

Group policies – Workplace policies

Bullying and harassment policy

This policy is part of the Home Retail Group Business Principles in respect of the Company's commitment to prohibiting all forms of bullying and harassment and addressing employees' personal concerns at work.

The Company is committed to providing a working environment that is free from bullying and harassment and in which all employees are treated with dignity, respect, courtesy and fairness.

Bullying and harassment at work is contrary to the interests of the business and has negative effects on the individuals involved. Behaviour amounting to bullying or harassment will not be tolerated and will be dealt with under the Company's disciplinary procedure.

In addition, this policy aims to support the principles of the Home Retail Group Equal Opportunities Policy.

Scope of policy

This policy applies to all employees, contractors, consultants and agency workers working within companies in the Home Retail Group in England, Scotland and Northern Ireland. Separate policies exist for employees in Northern Ireland and the Republic of Ireland.

Incidents involving customers, visitors or any other individuals an employee may come into contact with during the course of their employment are covered by this policy and dealt with under separate procedures applicable to the relevant business area.

Objectives

The objectives of this policy are to:

- ensure that all employees understand the types of behaviour that are unacceptable;
- encourage individual responsibility for ensuring that the dignity of others is respected at all times; and
- ensure that appropriate and effective action is taken when incidents occur.

Definitions of harassment, bullying and victimisation

Harassment is defined as unwanted conduct with the purpose or effect of either violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Sexual harassment is a specific type of harassment which involves unwanted conduct of a sexual nature or unwanted conduct on the ground of a person's sex.

Bullying is a form of harassment that can include offensive, intimidating, malicious or insulting behaviour or an abuse or misuse of power which has the effect of undermining, humiliating or injuring the recipient.

Victimisation is when an individual is subjected to unwanted and humiliating behaviour because he or she has made allegations of harassment or bullying or has acted as a witness in an investigation or complaint.

The Company will not tolerate harassment, bullying or victimisation for any reason including race, ethnic or national origin, religion, religious belief, gender, gender re-assignment, sexual orientation, marital status, pregnancy, disability, age, employment status, political opinion, trade union membership and any other legally protected status or form of harassment on any grounds.

Employees who wish to raise a concern about malpractice or issues affecting the interests of the Company, i.e. Whistleblowing, should refer to the Company's Whistleblowing Policy, available on the Intranet or from HR.

Examples of unacceptable behaviour

Bullying and harassment can apply at all levels across the Company. It may be one single incident or may be persistent. It may be directed towards one or more individuals and can be from one or more individuals. The behaviour or conduct can be physical, verbal or non-verbal.

Types of behaviour which the Company deems unacceptable include, but are not limited to:

- Physical contact including: unnecessary touching or brushing against another person's body, aggressive behaviour, assault or coercion (including coercion for the purpose of personal gain that is unlawful or in breach of Company policy);
- Verbal harassment including: ridiculing and demeaning behaviour, crude language, offensive jokes, offensive or suggestive remarks, innuendoes, lewd comments, spreading rumours, pestering, sexual advances, offensive propositions or pressure for sexual activity;
- Non-verbal harassment including: obscene gestures, any display or circulation of offensive or inflammatory material, offensive graffiti or personal comments, written communications such as offensive letters or e-mails, following, stalking or spying;
- Punishment imposed without reasonable justification;
- Unreasonable allocation of work or changes in duties or responsibilities to the detriment of the employee without reasonable justification or consultation;
- Threatening or intimidating behaviour;
- Deliberate exclusion of an individual for the purpose of causing harm;
- Excessive and unjustified methods of supervision which are not universally applied.

Group policies – Workplace policies

Bullying and harassment policy cont.

Employees should be aware that behaviour or conduct which may be regarded as acceptable or tolerable by one individual may be regarded as unacceptable by another. When determining whether conduct can be viewed as bullying or harassment, all the circumstances of the case will be considered, including the perceptions of the recipient of the unwanted conduct.

All use of the Company's computer systems must be in accordance with the Company's Computer, E-mail and Internet Acceptable Use Policies, available on the Argos and Homebase Intranets or from HR.

Effects of bullying, harassment and victimisation

The effects of bullying, harassment and victimisation can be damaging to the victim of the harassment as well as others in the workplace and general morale. In particular, effects can be anxiety, stress, increased absence, poor performance, lack of motivation, loss of respect for colleagues or managers and resignation. As a result, the effectiveness and efficiency of the Company may be affected.

Treatment of bullying, harassment and victimisation

This policy aims to ensure the fair treatment of all employees and as such all forms of bullying, harassment and victimisation are prohibited and will be dealt with under the Company's Disciplinary Procedure. In most cases, such conduct will amount to gross misconduct, resulting in disciplinary action up to and including dismissal.

Employees should be aware that bullying, harassment and victimisation on prohibited grounds are unlawful under employment law. The Company may be held liable for acts of unlawful harassment. In addition, intentional bullying, harassment or victimisation is a criminal offence whether carried out in the workplace or any other public or private place and conviction can lead to imprisonment or a fine.

The victimisation of any employee who makes a complaint of bullying or harassment will not be tolerated and will be regarded as a serious disciplinary offence.

The making of false or malicious complaints will also be regarded as a serious disciplinary offence.

