
Sexual Harassment Policy (GB)

Sexual Harassment

Policy Statement

We are committed to taking reasonable steps to providing a working environment free from sexual harassment and to ensuring all of our employees are treated, and treat others, with dignity and respect. We take a zero-tolerance approach to sexual harassment.

Sexual harassment takes many forms, but whatever form it takes, it is unlawful under the Equality Act 2010 (EqA) as amended, and we will not tolerate it.

We have clear reporting procedures for making a complaint about sexual harassment. If you have been sexually harassed, or you have witnessed sexual harassment, we encourage you to tell us so that we can deal with the matter swiftly. Instances of sexual harassment or victimisation may lead to disciplinary action up to, and including, termination of employment.

This policy is reviewed regularly to ensure it remains up to date and in order to monitor its effectiveness. It's non contractual and may be changed in the future.

Who does it apply to?

This policy applies to anyone with a GB contract of employment, or anyone who manages an employee with a GB contract of employment. It also applies to individuals including agency staff and consultants who are not our employees, but who undertake work for the Company.

The policy applies equally to the way we treat our Third Parties, which includes, but is not limited to: visitors; clients; customers and suppliers and the way they, in turn, treat you. The Company will take reasonable steps to minimise the risk of sexual harassment by colleagues or Third Parties.

People managers who receive a formal resolution request relating to sexual harassment, must raise an askHR or inform their HR Representative as soon as possible.

What is Sexual Harassment?

Sexual harassment is any unwanted physical, verbal or non-verbal conduct of a sexual nature that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.



Sexual harassment may be a one-off incident or an ongoing pattern of behaviour. It can happen in person or in other ways, such as through social media or messaging, and it can include behaviours which occur in the following situations:

- a work situation
- a situation occurring outside of the normal workplace or normal working hours which is related to work, e.g. a working lunch, a business trip or social functions
- outside of a work situation but involving a colleague or other person connected to the organisation, including on social media

Sexual harassment may include, for example:

- (a) Flirting, suggestive looks, staring or leering;
- (b) Making sexual remarks about someone's body, clothing or appearance;
- (c) Asking questions about someone's sex life or discussing your own sex life;
- (d) Telling sexually offensive jokes, which may be referred to as "banter";
- (e) Making sexual comments or jokes about someone's sexual orientation or gender reassignment;
- (f) Spreading sexual rumours about a person;
- (g) Displaying or sharing pornographic or sexual images or other sexual content;
- (h) Making sexual gestures or mimicking sexual acts;
- (i) Making a sexual proposition or sexual advance;
- (j) Making promises in return for sexual favours;
- (k) Sexual posts, messages or comments on social media, in WhatsApp groups or via messaging;
- (l) Touching someone against their will (e.g. hugging them, massaging them or kissing them); and
- (m) Sexual assault or rape.

The above list is non-exhaustive.

Sexual harassment can happen to, and can be carried out by anyone. If there is an abuse of power (e.g. between a senior and junior member of staff) this will be considered an aggravating factor. A person may be subject to sexual harassment even if they were not the intended target. For example, there may be a culture of sexual harassment in the workplace that is not specifically aimed at one person, such as sharing sexual images. You may still make a complaint of sexual harassment in this situation.

Some serious cases (e.g. sexual assault or rape) may amount to a criminal offence and justify the involvement of the police. In appropriate cases, it may also be necessary to report findings of sexual harassment to a relevant regulatory body (e.g. where the person responsible is a regulated professional).



Policy Detail - What do I need to know or do?

In some situations, the Company may be at risk of being held legally responsible for discriminatory acts and/or sexual harassment committed by employees.

Individual employees may in some cases be legally liable if they engage in sexual harassment of other colleagues or Third Parties, and may be ordered to personally pay an unlimited amount of compensation by a court or employment tribunal. Your attention is also drawn to our Global Equity, Diversity & Inclusion Policy, and the Britvic Code of Conduct (myCompass), which should be read in conjunction with this policy.

