

Anti-Harassment Policy

Human Resources

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1.0 General Introduction

‘The Anti-Harassment Policy exists to ensure that employees and candidates can go about their work in an environment free from unlawful harassment’

1.1 Purpose

The purpose of this policy is to provide clarity to the arrangements implemented by the Group to prevent unwanted or unlawful harassment in any form.

This policy is for guidance only and does not form part of employees’ terms and conditions of employment.

The Group reserves the right to amend this policy from time to time, omit stages of the procedure or apply such other procedure as, in its absolute discretion, it deems appropriate in the circumstances.

1.2 Objectives

- Maintain compliance with all relevant legal, regulatory and contractual requirements within the countries that we operate
- Provide a reference document for training purposes
- Provide guidance for best practice

1.3 Scope

This policy should be applied to:

- All areas of operations of the Robert Walters Group
- All permanent and contracted employees and candidates visiting Group premises

All managers are responsible for implementing the policy within their business areas.

1.4 Principles

This policy will be subject to review under the following circumstances:

- As part of an annual policy review process
- Following change in regulation (in local countries as required)
- Following an issue (such as a complaint relating to harassment)
- On request by a Board member

1.5 Integration with other documents

This procedure may need to be read in conjunction with the following documents:

- Contracts of Employment
- Equity, Diversity & Inclusion Policy (RWHRP003)
- Disciplinary and Performance Review Policy (RWHR007)

2.0 Underlying Group Values

The Group is committed to providing a work environment that is free from discrimination on the grounds of any characteristic protected by law.

The Group is conscious of the extent to which the performance of its employees depends upon their working environment. The Group will not permit or condone any form of unlawful harassment or bullying within the workplace or in settings outside the workplace in the course of employment, such as business trips and events or social functions organised by the Group.

Each employee has a responsibility to behave in a manner that is not offensive to others.

The Group has a responsibility to investigate complaints of unlawful harassment, discrimination or bullying made against or by any employee or candidate. Where harassment or bullying is shown to have taken place it will be dealt with under the Group's Disciplinary and Performance Review Policy as a form of misconduct. In some cases, it may be treated as gross misconduct leading to summary dismissal of those responsible.

3.0 Responsibility for this policy

The Board of Directors of the Company has overall responsibility for this policy but has delegated day-to-day responsibility for overseeing its implementation to the Human Resources Team.

Managers have a specific responsibility to operate within the boundaries of this policy and to facilitate its operation by ensuring that employees understand the standards of behaviour expected of them and by identifying and acting upon behaviour that falls below these standards.

4.0 Sexual Harassment

Sexual harassment (both overt and subtle) is any unwanted conduct on the grounds of a person's sex or of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Such behaviour may include unwelcome physical, verbal or non-verbal conduct and is strictly prohibited.

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

- unwanted sexual attention;
- subjecting employees or clients or third parties to insults, innuendos or degrading comments that make them feel uncomfortable because of their gender, including making these comments by e-mail;
- displaying sexually suggestive pictures in the workplace;
- over-familiar behaviour, including lewd and suggestive remarks; and
- suggesting that sexual favours may further someone's career or that the refusal of sexual favours may in some way damage their career.

A single incident of unwanted or offensive behaviour towards one individual can amount to unlawful harassment.

5.0 Other Unlawful Harassment

For the purposes of this policy, unlawful harassment is unwanted conduct on the grounds of gender, gender re-assignment, pregnancy, race, nationality, religion, beliefs, political opinion, sexual orientation, marital status, disability, age or any other characteristic protected by law which has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive work environment or violating that person's dignity.

Examples of harassment include, but are not limited to:

- ongoing “banter” focused on gender, gender re-assignment, pregnancy, race, nationality, religion, belief, political opinion, sexual orientation, marital status, disability, age or any other characteristic protected by law that the recipient reasonably deems to be offensive;
- written or graphic material that denigrates or shows hostility toward an individual or group;
- offensive language relating to a characteristic protected by law;
- invasion of privacy; and
- intimidating, malicious or insulting behaviour relating to a characteristic protected by law.

A single incident of unwanted or offensive behaviour towards one individual can amount to unlawful harassment.

