

# Bullying and Harassment

Here on the Island, we're committed to creating a working environment where we all feel comfortable and safe. A space where everyone is treated with respect and dignity, regardless of who we are, our qualities or circumstances. We adopt a zero-tolerance approach towards bullying and harassment and expect that all our working relationships are built on mutual trust and respect.

We're all encouraged to report any incidents of bullying and harassment that we experience or witness (whether by a fellow Islander or a third party), so that we can investigate and resolve the matter as soon as possible. We vow to take all reports seriously and any Islander who makes a genuine complaint of bullying or harassment will always be protected and never penalised or victimised in any way.

## What is bullying?

Bullying may be characterised as offensive, intimidating or malicious behaviour, an abuse or misuse of power that undermines, humiliates or injures a person, their self-confidence or self-esteem. It usually relates to negative behaviours that are repeated and persistent, and deliberately targeted at a particular individual. Bullying comes in many forms, from less obvious actions such as ignorance, to extreme forms like intimidation or violence. A colleague may not always realise that they're being bullied and could end up feeling trapped, isolated or powerless.

## What is harassment?

Harassment is unwanted behaviour that a person finds offensive, or which creates an intimidating or humiliating environment, and relates to any of the following protected characteristics:

- |                       |                      |                      |
|-----------------------|----------------------|----------------------|
| • Age                 | • Race               | • Sex                |
| • Disability          | • Religion or belief | • Sexual orientation |
| • Gender reassignment |                      |                      |

Harassment is usually meant to or has the effect of violating a person's dignity or creating a hostile, degrading or offensive environment for them, even if this effect was not intended by the person responsible for the conduct. It can include disturbing the individual or causing them distress and takes many forms, from relatively mild jokes to actual physical violence in extreme cases. Under the Equality Act 2010, harassment related to the protected characteristics above is unlawful.

Harassment may also occur due to the person's association with another individual who has a protected characteristic (for example, a colleague who is a carer for a disabled relative), or due to a perception that a person has a protected characteristic, even if they don't (for example where a

colleague has been harassed because the harasser believes they have a disability).

In addition, harassment could occur where a protected characteristic is used as an excuse for the behaviour, even if the perpetrator does not believe that a colleague possesses the protected characteristic (for example, a line manager may harass a colleague if they tease them about a learning difficulty, even if the colleague does not have a learning difficulty and the line manager knows that they don't). All these instances will amount to harassment as a form of unlawful discrimination.

Workplace bullying can include the following:	Examples of harassing behaviour include:
<ul style="list-style-type: none"> <li>• Derogatory remarks</li> <li>• Unwarranted criticism or false allegations</li> <li>• Insensitive jokes or pranks</li> <li>• Insulting or aggressive behaviour</li> <li>• Withholding necessary information</li> <li>• Regularly undervaluing effort</li> <li>• Ignoring or excluding an individual</li> <li>• Substituting responsible tasks with menial or trivial ones</li> <li>• Setting unrealistic deadlines</li> <li>• Public criticism</li> </ul>	<ul style="list-style-type: none"> <li>• Insensitive jokes or pranks</li> <li>• Lewd comments about appearance</li> <li>• Unnecessary body contact</li> <li>• Displays of abusive or offensive material</li> <li>• Requests for sexual favours</li> <li>• Speculations about person's private life and / or sexual activities</li> <li>• Threatened or actual violence</li> <li>• Deliberate exclusion from conversations</li> <li>• Abusive, threatening or insulting words or behaviour</li> </ul>

## THE WAY WE DO THINGS AROUND HERE

### *Our community is always open*

Here on the Island, we promote an inclusive and positive culture for everyone based on personal respect and dignity. We will not tolerate any conduct of bullying or harassment directed towards anyone within the business regardless of person's position or seniority.

All forms of bullying and harassment are regarded as acts of misconduct, and an Islander found to have harassed or bullied another will face disciplinary action. No Islander will be victimised for making a genuine allegation, bringing or supporting in bringing a claim under these guidelines or any related legislation (such as the Equality Act 2010).

### How to deal with an allegation of harassment or bullying

#### Informal process

If you feel you are being bullied or harassed, we encourage you to address the problem with the person responsible as perceptions of unwelcome behaviour sometimes vary, a quiet word is often a quick and effective way of making the other person aware and change their actions.

