

DIGNITY AT WORK POLICY - NI

1. Purpose

- 1.1. In Mediahuis Ireland we are committed to protecting the dignity and respect of all employees, visitors, contractors, freelancers, agency workers, and others associated with the company (hereafter: “employee(s) and/or relevant person(s)” or “the complainant”). In particular, we are committed to ensuring that our company is free from any form of bullying or harassment at work and that our work environment provides a respectful, safe and equal atmosphere.
- 1.2. No bullying or harassment within the company or in connection with the work of the company will be tolerated, and complaints of bullying or harassment may be dealt with either in a formal or an informal way, or by alternative means, as described below. Complaints by employees (or relevant persons) in the workplace, of bullying or harassment at work, will be treated with fairness, sensitivity, respect and (as far as possible) confidentiality for all parties concerned. Any person accused of bullying and/or harassment will be afforded natural justice and treated with fairness and sensitivity.
- 1.3. There is a responsibility on management to ensure the prevention of incidents of bullying and/or harassment, and to take action should any incidents be brought to their attention. Employees (and relevant persons) also have an obligation to cooperate with the investigation of complaints of bullying and/or harassment in the company. Employees (or relevant persons) who make or participate in the investigation of a complaint will not be subject to victimisation of any kind for doing so.
- 1.4. Nothing in this policy limits the right of the company to investigate any matter which may relate to bullying and/or harassment in circumstances other than where a complaint has been made. All employees (and relevant persons) continue to have an obligation to cooperate with any such investigation.
- 1.5. This policy replaces all previous versions. It is a non-contractual policy document, and we may at our discretion alter the provisions of this policy giving as much notice as is reasonably practicable.

2. Scope

- 2.1. The policy applies to all employees in Northern Ireland, irrespective of length of service. The policy also applies to non-employees such as agency workers, freelancers, contractors, clients, suppliers and other service providers. This policy extends to behaviours which occur outside the company’s premises, such as at social functions or training events, provided there is a nexus with the work of the company and its employees.

3. Designated Contact Person

- 3.1. Monica McHugh, HR Director, is designated as the contact person in respect of this policy. In the event that an employee (or a relevant person) has any question or query about the operation of this policy, or require any clarification about it, they may approach Monica for advice, which will be given in strictest confidence. Please note that speaking to the designated contact person is not the same as making an informal or formal complaint.

4. Definitions

- 4.1. Harassment: any act or conduct which is unwanted and unwelcome and which could reasonably be regarded as offensive, humiliating or intimidating on any of the following discriminatory grounds: age, gender, marital status, disability, race/nationality, sexual orientation, religious belief or political opinion. It is the effect of the behaviour that is relevant, not the intent. Harassment also covers situations where a ground used to exist but no longer exists (for example a past period of illness), where a ground may exist in the future (for example, marital status), or where a ground is imputed to a person (for example, where a person is assumed to have a certain political opinion but in fact has a different one). It also covers people associated with people covered ('by association', for example a person without a disability who is caring for a person with a disability). Mediahuis Ireland has a no tolerance policy for any form of harassment. The below includes common but not exclusive examples of harassment:

- Treating people less favourably or subjecting them to ridicule
- Creating an intimidating, hostile, demeaning, humiliating or offensive environment for the person
- Isolation, non-co-operation or exclusion
- Unwelcome comments on appearance or derogatory remarks, name-calling
- Unwarranted criticism of work performance
- Undermining the authority of a colleague
- Production, display or circulation of offensive material

- 4.2. Sexual harassment: defined as unwanted and unwelcome sexual, or otherwise on the gender ground, conduct which could reasonably be regarded as offensive, humiliating or intimidating. It may be explicit or implicit; it may be a single incident or occur over a period of time; it may be directed at an individual or at a group. It is the effect of the behaviour that is relevant, not the intent. Examples of sexual harassment (this list is not exhaustive):