6.0 Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour or an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Examples of bullying include, but are not limited to:

- copying emails or other written correspondence or material that are critical about someone to others who do not need to know;
- ridiculing or demeaning someone;
- overbearing supervision or misuse of power or position;
- making threats or comments about job security without foundation;
- deliberately undermining a competent worker by overloading and constantly criticising;
- preventing an individual's progress by intentionally blocking promotion or training opportunities for malicious reasons; and
- “dressing down” a subordinate in front of their colleagues.

Bullying does not include legitimate and constructive criticism of an employee's performance or behaviour or reasonable requests made of employees.

7.0 Informal Complaints

If you feel that you have been bullied or subjected to unlawful harassment, you may initially wish to attempt to resolve the matter informally with the person responsible by explaining to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing to do on your own, you should seek support from a member of the Human Resources Team.

If, having read this policy, you are in any doubt as to whether an incident or series of incidents which have occurred constitutes bullying or unlawful harassment, you should initially contact the Human Resources Team on an informal basis. They will be able to advise you how your concerns should be dealt with.

If you have taken informal steps and the conduct has continued, or if you feel that informal steps would not be appropriate, you should follow the procedure set out below.

8.0 Formal Complaints

If you decide not to raise the matter informally and would like to make a formal complaint about bullying or unlawful harassment, you should write to the Human Resources Team, whose role will be to achieve a solution wherever possible and to respect the confidentiality of all concerned. If the matter concerns a member of the Human Resources Team you should refer it to Group Legal Counsel.

Your letter should contain full details of the conduct in question, including the name of the person bullying you or subjecting you to unlawful harassment, the date(s) and time(s) at which it occurred, the names of any witnesses and any action you have taken to try and resolve the matter informally.

It is up to you to decide whether you raise the complaint with the Company and see it through. However, as the Company has a duty to protect all workers, it may decide to pursue the matter independently if it considers it appropriate to do so in the circumstances.

9.0 Investigations

The Company will investigate your complaints in a timely and confidential manner to establish full details of what happened. The Company will endeavour to investigate your complaint thoroughly, and on an impartial and objective basis, having due regard for the sensitivity and rights of all parties concerned.

As part of the investigation the Company will consider whether the person that is the subject of your complaint 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.

The investigation will normally begin with the person investigating your complaint (the “Investigating Officer”) meeting with you to hear the detail of your complaint. The Company may arrange further meetings with you as appropriate throughout the investigation and/or at its conclusion.

The Investigating Officer may also meet with the person you allege has bullied you/subjected you to unlawful harassment. It may also be necessary for the Company to interview witnesses to any of the incidents mentioned in your complaint.

Once the Investigating Officer decides that their investigation is complete, they will prepare a report based on their findings and submit it to the person that will consider your complaint.

10.0 Right to be accompanied

You are entitled to be accompanied to any meetings under this procedure (other than an investigatory meeting) by a colleague or another appropriate representative.

Your companion is entitled to make representations at the meeting and ask questions. Your companion is not entitled to answer questions on your behalf.

If you intend to be accompanied at a meeting under this procedure, you should notify the Company of the identity of your companion before the meeting. Your request to be accompanied must be reasonable. What is reasonable will depend on the circumstances of each individual case.

The Company may be entitled to ask you to be accompanied by someone else if the companion that you have chosen may have a conflict of interest, may prejudice the hearing or is based somewhere that would delay the hearing or make it difficult for them to attend and there is an alternative available. As a matter of good practice, in choosing your companion you should bear in mind the practicalities of the arrangements. For instance, you may choose to be accompanied by a companion who is suitable, willing and available on site rather than someone from a geographically remote location.

Employees are under no obligation to act as a companion at a meeting under this procedure. However, if an employee chooses to act in this capacity, the employee will be allowed to take reasonable time off work to attend the meeting.

You are not normally entitled to be accompanied to an investigatory meeting unless you require a companion to help you overcome a disability.

11.0 Meeting

The Company will schedule a meeting without undue delay taking into account the time necessary to carry out an investigation. If appropriate you, and the person that is the subject of your complaint, will receive a copy of the investigation report prior to the meeting.

At the meeting you will be given an opportunity to explain your complaint. The Company may ask you questions and welcome your suggestions as to how you would like your complaint to be resolved.

The Company may adjourn the meeting to carry out any further investigation which it considers necessary. If a further meeting is required, the Company will schedule it without unreasonable delay.

If the person considering your complaint finds that you have been subjected to unlawful harassment or bullying, the Company will take prompt action to stop the conduct and prevent its recurrence. Where appropriate, the Company will deal with the person who is the subject of your complaint under its local Disciplinary Procedure.