Depending on the circumstances, an employee or Third Party committing an act of sexual harassment may also commit a criminal offence.

Leaders and managers have a specific responsibility:

- to set an appropriate standard of behaviour and lead by example;
- to foster a working environment with a zero-tolerance approach to sexual harassment;
- to anticipate scenarios when employees may be subject to sexual harassment in the course of their employment and take action to prevent such sexual harassment taking place (see 'risk assessments' below);
- not to ignore or overlook incident(s) of sexual harassment which they witness, or which are reported to them / otherwise come to their attention (whether formally reported or not). They should take responsibility and ownership for making sure that any such incident(s) of sexual harassment are dealt with appropriately in accordance with this policy, and that appropriate steps are taken to stop sexual harassment from happening again; and
- to ensure that members of their team, adhere to this policy.

Your responsibility:

- all employees and individuals subject to this policy, have a duty to read and familiarise themselves with its content, and to act in accordance with it at all times. This extends beyond the workplace and can include behaviour outside of the workplace (e.g. at social functions, or via social media);
- you should contribute to creating a respectful and safe workplace by adhering to the company's policy and code of conduct on sexual harassment, and supporting colleagues who may be affected;
- you should not engage in behaviour which may amount to sexual harassment of colleagues or Third Parties;
- you should disclose any instances of sexual harassment which you become aware of (either towards yourself or others) to your line manager or HR Representative;
- you are required to participate in any training provided by the Company; and



- you are required to co-operate fully and promptly in any investigation into sexual harassment (including investigations into your own conduct). This will include disclosing any relevant documents or other evidence to us and attending investigative interviews if required. Anyone who is interviewed as part of such an investigation is expected to be truthful in the answers and evidence they provide, and they must respect the confidentiality of the process (see 'confidentiality' below).

TRAINING

All employees will be given mandatory training on preventing sexual harassment, to ensure there is a clear understanding of what sexual harassment is, how it may occur and that it will not be tolerated. This will include how to raise complaints or report any incidents having witnessed it. Leaders and Managers will additionally receive support and guidance on how to respond appropriately to reports or incidents of sexual harassment.

RISK ASSESSMENTS

We will conduct regular risk assessments to assess the risk of our employees being exposed to sexual harassment in the course of their employment, and to identify steps we can take to minimise those risks and prevent sexual harassment from occurring. This will include risks arising both inside and outside the workplace (e.g. at social functions, conferences or events, during training, when travelling on business) and whether face-to-face or remotely.

Particular risk factors may include, for example:

- individuals working alone, working at night or in isolated places;
- the presence of alcohol;
- customer-facing duties;
- requirement to travel for work purposes;
- requirement to socialise with colleagues or Third Parties (e.g. at social events, business lunches, conferences);
- lack of diversity in the team or workforce;
- power imbalances; and
- job insecurity or other workforce vulnerabilities (e.g. migrant workers).

If you have suggestions about steps we can take to minimise the risk of sexual harassment occurring, you should discuss these with your line manager or HR Representative.



WHAT TO DO IF YOU EXPERIENCE SEXUAL HARASSMENT: INFORMAL RESOLUTION

If you experience sexual harassment, you should first consider whether you feel able to raise the problem informally with the person responsible at the time or later. You should explain clearly to them that their behaviour is not welcome, or it makes you feel uncomfortable, and ask them to stop. If this is inappropriate (e.g. you have been sexually assaulted or touched without your consent, or if there is a risk to your safety), or if you would find speaking to the person responsible too difficult or uncomfortable, you should speak to your line manager or HR Representative, who can provide confidential advice and assistance in resolving the issue.

If you feel unable to speak to your line manager because, for example, the complaint concerns them, then you should speak informally to your HR Representative, or a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you). This person cannot be the same person who will be responsible for investigating the matter, if it becomes a formal complaint. If this does not resolve the issue, you should follow the formal procedure below.

If you are not sure whether an incident or series of incidents amounts to sexual harassment, you should speak to your line manager or HR Representative informally for confidential advice.

