

# Anti-harassment

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### Who is responsible for this policy?

Our Board of Directors (the board) has overall responsibility for the effective operation of this policy but has delegated day-to-day responsibility for overseeing its implementation to the CEO.

All managers have a specific responsibility to operate within the boundaries of this policy, ensure that all staff understand the standards of behaviour expected of them and to take action when behaviour falls below its requirements.

Staff should disclose any instances of harassment or bullying of which they become aware to the Head of People Operations.

Questions about this policy and requests for training or information on dealing with bullying or harassment should be directed to the Head of People Operations.

This policy is reviewed regularly by the Senior Management Team (SMT). Recommendations for any amendments are reported to the CEO.

The Head of People Operations has responsibility for ensuring that any person who may be involved with investigations or administrative tasks carried out under this policy receive regular and appropriate training to assist them with these duties.

Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the SMT.

### 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:

- unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text

messages, video clips and images sent by mobile phone or posted on the internet);

- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- outing or threatening to out someone as gay or lesbian;
- mocking, mimicking or belittling a person's disability.

Any of the above behaviours includes those using electronic media, including but not limited to blogs, text messages, emails, social networking sites, message boards, and instant messaging. Individuals should also be aware of their conduct on social media sites and should not post anything that may violate this policy, including sexist comments, discriminatory insults or comments or obscenities.

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, electronic and non-verbal conduct. Bullying may include, by way of example:

- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- 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.

However, Luminate prohibits discrimination and harassment regardless of whether the person intended to cause harm and regardless of whether this behaviour was considered acceptable in other workplaces/cultures or settings in which the person was engaging.

### Raising a formal complaint

Anyone wishing to make a formal complaint about bullying or harassment should submit it in writing to the Head of People Operations, whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned. If the matter concerns that person, you should refer it to the person at a higher level of management.

The written complaint should set out full details of the conduct in question, including the name of the harasser or bully, 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.

As a general principle, the decision whether to progress a complaint is up to the individual. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

### Formal investigations

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. The investigation will be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned.

Where the complaint is about an employee, it may be appropriate to suspend them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation. The investigator will also meet with the alleged harasser or bully to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.

Where the complaint is about someone other than an employee, such as a customer, supplier or visitor, we will consider what action may be appropriate to protect the individual and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.

It may be necessary to interview witnesses to any of the incidents mentioned in the complaint. If so, the importance of confidentiality will be emphasised to them.

At the end of the investigation, the investigator will submit a report to a senior manager nominated to consider the complaint.

### Action following the investigation

If the senior manager considers that harassment or bullying has occurred, prompt action will be taken to address it.

Where the reported person is an employee the matter will be dealt with as a case of possible misconduct or gross misconduct. If the reported person 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 the complaint is upheld, we will consider how best to manage the ongoing working relationship between the persons concerned. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties.

### Protection and support for those involved

Staff 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.

If you believe you have suffered any such treatment you should inform the Head of People Operations.

### Confidentiality and record-keeping

Confidentiality is an important part of the procedures provided under this policy. 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. Breach of confidentiality may give rise to disciplinary action.

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. These will be processed in accordance with our privacy policy.