Raising a complaint

Employees who are victims of bullying, harassment or victimisation may be concerned about making a complaint or they may not believe that they will be taken seriously. Any employee who is suffering from any form of harassment is encouraged to raise their concerns in order to resolve the situation as quickly as possible.

Complaints should be made as soon as possible after an incident has occurred in order that an adequate investigation can be carried out.

The Company will investigate complaints seriously, objectively and promptly in order to ensure appropriate action is taken. There are two possible routes to resolving complaints (see action below) and the employee should decide which is the most appropriate route to take in their individual circumstances. Where possible, situations should be dealt with informally to enable a quick resolution.

Where an employee raises a complaint but subsequently decides not to pursue it, the Company may be obliged to investigate the complaint further and take such action as it deems appropriate under the terms of this policy. This will apply in cases where the Company deems the complaint to be of a serious nature or one which could put other employees at risk. Such decisions will be made on a case by case basis, according to the nature of the complaint.

Where an act of bullying, harassment or victimisation is brought to the attention of the Company by someone other than the actual victim of the behaviour, then in order to ensure that it provides a working environment in line with its stated Business Principles, the Company has a duty to investigate the incident and take such action as it deems appropriate under the terms of this policy.

Informal action

1. In some cases, it is possible for the individual to resolve the situation informally by discussing the matter with the harasser and making it clear that their behaviour is unwanted and unacceptable and that it must not continue. This action may be particularly relevant where the harasser is unaware that their behaviour is unacceptable
2. If an individual does not feel comfortable raising the issue with the harasser they could ask a colleague to raise it on their behalf with the alleged harasser in order to stop the unwanted behaviour
3. Alternatively, the individual could raise the issue with their line manager, their line manager's immediate manager where the line manager is involved in the bullying/harassment, or the HR department to discuss how the complaint could be resolved informally.

Employees should be aware that if a line manager or HR is informed of a complaint which they deem to be of a serious nature, it may not be appropriate to resolve the complaint on an informal basis. The manager/HR will be obliged to investigate the complaint further and to take appropriate action, which may include disciplinary action within the Company's Disciplinary Procedure.

Formal action through the Grievance Procedure

A formal complaint should be raised through the Company's Grievance Procedure where: informal action has not been successful and the matter remains unresolved; the alleged bullying/harassment is deemed to be of a serious nature or one which could put other employees at risk; or where the individual requests to make a formal complaint.

Group policies – Workplace policies

Bullying and harassment policy cont.

Employees should contact their line manager or HR department for details of the full Grievance Procedure that is applicable to their business area.

As a minimum, the procedure will provide the following:

1. The employee should put the complaint in writing, including the name of the alleged harasser, the nature of the harassment, dates and times of the harassment where possible, and the names of any witnesses
2. An investigation will be carried out within a set timescale to ascertain the facts of the case and to allow both the complainant and the alleged harasser to state their case
3. The investigation will be carried out by individuals who are independent of the complaint and who are specified as having the level of authority to carry out investigations
4. Employees will be entitled to be accompanied at all meetings during the investigation
5. The Company will take all practical steps to ensure that the complainant, the alleged harasser and any witnesses are protected from victimisation arising from the investigation. This may include temporarily transferring or suspending with pay any of the individuals involved until the case is resolved
6. Where harassment has been proved following a full investigation, appropriate action will be taken in accordance with the Company's disciplinary procedure. This may include transfer, demotion, verbal or written warning. Serious cases of harassment will be treated as gross misconduct which may result in summary dismissal. In some cases, corrective action such as training and development may be appropriate
7. The individuals involved will be entitled to appeal against a decision or penalty imposed.

Confidentiality

In order to protect the complainant, the alleged harasser and any witnesses, all interviews and discussions will be treated in the strictest confidence and will not be disclosed to anyone other than the individuals conducting the investigation.

As part of the investigation, it may be necessary to share information with those who are part of the investigation. In such situations, this will be clearly explained to the complainant.

Responsibilities

Employees' Responsibilities

All employees have a responsibility to help ensure a working environment in which the dignity of employees is respected. Everyone must comply with this policy and employees should ensure that their behaviour towards colleagues and customers does not cause offence and could not in any way be considered to be bullying or harassment.

Employees should discourage bullying and harassment by making it clear that they find such behaviour unacceptable and by supporting colleagues who suffer such treatment and are considering making a complaint. They should alert a manager or supervisor to any incident of harassment to enable the Company to deal with the matter.

Managers and supervisors responsibilities

Managers and supervisors have a duty to implement this policy and to make every effort to ensure that bullying or harassment does not occur, particularly in work areas for which they are responsible. Managers and supervisors have responsibility for any incidents of bullying or harassment of which they are aware or ought to be aware. If bullying or harassment does occur, they must effectively deal with the situation.

Home Retail Group responsibilities

Home Retail Group will ensure that adequate resources are made available to promote respect and dignity in the workplace and to deal effectively with complaints of harassment. This policy and procedure will be communicated effectively to all employees and we will ensure that all employees and all managers and supervisor are aware of their responsibilities.

Employee Assistance Programme

The company has an arrangement in place with BUPA to provide an employee assistance programme.

The programme consists of a helpline which Home Retail Group employees can call for confidential advice and guidance for matters relating to bullying and harassment or stress. The help line number is 0800 371 536.