



POLICY/PROCEDURE	Dignity at work policy
VERSION	3.0
POLICY WRITTEN BY	Karen Skelton
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INTRODUCTION

The purpose of this policy is to ensure that all workers are treated with dignity and respect, free from harassment or other forms of bullying at work. It sets out examples of the type of conduct that may constitute harassment or bullying and our commitment to eliminating such conduct.

Policy Statement

- 1.1 Where harassment or bullying is shown to have taken place it will be dealt with under the Disciplinary Procedure as a form of misconduct. In some cases it may be treated as gross misconduct leading to summary dismissal of those responsible.
- 1.2 All workers are responsible for treating their colleagues with dignity and respect. For the success of this policy everyone should ensure that they take the time to read and understand it. Every worker should consider whether their words or conduct could be offensive to others. Even unintentional harassment or bullying is unacceptable.

Legislative Framework

- 1.3 Under the Health and Safety at Work Act 1974 we have a duty to provide our workers with a safe place and system of work. This includes a workplace free from harassment and bullying which may, in certain circumstances, also amount to unlawful discrimination. We are also committed to preventing unlawful discrimination in the workplace in accordance with the Equality Act 2010.
- 1.4 We are also responsible for ensuring that workers are protected from unlawful harassment, bullying, victimisation or discrimination in the course of their work.
- 1.5 Individual workers may also in some cases be held legally liable for harassing other workers or and may be ordered to pay compensation by a court or employment tribunal.

What are harassment and bullying?

- 1.6 Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
- 1.7 Harassment often (but not exclusively) targets a protected characteristic.
- 1.8 A single incident of unwanted or offensive behaviour to one individual can amount to harassment.
- 1.9 Examples of harassment include:
 - 1.9.1 unwanted physical conduct or "horseplay". Physical conduct ranges from touching, pinching, pushing or brushing past someone or invading their personal space, to grabbing, shoving, punching and more serious forms of physical or sexual assault;
 - 1.9.2 unwelcome sexual behaviour, which the harasser may perceive as harmless flirting, and which may involve unwanted suggestions, advances, propositions or pressure for sexual activity;
 - 1.9.3 suggestions that sexual favours may further an employee's career or that refusal of sexual favours may hinder it;
 - 1.9.4 continued suggestions for social activity within or outside the workplace after it has been made clear that such suggestions are unwelcome;

- 1.9.5 inappropriate behaviour whether in the form of offensive or intimidating comments or gestures or insensitive jokes or pranks;
 - 1.9.6 the sending or displaying of material that is pornographic or obscene or that some individuals or groups may find offensive (including e-mails, text messages, video clips and photographs taken or sent using mobile phones or via the internet); and
 - 1.9.7 ignoring or shunning a worker, for example, by deliberately excluding them from a conversation or a workplace social activity.
- 1.10 A person may be harassed even if he/she was not the intended 'target'. For example, a person may be harassed by racist jokes about a different ethnic group if they create an offensive environment for him/her.
- 1.11 Bullying is offensive, intimidating, malicious or insulting behaviour which, through the abuse or misuse of power, makes the recipient feel vulnerable, upset, humiliated and threatened. Power includes both personal strength and the power to coerce others through fear or intimidation. Bullying is often a form of harassment and can undermine an individual's self-confidence, competence and self-esteem. As with harassment, bullying can take the form of physical, verbal and non-verbal conduct.
- 1.12 Legitimate and constructive criticism of a worker's performance or behaviour or reasonable requests made of workers in the course of their employment will not constitute bullying.
- 1.13 Examples of bullying include:
- 1.13.1 shouting at, being sarcastic towards, ridiculing or demeaning others;
 - 1.13.2 physical or psychological threats;
 - 1.13.3 overbearing and intimidating levels of supervision;
 - 1.13.4 inappropriate and/or derogatory remarks about a worker's performance;
 - 1.13.5 abuse of authority or power by those in positions of seniority; and
 - 1.13.6 unjustifiably excluding colleagues from meetings or communications.
- 1.14 This policy covers harassment or bullying which occurs both in the workplace itself and in settings outside the workplace, such as business trips, events or social functions organised for or on behalf of the Company and on or off its premises.

Raising a complaint about bullying or harassment

- 1.15 If you are being bullied or harassed, you should initially consider raising the problem informally with the person responsible, if you feel able. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If informal steps have not been successful or are not possible or appropriate, you should follow the formal procedure set out below.
- 1.16 If you wish to make a formal complaint about bullying or harassment, you should raise your complaint in writing following the Grievance Procedure. Your complaint will be

dealt with in accordance with the Grievance Procedure and the guidance set out below.

- 1.17 Your written complaint should set out full details of the conduct in question, including the name of the person responsible, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

Formal investigations

- 1.18 Complaints will be investigated without undue delay to establish full details of what happened. Your name and the name of the alleged harasser or bully will not be divulged other than on a "need to know" basis to those individuals involved in the investigation. The investigation will be thorough, impartial and objective, and will be carried out with sensitivity and with due respect for the rights of all parties concerned.
- 1.19 Consideration will be given to whether the alleged harasser or bully should be redeployed temporarily, or suspended on full pay or whether reporting lines or other managerial arrangements should be altered pending the outcome of the investigation.
- 1.20 If it is found that harassment or bullying has occurred, prompt action will be taken to stop the harassment or bullying immediately and prevent its recurrence. The findings will be dealt with under our disciplinary procedure. Consideration will be given to whether the harasser or bully should be dismissed and, if not, whether they should remain in their current post or be transferred.
- 1.21 Even where a complaint is not upheld, consideration will be given to how the ongoing working relationship between you and the alleged harasser or bully should be managed. This may involve, for example, arranging some form of mediation or counselling, training or a change in the duties or reporting lines of either party.

Protection for those making complaints or assisting with an investigation

- 1.22 Workers who make complaints or who participate in good faith in any investigation conducted under this policy will be protected from any form of intimidation or victimisation as a result of their involvement.
- 1.23 Any worker who is, after investigation, found to have deliberately provided false information or to have acted in bad faith may be subject to action under the Disciplinary Procedure.

Confidentiality

- 1.24 Confidentiality is an important part of the procedures provided under this policy. Every worker involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required.
- 1.25 Breach of confidentiality may give rise to disciplinary action under the Disciplinary Procedure.

Signed,

D R Washbourne

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