Informal resolution will not usually be appropriate in very serious cases of sexual harassment e.g. several incidents occurring over time, serious abuse of power, unwanted touching without consent, sexual assault or rape.

If informal steps are not appropriate, or have been unsuccessful, you should follow the formal complaints procedure set out below. If you wish, you can escalate the matter to the formal procedure at any stage.

WHAT TO DO IF YOU EXPERIENCE SEXUAL HARASSMENT: FORMAL RESOLUTION REQUEST

Written complaint

If you wish to make a formal complaint about sexual harassment that you have experienced or witnessed, you should speak to your line manager or complain in writing under the Resolution (formerly Grievance) Policy, by submitting a formal resolution request. If the complaint concerns your line manager, you may submit it instead to a more senior manager/director or your HR Representative. You should specify that you wish your complaint to be considered under this policy and set out full details of the:

- Reason(s) for your complaint;
- Name(s) of any individuals involved and/or of any witnesses;
- Date(s) and time(s) when any relevant incidents or events occurred;
- Any evidence you have to support your complaint; and
- Any action that has been taken so far to address the matters complained of.



In some circumstances, the Company may need to ask you to clarify the subject matter of your complaint or to provide further information.

Usually, the decision whether to progress a complaint will be up to you. However, please note that we have a duty to protect all employees and we may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

Investigation

We will investigate complaints of sexual harassment in a timely, sensitive manner. They are treated confidentially and details of your complaint will only be shared on a "need to know" basis. A thorough, impartial and objective investigation will be conducted, wherever possible, by someone with no prior involvement in the complaint. Where we consider it appropriate, we may appoint a suitably trained, independent investigator from outside of the Company. The involvement of the police does not prevent our internal investigation from proceeding, but it may lead to some unavoidable delay.

The investigative process will usually have the following steps:

- Initial meeting - you will usually be invited to a meeting (without unreasonable delay) to give the investigator a full account of the events/allegations and for you to provide details of any evidence/witnesses. You may be accompanied by a colleague/trade union representative (although we may, at our discretion, permit a different kind of companion where this will help overcome particular difficulties, as may be deemed appropriate in the circumstances).
- Speak to any witnesses / consider evidence - the investigator may meet with any individuals involved and/or any witnesses and will consider any evidence.
- Initial meeting with alleged harasser(s) - the investigator will also meet with the alleged harasser(s) to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.

Anyone who is interviewed as part of, or otherwise involved in, an investigation, may suggest the name(s) of other potential witness(es) who may be able to assist the investigation. However, the investigator has the ultimate discretion to decide whether to interview any suggested witnesses. We can require employees to be interviewed as part of an investigation but if a witness is external (e.g. a member of the public, customer or a supplier), whilst we may ask them to voluntarily co-operate with any investigation, we cannot compel them to do so.

A written note will normally be taken of any investigative meetings. All interviewees will be provided with a summary of their evidence and will be given an opportunity to correct any mistakes or clarify what they want to say. Recording of investigative meetings (by tape, dictaphone, mp3 or other media) will not normally be permitted. Any employee who deliberately provides false information or otherwise acts in bad faith as part of an investigation, may be subject to action under our Disciplinary Policy.

Where your complaint is about a Third Party, we will consider what action may be appropriate to protect you and anyone else involved, pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of



the person under investigation. Where appropriate, we will attempt to discuss the matter with the Third Party.

We will also consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the alleged harasser (whether they are an employee or a Third Party).

Action following the investigation

Upon completing the investigation, and after careful consideration, the investigator will reach a decision, as to whether any complaint of sexual harassment is upheld. The decision will be confirmed in writing, with full reasons for any findings. Sometimes the manager may decide to meet with you to talk it through, and you will have the right to appeal the formal resolution decision.

If a complaint is upheld, prompt action will be taken to address the problem. We will seek to learn lessons from the incident(s) to allow us to take appropriate steps to minimise the risk of sexual harassment reoccurring. If a complaint relates to the conduct of an employee, action may be taken against them under our Disciplinary Policy. If there has been an abuse of power, this will be an aggravating factor when considering any disciplinary sanction.

