

## Lomax Training Services Limited

### HARASSMENT POLICY

Bullying is offensive or intimidating behavior or an abuse or misuse of power which undermines or humiliates a learner.

Harassment occurs where, on the ground of an learner's race, colour, ethnic origin, nationality, national origin, religion or belief, sexual orientation, gender reassignment, age, marital or civil partnership status or disability, a person engages in unwanted conduct that:

- has the purpose of violating the learner's dignity throughout the learning programme, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the learner; or
- is reasonably considered by the learner to have the effect of violating his or her dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive learning environment for the learner, even if this effect was not intended by the person responsible for the conduct.

Harassment also occurs where, related to either the learner's sex or that of another individual, a person engages in unwanted conduct that:

- has the purpose of violating the learner's dignity whilst learning, or of creating an intimidating, hostile, degrading, humiliating or offensive learning environment for the learner; or
- is reasonably considered by the learner to have the effect of violating their dignity whilst learning, or of creating an intimidating, hostile, degrading, humiliating or offensive learning environment for the learner, even if this effect was not intended by the person responsible for the conduct.

In this scenario, the learner does not need to be the subject of the unwanted conduct for harassment to have occurred - for example, the conduct could be directed at nobody in particular or at someone other than the learner, including someone of the opposite sex.

Sexual harassment (as opposed to harassment related to gender) occurs where a person engages in any form of unwanted conduct of a sexual nature that:

- has the purpose of violating the learner's dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive learning environment for the learner; or
- is reasonably considered by the learner to have the effect of violating his or her dignity whilst learning, or of creating an intimidating, hostile, degrading, humiliating or offensive learning environment for the learner, even if this effect was not intended by the person responsible for the conduct.

Conduct may be harassment whether or not the person intended to offend. Something intended as a "joke" or as "office banter" may offend another person. This is because different learners find different levels of behavior acceptable and everyone has the right to decide for themselves what behavior they find acceptable to them.

Behavior which a reasonable person would realise would be likely to offend an learner will always constitute harassment without the need for the learner having to make it clear that such behavior is unacceptable, for example, touching someone in a sexual way. With other forms of behavior, it may not always be clear in advance that it will offend a particular learner, for example, office banter and jokes. In these cases, the behavior will constitute harassment if the conduct continues after the learner has made it clear, by words or conduct, that such behavior is unacceptable to him or her. A single incident can amount to harassment if it is sufficiently serious.

Harassment also occurs where, on the ground of the learner's rejection of or submission to unwanted conduct of the kind specified above, a person treats the learner less favorably than he or she would treat him or she had he or she not rejected, or submitted to, the unwanted conduct.

### **Examples**

Bullying and harassment may be verbal, non-verbal, written or physical. Examples of unacceptable behavior include, but are not limited to, the following:

- Unwelcome sexual advances, requests for sexual favors, other conduct of a sexual nature
- Subjection to obscene or other sexually suggestive or racist comments or gestures
- The offer of rewards for going along with sexual advances or threats for rejecting sexual advances
- Jokes or pictures of a sexual or racial nature
- Demeaning comments about an learner's appearance
- Questions about a person's sex life
- The use of nick names related to an learner's sex, sexual orientation, gender reassignment, race, religion, age or disability
- Picking on or ridiculing an learner
- Isolating a learner or excluding him or her from social activities or relevant work-related matters.

### **Learners and Employees' Rights**

All our employees and learners have the right to work in a good and harmonious environment that is free from harassment and bullying and to complain about such behaviour should it occur.

We have established an internal grievance procedure to deal with such complaints and we would encourage aggrieved employees to use it. All complaints will be dealt with seriously, promptly and confidentially.

Employees or learner who make complaints, and others who give evidence or information in connection with such complaints, will not be victimised (i.e. they will not be discriminated against, harassed or bullied in retaliation for their actions). Victimisation is also discrimination contrary to the equality laws and this policy. We will treat it as misconduct which may warrant dismissal from employment.

## Leaner's Rights

All our learners must comply with this policy. They must treat each other with dignity and respect. They must not themselves commit any acts of harassment or bullying against any person, such as their co-learners, trainers or staff members. Such behaviour will not be permitted or condoned.

All our employees should discourage harassment and bullying by making it clear that they find such behaviour unacceptable and by supporting co-workers who suffer such treatment. Any employee who is aware of any incidence of harassment or bullying should alert a manager or supervisor to enable us to deal with it.  
Any learner that feels they have been a victim of bullying and harassment or have been a witness to any occurrences should report the incident as follows

### Step 1

The incident/s of harassment must be reported by the learner to the appropriate member of staff (trainer/centre manager)

### Step 2

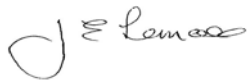
The learner will be invited to attend a meeting to discuss their concerns. An appropriate member of staff and other parties will be expected to make reasonable steps to attend.

After the meeting the learner will be informed of the actions that will be taken to resolve the problem.

### Step 3

If the learner is not satisfied with the actions taken, they may wish to invoke the company grievance procedure.

Signed



James Lomax  
Managing Director

Version	Issued	Superseded by
1.0	November 2015	Version 2.0
2.0	January 2018	