include:

- Spreading malicious rumours or unfair criticism
- Persistent unwarranted comments about performance
- Ignoring or deliberately excluding someone from meetings, discussions or not sharing information
- Shouting, sarcasm or belittling remarks
- Overloading someone with work or deliberately setting them up to fail
- Continually undermining someone's authority

Victimisation is subjecting a person to a detriment because they have, in good faith, complained that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint.

Whether unlawful or not, none of these behaviours will be tolerated at Open GI and we encourage people to call them out should they witness such behaviour or are impacted directly.

Our expectations

Everyone is responsible for creating and supporting a respectful workplace.

All employees are expected to:

- Treat fellow colleagues with courtesy and respect at all times
- Be aware of how their words and actions may be perceived
- Call out inappropriate behaviour
- Support colleagues who make or who are considering making a complaint
- Help create an inclusive, supportive environment
- Complete the annual eLearning course relating to the prevention of harassment

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Line Managers are also expected to:

- Set an example and role model inclusive behaviours
- Support employees through any complaints process and encourage individuals to discuss any issues
- Deal with any complaint or concern quickly, sympathetically, and confidentially, escalating where necessary

We also expect clients, customers and suppliers to treat our employees with courtesy and respect.

People Services will provide confidential advice and support to anyone affected and support investigations into bullying and harassment

How to raise a complaint

If you witness or are directly affected by any of the above behaviours, please speak up as soon as possible. Even if you are not sure if the conduct is harassment or bullying don't suffer in silence. Concerns will always be taken seriously.

In the first instance we would encourage you to speak to your line manager or a member of People Services. You can raise a concern informally initially. However, if you prefer, you can make a formal complaint straight away.

You can raise your concerns anonymously by emailing People Services but please note that this may make investigating the concern more difficult.

It is useful to keep a written record of the behaviour before memories fade. Write down the dates, times, and places when events occurred and what was said or done. If anyone else witnessed any of the instances, make a note of their name.

Informal resolution

Early action is key to ensure the problem is resolved, this process allows for the problem to be stopped without the possibility of it happening again. At this stage it may be possible to resolve the situation by talking directly with the other person(s), explaining how their behaviour made you feel and asking them to stop. If you feel uncomfortable then support can be provided by your manager or a representative from People Services.

Formal resolution

If an informal approach has failed or the situation is more serious, you can make a formal complaint. The complaint should be made in writing to your manager or to People Services.

Including details is important to enable a thorough investigation which will help us understand how best to respond. Therefore, please include the following:

- Name(s) of the person(s) involved
- Nature of bullying/harassment
- Dates, times and places

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- Names of any witnesses; and
- Details of any action already taken to try and stop the behaviour

All complaints will be handled confidentially, fairly and without delay.

Investigation

On receipt of a formal complaint a full and impartial investigation will take place. Both the complainant and the person(s) accused will have the opportunity to be heard.

An impartial manager will be appointed as the Investigating Manager to gather information, interview relevant people and review available evidence. A member of People Services will provide support.

The Investigating Manager will produce an Investigation report which will include:

- A summary of the investigation
- A view of whether or not bullying/harassment/victimisation is likely to have occurred
- Recommendation on whether disciplinary action is warranted

Should it be decided that disciplinary action is required this will take place in accordance with the Company's disciplinary procedure.

If you have raised a complaint and feel you cannot continue to work in close contact with the alleged bully/harasser, we will seriously consider any requested changes to your working arrangements during our investigation into the matter.

The outcome of the investigation will be shared with both parties within five working days of completion of the investigation where practicable. All investigations will be recorded and kept on file for future reference.

Counter allegations

Where following a complaint of harassment against a person, that person then makes a counter allegation against the complainant, the Investigating Manager will consider the counter allegation at the same time as the initial complaint.

Right of appeal

If either party involved are not satisfied with the outcome, an appeal may be made. An appeal must be made in writing within five working days of the dated outcome and will be considered within ten working days of receiving the appeal where practicable.

Confidentiality

We treat complaints of bullying, harassment, and victimisation sensitively and maintain confidentiality to the maximum extent possible.

Investigation of allegations will normally require limited disclosure on a "need to know" basis. For example, your identity and the nature of the allegations must be revealed to the person you are complaining about, so they are able to respond to the allegations.

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Some details may also have to be given to potential witnesses, but this will be limited as far as possible, while ensuring a fair and sufficiently thorough investigation. We will emphasise the importance of confidentiality to witnesses.

If, after the disciplinary proceedings have concluded, the person you have complained about remains in employment (for example, a sanction short of dismissal is appropriate), we may need to share some information with managers to prevent any risk of harassment against you or others.

If you are accused

Anyone accused of harassment, bullying, or victimisation has a right to receive support and advice from their manager/People Services, a work colleague, or a Trade Union representative. They also have a right to be given a clear account of the allegation so that they may state their case.

Any victimisation of a complainant, a person who is suspected of being or intending to be a complainant, or an alleged perpetrator, is unacceptable at any time and is included within this policy.

If you are accused of harassment or bullying, you should follow the advice given below.

- Seek confidential advice from People Services. It would be advisable to do this before taking any other steps. Any discussion will be confidential, but you should be aware of the limits to confidentiality as detailed above.
- Listen carefully to what is being said. You may find that you have unintentionally caused offence, or you may believe that your words or actions have been misinterpreted or misjudged. In any of these cases you will need to keep calm in order to try to reach an understanding with the person accusing you of harassment.
- Be honest. If you come to realise that you have mistreated another person, be ready to change the behaviour causing offence.
- Be prepared to participate in mediation if an attempt is being made to resolve the matter informally.
- If you believe the accusation to be unfounded, say so but arrange to seek advice and support as soon as possible whether the situation is resolved informally or formally. You could, for example, seek the advice of a member of People Services.

You can receive advice and support during the procedure for informal resolution or formal complaint. You have the right to be accompanied at any interview or other stage in the procedure by a work colleague or a certified Trade Union representative.

If a complaint made against you is not upheld, you should expect steps to be taken to restore reasonable working relations between yourself and the person who made the complaint.

If you are not satisfied with the outcome of an investigation of a complaint made against you, you have a right to appeal, as outlined above.

At all times you should observe the principles of confidentiality detailed throughout this policy and you can expect all other parties involved to do the same.

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Support

Being the subject of harassment or bullying or being accused of such behaviour will no doubt be an upsetting experience. Alongside support from People Services or your manager, the Employee Assistance Programme (EAP) is also available for employees.

False allegations

We seek to maintain a proper balance between the right to speak up about harassment, bullying or victimisation, and the right to be free of malicious or vexatious complaints. If a complaint is found to be malicious or vexatious this may provide grounds for disciplinary action against individuals, up to and including dismissal.

It is important to note therefore, that making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

Keeping records

All formal, confidential, documents should be centralised with the People Services team who will retain these within a confidential HR system under an individual's personnel file.

Open GI holds confidential records in accordance with the General Data Protection Regulation (GDPR) and other applicable laws. Further information can be found in our Data Protection Policy or in our Privacy Notice available on the company Intranet.

Please note that formal meetings taking place under this Policy should take place face to face. Where it is necessary to hold such meetings via Teams these will not be recorded. A member of People services will take non-verbatim notes which will be shared with the employee.

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