



Harassment and bullying policy

Bullying, harassment, and victimisation will not be tolerated. Therefore, in line with our professional code of conduct and legal obligations, CreoPlan Ltd (“we”, “us”, “our”) will take such reasonable steps to protect all employees, workers, and job applicants from any form of harassment and bullying, including sexual harassment.

Sexual harassment is unlawful and will be investigated. This means that if you change your mind after making a complaint (even if that complaint was made informally or in confidence), we may choose to investigate it anyway. We will, however, not do so without talking to you first.

You should familiarise yourself with this policy and with our:

- Diversity, equity, and inclusion policy;
- Disciplinary policy; and
- Grievance policy.

1. What does this policy cover?

Our policy covers our commitment to ensuring a working environment free from harassment, bullying, and intimidation, whether from colleagues or third parties.

We define the following behaviour as harassment, bullying, and/or intimidation:

- a. harassing or bullying anyone else (see our definitions of these below);
- b. threatening anyone or otherwise retaliating against anyone who raises a harassment or bullying complaint;
- c. making malicious or bad-faith allegations of bullying, harassment, or intimidation;
- d. giving false or intentionally misleading information during any investigation.

There may well be other examples of this behaviour. This is not an exhaustive list.

Our policy applies to behaviour:

- a. anywhere on our business premises;
- b. away from our business premises during work-related social events, business events, or business trips;
- c. when working remotely in order to perform your work duties and responsibilities, e.g. on client premises/sites, working from home (including related travel to that location);
- d. involving colleagues or anyone connected to us in any work-related situation (including by customers, clients, and suppliers) outside of work, including on social media;
- e. involving anyone outside of a work-related situation, where the behaviour and/or incident is relevant to our understanding of their suitability to carry out their job role when working for us.

Instigating, taking part in, condoning, supporting (actively or passively), and/or deliberately or unwittingly failing to prevent any of the above-listed activities (or their equivalents) will lead to action under our Disciplinary policy and may lead to your dismissal for misconduct, or gross misconduct.

2. Who does this policy apply to?

All employees, apprentices, consultants, officers, contractors, interns, volunteers, job applicants, agency and casual workers.

3. This policy is not part of your employment contract

This policy is not part of your employment contract. We may amend this policy at any time.

4. Bullying

Bullying can be proven whether or not the victim has one or more protected characteristics.

Protected characteristics are discussed more fully in our Diversity, equity, and inclusion policy. They are categorised by law, and they are:

- a. Age.
- b. Disability.

- c. Gender reassignment.
- d. Marital or civil partnership status.
- e. Pregnancy or maternity.
- f. Race (which includes colour and ethnic/national origin).
- g. Religion or belief.
- h. Sex (gender).
- i. Sexual orientation.

Under our policy and according to UK employment law, physical, verbal, and non-verbal conduct can all amount to bullying.

Indeed, bullying may be any behaviour that makes the person on the receiving end of this treatment feel:

- threatened;
- intimidated;
- humiliated;
- vulnerable; or
- otherwise upset.

Bullying can take various forms, from extreme behaviour involving violence and intimidation to subtle actions such as deliberate exclusion – like blatantly not talking to someone – whether or not the person responsible also seeks to encourage others to follow suit and ignore the victim.

However, it is not bullying where a manager or colleague provides you, in good faith, with constructive criticism about your behaviour or performance. This feedback is part of normal employment and management good practice and, provided it is professionally and reasonably delivered, it should not be interpreted as anything different.

5. Harassment

Under our policy, harassment means hostile, humiliating, degrading, intimidating, or similarly offensive treatment or conditions to which an individual with one or more protected characteristics is subjected.

We draw no distinction between actions that may be labelled as 'joking' or 'harmless banter' and not intended to cause offence and those that may be more direct and premeditated in their delivery.

So, in line with legal definitions and reflecting general standards of decency we will, for example, regard any of the following as falling within the definition of harassment:

- a. calling someone unkind, derogatory, or otherwise unwelcome names or nicknames;
- b. making insensitive jokes, either about someone directly or where the content of which would be evidently offensive to anyone with a protected characteristic; and
- c. excluding colleagues and/or making them feel that they have no option but to exclude themselves.

