

Dignity Policy

Fareport believes that the dignity of every person must be respected. It is Fareport's intention to provide a work environment free from verbal, physical and visual harassment or behaviour, which may be objectionable or offensive to employees. Harassment or bullying behaviour is totally unacceptable conduct whether carried out by a learner, any member of staff or employer and will normally be regarded as gross misconduct under the disciplinary process. All employees should be sensitive to the individual rights and feelings of their colleagues. The highest standards of conduct are required of everyone, regardless of seniority.

Definition of Harassment

Harassment is unwanted behaviour that you find offensive, where the other person's behaviour is because:

- you have a protected characteristic
- there is any connection with a protected characteristic (for example, you are treated as though you have a particular characteristic, even if the other person knows this isn't true)

Unwanted behaviour could include:

- spoken or written abuse
- offensive emails
- tweets or comments on websites and social media
- images and graffiti
- physical gestures
- facial expressions
- banter that is offensive to you

Anything that is unwelcome to you is unwanted. You don't need to have previously objected to it. <https://www.equalityhumanrights.com/en/advice-and-guidance/what-harassment-and-victimisation>

Fareport recognises that harassment can take many forms. One form of harassment is sexual, which includes, but is not limited to, unwelcome sexual advances, requests for sexual favours and other verbal, visual or physical conduct of a sexual nature by one employee towards another.

Racial harassment, which covers any verbal, visual or physical conduct, which causes embarrassment or distress to another employee with a perceived difference of colour, ethnicity or religion.

Additionally, an employee could be subjected to harassment on grounds of:

- Their religious or political convictions
- Their disability, sensory impairment, learning difficulties or other perceived disability
- Their sexual orientation
- Their gender
- Their age
- Their status as a Transgender individual
- Their socio-economic background
- Their mental capacity (or perceived mental capacity)
- Their membership or non-membership of a trade union

Harassment may result in the recipient feeling threatened, degraded, offended, humiliated, intimidated, patronised, demoralised or less confident in the ability. Or it may result in violating the recipient's dignity. Condoning such conduct may be harassment in itself. A single incident can amount to harassment if sufficiently grave.

Examples of unacceptable conduct include: (this list is not exhaustive)

- Verbal abuse or insulting behaviour
- Sexist or racist jokes, jokes about an individual's sexual orientation or jokes about an individual's physical or mental attributes
- The display or circulation of sexually suggestive or racially abusive material
- Bullying, coercive or threatening behaviour
- The ridicule or exclusion of an individual for cultural or religious differences, on the grounds of sex, sexual orientation or on the grounds of disability
- Unwelcome sexual advances including touching, staring or commenting
- Comments of a sexual nature about a person's appearance or dress
- Pushing, shoving, spitting, pinching and beating
- Mocking, insulting, name-calling, comments that make you feel uncomfortable, telling malicious lies and spreading rumours
- Secretly damaging possessions, making someone an object of fun or shame and spreading malicious rumours.

Fareport will not tolerate the offender's "lack of intention" to harass the victim. We will draw on the experience of the victim to determine whether an incident falls within the meaning of harassment. There is an **absolute obligation** on Fareport to investigate all complaints and to take action where necessary. It is the responsibility of Fareport and not the complainant to present or "prosecute" a case.

General Overview

- a) If you think you have been the victim of harassment, bullying or intimidation you have the right to be assisted and supported in making your complaint by a member of Fareport Management. Managers are available on a totally confidential basis to advise you. You are also entitled to contact Fareport Employee Helpline facility for independent advice and support. Don't ignore it or hope that the matter will simply "go away".
- b) Either you or the adviser should put formal complaints of harassment to the complainant's immediate manager, unless the complaint is about that person. In this case, it should go to the person next in line of authority;
- c) In all alleged cases of harassment, bullying or intimidation an investigation panel decided by the Chief Executive may, after an initial investigation, temporarily remove all parties (the alleged harasser(s) and the accuser(s)) from their working duties, retaining the full terms and conditions of employment, to allow the investigation to take place;
- d) All investigations will be carried out in accordance with Fareport policies relating to equality & diversity, confidentiality, disciplinary and grievance procedures. However, Fareport reserves the right to, in extreme circumstances; refer the matter to external agencies such as the Police. It is the employee's responsibility to report harassment or discrimination. This may be directed at them personally or may be directed against other people.

Stage 1 – Informal

If you are the recipient of unwanted conduct amounting to harassment or bullying you may try to resolve the problem, if you so prefer, by explaining to the individual concerned that the behaviour is not welcome, that it offends or makes you uncomfortable and that it interferes with your work.

Anyone who has been subjected to harassment or bullying behaviour by a fellow learner, colleague (regardless of seniority) or employer may seek confidential assistance from a member of the Operational Management Team (OMT). An informal approach to one of these people will be completely confidential and will not result in any report to anyone within the Company unless you agree. You must be aware that Fareport cannot take action to protect you from specific harassment or to punish the proprietor of such harassment if you require complete confidentiality. The assisting person will endeavour to support you but will not be able to take further action.

If you prefer, where you find it too difficult or embarrassing to take up the matter yourself, the assisting person will participate in an informal meeting between you and the individual concerned or will, at your request, approach the individual on your behalf.

The informal stage will not result in any formal internal investigation or disciplinary action (unless gross misconduct applies) but is intended to enable you to resolve the matter yourself without it going any further in the Company.

Stage 2 – Formal

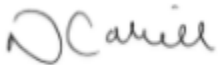
Where informal resolution is not appropriate, is not requested or where the outcome has been unsatisfactory then you should use the grievance procedure to bring the matter to the attention of the Director of Operations. Where this is inappropriate, any complaints should be referred to your manager.

All complaints will be thoroughly and expeditiously investigated. They will be conducted in an independent and objective matter by someone unconnected with the allegations and at least of equal grade/status with the alleged harasser.

Investigations will be carried out with sensitivity and with due respect for the rights of both the complainant and the alleged harasser/bully. All those interviewed will be permitted to be accompanied by a friend, colleague or representative of their Trade Union.

Wherever possible consideration will be given to ensuring the complainant and alleged harasser are not required to work together whilst the complaint is under investigation. The results of the investigation will be made known through the normal procedure.

Employees should note that an employee who, after investigation, is thought to be guilty of harassment would be subject to the Disciplinary Procedure. Any employee who is found to be guilty of making a malicious claim of harassment against another employee will also be subject to the Disciplinary Procedure and depending on the circumstances, the action may be regarded as gross misconduct.

Signed by

N Cahill
Chief Executive
Reviewed Annually