

UK & Ireland Anti-Harassment Policy

We believe that we are at our best when we all feel included, respected and valued. Everyone has the right to feel safe when they come to work and it's important for us to uphold a culture that supports this. We are committed to providing an environment free from harassment and sexual harassment and operate a zero-tolerance approach to behaviour of this nature. Our Anti-Harassment Policy defines and provides examples of harassment and sexual harassment, along with setting out the processes we use to report and deal with any instances of these, should they occur.

Contacts

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Resources

[Anti-Bullying Policy](#)

[Grievance Policy](#)

[Social Media Policy](#)

[Employee Assistance Programme](#)

[Whistleblowing Service](#)



Who is this for?

This policy is for all our colleagues and workers and covers the harassment and sexual harassment of our colleagues by any other colleague, third party or contractor. This also extends to potential candidates and former colleagues.

We each have a responsibility to ensure that we help to prevent harassment and sexual harassment of any kind within the workplace, to help promote inclusion, respect and dignity for all. We can help to do this by leading by example and challenging inappropriate behaviour in a constructive and respectful way. To support this, we have training available that sits alongside this policy, to help you further understand what might constitute harassment or sexual harassment and how to deal with it.

What is harassment?

Harassment is any unwelcome physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity, or behaviour that can be seen as intimidating, hostile, degrading, humiliating or offensive. It can include spoken words,

gestures or the production, display or circulation of written words, pictures or other material.

Unlawful harassment may relate to any of the protected characteristics presented below or it could be of a sexual nature in the form of sexual harassment which is also covered separately below.

Protected characteristics vary between the UK and Ireland, but it is important to remember that any kind of harassment, sexual harassment or victimisation of you or anyone you come into contact with at work is unacceptable. These behaviours will not be tolerated, whether they relate to these characteristics or something outside of them. Acts of any type of harassment, sexual harassment or victimisation may lead to disciplinary action being taken, up to and including dismissal.

UK Protected Characteristics	Ireland Protected Characteristics
Age	Age
Disability	Disability
Marriage & Civil Partnership	Civil Status
Pregnancy & Maternity	Family Status
Race	Race
Religion or Belief	Religion
Sex	Gender
Sexual Orientation	Sexual Orientation
Gender Reassignment	Membership of the Traveller Community

Although similar, harassment and bullying are not the same thing. We have an *Anti-Bullying Policy* which is linked at the top of this policy. Harassment can take many forms, and we should all be alert to any behaviour such as or similar to the examples listed below. This is not an exhaustive list however and other types of harassment do also exist.

Examples of harassment can include:

- Verbal harassment in the form of jokes, comments, banter, ridicule, or songs (for example, mocking, mimicking or belittling someone's disability).
- Written harassment in the form of emails, text messages, or online comments.
- Intimidatory harassment in the form of gestures, posturing or threatening poses.
- Disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes.
- Harassment through visual displays such as posters, emblems, or badges.
- Pressure to behave in a way that feels inappropriate, such as being forced to dress in a way at odds with your ethnic or religious background.
- Any example of harassment that someone witnesses but was not directed or intended to be directed at them specifically.

What is sexual harassment?

Sexual harassment is unwanted physical, verbal or non-verbal conduct of sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment. This can include spoken words, gestures or the production, display or circulation of written words, pictures or other material.

This also includes any unwanted conduct of a sexual nature that is related to someone's gender reassignment or sex. It also applies to situations where someone is unfavourably treated after refusing or submitting to a person's sexual advances.

Examples of sexual harassment can include:

- Unwanted sexual advances or suggestive behaviour that the harasser may perceive as harmless.
- Unwanted physical conduct such as unnecessary touching, pinching, grabbing or brushing against someone else's body.
- Continued suggestions for social activity outside of work after it has been made clear that these suggestions are unwelcome, or after such invites have been rejected.
- Unwanted or offensive innuendos, lewd comments, or suggestive remarks.
- Non-verbal conduct including the display of sexually suggestive pictures, objects, written materials, text messages, video clips or social media content.
- Leering, whistling, or making sexually suggestive gestures.
- Any example of sexual harassment that someone witnesses but was not directed or intended to be directed at them specifically.

We all have a responsibility to prevent sexual harassment in the workplace and we take this very seriously. We apply a zero-tolerance approach to behaviour of this nature and will take active steps to prevent sexual harassment of all colleagues.

To help ensure you are fully aware of what sexual harassment means and what you should do to prevent or deal with it, please ensure you have completed our Sexual Harassment Awareness training available on our e-learning platform.

Unwanted conduct

Unwanted conduct means the same as 'unwelcome' or 'uninvited' and a colleague does not have to have openly objected to conduct for it to be deemed unwanted, or for it to constitute harassment or sexual harassment. Harassment also does not have to be intentional. Even if someone does not mean to cause offence, if their behaviour offends someone else, it can still constitute harassment or sexual harassment.