Physical, verbal, and non-verbal conduct can all amount to harassment. So can things you say or do online, including on social media.

Our policy covers all incidents of offensive behaviour, whether isolated or ongoing.

When someone treats another person less favourably because they either endure offensive behaviour, or reject it, this will also be regarded as harassment. This will apply equally to:

- a. the person who has been identified to have behaved or treated the other person in that unacceptable way; and
- b. any other colleague(s) who may adopt the same or similar unacceptable behaviour towards the person.

6. Sexual harassment

Under our policy, sexual harassment means unwanted conduct of a sexual nature that has the purpose or effect of violating an individual's dignity or creating an environment for them that is:

- uncomfortable;
- intimidating;
- hostile;
- degrading;
- humiliating; or
- offensive.

Physical, verbal, and non-verbal conduct can all amount to sexual harassment. So can things you say or do online, including on social media.

Behaviour can be considered sexual harassment even if it wasn't intended to cause harm. A person can be affected by sexual harassment even if the conduct is not targeted at them.

A single event or a series of incidents can amount to sexual harassment.

Any behaviour that falls under the definition of sexual harassment may lead to disciplinary action, up to and including dismissal.

Aggravating factors will be considered when deciding what disciplinary action to take. Aggravating factors may include, but are not limited to:

- a. abuse of power (e.g. when a senior employee harasses a junior colleague);
- b. repeated incidents of harassment; and
- c. deliberate harassment where the conduct is planned.

Workers are encouraged to report any form of sexual harassment promptly. Complaints can be raised via the reporting procedure set out in Section 10 below.

Examples of sexual harassment include, but are not limited to:

- a. sexual comments or jokes;
- b. making lewd comments and/or displaying demeaning and/or pornographic material;
- c. displaying demeaning, pornographic (whether described as 'soft-porn' or sexually graphic) pictures, posters, or photographs;
- d. suggestive looks, staring, or leering;
- e. propositions and sexual advances;
- f. making promises in return for sexual favours;
- g. sexual gestures;
- h. intrusive questions about a person's private or sex life or a person discussing their own sex life;
- i. sexual posts or contact on social media;
- j. spreading sexual rumours about a person;
- k. sending sexually explicit emails or text messages;
- l. unwelcome touching, hugging, massaging, or kissing;

6.1. Third-party sexual harassment

Sexual harassment by third parties, such as customers, clients, suppliers, or visitors, is also covered by this policy.

While an individual may not bring a claim based solely on third-party harassment, we recognise it can still lead to legal consequences if it is part of another type of complaint.

We will take reasonable steps to prevent such incidents. These steps may include:

- a. **Reporting mechanisms:** Staff are encouraged to report any harassment by third parties, and clear reporting procedures will be provided. Reports can be made following our usual reporting procedure outlined in Section 10 below.
- b. **Engagement with third parties:** We will clearly display our zero-tolerance stance on sexual harassment for clients, customers, and visitors.

If we find that third-party sexual harassment has happened, we will take the necessary steps to remedy the situation and stop it from happening again. This may include:

- a. issuing warnings to the offending parties;

7. Victimisation

Closely associated with harassment is 'victimisation', and our policy also covers this.

Victimisation has a particular meaning under UK employment law, and it is narrower than the traditional dictionary definition. Under UK employment law, victimisation will only apply where a worker:

- a. has complained of discrimination (or bullying or harassment); or
- b. has supported a fellow worker in making a complaint about these concerns; and
- c. has then suffered reprisals from others, including those responsible for that worker's employment prospects and working conditions.

Any individual working with or for us who subjects another person to victimisation will breach our policy and face the same level of disciplinary action by us as if they had been found liable for bullying or harassing someone.

8. Our approach to handling bullying and harassment

We encourage all staff initially to try to resolve concerns like these informally and on the spot, when they first occur – where they feel able and safe to do so.

We recognise that inappropriate behaviour by a fellow worker may often not, in fact, be intended to constitute harassment or bullying. We also recognise that – while lack of intention does not excuse the fact that discomfort, hurt, and/or harm has been suffered by the victim – an upfront and informal challenge to the inappropriate conduct frequently results in a swift and conclusive resolution without further incidents or the need to escalate matters to a more formal process. (For the purpose of clarity, please note that if such incidents are reported to us, we will proceed to deal with the incident(s) under our Disciplinary policy.)

