

Is This Harassment? Recognising The Signs

Purpose & Objectives

People are at the core of our business and our goal is to establish and sustain a culture of belonging, trust and participation through the behaviour of our colleagues, clients and candidates.

As a result of this we have a zero-tolerance approach to any form of harassment, victimisation or bullying.

The purpose of this document is to highlight and help you identify what harassment, bullying or victimisation is. There is also guidance on what to do if you are subject to or you are witness to these behaviours

Whilst there is a broad understanding of sexual harassment this has developed in recent years and therefore, we will take you through examples and provide you with the knowledge and understanding of the subject matter.

Harassment the facts

Harassment is any unwanted behaviour that makes someone feel upset, scared, offended or humiliated, or is meant to make them feel that way.

1

It is the person receiving the behaviour who decides if it's unwanted – NOT the person doing the behaviour.

It doesn't matter if other people think the unwanted behaviour is okay. Or if it's common in the place it's happened in.

2

If a victim or survivor of harassment is treated less favourably because they reject sexual harassment, or harassment related to sex or gender reassignment, the Equality Act 2010 says that this is also harassment.

3

It can be a one-off incident or repeated.
Just because certain behaviour was welcomed or not objected to in the past doesn't mean that it can't become unwanted or that other behaviour is wanted.

4

Unwanted behaviour doesn't need to be intentionally directed at the victim or survivor – it can be something they witness or overhear.

What is bullying?

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Examples of behaviour that could be considered as bullying include:

- Spreading malicious rumours or insulting someone by word or behaviour
- Unfair treatment
- Physical threats
- Overbearing levels of supervision (or other misuses of power or position)
- Unjustified, persistent criticism and negative comments
- Offensive or abusive personal remarks
- Constantly changing targets in order to cause someone to fail
- Making false allegations
- Deliberately excluding someone from meetings or communications without good reason
- Abuse of authority or power by those in positions of seniority
- Deliberately undermining a competent person by overloading with work and constant criticism

What is harassment?

Harassment is defined as:
"unwanted conduct related to a relevant protected characteristic (within the Equality Act 2010) which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual".

Unlawful harassment may involve:

- Conduct of a sexual nature, or it may be related to age, disability, gender reassignment, race, religion or belief, sex, sexual orientation ("Protected Characteristics).
- Extremes such as violence or less obvious forms like ignoring someone
- Unwanted physical conduct including touching, pushing, grabbing, invading their personal space, and more serious forms of sexual assault
- Gossip, slander, offensive or intimidating comments or gestures
- Posters, graffiti, obscene gestures, flags and emblems
- Isolation from normal work or study place, conversations, or social events
- Mocking, mimicking or belittling a person because of a Protected Characteristic
- Unwelcome sexual advances or suggestive behaviour
- Racist, sexist, homophobic or ageist jokes, and stereotypical remarks about a particular ethnic or religious group or gender

Examples of sexual harassment

- ❑ Flirting, gesturing or making sexual remarks about someone's body, clothing or appearance
- ❑ Asking questions about someone's sex life
- ❑ Telling sexually offensive jokes
- ❑ Making sexual comments or jokes about someone's sexual orientation or gender reassignment
- ❑ Displaying or sharing pornographic or sexual images or other sexual content
- ❑ Touching someone against their will, for example hugging or kissing them
- ❑ Sexual assault or rape

What is victimisation?

Victimisation occurs where an individual is subjected to detrimental treatment because he/she has made a claim or complaint under the Equality Act 2010 (it isn't just any complaint). Specifically, doing a protected act means:

(i) making a claim or complaint under the Act (for example, for discrimination or harassment);

(ii) helping someone else to make a claim by giving evidence or information;

(iii) making an allegation that someone has breached the Act, or

(iv) doing anything else in connection with the Act.

Scenario Stuart's story

Stuart works in one of our clients' warehouses; he has been there for a few weeks.

He works with a group of permanent employees Michaela, Joe and Denise; all of whom have worked for the client for several years.

Michaela, Joe and Denise are all good friends both in and outside of work. They enjoy having banter with each other as well as the new temporary workers that start on the line.

Scenario Stuart's story

Stuart: "I am struggling with a group of people at work, I am not sure if I am overreacting.

They have been saying that there is a woman at work who really likes me and that I should go on a date with her as we are both good looking and would make beautiful babies together.

I don't know how they know this or what their motive is.

I just want to come to work, do my job and go home at the end of the day."

HR: "Tell me more about the situation"

Stuart: "They are saying they will set up a dinner date and pay for it, I don't know these people, I have spoken to them at lunch a few times, I am not sure if they have an ulterior motive.