Similarly, harassment or sexual harassment can occur if the person affected wasn't the intended target or recipient of the comments or behaviour. For example, a colleague may

feel harassed by overhearing racist jokes made about a different ethnic group to their own, if they feel those jokes create an offensive environment in the cinema or office. The perception and effect of the behaviour on the other person is always the most important consideration.

People may also change their mind about what types of conduct or behaviour they are comfortable with. Behaviour being welcomed or wanted in the past does not mean that it will always be viewed in the same way in the future. As such, if behaviour becomes unwanted at any point in time, it may constitute harassment or sexual harassment.

It is also important to remember that a single incident can be seen as harassment or sexual harassment, it does not need to be a repeated pattern or series of events. A harasser's assumptions about someone may also not be true but can still be an example of harassment. For example, if someone is harassed because a person thinks they are a member of a religious group, even though they are not.

As well as within the workplace, harassment or sexual harassment can sometimes take place outside of work, such as at work-related social events. This policy also applies to these situations, as well as those online or on social media. Please see our *Social Media Policy* for more detail on the types of activities we manage in online spaces.

We are committed to providing a working environment free from harassment and sexual harassment and ensuring that everyone is treated with dignity and respect. Anyone who witnesses or experiences any of this behaviour is encouraged to report it in accordance with this policy, to enable us to take appropriate action and provide support.

Reporting an issue

Informal process

Sometimes, situations can be resolved informally. If you are being harassed or sexually harassed, consider whether you feel you can raise this informally with the person responsible. You should explain clearly to them that their behaviour is not welcome and makes you feel uncomfortable. If this is too difficult, you should speak to your line

manager, who can provide advice and assistance in resolving the issue informally, or formally if needed. In general, an informal attempt to resolve matters should be made first if this is appropriate in the circumstances.

Depending on the situation and the people involved, your manager may suggest one or more mediation meetings, encouraging open conversation and a problem-solving approach.

A mediation meeting will allow discussion of the actions or behaviours that have caused concern, how they made the person on the receiving end feel and help to identify ways to improve things and ensure respectful working relationships. In some cases, colleague(s) may be genuinely unaware of the impact of their actions. If a mediation meeting is appropriate, a manager will help direct this conversation, ensuring everyone is heard, supported and committed to any ongoing actions that are agreed.

We know that reporting sensitive issues isn't always easy or straightforward. If your complaint is related to your own line manager, you can instead raise the matter informally with their line manager or with the People team.

If informal steps are not appropriate, or have been unsuccessful, you should follow the formal procedure set out below.

Formal process

If the informal process has not been successful, or if the alleged harassment is considered too serious to be dealt with informally, you may wish to raise a formal complaint.

To begin the formal process, you should put the details of your complaint in writing to your manager (or another manager) detailing the specific incident(s) of potential harassment or sexual harassment. As much information as possible is helpful, including dates, times, details of any relevant witnesses, any evidence that you have (e.g. text message screenshots or photographs) and any action that has been taken so far to attempt to stop the behaviour from occurring.

Formal complaints are usually managed using our *Grievance Policy* which is linked at the top of this policy. In some circumstances, we may make adjustments to this procedure to accommodate colleagues, for instance if a grievance hearing is not the most appropriate or sensitive way of dealing with the complaint. Either way, any formal complaints will be fully investigated. Formal complaints can also be raised via our Confidential Whistleblowing Service detailed below.

As a general principle, the decision as to whether to progress a complaint is up to the colleague(s) affected. However, we have a duty to protect all colleagues and so we may investigate matters independently if we consider it appropriate to do so.

Any acts of harassment, sexual harassment and victimisation (see the below section for more detail on victimisation) may lead to disciplinary action up to and including dismissal. If disciplinary action is needed following a full investigation, any extra factors (such as abuse of power) will also be considered when deciding disciplinary outcomes.

[Confidential Whistleblowing Service](#)

If you are not able to report an issue to your manager, their manager or the People team, you can make use of our Confidential Whistleblowing Service. You can find more details about this service via the link within this policy or on the poster in your team room.

[Resolution](#)

Our goal with any process whether informal or formal, is to ensure that the harassment or sexual harassment stops and does not reoccur. Managers, with the support of the People team, should consider what additional support is needed to ensure that similar issues do not arise in the future. Additional recommended support may include:

- Further mediation meetings between affected colleagues.
- Additional training for individuals or teams.
- Policy refreshers.
- Increased one-to-ones and Be Well check-ins.

Third party harassment

A third party refers to any individual or organisation that engages with us but is not a colleague, such as suppliers, providers, contractors or guests.

Sometimes, harassment or sexual harassment may occur in situations in which colleagues interact with third parties rather than fellow colleagues. Examples of third party harassment could include derogatory comments being made about a colleague's protected characteristics, unwanted sexual advances being made by a third party on Company premises, or where a colleague is visiting a third party premises during their employment with us.

We work with numerous third parties, suppliers, providers and contractors and we expect those we partner with to uphold the same standards of behaviour we hold ourselves to. Further information on this can be found in the Supplier Codes of Conduct which is shared with all our registered suppliers and contractors. Harassment of any kind, including sexual harassment, can result in legal liability and will not be tolerated by any third party.

