

ANTI-BULLYING AND HARASSMENT POLICY

Huber Parking UK Limited

Statement of Intent

Huber Parking UK Limited operates a strict zero-tolerance policy with regards bullying and harassment. We firmly believe, without exception, all people have the right to be treated with dignity and respect at work and consequently, we will take any form of reported or witnessed incivility and harassment or bullying extremely seriously.

1. Legal Definition of Harassment and Bullying

In the UK, under the Equality Act 2010, harassment is defined as ‘unwanted conduct related to a relevant protected characteristic, 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.’

Although bullying is not specifically defined in UK law, Acas (Advisory, Conciliation and Arbitration Service) defines it as follows, ‘[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.’

2. Examples of Harassment and Bullying Behaviour

Harassment and bullying may be against one or more people and may involve single or repeated incidents across a wide spectrum of behaviour, ranging from extreme forms of intimidation, such as physical violence, to more subtle forms such as ignoring someone.

Examples include, but are not limited to:

- Unwanted physical contact.
- Unwelcome remarks about a person’s age, dress, appearance, race or marital status, jokes at personal expense, offensive language, gossip and slander.
- Isolation or non-cooperation and exclusion from social activities.
- Coercion for sexual favours – sexual harassment.
- Pressure to participate in political/religious groups.
- Personal intrusion from pestering, spying and stalking.
- Persistent unwarranted criticism.
- Personal insults.

Importantly, cyber-bullying has become more and more prominent and will be dealt with in the same swift and disciplinary manner as any other harassment and bullying.

3. Reporting of Harassment and Bullying Behaviour

Should an employee be affected by a colleague’s behaviour, they can be confident that any complaint of bullying or harassment will be dealt with without fear of ridicule or reprisal.

3.1 The following would be the recommended procedure with regards experienced bullying or harassment:

- a) Contact the line manager or any member of the management team or HR in confidence about any form of inappropriate behaviour you have experienced. The choice of any one of these contact persons is equally valid and is given in order to ensure that should one of these persons be the alleged harasser or the individual feels they would be prejudiced against them, other contact persons are immediately available.

The intent of this first contact is to help the individual decide whether to bring an informal or formal complaint and consequently, how it will be dealt with. Importantly, the decision

whether to progress a complaint or not and how to progress it always remains with the individual and at no time will an attempt be made to influence this decision.

3.2 The following would be the recommended procedure with regards witnessed bullying or harassment:

- a) Contact the line manager or any member of the management team or HR in confidence about any form of inappropriate behaviour witnessed.

The intent of this first contact is to decide what action should be taken and in how far the witness would like to be involved and named in the subsequent process.

- b) The person perceived to be bullied will be contacted and asked for a meeting in confidence.

The intent of this meeting will be to discuss the witnessed bullying, to establish whether the person feels bullied, to give the individual confidence and space to address the alleged bullying.

The meeting will then progress as determined in 3.1 a).

4. Complaint procedure

Depending on the complainant's wishes and the severity of the complaint, the following procedures will be actioned:

4.1 Mediation – The alleged harasser and the individual raising the complaint will be invited to a confidential meeting, together with a third party who will attend as a mediator. This third party can be the person first contacted by the individual or, if preferred by the individual, another representative of management or HR.

This is a voluntary impartial process and would generally be used in alleged bullying and harassment cases where both parties are willing to participate and the complaint isn't at the serious end of the spectrum.

Mediation can be particularly valuable where the individual who has carried out the harassment or bullying does not understand that their behaviour is inappropriate and affecting their colleagues.

At the conclusion of the meeting, a follow-up meeting will be arranged, which should be no more than 2 weeks later. It will be made clear that should the complainant feel that the alleged harasser's behaviour has not changed at the time of the meeting, formal procedures will be initiated.

4.2 Formal Procedure - Should the informal approach not have had the desired effect or not have been deemed appropriate due to the severity of the allegation, formal procedures will be triggered in line with our disciplinary policy.

Both the alleged harasser and the complainant will be formally invited to a meeting by the management representative first addressed, and will be asked to give their version of events.

Depending on the seriousness of the allegations and the evaluation of the evidence, the third party will either:

- a) Establish clear targets for the parties involved as to improvement required, timescale, any support which may be deemed suitable. Minutes will be taken of the meeting as a first improvement note for 1 month. As long as these targets have been achieved, the improvement note will be obsolete after 6 months. If these targets have not been achieved, they will be given a final written warning confirming the full details of the complaint, immediate improvement required and an as-of-now timescale.

or

- b) Suspend the alleged harasser until evidence has been gathered from witnesses and evaluated.

Should the outcome of this investigation be that the alleged harasser has been in serious breach of this policy, they will be given a final written warning confirming the full details of the complaint, immediate improvement required and an as-of-now timescale.

The final written warning will state that failure to improve with immediate effect will lead to dismissal or some other action short of dismissal. To note, should the severity of an offence be regarded as gross misconduct by senior management, the final written warning will inform the individual of their dismissal.

- Dismissal decisions can only be taken by Huber's senior management.
The employee will be notified in writing of:
 - reason for dismissal;
 - date employment will end;
 - confirmation of all final payments owed, including holiday pay and notice pay;
 - right of appeal;
- If an action short of dismissal has been decided upon, an employee will:
 - receive confirmation of the full details of the complaint;
 - be warned that dismissal could result if there is no satisfactory improvement;
 - be advised of the right of appeal;

HR will keep a copy of the written warning. It will be disregarded for disciplinary purposes after 12 months as long as satisfactory conduct or performance has been achieved.

An employee has the right to appeal against any disciplinary decision but must do so within 7 days. Senior management will hear all appeals and their decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

Langley, January 2024



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