- Sexually suggestive jokes or comments

- Innuendo or jokes about a person's sexual orientation
 - Unwelcome sexual attention
 - Displaying or transmitting of sexually offensive material
 - Leering, offensive gestures or whistling in a sexually suggestive manner
 - Threats of or actual, physical assault
 - Unwelcome physical contact, such as groping, patting or unnecessary touching
 - Suggestions that sexual favours may further someone's career, or that refusal may damage it
- 4.3. Racial harassment: harassment on the grounds of race/ethnic origin is defined as unwanted or unwelcome conduct based on a person's race which is offensive to the recipient and which might threaten a person's security or create a stressful, hostile or intimidating work environment. Examples may include:
- Verbal harassment: offensive jokes or remarks about a person's race or ethnic origin, ridicule or assumptions based on racial stereotypes.
 - Visual harassment: production, display or circulation of materials which is offensive to a particular racial or ethnic groups, such as cartoons or racial propaganda
 - Physical harassment: physical assault, threats of physical assault
- 4.4. Bullying: Bullying is defined as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others which could reasonably be regarded as offensive, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work. The bully, intentionally or unintentionally, misuses the power of position, knowledge or personality to domineer, intimidate or humiliate others. An isolated incident of the behaviour described in this definition may be an affront to dignity at work, but, as it is not repeated, it is not considered to be bullying. The following is a non-exhaustive list of examples of types of bullying and offences of a similar nature are also prohibited and will be dealt with accordingly. Examples of bullying include:
- Being treated less favourably than colleagues
 - Verbal abuse & insults
 - Physical abuse
 - Humiliation
 - Intimidation, aggression or threatening behaviour
 - Isolation or exclusion with negative consequences
 - Intrusion by pestering, spying and stalking
 - Repeatedly manipulating a person's job content and/or targets
 - Withholding work-related information
 - Unfair and excessive criticism

- Undermining behaviour
- Excessive monitoring of work

It is the effect of the behaviour that is relevant, not the intent. The fact that the perpetrator has no intention of bullying or harassing the victim may not be a defence.

5. Complaints

- 5.1. All employees (and relevant persons) have a right to make a complaint if they feel they have been bullied and/or harassed, and they should follow the steps in the following procedure. All complaints will be taken seriously, and the procedure will be handled with fairness, sensitivity and with due respect for the rights of both the complainant and the alleged perpetrator.
- 5.2. There is a two-tiered approach in the procedure; informal and formal, to address the issue of bullying or harassment in the workplace. During any investigation into a complaint, the principles of natural justice must be adhered to. External assistance may be necessary to deal with complaints in some circumstances so as to ensure impartiality, objectivity and fairness in an investigation.
- 5.3. Any (informal or formal) complaint of bullying, harassment or sexual harassment should be made as soon as possible after a person has experienced bullying, harassment or sexual harassment, to support a timely and effective outcome. Complaints must be made within 3 months of the date of the alleged occurrence, or most recent occurrence. This time limit may be extended to a maximum period of 6 months for reasonable cause. Any complaint in relation to religious belief and/or political opinion must be made within 3 months of the date on which the complainant first had knowledge of the act complained of, or 6 months from the date on which the act was done, whichever is earlier.
- 5.4. All complaints will be treated with confidentiality, insofar possible. If the health and safety of the employee (or relevant person) is at risk to such an extent that for example there is a risk of life, we have no other option but to communicate this risk to relevant third parties. Any conduct that is violent or criminal in nature will be reported to the PSNI immediately.
- 5.5. In any investigation into a complaint we reserve the right to gain access to, and share with authorised third parties such as the PSNI, all available evidence, including but not limited to CCTV recordings, video and/or voice recordings on mobile phones, text messages on mobile phones, email correspondence, and publicly available online content such as content on social media.
- 5.6. The company reserves the right to appoint an appropriate external person to carry out the investigation. Any such external person will carry out their functions in accordance with the provisions of this policy and the company will give appropriate effect to the findings of such an external person.

