

Non-harassment and bullying policy

Introduction

The Firm supports the rights of all people to seek, obtain and hold employment without harassment or bullying.

It is the Firm's policy to make every effort to provide a working environment free from harassment, bullying and intimidation (whether the harassment is on the grounds of sex, gender identity or expression, gender reassignment, marital status, civil partnership status, pregnancy, maternity, paternity, part-time and/or fixed-time status, sexual orientation, age, disability, race, colour, nationality or national or ethnic origins, religion or belief, union membership status or otherwise). The Firm will not permit or condone harassment or bullying towards members of the Firm (including partners, employees, directors and temporary workers) and third parties with whom the firm deals (including contractors, agency staff, consultants, clients, suppliers or indeed any persons visiting or working in the Firm's offices).

All members of the Firm have a personal responsibility to behave in a manner which is not, nor is likely to be perceived as offensive to others. National Practice Group Heads and Business Services Directors have a responsibility to ensure that any complaint of harassment affecting a member of their practice or business services group is investigated.

The aim of this non-harassment and bullying policy ("the Policy") is to draw attention to and seek to prevent all types of behaviour which amount to harassment or bullying and which are therefore unacceptable. Any person acting in breach of the Policy may be liable to disciplinary action.

Definition

"Harassment" in the context of the Policy, means misconduct of a physical, verbal or non-verbal nature when:

- it is unsolicited and unwelcome; and/or
- submission to such conduct is implicitly or explicitly a term or condition of an individual's continued employment; and/or
- submission to such conduct is implicitly or explicitly a term or condition for decisions which could affect promotion, salary or any other job condition; and/or
- such behaviour creates an intimidating, humiliating, hostile or offensive work environment for one or more individuals.

The following are examples of behaviour that are likely to be inappropriate and unacceptable. These examples do not form an exhaustive list:

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- Physical conduct – including but not limited to unwanted physical conduct, including unnecessary touching, patting or pinching, assault, coercing sexual intercourse, physical threats and insulting or abusive behaviour or gestures.
- Verbal conduct relating to gender identity or expression, gender reassignment, marital status, civil partnership status, pregnancy, maternity, paternity, part-time and/or fixed-time status, sexual orientation, age, disability, race, colour, nationality or national or ethnic origins, religion or belief, union membership status – including but not limited to unwelcome advances, propositions or pressure for sexual activity, flirtations, lewd or threatening comments (including threats to out someone who has not openly disclosed their sexual orientation or gender identity or expression), mimicking, correcting or commenting on someone's accent or social background or inappropriate questioning or abusive language (including refusal to use the pronoun appropriate to someone's affirmed gender, for example, calling a trans woman “he” or calling the person by the name that they had before they transitioned) which denigrates or ridicules, insults (including offensive name calling and homophobic, biphobic or transphobic comments, for example, calling a bisexual person “greedy”) and offensive comments about dress, appearance or physique, and the writing and/or sending of written materials, including e-mails, of an offensive nature.
- Non-verbal conduct relating to gender identity or expression, gender reassignment, marital status, civil partnership status, pregnancy, maternity, paternity, part-time and/or fixed-time status, sexual orientation, age, disability, race, colour, nationality or national or ethnic origins, religion or belief, union membership status - including but not limited to the display of pornographic or sexually suggestive pictures, offensive objects or written materials, the display of written or visual material, including offensive graffiti, the organising of kiss-o-grams or strip-o-grams, or other unacceptable non-verbal conduct which denigrates a person.
- Harassment on the grounds set out in the Equality Act 2010 above may be illegal and will be treated as a serious disciplinary matter. The harasser may be held personally liable for such conduct. In addition, harassment may constitute a criminal offence, rendering the harasser liable to criminal prosecution.

“**Bullying**”, in the context of the Policy, is a form of harassment. It is defined as repeated aggression (whether verbal, psychological or physical) conducted by an individual or group against another person or persons. It includes persistent, offensive, abusive, intimidating, malicious or insulting behaviour, or abuse of power which make the recipient feel upset, threatened, humiliated, vulnerable or which undermines their self-confidence.

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Complaints procedure

Members of the Firm who wish to make a complaint about harassment and/or bullying in the workplace, should follow the procedure set out in the Grievance Policy. Grievances will be handled as sensitively as possible and any individual raising a grievance will be supported during the process according to their individual circumstances. This includes initially raising problems and concerns informally. In the case of bullying and harassment, this may include where reasonably possible, telling the person responsible that they find their behaviour offensive and asking them to stop. Instead, or as well as this, a member of the Firm who believes they have been the subject of bullying and harassment may wish to address the issue informally by speaking to their National Practice Group Head/Director or Business Services Director and/or the Human Resources department who will assist in dealing with the matter.

Where concerns cannot be resolved informally, a formal grievance may be submitted in writing to a member of HR. Further details of the procedure are contained in the Grievance Policy.

Issues relating to harassment and bullying can always be referred by any member of the Firm to his or her National Practice Group Head or Business Services Director. However, it is recognised that not everyone may wish to discuss a matter relating to harassment or bullying directly with their National Practice Group Head or Business Services Director.

If any member of the Firm feels that they have been subjected to harassment or bullying they should not hesitate at any time to discuss this, in full confidence, with any Human Resources Manager or the Human Resources Director.

Victimisation

The Firm will not tolerate intimidation, victimisation or discrimination against any person who makes a complaint of harassment or bullying or who assists in an investigation of alleged harassment. Retaliation against a member of the Firm who complains of harassment or bullying can be expected to lead to disciplinary action.