We are required to take reasonable steps to prevent third party sexual harassment of our colleagues and will actively try to do this wherever possible. As well as issuing our Supplier Codes of Conduct to third parties we partner with, if any third party harassment or sexual harassment of our colleagues occurs, we will take appropriate steps to remedy any complaints and to prevent it from happening again. This will include escalation to the relevant third party and a requirement for a thorough investigation to be completed. Additional potential remedial actions may include a refusal of entry to our premises, reporting any criminal acts to the police and/or sharing information with other areas of the business.

If you experience or witness any harassment or sexual harassment in connection with any third parties, we ask that you report this to your manager or the People team immediately. It is also important to note that any sexual harassment by a colleague against a third party may lead to disciplinary action up to and including dismissal.

Victimisation

Victimisation is when someone is treated differently or is put at a disadvantage because they have, are suspected of, are intending to or are supporting someone else to make a complaint about discrimination, harassment or sexual harassment. It can also include when someone is supporting or providing evidence for an ongoing investigation into a complaint of any of the above.

Examples of victimisation can include:

- Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment or sexual harassment.
- Excluding someone because they have raised a grievance about harassment or sexual harassment.
- Treating someone differently because they accompanied a colleague to a grievance hearing.

Victimisation is unlawful and will not be tolerated. If you think you are being victimised, please speak to your manager, the People team or make use of our Confidential Whistleblowing Service.

Witnessing harassment, sexual harassment or victimisation

Colleagues who witness harassment, sexual harassment or victimisation are encouraged to take appropriate steps to address it. Depending on the circumstances, this could include:

- Intervening where you feel able to do so.
- Supporting the victim to report it or reporting it on their behalf.
- Reporting the incident where you feel there may be a continuing risk if you do not.
- Co-operating in any investigation into the incident.

Malicious complaints

We will always take allegations of harassment or sexual harassment seriously. However, complaints made without basis, false allegations or grievances raised with the sole

intention of damaging another person's reputation are an abuse of policies and processes that are intended to protect our colleagues.

This type of complaint is unfair and can have a severe impact on the wrongly accused. In line with this, if evidence is found to suggest that a malicious or false complaint has been made deliberately, disciplinary action may be taken with the colleague raising the complaint.

Breaches of this policy

We apply a zero-tolerance approach to discrimination, racism, harassment, sexual harassment and bullying of any kind. Any suspected breach of this or any related policy will be investigated thoroughly and may lead to disciplinary action up to and including dismissal.

If you have witnessed or have been the victim of any instances of these types of behaviours, we urge you to come forward so that we can support you. This will also help us to protect others both now and in the future, as we each have a responsibility to protect one another and ensure we all feel safe at work.

Protection and support

If you have made a complaint or participated in any investigation, we will ensure that you do not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in any way following them raising a genuine complaint may be subject to disciplinary action up to and including dismissal. If you have a complaint made against you, we will also ensure you are treated fairly and given a full opportunity to answer any allegations made against you, in line with our normal processes.

We encourage all witnesses or those wishing to make a complaint under this policy to come forward in confidence and provide us with all relevant information so that we can thoroughly investigate the matter. We will consider any request made to remain anonymous, however, investigations in which there are anonymous witnesses or

complaints can sometimes be challenging to investigate and verify without sharing the identity of those individuals involved. This would be discussed with you prior to sharing your details if you request to remain anonymous.

Unless there is a specific need to protect an identity of a colleague, we will normally need to share the details provided and name of the person who raised the complaint with anyone accused of wrongdoing. Please also be aware that if a matter goes to court or tribunal then any anonymity provided would likely be removed during those proceedings.

If you have concerns about retaliation or victimisation, please speak to your manager, the People Services team or make use of our Confidential Whistleblowing Service.

Please also remember that our Employee Assistance Programme is available at any time to offer confidential support for a range of issues including harassment, sexual harassment and well-being. The details of our Employee Assistance Programme are included at the end of this policy.

Support and guidance can also be obtained from relevant external services, please see our Sexual Harassment Awareness Training on our e-learning platform for more details or contact the People Services team.

Please be aware that this policy is non-contractual and may be modified or amended at any time to meet any changing requirements, or where it is appropriate.

If you have any queries about this policy's content, please direct them to the People Services team.

Table 1: Referenced Resources

Resources referenced in this policy
Anti-Bullying Policy
Grievance Policy
Social Media Policy
Employee Assistance Programme code: ODEON
Whistleblowing Policy

Table 2: Document Control

Document Control	
Document Title	UK & Ireland Anti-Harassment Policy
Document Owner	<i>Senior Manager, People Services</i>
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Table 3: Document History

Document History			
Last Update	Updated by	Job Title	Notes
2022	Paul Blake	Senior Policy Manager	Published first version.
28/10/2024	Chloe Robinson-Street	People Services Manager	Published second version.