



## Staff Handbook

### Equal Opportunity and Anti-Harassment Policy

# EQUAL OPPORTUNITY AND ANTI-HARASSMENT POLICY

In order to make it easier for all staff to keep themselves informed of Bowerbirdy's policies and any changes made to them, we will highlight any changes made from one update to the other.

New text will be highlighted as follows: **This is new text xxx xxx xxx.**

Any old text that has been deleted will be highlighted as follows: ~~This is old text that has been deleted yyy yy yyyyyy.~~

We hope this will help you to quickly be able to identify any changes made to our policies.

## Introduction

The Company is committed to its Equal Opportunity and Anti-Harassment Policy. This includes ensuring equality of opportunity for everyone and the elimination of discrimination of any sort, including harassment.

Bowerbirdy will not tolerate discrimination or harassment of any kind on the grounds of sex, age, marital status, disability, nationality, ethnic origin, race, colour, sexual orientation, religion, or political affiliation. The policy applies to the way Bowerbirdy treats any customer, supplier, employee or job applicant.

## Objectives

In devising this policy, Bowerbirdy has the following main objectives:

1. To ensure that no one customer, supplier, employee or job applicant shall receive less favourable treatment or be discriminated against directly or indirectly on the grounds listed above.
2. To ensure all employees are recruited, trained and promoted on the basis of their ability, suitability for work and the requirements of the job.
3. To encourage all employees to take an active role against all forms of discrimination and harassment.
4. To deter all employees from participating in harassment or discriminatory behaviour.
5. To demonstrate to all employees that they can rely upon Bowerbirdy support in cases of harassment or discrimination at work.
6. To ensure employees are promoted within Bowerbirdy based on merit and that they are not discriminated against on the grounds listed above.
7. To ensure that no individual is given less favourable treatment or is victimised because he/she has made allegations or complaints of discrimination or harassment.

**Please ensure you are aware of the policy and that in your handling of customers, suppliers, fellow employees or job applicants, you act accordingly and that you do nothing that may directly or indirectly cause discrimination or harassment of them.**

Bowerbirdy will regard any breaches of this policy as being very serious and deliberate, and any such breach will be considered as gross misconduct.

If you feel that you have been treated in a way that breaches the policy, the issue should be raised, in the first instance, with your Manager or directly with the Director. Every effort will be made to resolve the issue quickly and satisfactorily, whether through informal processes or formally through the Grievance Avoidance Procedure.

## Harassment

Harassment or any form of discrimination will not be tolerated under any circumstances, and if you harass or discriminate against another employee, supplier, customer of Bowerbirdy or job applicant, you will be subject to Bowerbirdy Disciplinary Procedure. In serious cases, such behaviour may constitute gross misconduct and may result in summary dismissal.

Harassment, generally, may include the following: Any unwanted verbal or physical abuse, advances or behaviour, which may be found offensive and that causes someone to feel threatened, humiliated, patronised, distressed or harassed.

Harassment may be deliberate or unconscious, open or covert, direct or indirect, an isolated incident or a repeated action.

It may also include, in certain circumstances, off duty conduct.

It will not be a defence that such incident consists of words or behaviour, which might be claimed as being 'common place' or intended as a joke.

It is the duty and the responsibility of Bowerbirdy and every employee to stop and prevent all types of harassment/discrimination in the workplace. It is only through the efforts of individual employees that harassment and discrimination can be eradicated. We must all recognise that every employee has the right not to be subjected to any form of harassment or discrimination.

### **Racial Harassment**

Racial harassment is offensive or hostile behaviour, either physical or verbal which is based on an individual's colour, race, nationality, ethnic or national origin, which is against the law and is contrary to Bowerbirdy Equal Opportunity Policy. This type of harassment will not be tolerated under any circumstances and Bowerbirdy will take prompt action upon becoming aware that such incidents have taken place.

#### **Racial harassment may include:**

- Abusive language and racist jokes.
- Racial name calling.
- The display or circulation of racially offensive written or visual material including graffiti.
- Physical threats, assault and insulting behaviour or gestures.
- Open hostility towards workers of a particular racial group, including organised hostility in the workplace.
- Unfair allocation of work and responsibilities.
- Exclusion from normal workplace conversation or social events.