6. Informal Complaints Process

- 6.1. Any employee (or relevant person) who believes that they are being bullied or harassed is encouraged, where possible, indicate directly to the person complained of that the behaviour in question is unacceptable. In some cases, the person against whom the employee (or relevant person) has a complaint may be unaware that their behaviour is inappropriate or objectionable, or it may happen that their words or actions have been misinterpreted. Even where the behaviour was unintentional, a swift and clear indication that the behaviour is objectionable may prove sufficient. If the employee (or relevant person) believes that this approach is not suitable or has been unsuccessful, they may then make an informal complaint.
- 6.2. Informal complaints should be addressed to the employee's manager. If the manager is involved or the subject of the complaint, the complaint should be submitted to the HR Department. An informal complaint may be verbal or written.
- 6.3. The company will designate a person to handle the complaint. If the complaint was verbal, a written note of what is complained of will be taken by the designated person and a copy given to the complainant.
- 6.4. The informal complaints procedure is as follows:
 - Establish the facts:
 - The designated person will establish the facts, the context of the complaint and the next course of action in dealing with the matter under the informal procedure. The designated person will also discuss other possible courses of action available to the complainant.
 - Where specific examples are given: if the complaint concerns bullying and/or harassment and includes specific examples of the behaviour complained of, the person complained against will be presented with the complaint and given a chance to respond. They will be allowed to bring representation to the meeting. After their response is received (or a reasonable period of time has elapsed without a response having been received), a method will be agreed to progress the issue to resolution so that both parties can return to a harmonious working environment without bullying or harassment being a factor. If the behaviour complained of does not concern bullying or harassment as defined, an alternative approach will be put in place and a rationale recorded.
 - Where specific examples are not given: if no specific examples are provided, there is no complaint to be answered under this policy, though other means of protecting and repairing workplace relationships may be considered by the designated person.
 - Resolution by Mediation:

- Mediation is an alternative informal method of resolving issues relating to bullying and harassment. Mediation involves the parties seeking to arrive at a solution through mutual agreement, rather than through an investigation and decision. Mediation provides a confidential opportunity for the person who feels that they have been bullied or harassed, and the person accused of carrying out this inappropriate behaviour, to discuss the matter and to reach an agreement on their continuing working relationship.
- Mediation is conducted in private, and is directly between the parties concerned, with the support of a mediator, who will act as an independent facilitator. Either party may withdraw from the process at any time by notifying the mediator, in writing, that they wish to do so.
- If both parties agree to resolve the issue by mediation, the HR Department will arrange the mediation process. An appropriate person, acceptable to both parties, from within or outside the company will be assigned as mediator.
- The complainant may, if they so wish, be accompanied by a colleague or friend when they attend any mediation meetings. The person complained about may also bring representation to mediation meetings. The timing and venue of these meeting should be arranged to suit the convenience of all parties.
- If the mediation process results in an agreement acceptable to both parties, the mediator will draw up a written record of the terms of the settlement for signature by both parties.
- When resolution is found through the informal procedure, all parties involved will be given support or periodical reviews, as appropriate. These may include counselling or other appropriate interventions.
- If the matter is resolved by mediation, no disciplinary action will be taken.
- Investigation:
 - If mediation breaks down or fails to achieve its goal, the next course of action is to have the matter resolved by investigation.
 - A person involved in the mediation process will not be involved in the investigation process.
 - Resolving the matter by investigation may also be considered if the complainant feels that it is inappropriate to resolve the matter by mediation.

6.5. Where a complaint is found not to have been made in good faith, the complainant will be the subject of disciplinary action.

- 6.6. The designated person will keep a record of all stages of the process, the complaint, any meetings, actions agreed and signed records of the final meeting. The purpose of the records, which will not include detail of discussions, is to provide evidence that the complaint was dealt with in an appropriate manner.
- 6.7. All parties will maintain, insofar as possible, the confidentiality of the informal process. Breaches of confidentiality will be treated as a serious disciplinary matter.

7. Formal Complaints Procedure

- 7.1. If the matter cannot be resolved through the informal complaints procedure, it may be necessary to make a formal complaint in order to stop bullying or harassment successfully. Where a complaint is of such a nature that the employee (or relevant person) deems the informal procedure unsuitable to reach a resolution, they may also decide to commence the formal complaints procedure without raising the matter under the informal complaints procedure.
- 7.2. The formal complaints procedure is as follows:
 - Submission of Written Complaint:
 - Formal complaints should be made in writing, signed and dated to the HR department. The complaint should be confined to precise details of alleged incidents of bullying and/or harassment, including the dates of such incidents and the names of any witnesses.
 - Upon submission of a formal complaint, an investigation panel will be designated by the HR department. This panel may consist of up to two persons and will include a Management Representative and a HR Representative. We may engage an external independent investigator if it is deemed appropriate in the circumstances. In exceptional circumstances, if either party has an objection to the investigatory panel, the HR department may designate an alternative panel. An objection to the designated investigatory panel must be made in writing to our HR department in a timely fashion and must clearly outline the grounds of the objection.
 - The complainant will be advised of the aims and objectives of the formal process, the procedures and time-frame involved, and the possible outcomes. They will be assured of support as required throughout the process. They will be given a copy of this policy.
 - When an employee (or relevant person) makes a formal complaint, but declines to submit a written statement, the investigatory panel will keep written record of the complaint and ask that the record is signed by the complainant. If they refuse to sign this record, they will be made aware that our ability to investigate the complaint on a formal basis may be compromised by any failure of the complainant to cooperate with

our procedures. Efforts will be made to clarify this issue before any further steps are taken.