So, if someone is harassing or bullying you, we encourage you to consider whether you can speak with them at the time (or very soon after the incident occurs) to explain that their behaviour is unwelcome, inappropriate, or that it has upset you. We recognise that it is possible that co-workers may not realise that their behaviour is having that effect on you (e.g. they might have thought of it as 'banter' and have had no idea that it was upsetting or inappropriate).

We recognise, however, that it may be difficult and, in some cases, inappropriate (especially where physical threats have been made) to speak with the person(s) responsible directly. Where this is the case, you should speak to Your Team leader informally and in confidence. We will treat your complaint in confidence, as far as reasonably possible.

If you cannot resolve the matter to your satisfaction, you should then follow our Grievance policy.

During any investigation by us of the allegations you have made, we will consider all the related circumstances and, where we consider it prudent to do so, we will require you to be kept apart from the person you have accused. This may include us requesting that you work at a different location for the duration of the investigation process. (Please note that, if this is the case, you should not interpret our actions as a prejudgment of your complaint. This option will be selected by us when we consider it will help to avoid things getting worse during the investigation process.)

If we conclude that you have been the victim of harassment or bullying, we will take steps to stop this situation from continuing or recurring, and we will take the action we consider appropriate against the perpetrator/s under our Disciplinary and other policies.

If we conclude that your complaint cannot be substantiated, we will provide you with a clear explanation of why.

Either way, we will look at ways of redressing your relationship with the person(s) about whom you have complained. We may, for example, propose to change your work pattern or theirs, or we may suggest counselling or mediation.

9. Confidentiality

Handling harassment and bullying allegations can raise strong feelings. That is why, if you are accusing someone of this behaviour, both you and we have an obligation to maintain confidentiality as far as is possible.

This obligation is relevant to every stage of our investigation and its outcome.

If you:

make a harassment or bullying complaint and fail to maintain proper confidentiality at any time during the process; or

are interviewed in connection with someone else's complaint and likewise fail to maintain confidentiality,

in either case, your indiscretion may be handled under our disciplinary procedure. If upheld, it could lead to a finding of misconduct or even gross misconduct against you.

10. Enforcing our policy and handling breaches

We take all allegations and/or suspected breaches of this policy very seriously and we will therefore thoroughly investigate each complaint.

We expect all employees to co-operate with us in monitoring and enforcing this policy. If you observe behaviour within our business that you reasonably believe is in breach of this policy, please challenge that behaviour in a professional and polite fashion, if you feel able to do so. Thereafter please report it immediately to Your Team leader. This includes harassment by third parties, such as contractors, on our premises.

Anyone raising a genuine concern, in good faith, about matters covered by this policy will have our full support and co-operation in determining what has happened and in taking any appropriate action that may follow because of that investigation process. This will be the case regardless of our conclusions, including where we determine that the allegation was mistakenly made.

Furthermore, we will not treat or permit to be treated adversely those employees who genuinely have, or consider that they have, valid grounds for reporting concerns and drawing them to our attention. If you believe that you are being unfairly treated as the result of raising a concern under this policy, you must contact Your Team leader as soon as possible. We will not tolerate retaliation against any complainant and will investigate allegations made.

However, complaints made in bad faith, for whatever reason (including where this is an attempt to avoid or to deflect disciplinary action), will be treated as misconduct and may lead to us taking disciplinary action against you.

In accordance with our policy and the provisions detailed above, we will take prompt disciplinary action against you if we discover that you have bullied, harassed, or discriminated against anyone else in breach of this policy. Furthermore, if we conclude that your behaviour was deliberate and amounted to gross misconduct, this could lead to you being summarily dismissed.

As part of our commitment to our workers under this policy, we will also consider measures to prevent repeat behaviours, such as those listed in Section 6.1 on third-party harassment.

11. Policy review and monitoring

We are committed to reviewing this policy regularly to ensure its effectiveness and alignment with legal requirements and workplace best practices. We will monitor incidents, worker feedback, and changes in legislation, and make updates as required to ensure a safe and respectful work environment.