

# HAWKSMOOR

## ANTI-BULLYING AND HARASSMENT POLICY

### EVERYONE SHOULD BE TREATED WITH RESPECT

We try to make sure we always treat people fairly and with respect, and we expect everyone else to do the same both in and outside the workplace, including on work trips, events, at work-related socialising, and by email or on social media sites. We will not tolerate bullying or harassment of any nature; we take allegations seriously, investigate them and take disciplinary action if needed. We will encourage and support diversity, work proactively to promote equity, uphold fairness and respect for everyone at Hawksmoor and strive to build a culture of belonging. See our [DEIB policy](#) for more on this.

### THIS POLICY COVERS EVERYONE

If you work here you are covered by this policy irrespective of how long you've been working here, your job, level, or place of work. It also applies to our customers, suppliers and guests visiting our restaurants.

### INDIVIDUALS CAN BE PROSECUTED BY LAW

Please be aware that, in some cases, bullying and harassment is against the law and individual members of staff can be prosecuted and fined. If you are found guilty of harassment or discrimination you can be ordered to pay compensation by a court or an employment tribunal.

### WHAT IS BULLYING?

Bullying is behaviour from a person or group that is **unwanted** and makes someone feel uncomfortable, including feeling vulnerable, upset, humiliated or threatened.

Bullying can be physical, verbal and/or non-verbal including;

- Shouting at, being sarcastic towards, ridiculing or demeaning others;
- Physical or psychological threats;
- Overbearing and intimidating levels of supervision;
- Inappropriate and/or derogatory remarks about someone's performance;
- Abuse of authority or power by those in positions of seniority; or
- Deliberately excluding someone from meetings or communications without good reason.

Of course, we all receive feedback on our performance which isn't positive from time to time; legitimate, reasonable and constructive feedback on someone's performance or behaviour will not amount to bullying on its own. Similarly, we are all subject to supervision; reasonable instructions given in the course of employment will also not be considered to be bullying on their own. If something has happened that makes you feel uncomfortable, even if you are not sure if it is bullying or harassment, then you can always speak to a manager, including your HR AGM, or someone from the People Team for advice. We will try to help you resolve anything that is making you unhappy at work.

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## WHAT IS HARASSMENT?

Harassment is defined as “**unwanted** conduct related to a relevant **protected characteristic**, which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them”.

Harassment may include, for example:

- Unwelcome sexual advances or suggestive behaviour;
- Continued suggestions after it has been made clear that they are unwelcome;
- Unwanted physical contact, including touching, pinching, pushing, grabbing, brushing against someone, invading their personal space, as well as more serious forms of physical or sexual assault;
- Sending or showing material that is pornographic, racist, homophobic, or discriminatory in any other way, that some people may find offensive, including emails, text messages, video clips, and images sent by mobile phone or posted on the internet;
- Offensive or intimidating comments or gestures;
- Insensitive jokes or pranks;
- Mocking, mimicking or belittling someone's disability, including physical and mental health conditions;
- Racist, sexist, homophobic or ageist jokes or comments, or derogatory or stereotypical remarks, for example about particular national, religious or ethnic groups;
- Revealing, or threatening to reveal, someone's sexuality or sexual orientation;
- Ignoring someone, for example, by deliberately excluding them from a conversation or a social event at work.

Inappropriate behaviour does not have to be intentionally offensive, or happen more than once, to be considered to be harassment. The “victim” does not have to be the intended target. For example, a person can be considered to be harassed by racist jokes about a different ethnic group if it creates an offensive environment for them.

## SEXUAL HARASSMENT

Sexual harassment is unwanted conduct of a sexual nature that violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.

Examples include:

- 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

Your HR AGM is the person in your restaurant responsible for your HR.  
In some of our restaurants your HR AGM and your OPS AGM will be the same person.

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- touching someone against their will, for example hugging them
- sexual assault or rape

Sexual harassment can happen to anyone, at any time, in any place and can come from anyone.

## JOKES & “BANTER”

We know that many people enjoy jokes and banter at work, and it *can* be a great way to build camaraderie and work relations. *However*, there is a fine line to tread and a joke isn't funny if it offends someone, makes them feel uncomfortable or unfairly treated.

