

ANTI-BULLYING & HARASSMENT POLICY AND PROCEDURE

1. INTRODUCTION

1.1 PURPOSE

It is our policy to maintain a safe working environment which is free from bullying and harassment. To achieve this aim, all employees must treat current and former colleagues, and our visitors, clients and suppliers with dignity and respect.

1.2 SCOPE

This policy applies to all permanent employees and fixed term employees with a contract of employment with Intermediate Capital Group (**ICG**).

This policy is for guidance purposes only and does not form part of your contract of employment. ICG may, at its absolute discretion, amend this policy from time to time.

2. POLICY STATEMENT

ICG will not tolerate bullying and harassment of any kind.

This policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, e.g. business trips and work-related social events.

This policy endeavours to prevent harassment on account of sex, sexual orientation, race, religion or belief, disability, age, gender reassignment, marriage and civil partnership, pregnancy and maternity (**Protected Characteristics**) which constitutes unlawful discrimination contrary to the Equality Act 2010, or any relevant local discrimination legislation which may apply in your jurisdiction.

The policy highlights the types of behaviour that are considered to be bullying or harassment and clearly states a procedure to be followed in the event that an individual believes that they are being subjected to such unwanted behaviour.

ICG takes any allegations of this nature extremely seriously and undertakes to thoroughly and fully investigate any complaints received. We have both a statutory and moral duty to do so and will ensure that these obligations are always met.

All bullying and harassment is deemed to be misconduct and is a disciplinary offence, which will be dealt with under ICG's Disciplinary Policy and Procedure. Bullying or harassment will often be gross misconduct and may lead to dismissal without notice. Individual members of employee may be also personally guilty of unlawful discrimination and, in some cases, risk civil actions against them and criminal prosecution.

The policy does not cover bullying or harassment by customers, suppliers, vendors or visitors. In these cases, employees should report any such behaviour to their manager who will take the appropriate action.

Making a complaint, which an individual knows to be untrue, or giving evidence, which an individual knows to be untrue, may lead to disciplinary action being taken against that individual under ICG's Disciplinary Policy and Procedure.

An employee who has a complaint concerning any form of harassment, bullying, discrimination or victimisation should raise their concerns to their immediate line manager or to a senior member of the HR team in writing.

If there is any conflict between the procedures set out in this policy and local legislation, then local legislation will prevail. For example, some or any of the steps or procedures set out in this policy may not be required under local legislation, and therefore ICG will follow local legislation where appropriate.

3. OVERVIEW

The Policy covers the following:

- Clarification of what constitutes harassment and bullying in the workplace; and
- Process for handling bullying and harassment complaints.

4. RELATED POLICIES AND DOCUMENTATION

- Employee Handbook
- Disciplinary Policy and Procedure
- Grievance Policy and Procedure
- Reporting Serious Concerns (Whistle blowing Policy and Procedure)

5. WHAT IS BULLYING AND HARASSMENT?

5.1 HARASSMENT

Harassment is often (but not always) a type of discriminatory behaviour on account of the Protected Characteristics, for example, sexual harassment or racial harassment. Under discrimination legislation, harassment is unwanted conduct which has the purpose or effect of either violating an individual's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for another individual.

Types of behaviours which may amount to harassment might include:

- persistent and unwelcome attention;
- unwanted and unnecessary physical contact;
- suggestions or requests for sexual favours;
- insults, derogatory comments, ridicule or inappropriate teasing and "jokes";
- lewd, suggestive or over-familiar behaviour;
- display or circulation of offensive material (e.g. pornography);
- freezing out of an individual by shunning him/her and ignoring his/her presence at work.

Harassment may be physical, verbal and/or non-verbal conduct. It will usually be persistent and repeated. However, you should be aware that a single incident can be

defined as harassment if it is sufficiently serious. The motive and/or intention of the person whose behaviour is called into question is irrelevant. Behaviour which is not intended to harass may still be unlawful if it could reasonably be considered to have that effect on the individual recipient or another person who has witnessed the behaviour (i.e. a person can be harassed even if the behaviour is not targeted at them).