HR: What kind of motive do you think they have?

Stuart: I don't know, it's starting to wear me down, I am not sure how much longer I can take it."

Scenario Stuart's story

After a few days have gone by, Stuart goes back to HR.

HR: "What is the update after the last time we met."

Stuart: "They have taken it up a notch and are always harassing me, keep on saying how into me this woman is and if I don't go on a date I must have some sort of secret."

HR: "What do you think they mean by this?"

Stuart: "I don't know, I don't have a secret, I just want to do my job.
Today was really bad they have been going on every 10mins, I don't want to go on a date with someone I don't know, I have never met her."

HR: "Did you report this behaviour to anyone?"

Stuart: "I made a formal complaint to the site manager; they will bring it up with them and hopefully resolve the situation"

Scenario Stuart's story

The day after the site manager meeting

HR: "Last time we met the site manager was going to hold a meeting, what was the outcome?"

Stuart: "I wish I hadn't said anything, the 3 of them cornered me at lunch and said I was taking things out of proportion, and they were only having fun.

I also got a text later in the day from Michaela asking me why I went to HR and that I am just gay and afraid to admit it. She also told me she was just trying to get me to admit it and that I was getting people into trouble. She said I deserved what happens to me, that I am an idiot and what goes around comes around.

I am not gay, I just don't want to go out with someone I have never met, I wish I had just gone along with it now."

Scenario Stuart's story

Conclusion

Stuart is a victim of sexual harassment.

Whilst Michaela attempted to pass it off as friendly banter, this was an example of sexual harassment, where they were taking pleasure in Stuart's discomfort. In addition, it appears the intention was to force Stuart to admit he is gay.

The site manager should have treated this as bullying and managed the staff involved as per their harassment and bullying policy.

3rd party harassment?

Third party harassment can result in legal liability and will not be tolerated. Third-party harassment occurs where a person is harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their assignment. In practice this can include harassment by clients, customers, suppliers, and any other person you come into contact with through your work.

If you experience behaviour from a third party that makes you feel uncomfortable, harassed, or distressed, even if you are unsure whether it amounts to harassment, please take the following steps:

Remove yourself from the situation if you can. You are entitled to disengage from or end an interaction if you feel unsafe or harassed. Your wellbeing comes first.
Make a note of what happened. Record the date, time, location, what was said or done, and the names of any witnesses. This will help us investigate.
Report it as soon as possible. You can report to:

- A suitable manager at the client, your consultant or programme manager
- The Adecco HR team
- The Adecco Compliance and Ethics Line ("ACE"), if you would prefer to raise your concern confidentially

If you witness it happening to another Adecco worker, we encourage you to report it too, even if the affected person has not raised it themselves.

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3rd party harassment?

Every report will be taken seriously, treated confidentially, and investigated promptly. Where appropriate, we will take action to protect you. We assess the risks of third-party harassment across our roles and working environments, and we take proactive steps to prevent it. This training is part of that commitment.

Any harassment by a member of staff against a third-party may lead to disciplinary action up to and including dismissal."

Your responsibilities

What if I witness inappropriate behaviour?

- If you feel you have been subjected to or witness bullying or harassment, we encourage you to challenge it. If you don't feel you can challenge it, we would encourage you to raise the issue with a suitable manager at the client or your consultant or programme manager as soon as possible.
- If you're uncomfortable speaking to those above, you can raise your concerns through the Adecco Compliance and Ethics Line (ACE).

What if I witness Harassment?

- If you witness harassment and are asked to provide a witness statement, we encourage you to be honest and truthful and provide as much detail as you can.
- Not providing evidence could mean allegations cannot be addressed.

We can allow your statement to be anonymous in specific instances;

- If being named will impair your work effectiveness.
- If there is a genuine risk of victimisation.
- We must balance the desirability to protect witnesses who are genuinely in fear, but ensure that a fair hearing of issues for employees who are accused of misconduct.

The Adecco Group's responsibilities

1. To communicate our zero-tolerance approach to bullying and harassment.

2. To ensure all colleagues, associates and contractors receive anti-harassment training, understand their responsibilities and how to report incidents of harassment.

Reports can be made to:

Your consultant or programme manager

Or

Adecco Compliance and Ethics line (ACE)

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Summary

You should now have a greater understanding of what harassment, bullying and victimisation are and what to do if you are subjected to or witness it.

Please let your consultant or programme manager know if there is anything more we can do to prevent bullying and harassment in our business or if you have any questions.

Thank you.

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