
Bullying & Harassment Policy

Introduction

Malvern International and Language in Action strives to have a workplace that is free from bullying and harassment in any form and ensure that all our employees and people working with us are treated with dignity and respect. Bullying and/or harassment will not be tolerated in the workplace or at work related events by anybody that works for us or with us, including suppliers and customers. Complaints of bullying and harassment will be handled sensitively and in a timely and confidential manner.

It is the responsibility of all employees and contractors to comply with this policy and the particular responsibility of managers to ensure it is carried out, with a view to developing and maintaining a working environment in which bullying and/or harassment are understood by everyone to be unacceptable.

This policy does not form part of your contract of employment with the company and may be amended from time to time.

The Worker Protection Act 2023 places a positive duty on employers to prevent sexual harassment, including third-party. Please refer to the Sexual Harassment Policy for further information.

Stage 1

If you consider yourself to be a victim of harassment and/or bullying you may, in some cases, be able to resolve the matter satisfactorily by explaining clearly to the perpetrator that their behaviour is unacceptable, contrary to the company's policy and must stop. You might wish to ask a colleague to put this forward on your behalf or to be with you when you give the feedback. You are encouraged to seek the assistance of HR when you want advice regarding appropriate steps to stop the unwelcome behaviour. Any such discussion will be strictly confidential.

If you consider this to be appropriate, HR may seek to resolve the matter by indicating to the alleged perpetrator, without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a fellow employee, that such behaviour would, if substantiated, amount to a serious disciplinary offence and that their discussion would be informal and confidential. If a complaint is resolved, the alleged perpetrator will not be subject to disciplinary sanctions. However, in exceptional circumstances and following consultation with you, the company may decide that it is necessary to investigate further and to move the complaint to Stage 2 of this procedure.

Stage 2

In the event that Stage 1 of this procedure is unsuccessful or considered inappropriate in the circumstances, you can make a written complaint of bullying and/or harassment as follows:

If the person generating the bullying/harassment is:

- An employee of the same or junior status - the matter should be reported to your immediate manager.
- Superior to, but not your immediate manager – the matter should be reported to your immediate manager.
- Your immediate manager – the matter should be reported to a more senior manager or directly to HR.

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

You must provide the following details:

- The name of the alleged harasser or bully.
- The nature of the harassment or bullying.
- The dates and times the harassment or bullying occurred.
- The names of any witnesses.
- Details of any action you have taken to resolve the matter informally (if any).

Where you and the alleged harasser or bully work in close proximity to each other, it may be necessary to ensure you do not continue to do so whilst the complaint is being investigated and during consequential disciplinary proceedings. In some cases, it may be necessary that the alleged harasser/bully be suspended without prejudice to pay or the outcome.

Any complaint will be investigated promptly, impartially and, so far as practicable, confidentially. As part of this process, a meeting will be held with you to consider your allegation and to enable you to put your case forward. In addition, investigation meetings will be held with the alleged harasser and relevant witnesses where applicable.

On completion of the investigation, meetings will be held with you and the alleged harasser to inform them of the company's intentions. Formal letters will also be issued within 10 working days of the meetings.

It is important to understand that the person against whom you are raising a complaint has rights. They have the right to know about the allegations against them and their right to offer explanations. In practice, this may not be possible without revealing who has made the allegations.

Where evidence gathered in the investigation indicated that a disciplinary offence may have been committed, the company's disciplinary procedure will be utilised and a disciplinary hearing under that procedure will be arranged to deal with the alleged disciplinary offence. In accordance with that procedure and the individual's rights, the alleged harasser or bully will be provided with the relevant evidence about the allegations against them and will be given a full opportunity to respond. They will be advised of the potential outcome which may, in appropriate circumstances, lead to dismissal.

Stage 3

Where you are dissatisfied with the outcome of an investigation into your complaint to the harassment/bullying, you have the right to appeal to a more senior manager and will be so informed. Should you wish to appeal, you must submit your reasons in writing within 5 working days of receipt of the letter confirming the outcome of the investigation. A meeting will be convened to reconsider your complaint, and it may be necessary to undertake further investigations. On completion of the investigation, meetings will be held with you and where required, the alleged harasser, to inform them of the company's intentions. Formal letters will also be issued within 10 working days following the meetings.

—Should the evidence gathered during the ongoing investigation indicate that a disciplinary offence might have been committed, the company's disciplinary procedure will be instigated as above.

The decision at stage 3 is the final stage of the company's internal proceedings.

Caution: If the complaint has been brought with malicious intent, disciplinary action may be taken against you.

What type of treatment amounts to bullying or harassment?

Malvern International recognises the right of employees to determine for themselves whether words or behaviours of others is acceptable to them and to bring a complaint in respect of harassment or bullying. Following an investigation of the complaint, the decision as to whether the complaint is warranted and, if so, what disciplinary sanction should apply, is the responsibility of the disciplinary hearing manager.

The company will not tolerate retaliation against, or victimisation of, any person involved in the bringing of a complaint of bullying or harassment.

Bullying and harassment are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- Verbal abuse or offensive comments, jokes or pranks related to age, disability, gender reassignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation.
- Lewd or suggestive comments.
- Display of pin-ups, pornography, inflammatory or abusive literature or graffiti.
- Deliberate exclusion from conversations or work activities.
- Practical jokes, initiation ceremonies or inappropriate birthday rituals.
- Physical abuse such as hitting, pushing or jostling.
- Rifling through, hiding or damaging personal property.
- Subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others.

Bullying does not include appropriate constructive criticism of an employee's behaviour or proper performance management.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

Counselling and Support

If there is a perceived need for counselling and support, Malvern International will, in appropriate cases, suggest guidance, professional services and/or counselling. Malvern International have trained Mental Health First Aiders and Welfare Officers to offer support and also provide all staff with an Employee Assistance Programme that offers counselling and support.

Policy approval

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