



THEOBALD'S Ltd.

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WORKPLACE HARASSMENT POLICY

POLICY STATEMENT

Theobald's expressly prohibits any form of harassment of staff within the workplace.

As part of the aim to provide a working environment in which harassment is known to be unacceptable, this document is designed to provide for a swift and fair response to any complaint of workplace harassment.

Workplace harassment will be regarded as any unwanted or unwelcome discriminatory conduct based on an individual's sex, race, religion, skin colour, sexual orientation, marital status, ethnic or national origin, age, or disability, or indeed on any other illegal or inappropriate basis.

PRINCIPLES AND PROCEDURES

- All complaints of workplace harassment will be investigated and after full consideration of the facts, appropriate action will be taken.
- This procedure will stand separate from the any grievance or disciplinary procedure, save where it is felt that the matter should be referred through the disciplinary route, in terms of the actions of the employee(s) accused of engaging in harassment.
- Employees are assured that the utmost discretion will be used in the investigation of such complaints.
- All persons involved in a harassment-related investigation will respect the confidential nature of such an inquiry. Disciplinary action may be taken against anyone breaching the confidentiality of the review, including those engaging in discussion with anyone apart from those conducting the investigation.
- Whilst it is recognised that employees subjected to harassment maybe reluctant to complain, all efforts should be made to report any incident of workplace harassment promptly. Any delay may impede the investigation of the incident.
- Each employee may make a complaint of harassment without fear of repercussions or recriminations from management. This does not extend to complaints which are submitted wholly without foundation, or are made with malicious intent.

FORMS OF HARASSMENT

Harassment occurs on a variety of grounds and may be directed at one person or a grouping of people. It can be described as unwanted behaviour, which a person finds intimidating, upsetting, embarrassing, humiliating or offensive. It is essential to remember that it is not the intention of the perpetrator that is key in deciding whether harassment has occurred but whether the behaviour is acceptable by reasonable standards and/or is disadvantageous to

the “recipient” of the harassment.

It may take the form of any verbal, written, visual or physical acts, which create a hostile or offensive working environment. This may be typified by physical contact; jokes or offensive language; slander; posters; graffiti; obscene gestures; coercion and/or intrusion by pestering etc.

Specifically, sexual harassment may include but is not limited to:

- Insensitive jokes and pranks.
- Lewd comments about appearance.
- Unnecessary body contact
- Displays of sexually offensive material.
- Threatened or actual sexual violence
- Threat of dismissal, loss of promotion etc for refusal of sexual favours.

Examples of racial harassment may include but are not limited to:

- Insensitive jokes related to race.
- Pranks.
- Deliberate exclusion from conversations.
- Abusive, threatening or insulting words or behaviour.
- Displaying abusive writing and pictures.

Examples of bullying include but are not limited to:

- Derogatory remarks.
- Insulting or aggressive behaviour.
- Repeated public criticism.

Examples of age related harassment may include, but are not limited to:

- Sending birthday cards with age related messages, which cause offence
- Making “ageist” comments.
- Age related nicknames
- An employee who is made to feel excluded because work related social events are only aimed at the younger workers.

PROCEDURE

Where appropriate and where the individual feels able to do so, employees who are subjected to harassment are advised to make it clear to their harasser that the behaviour is unacceptable and must stop. If the employee is unable or unwilling to do this verbally, then a written request (including by e-mail, applying a “confidential” label and the “return receipt” facility) explaining the distress that the behaviour is causing may be effective. Assistance is also available from management if required.

On a more formal basis, any employee who feels that they have been subjected to workplace harassment of any type, whether it be from a co-worker, manager or agent of Theobalds or indeed anyone outside Theobalds, must report the incident immediately. This may be submitted in verbal or written form, including use of the e-mail system, as indicated in the previous paragraph.

The complaint should, ordinarily, be submitted to the immediate supervisor/manager. If, however, the supervisor/manager is the subject of the complaint, the employee should report the matter to another manager, or the next level of management.

The employee should identify:

1. The name of the harasser.
2. The nature of the harassment.
3. Dates and times when the harassment occurred.
4. Names and witnesses to any incidents of harassment.
5. Any action already taken to attempt to stop the harassment.

The supervisor/manager will take immediate action to investigate the matter. In cases where the supervisor/manager has been accused of harassment, another manager may conduct the investigation with or without any assistance from the next level of line management. In any event, if the supervisor/manager has been accused of harassment he/she will be excluded from the handling of the investigation process.

Every effort will be made to resolve or correct the situation as quickly as possible and to conduct the necessary enquiries on a confidential basis. Theobalds reserve the right to conduct any investigations or hold any disciplinary hearings off site and staff will be expected to attend at the designated location.

Where the alleged harasser is a non-employee, Theobalds will deal directly with the employer in question, seeking to secure the fullest co-operation with any investigation. Theobalds cannot, in such circumstances, impose any disciplinary sanctions directly on the external harasser but can prevent the individual(s) from entering or being engaged on Theobalds premises and can make the findings, in full or part, known to the external employer.

The complainant will be notified, in writing, of the findings of the investigation. The complainant will also be advised that disciplinary action has been initiated against the subject of the complaint, where appropriate. Only, however, through the more visible forms of disciplinary action (eg demotion, transfer or dismissal) will there be awareness of the specific form of disciplinary punishment issued. Otherwise, specific details of the disciplinary action will not be disclosed.

There will be no general right of appeal on the part of the complainant against any such action taken, through this or any other procedure. The complainant may, however, submit an appeal, within five working days of being notified of the findings, to highlight e.g. dissatisfaction with a

decision not to proceed with further action on the basis of insufficient evidence; where it is believed that the correct procedures have not been followed; where new evidence has emerged or where witnesses have not been interviewed etc. Management will be responsible for organising the appeal hearing, for selecting the person to hear the appeal, to attend the appeal hearing and to provide written confirmation of the outcome.

Where appropriate, action may be taken to separate the alleged harasser from the employee making the complaint, whilst an investigation is underway and this may involve the temporary transfer of either individual to another area or suspension of the alleged harasser (on a paid basis) Where the alleged harasser is a non-employee, Theobalds will address the issue of a continuing presence on Theobalds site with the employer in question.

Conclusions

The damage, tension and conflict which harassment can create should not be underestimated.

By the adoption of this Policy and Procedure, Theobalds seeks to give a clear indication that such unacceptable behaviour will not be tolerated within the company.

Disclaimer

This Policy does not form any part of an employee's contract of employment and Theobalds may amend, suspend or withdraw this Policy at any time.

A handwritten signature in black ink, appearing to read 'S. Theobalds', written over a horizontal line.

13th March 2008