

Prevention of Third-Party Harassment Policy

Everyone has the right to not be harassed at work. This policy outlines the way that the Banner group of companies assesses the risk of its colleagues being subjected to harassment, including sexual harassment, by third parties, and sets out how it deals with any reports or incidents.

This policy applies to all Banner group colleagues, partners and suppliers.

Definition

Harassment

We subscribe to the definition as outlined in the Equality Act 2010.

“unwanted conduct that has the purpose or effect of violating someone’s dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment.”

Under the Equality Act 2010 there are three types of harassment:

1. Sexual Harassment, i.e. unwanted conduct of a sexual nature
2. Harassment related to protected characteristics: age; disability; sex; sexual orientation; race; gender reassignment; pregnancy and maternity; marriage and civil partnership; religion or belief
 - An employee doesn’t have to possess the protected characteristic in order to make a complaint of harassment.
3. Victimisation i.e. less favourable treatment as a result of harassment related to sexual harassment or a protected characteristic

It is important to note that:

- “Unwanted” means unwelcome or uninvited. The offended party doesn’t need to state its unwanted, or reject it, for the conduct to be harassment.
- Harassment can occur between two individuals or involve groups of people.
- Harassment can occur in person, by email, on the phone and through social media.
- Harassment can occur outside of the businesses premises for example at a social gathering.
- Harassment can occur in one incident or a series of incidents over time.
- Conduct could constitute harassment even if it is not intended as such.
- A harasser could be an employee, a customer, supplier or contractor.

Workplace

Banner group locations, electronic platforms, off-site events such as customer or supplier meetings, off-site training events and/or work-related social gatherings.

Examples of conduct of a “sexual nature”

This list is not intended to be exhaustive.

- Intrusive questions about a person’s private life or physical appearance
- Images or videos that are sexually suggestive or that constitute a sexual advance
- Sexually suggestive comments or jokes that offend or intimidate
- Sexually explicit gifs, images, videos, cartoons, drawings, photographs, jokes, messages including the use of sexually suggestive emojis
- Staring, leering, following or loitering near someone inappropriately
- Sexual gestures, indecent exposure or inappropriate display of the body
- Unwelcome touching, hugging, cornering or kissing
- Repeated or inappropriate advances or invitations to go out on dates
- Requests or pressure for sex or sexual acts

- Actual or attempted sexual assault

Examples of conduct relating to a protected characteristic

This list is not intended to be exhaustive.

- Professional or social exclusion
- Insulting behaviour
- Verbal abuse, threats, derogatory name-calling, inappropriate banter, ridicule, offensive or embarrassing jokes, insults
- Abuse of power or position
- Blocking promotion or access to development opportunities
- Physical assault
- Derogatory graffiti / insignia or the display of derogatory or offensive materials
- Inciting others to commit acts which may constitute harassment

Our commitments

1. Banner recognises that harassment is serious and the impacts can be severe. We are committed to taking reasonable steps to prevent harassment of our employees. Our managers must always prioritise reports of unwanted or inappropriate conduct and colleagues should feel empowered to raise complaints or concerns if they see or experience inappropriate behaviour and escalate those concerns if necessary.
2. The Company operates a zero-tolerance policy in relation to harassment of one of its employees by a third-party such a client, customer, supplier, contractor or other visitor. If any allegation of harassment by a third-party proves to be well-founded, steps taken by the Company may include warning the individual about the inappropriate nature of their behaviour; banning the individual from the company premises; reporting individual actions to the individual's employer and/or relevant authorities including the police.
3. We regularly review our sexual harassment risk assessment to identify opportunities for sexual harassment to take place and implement robust actions to reduce the risk(s) identified.
4. We train our colleagues when they join the company and at regular intervals in the identification of harassment, and what to do if they are subject to or witness unwanted conduct which may constitute harassment.
5. We are clear that we do not tolerate harassment. Any allegation of such will be treated seriously, regardless of the seniority of those involved, and anyone found to have behaved inappropriately may be subject to disciplinary action up to and including dismissal.
6. If any employee experiences any circumstances within the work environment that they reasonably believe contradicts this policy, we require them to take responsibility for raising it with management.
7. Employees have access to identifiable and anonymous routes to reporting harassment.
8. The outcome of raising an issue, whether it is informally or by a grievance, will not only include the appropriate action for the specific case raised, but will also look at the wider action that may be needed to prevent a recurrence of the situation.

9. If an employees doesn't feel we have dealt with any issue raised fully, they have the right to speak up and will not be disadvantaged for doing so.
10. We commit to reviewing this policy after each report of harassment, and otherwise on an annual basis, alongside related colleague and business practices to ensure fairness, compliance with prevailing laws, and continuous improvement.