Whether or not your complaint is upheld, we are committed to providing any support you may need. If the alleged harasser is an employee, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties. If the harasser is a Third Party, we will consider what action would be appropriate to deal with the problem and minimise the risk of recurrence.

Appeal

If you are not satisfied with the outcome of the investigation, you can appeal the decision within one week of being notified of the outcome in writing, stating your full grounds of appeal.

Wherever possible, the appeal will be dealt with impartially by a more senior manager/director, who will inform you and any other individuals involved, of the outcome as soon as possible. They may confirm or revoke the original decision, or substitute a different outcome. This is the final stage of the procedure and there is no further right of appeal.

CONFIDENTIALITY

Confidentiality is very important and it is the responsibility of everyone involved in the procedure to respect the high level of confidentiality that is required. Details of the investigation and the names of the person making the complaint and other individuals involved must only be disclosed on a "need to know" basis. Breach of confidentiality may, in itself, give rise to disciplinary action under our Disciplinary Policy.

Information about a complaint by, or about, an employee, may be placed on their personnel file, along with a record of the outcome and of any notes or other



documents compiled during the process. These will be processed in accordance with our Internal Privacy Notice.

PROTECTION FOR THOSE BRINGING A COMPLAINT OF SEXUAL HARASSMENT OR ASSISTING IN AN INVESTIGATION

Employees who make complaints or who participate in good faith in any investigation conducted under this policy, will not suffer any form of retaliation or victimisation as a result. If you believe you have suffered any such treatment, you should inform your Line manager in the first instance, or your HR Representative. If the matter is not remedied you should raise it formally using our Resolution (formerly Grievance) Policy.

Where an employee is found to have victimised a complainant because they have raised a complaint, or a witness because they have given evidence in relation to a complaint, this will result in disciplinary action, up to and including dismissal.

MYSPEAKUP (WHISTLEBLOWING)

If you feel uncomfortable in raising concerns of sexual harassment through the procedures outlined in this policy, you can use the mySpeakup confidential hotline. This is an independent confidential hotline that you can use (toll free) 24 hours a day, 7 days a week from any location in the world to report any concern in confidence. You can also report your concerns via the website or email your concerns to speakup@britvic.com. Further details can be found in our mySpeakup Policy on Focus.

ACCESSING SUPPORT

Being well is a really important part of being at your best at work, and when you need support, that's a moment that matters. At Britvic we offer a variety of programmes that support your wellbeing, including access to a digital portal and app called TELUS Health, which has a confidential 24/7 counselling and support service, and also support through GroceryAid, providing emotional, practical and financial support.

If you, a colleague, or one of your team need immediate support in a crisis or are looking for guidance on mental health, have a look at the Health & Lifestyle benefits page on Focus, which includes links and contact details for various support providers, including Britvic's Wellbeing Warriors and Mental Health First Aiders.

What happens if I don't follow this policy?

Every day, each and every one of us has a personal accountability to do the right thing, to act responsibly, follow the law and treat others with respect. We all have an important role to play in creating and sustaining an inclusive and thriving working environment. We expect that you will treat everyone with dignity and respect, being mindful of your behaviour and how others may react to it. Not doing the right thing could impact your myPerformance end of year rating, and any potential breach of this policy or our Code of Conduct, may lead to disciplinary action being taken. If you're a third party, we may review your assignment with us.



Related Documents

The following related documents can be found on our [Policies and Disclosure](#) page on Focus:

- Sexual Harassment - Manager Guidance (GB)
- Resolution (formerly Grievance) Policy (GB)
- mySpeakup (Whistleblowing) Policy
- Wellbeing and Resilience Policy & Guidance
- Companion Guidance (GB&IE)
- Witness Guidance (GB&IE)
- Appeal Guidance (GB&IE)
- Internal Privacy Notice

Other related documents:

- [MyCompass our Code of Conduct](#)