The Company will notify you of its decision in relation to your complaint in writing. The letter will remind you of your right to appeal.

If your complaint is not upheld the Company may decide that it is appropriate to consider how to improve the working relationship between you and the person who is the subject of your complaint. This may involve, for example, arranging some form of mediated meeting or counselling or a change in the duties or reporting lines of you or the other person.

12.0 Appeals

If, once you have received the Company's decision, you feel that your complaint has not properly been resolved, you may appeal in writing to the person specified in the Company's decision outcome.

If you wish to appeal you should do so in writing stating your full grounds of appeal. You should appeal as soon as possible once you receive the written decision but, in any event, within the timescales provided to you (in line with local country practice).

You will be invited to attend a meeting to discuss your appeal. You are entitled to be accompanied to this meeting by a colleague or another appropriate representative. The basis upon which you may be accompanied to an appeal meeting is set out at paragraph 10.0 above.

The appeal meeting will normally be held by someone who has not previously been involved in the matter and who is more senior than the person that made the decision in relation to your complaint. A member of the Human Resources Team may also attend the meeting.

The purpose of an appeal meeting is to review the decision made at the previous meeting based on your grounds of appeal. The appeal meeting will not normally be a complete re-hearing of your complaint.

The Company will notify you of the decision in relation to your appeal in writing without undue delay. The appeal decision is final.

13.0 Protection for employees under this procedure

Any employee who makes a complaint or who participates in any investigation conducted under this policy in good faith will be protected from any victimisation as a result of their involvement.

If you consider that you have been subjected to intimidation or victimisation as a result of your involvement with a complaint under this procedure then you should notify the Human Resources Team immediately.

Any employee who is found to have provided false information or to have acted in bad faith will be subject to disciplinary action under the Company's Disciplinary & Performance Review Policy, up to and including termination of employment without notice or pay in lieu of notice.

14.0 Confidentiality

If you make a complaint under this procedure, your name and the name of the person that is the subject of your complaint, will not be divulged other than on a strictly "need to know" basis to those individuals involved in the investigation.

All employees involved in the operation of the policy, whether making a complaint or involved in any investigation, are responsible for observing the high level of confidentiality that is required.

The Company may subject anyone that is found to have breached this requirement of confidentiality to disciplinary action under the Company's Disciplinary & Performance Review Policy.

15.0 Mediation

Mediation is an alternative method of resolving issues relating to bullying, harassment and sexual harassment and can be availed of at any stage in the process. Mediation involves the parties seeking to arrive at a solution through mutual agreement, rather than through an investigation.

Mediation provides a confidential opportunity for the person who feels that he/she has been bullied, harassed or sexually harassed and the person(s) accused of carrying out this inappropriate behaviour to discuss the matter and to reach an agreement on their continuing working relationship. Mediation is conducted in private, and is directly between the parties concerned, with the support of a mediator, who will act as an independent facilitator. Either party may withdraw from the process at any time by notifying the mediator, in writing, that they wish to do so.

If both parties agree to resolve the issue by mediation, the Company will arrange the mediation process. An appropriate person, acceptable to both parties, from within or outside the Company will be assigned as mediator.

Information disclosed in the course of mediation (or any other similar process) must remain within the mediation process and will not be given by the mediator to anyone, including an investigator if there is a subsequent investigation at the formal stage. Confidentiality is crucial for this stage to be effective and breaches of confidentiality, where exposed, may result in disciplinary action.

If the mediation process results in an agreement acceptable to both parties, the mediator will draw up a written record of the terms of the settlement for signature by both parties.

If mediation breaks down or fails to achieve its goal, the matter can be processed through the other stages of this procedure. The person involved in the mediation process will not be involved in the investigation process.

16.0 Monitoring and support

The Company will continue to monitor the situation after a complaint has been made to ensure that the inappropriate behaviour does not recur.

The Company is committed to ensuring that all parties are supported during and in the aftermath of a complaint and investigation. In some circumstances this may involve counselling. The Company has access to an employee assistance programme which all employees are invited to use at this service any time. Details are available from the Human Resources Department.

17.0 Training/awareness

The Company is committed to providing all those with a role in the bullying, harassment and sexual harassment procedure with effective guidance and training.

All employees will receive refresher training for any updates made to the policy and the Company will retain a record of training attended by workers.

Advice on all aspects of this policy is available from the Human Resources Team.