The above examples are not exhaustive and each incident of harassment or discrimination will be viewed on its individual facts.

### **Sexual Harassment**

Sexual harassment is defined as unwanted behaviour of a sexual nature by one employee to another, and may include:

- Insensitive jokes and/or pranks.
- Lewd comments about appearance.
- Unnecessary bodily contact.
- A display of sexually offensive material, for example, calendars, magazines, posters.
- Requests for sexual favours.
- Speculation about an employee's private life and/or sexual activities.
- Threatened with or actual sexual violence.
- Threat of dismissal, loss of promotion etc, for refusal of sexual favours.
- Bullying,

Whilst the above list gives examples of harassment, sexual harassment takes many forms, from relatively mild sexual banter to actual physical violence, and the above examples are not exhaustive.

### **If you feel you are being subjected to harassment**

#### **Informal process**

If you feel you are being subjected to harassment, then the first step should normally be for you to inform your manager and for the harasser to be asked to stop. (If the manager is perceived as the harasser, you should advise an alternative manager, other senior employee or the Regional Manager).

The request to stop may be made verbally by you or by the manager. It must be explained that the behaviour is unwelcome and is interfering with work.

Alternatively, you or the manager can do this in writing. This method may carry more influence and can be used for record purposes.

In any event you should keep a diary of events and incidents. The purpose of this is to assist with investigations should any further harassment occur.

Where you prefer confidentiality, you are encouraged to seek support and advice from the Regional Manager. The Regional Manager can assist in:

- Offering guidance on resolving harassment.
- Assisting in resolving problems and informally seeking, with the consent of the complainant, a confidential interview with the person the complaint relates to in order to pursue a solution without recourse to the formal Disciplinary or Grievance Avoidance Procedures.



- Advising the parties as to their future conduct where a problem has been resolved, without recourse to formal procedures.

Where practical, the Director will take no direct part in the informal process, but it is advisable to inform the Director of any case to assist the monitoring process. It is assured that confidentiality will be maintained at all times.

### **Formal Process**

Where the informal process has proved ineffective or where you prefer, the formal process should be followed.

A complaint made formally will be treated with due respect for the rights of both you and the accused. However, Bowerbirdy strongly believes in a lowest level resolution – meaning that any complaint should be dealt with swiftly and, where practical, at the lowest level.

The formal complaint is reported directly to the Regional Manager.

The Regional Manager will conduct a thorough formal investigation into the allegations made, on a non-judgmental and impartial basis, after informing the person against whom the allegation is made. The investigation will consist of:

- Interviewing you (you may be accompanied by a work colleague) to establish the facts.
- Interviewing any witnesses.
- Collecting, recording and analysing relevant information.
- Preparation of witness statements.
- Interviewing the alleged harasser (who may be accompanied by a work colleague).
- Compilation of a report on the alleged harassment.

If it is felt appropriate by the Regional Manager that either party should not attend work whilst investigations are undertaken, basic pay will be maintained. This will not be considered as disciplinary action or an indication of guilt.

The Regional Manager will advise both parties of the actions taken as a result of the investigation.

This may result in:

- An apology where the Regional Manager considers this meets the needs of the situation.
- Disciplinary measures within Bowerbirdy's disciplinary procedure.
- Criminal proceedings (depending upon the circumstances of the incident).

If you are not satisfied with the Regional Managers report and the subsequent actions then you have the right to appeal to the Director, who will review the investigation and report. The Director's decision will be final.

If the complaint is upheld it may be considered desirable to separate the parties involved. This will be done where practicable. However, the complainant will not be adversely affected by the action.

If the complaint is not upheld, both parties may still be separated, where practicable, in the interest of harmonious employee relations.

In any case, where the complaint is upheld, checks will be carried out by the Regional Manager where required to assess if the harassment has stopped and that there has been no victimisation of the complainant.

Any unfounded and malicious complaint of harassment will be taken seriously and may result in disciplinary action being taken against the complainant.

### **Bowerbirdy's Records**

Bowerbirdy reserves the right to keep a confidential file of any notes/details of action taken in connection with allegations of harassment.

NOTE: This Policy was approved by the following officer on 01/01/2026 and is due for review every 1 year:  
John-Paul White