5.2 BULLYING

Bullying covers a wide range of conduct. It may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intending to undermine, humiliate, denigrate or injure the recipient.

The following are some examples of the type of behaviour which may amount to bullying:

- spreading malicious rumours;
- making inappropriate jokes or insulting someone;
- shouting, swearing or using offensive language at employee;
- ridiculing or demeaning someone – picking on them or setting them up to fail;
- exclusion, victimisation, or unfair treatment;
- overbearing supervision or other misuse of power or position;
- making threats or comments about job security without foundation;
- deliberately undermining and constant criticism without justification;
- preventing individuals progressing by intentionally blocking promotion or training opportunities;
- physical assault or horseplay.

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5.3 VICTIMISATION

Victimisation can occur when an individual is treated less favourably than others because he or she has made allegations or complaints of unlawful discrimination to ICG or to an employment tribunal.

Any employee who is found to have victimised another employee will be subject to disciplinary proceedings.

6. PROCEDURE TO BE FOLLOWED

6.1 INFORMAL PROCEDURE

The formal grievance procedure should usually only be invoked where informal discussions and action have taken place in an attempt to resolve the issues raised by you, and these discussions and steps have not provided a satisfactory resolution.

You should be aware that even if a complaint is raised in writing ICG will in appropriate circumstances aim to resolve it informally before inviting the employee to attend a

formal meeting. Your HR Business Partner will guide the business on the most appropriate course of action.

6.1.1 Guidelines for handling what you perceive as harassment or bullying

Preventing Harassment and Bullying at Work

ICG wishes to prevent bullying and harassment in the workplace and will respond effectively to any such complaint. If you feel you have been or are being bullied or harassed, then do not suffer in silence. Employees who wish to discuss complaints of sexual harassment in confidence should contact either their Line Manager or Human Resources. In any case you should:

Stage 1: Keep a record of the incidents

This is very important. Make a note of the date time and nature of any incidents and of the name of anyone who may have witnessed any incident.

Stage 2: Make it clear to the harasser or bully that you object to his/her behaviour

You should ask the harasser or bully to stop what he/she is doing. If you do not consider it appropriate to confront the alleged harasser or bully yourself, you should ask for help from Human Resources, a trusted colleague or other supportive person, or from a senior employee. If you do not feel able to face the harasser or bully, you might feel able to write to him/her in which case, write a letter or memo explaining what it is about his/her behaviour that is upsetting you and ask him/her to stop. Keep a copy of this letter or memo.

Stage 3: Make a formal complaint

If the informal methods fail, or in the case of serious harassment or bullying, you should report the harasser to your manager or to Human Resources. You should do this at the earliest opportunity. You may not be the only one being harassed or bullied. The complaint should be made in writing where possible, and state details of the date, time, nature of the incident of harassment or bullying, the name(s) of witnesses to the incident and any action already taken to stop the harassment or bullying. However, in view of the sensitive nature of a bullying or harassment complaint, you may prefer to seek further advice from your HRBP who will guide you on the most appropriate course of action.

6.2 FORMAL PROCEDURE

ICG will, where appropriate, aim to resolve minor concerns informally before inviting the employee to attend a formal meeting. Your HRBP will guide both you and the business on the most appropriate course of action.

6.3 CONFIDENTIALITY

ICG understands that you may wish for your identity to be kept confidential when raising concerns about bullying and/or harassment. If this is the case, ICG will take reasonable steps to keep your identity secret, however, disclosure of your identity may be unavoidable in the case of an investigation or court proceedings, and confidentiality cannot be guaranteed.

7. RESPONSIBILITY

Individual managers are responsible for ensuring the fair application of this policy within their own area. Any queries on the application or interpretation of this policy must be discussed with the relevant HR Business Partner prior to any action being taken.

Human Resources has the responsibility for ensuring the maintenance, regular review and updating of this policy.

Revisions, amendments or alterations to the policy can only be implemented following consideration and approval by the ED, Chief People and External Affairs Officer.