

# FAIR TREATMENT, HARASSMENT & BULLYING POLICY



## FAIR TREATMENT POLICY

Duval employs practices and procedures within the current UK legislation and, where applicable, European legislation. It is Duval's ultimate aim to go beyond compliance and adopt a proactive approach in ensuring that all staff, employees and potential employees are treated fairly.

All employees are made aware of the provisions of the Duval fair treatment policy at the commencement of their employment. This policy is also contained within the site assignment instructions.

Discriminatory behaviour by any employee or failure to comply with any element of this policy will be viewed as a serious matter which may lead to disciplinary action up to summary dismissal against that individual.

Employees who have made complaints under the fair treatment policy will not be penalised in any way for asserting their rights.

Duval strives to develop a climate free from harassment and bullying. All our employees will be treated with dignity and respect.

We take all possible steps to ensure that decisions on recruitment, training, promotion and career development are solely based on the assessment of an individual's skills, abilities, and their suitability for the work to be performed.

Duval encourages and supports employees to take responsibility for developing their own skills for realising their potential within the company.

To maintain equality a number of policies and procedures exist.

## FAIR TREATMENT & GRIEVANCE PROCEDURE

Duval's company policy is to provide all employees with pay and working conditions which will compare favourably with other similar employment and to treat everyone fairly.

This procedure is to allow employees to formally raise any grievance relating to their role or complaint regarding the company or its employees.

***This procedure should not be used for disciplinary issues, appeals or contractual changes as there are appropriate procedures in place to address these concerns.***

It is usually better for those involved in a grievance, to resolve it informally and only use the grievance procedure where it is not possible to resolve the grievance informally.

Duval will keep records of any action taken under the grievance procedure. These records will be treated as far as practical as confidential.

## STAGES OF PROCEDURE

There are three (3) stages to the appeal procedure.

# FAIR TREATMENT, HARASSMENT & BULLYING POLICY



## **Stage 1**

The employee will in the first instance write to the Personnel Manager giving sufficient information of the basis of their grievance. A meeting will then be set up to discuss the matter usually within 5 working days the outcome of this meeting will be given to the employee in writing within 5 working days of the meeting.

## **Stage 2**

If the employee is unhappy with the outcome of the meeting they must write to the Personnel Manager outlining the reason for their on-going dissatisfaction the personnel Manager will arrange for a further meeting to take place within 10 working days the outcome of the meeting will be given to the employee within 10 working days of the meeting

## **Stage 3**

If the employee is dissatisfied with the outcome of the stage 2 meeting they must write to the board of directors outlining their dissatisfaction within 5 working days of receipt of the stage 2 outcome letter setting out their reasons for their on-going dissatisfaction a meeting will be set up within the next 10 working days with a person appointed by the board of directors.

The decision made at stage 3 is the final stage of the company's internal procedure Where agreement is not reach at stage 3 the employee may refer the matter to ACAS if mutually agreed by both parties.

The employee/s has a statutory right to be accompanied by a chosen companion or trade union representative a request to be accompanied must be made in writing stating who they wish to accompany them.

The chosen companion has a statutory right to address the hearing but no statutory right to answer questions on the employees behalf.

## **HARASSMENT & BULLYING POLICY**

The company will handle any complaints of bullying and harassment sensitively in a timely and confidential manner. It is not considered appropriate for the company's grievance procedure to apply to complaints of harassment or bullying.

The company recognises the right of employees to determine for themselves whether the words or behaviour of others is acceptable to them and to bring a complaint, to the respect of harassment or bullying. Following the investigation of a complaint, the decision as to whether a complaint is warranted and, if so, what disciplinary sanction should apply is the responsibility of Duval management.

## **Stage 1**

An employee who considers that they have been the victim of harassment or bullying may. In some cases be able to satisfactorily resolve the matter by explaining clearly to the perpetrator that their behaviour is unacceptable and contrary to the company's policy and must stop.

Employees may ask a colleague to do this on their behalf or to be with them when confronting the perpetrator.

If it is considered to be appropriate by the employee they may approach their supervisor or manager to resolve the matter any such discussion will be strictly confidential. If the complaint is resolved the alleged perpetrator will not be subject to disciplinary action. However, in exceptional circumstances and following

# FAIR TREATMENT, HARASSMENT & BULLYING POLICY



consultation with the employee, the company may decide that it is necessary to investigate further and move the complaint to stage 2 of this procedure

## **Stage 2**

In the event that stage 1 has been unsuccessful the employee may make a written complaint to the Personnel Manager giving sufficient information of the basis of their grievance.

Any complaint may ultimately lead to disciplinary action against the alleged harasser or bully

The complainant must provide the name of the harasser or bully the dates and times that the harassment or bullying took place and the name/s of any witnesses and any action taken by the complainant to resolve the matter informally.

Any complaint will be investigated promptly, impartially and as far as practicable confidentially. A meeting will be held with the complainant to consider their allegation. In addition investigation meetings will be held with the alleged harasser or bully and relevant witnesses where applicable

On completion of the investigation, meetings will be held with both parties to inform them of the company's intention and letters in be sent within 10 working days of the meeting

Where the investigation indicates that a disciplinary offence has or may have occurred the company's disciplinary procedure will be put into operation and the alleged harasser or bully will be provided with the allegations against them and given an opportunity to respond.

## **Stage 3**

Where the complainant is dissatisfied with the outcome of the investigation into their complaint or the harassment/ bullying continues the complainant may submit an appeal in writing to the board of directors within 5 working days of receipt of the letter confirming the outcome of the investigations. A meeting will then be convened with a person appointed by the board of directors to reconsider the employee's complaint and if necessary undertake further investigations.

The decision reach at the end of stage 3 is the final stage of the company's internal procedure

A handwritten signature in black ink, appearing to read "Andrew Stone".

Andrew Stone - Compliance Director  
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