Sometimes people are unaware that their conduct is having a negative impact, and giving the individual some straightforward, open feedback about the actions that you have found unacceptable can be enough to address the issue and encourage a change of behaviour. If you find it too difficult to bring up the issue in person, you are always encouraged to seek support from your line manager or from anyone in our People Team, who will be able to provide confidential advice and assistance in resolving the issue – it helps to talk!

If you feel it's not appropriate to take an informal route, or if you have already approached the person and nothing has changed, you may want to choose a more formal route to getting the issue resolved.

### **Formal process**

If you feel that an informal approach may not be appropriate or if it has been unsuccessful, you can raise a formal complaint with either your line manager or with our People Team. A formal complaint should be in writing and include the following details:

- Name of the person whose behaviour you believe amounts to harassment or bullying;
- Type of behaviour that is causing offence, with specific examples if possible;
- Dates and times of incidents when harassment or bullying occurred, and where they occurred;
- Names of colleagues who witnessed any incidents, or who may have been the victims of harassment or bullying by the same person; and
- Any action that you have already taken to try to deal with the unwanted behaviour.

### **Next steps**

We will quickly and carefully investigate your formal complaint to understand and establish the full details of what happened. Any investigation will be thorough, impartial and objective, and will be carried out with sensitivity and due respect to everyone involved. Names and other details of all parties will only be disclosed on a 'need to know' basis to those involved. As part of this approach, we don't allow any recording of any meetings with audio or video devices. Should you be part of a meeting, yourself and any witnesses or companions will be asked to turn off any of these devices.

We will appoint an independent investigating manager who will meet with you to hear your account of the events. You have the right to be accompanied in this meeting by a work colleague or a trade union official. Please note, the right to be accompanied does not extend to legal representatives or family members (unless a team member is under 18).

Following this meeting, we will inform a colleague suspected of harassment or bullying of the complaint made against them. We will meet with the alleged wrongdoer, who can also be accompanied by a work colleague or a trade union official, to give them a full opportunity to challenge the allegations. No colleague will be presumed guilty following an allegation of harassment or bullying

against them. We may also find it necessary to interview any witnesses of the incident, in which case the importance of confidentiality will of course be emphasised to them.

Wherever possible, we will try to ensure that yourself and the alleged harasser are not required to work together while the complaint is under investigation. Depending on the severity of the allegation, we may suspend or temporarily redeploy the colleague suspected of wrongdoing whilst the investigation is being carried out. Such suspension will be for as short a time as possible and it will be on full pay. Please note, suspension does not constitute disciplinary action but is merely a way to assist us with investigation and protect our colleagues.

### **Outcome**

At the end of the investigation process and once all available evidence has been reviewed, we will report our findings in writing back to you and the alleged wrongdoer. Where possible, this will be within two weeks of the complaint being reported.

Where the investigation concludes that bullying or harassment have occurred, we will take a prompt action to immediately stop such behaviour and prevent its occurrence going forward. We will also decide whether it is appropriate to instigate a disciplinary process against the wrongdoer. Where possible, any disciplinary proceedings will be conducted by another manager not previously involved in the case.

If the complaint is not upheld, considerations will be given to how the ongoing working relationship should be managed between the colleagues involved. This may include some form of mediation or counselling, change in duties or change in reporting lines for either party.

### **Appeal**

If you are not satisfied with the outcome of the investigation, you have the right to appeal the decision and can do so within 14 days of being notified of the outcome. You will be notified of how to appeal in the outcome confirmation letter.

### **Wellbeing**

Here at River Island, supporting you is always our priority. Having problems at work can be stressful, and it's important that you always look after yourself. If you find yourself needing advice or support with problems at work or problems in your personal life, we offer independent and confidential support through our Employee Assistance Programme run by the Retail Trust. You can access free counselling in person or over the phone, and there are a wide range of support services available to you through the Retail Trust website ([www.retailtrust.org.uk](http://www.retailtrust.org.uk)) or by phone (0808 801 080 from the UK and +44 845 766 0113 from outside the UK).

You can also receive additional confidential support for your mental health through our River Island Mental Health Allies. These colleagues are a kind ear who will listen and not judge and can provide you with some advice on where you can get help. However, please note that the Mental Health Allies will not be able to help with the ongoing investigation process or answer any technical questions. For more information, please click [here](#).

If you have any questions or concerns about any part of this policy, speak to your line manager, your HR Business Partner or get in touch with our People Operations Team on [PeopleOperations@river-island.com](mailto:PeopleOperations@river-island.com)