FRIENDLY BANTER	IGNORANT BANTER	MALICIOUS BANTER
There's no intention to hurt and everyone knows each others limits and when to stop	'Crosses the line' with no intention to hurt. When confronted will often recognise what went wrong and apologise	Done to humiliate a person, often in public. Brushing it off with 'It's only banter, don't take everything so serious'



If you do feel that someone’s behaviour or humour is inappropriate, we would encourage you to speak to them directly and give them a chance to do something about it themselves; they may not even realise they've upset you. Try to explain to them calmly what you don't like and ask them to stop. If it is too difficult to do by yourself, or if that hasn't worked, please speak to a manager, or your HR AGM, who will try to help you address it.

## WHAT TO DO IF YOU THINK YOU ARE BEING BULLIED OR HARASSED

If there is something happening at work that makes you feel unhappy or uncomfortable, or if you think that someone else is being bullied or harassed, then please tell your manager, you can also go directly to your HR AGM or contact the People Team. You can initially try raising the problem informally with the person responsible. Explain clearly to them that their behaviour is not welcome or makes you feel uncomfortable. If this is too difficult or if you do not feel comfortable, or if the situation is serious, you can talk to a manager in your restaurant, or at Hawksmoor House, or you can talk in confidence to our Head of HR, Sofia Gassne. We will take your concerns very seriously and try to help you resolve them. The different options for how to tackle a problem, from informal to formal, are all set out in our [Grievance Policy](#).

Of course, it will generally be for you to decide how to raise and deal with an issue. However, we do have a duty to protect everyone who works here and we have to let you know that we may decide to take action to pursue a complaint independently if we think that is appropriate.

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## **HARASSMENT OR BULLYING CAN LEAD TO DISCIPLINARY ACTION AND DISMISSAL**

If, after investigation, we consider that harassment or bullying has taken place, we will take action. If the harassment or bullying has been by an employee, it may be treated as misconduct under our Disciplinary Policy. In serious cases, it can amount to gross misconduct which can lead to dismissal without notice and without payment in lieu of notice. You can read our Disciplinary Policy for more information on our formal disciplinary steps.

If the harasser or bully is a third party then we will consider what action is appropriate for us to take; it could include talking or writing to them and/or their superior about their behaviour or, in very serious cases, banning them from the premises or terminating a contract with them.

## **HARASSMENT FROM A THIRD PARTY**

You should always feel safe when working at Hawksmoor. If you are subjected to harassment, of any kind, by a customer, or anyone else not directly employed by Hawksmoor, we want you to know that this is not acceptable. If a customer is making inappropriate comments, or for example being sexually degrading, you should always feel comfortable handing the situation over to a manager, so, if you are subjected to third party harassment, please let your manager know immediately. We will always have your back.

## **TRAINING AND SUPPORT**

We conduct regular training to help managers and employees identify unwanted behaviour; clearly outline the processes to follow; make it clear that the company culture at Hawksmoor does not accept harassment in any form; and to create a positive open work place without harassment. If you want any more information about the training, or want to attend or be involved in it, please do ask your HR AGM or get in touch with Sofia in our People Team.

We want everyone to feel safe and confident at work and take any issues or concerns very seriously. Support is on hand from your manager, your AGM, or, if you prefer, you can contact our Head of HR, Sofia ([sofia@thehawksmoor.com](mailto:sofia@thehawksmoor.com)), or our People Director Gemma ([gemmae@thehawksmoor.com](mailto:gemmae@thehawksmoor.com)) directly.

Further support is made available through Hospitality Action and LifeWorks, two external organisation who provide our Employee Support Service, including confidential on-line, telephone and face-to-face advice and support. For more information about Hospitality Action and LifeWorks, and how to contact them, please go to the [Knowledge Library](#) on Workplace, or ask someone from the People Team.

## **CHECKS AND DUE DILIGENCE**

Our Head of HR meets AGMs from each restaurant regularly in order to monitor and track any incidents or potential concerns about harassment, make sure they are resolved and people are supported, and to keep alert to ongoing patterns and issues.

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We conduct annual training with all our managers in anti-harassment. All employees at Hawksmoor will also attend anti-harassment training.

**Legal stuff** – Our Anti-bullying and harassment policy incorporates the following legislation:

- **The Equality Act 2010** – Prohibits harassment related to gender, sexual orientation, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age.
- **The Protection from Harassment Act 1997** - makes it unlawful to do something which you know or ought to know would be harassment, which includes causing someone alarm or distress.