- Investigation:
 - The investigation will be governed by the terms of reference which will include the following provisions:
 - A provision to the effect that the investigation will be conducted in accordance with this policy;
 - An indicative time-frame for the completion of the investigation;
 - Provisions relating to the scope of the investigation, indicating that the investigators will consider whether the complaint falls within the definition of bullying or harassment at work and whether the complaint has been upheld.
 - The person complained against will be notified, in writing that an allegation of bullying and/or harassment has been made against them. They will be advised of the aims and objectives of the formal process and procedures and timeframe involved and the possible outcomes. They will be assured of support, as required, throughout the process. They will be given a copy of the complaint in full and any other relevant document, including this policy. They will be given time to consider the documentation and an opportunity to respond.
 - The investigators will meet with all relevant persons involved in the process: the complainant, the person complained against and any witnesses, on an individual basis, with a view to establishing the facts. The complainant, the person complained against and any witnesses will be entitled to be accompanied by a work colleague or trade union representative at any meeting. All interviews with parties and witnesses will be conducted sensitively and with due respect to the rights of all concerned. The investigation will be conducted on a confidential basis, to the extent that is possible.
 - Statements from all parties and witnesses will be recorded in writing or by use of digital recording, with permission, to ensure accurate records and transcribed. Copies of the statements will be agreed with and given to those who make statements to the investigation panel.
 - All parties will continue to work normally during the investigation, unless directed otherwise. Where necessary, parties to the complaint will be suspended with full pay to allow for a fair and thorough investigation. Such a suspension is not a disciplinary sanction and this will be made clear to the relevant parties.
 - The parties to the complaint should not communicate regarding the complaint. Any effort by any party to intimate or otherwise influence any complainant, respondent or

witness during the course of an investigation will be regarded as a disciplinary matter of the utmost gravity.

- The objective of an investigation will be to determine whether or not, on the balance of probabilities:
 - The behaviour complained of occurred and, if so,
 - Whether or not that behaviour amounted to bullying and/or harassment, as defined.
- The investigation will be completed as quickly as practicable, within the indicated time-frame. The investigation panel will submit a report to the HR department which will include its conclusions. A HR representative will then examine it for thoroughness, objectivity and reasonableness. The complainant, and the person complained against will be given a copy of the report as soon as practicable by the HR department and will be given an opportunity to comment, within a prescribed period of time, before we decide on any further course of action. If the complaint is upheld, we will decide the action which is to be taken arising from the report and any comments made by the parties. We will then, in writing, inform the complainant and the person complained against of the final conclusion, and the next steps which are to occur.
- Actions:
 - If the complaint is upheld, we will follow the appropriate disciplinary procedures as laid out in our Disciplinary Policy, which may lead to disciplinary action against the person complained about up to and including dismissal. If the perpetrator is not an employee, for example, if they are a client, other appropriate measures will be taken.
 - We may take additional appropriate action to support and protect the complainant and/or to ensure that similar situations do not arise in the future.
 - If the complaint is not upheld, but the complainant is found to have acted in good faith, we may take appropriate measures to support both the complainant and the person complained against. This will include taking appropriate measures to ensure that other parties to the investigation are made aware that the finding was not upheld.
 - Making a complaint under this policy will not affect the employee's (or relevant person's) statutory rights. No one will be victimised for making a complaint in good faith or for acting in good faith as a witness in an investigation.
 - Where a complaint is not upheld and is found not to have been made in good faith, the employee (or relevant person) will be the subject of disciplinary action. The same principle will apply for witnesses giving evidence in bad faith.

- After the formal procedure has been concluded, all parties involved will be given support or periodical reviews, as appropriate. These may include counselling or other appropriate interventions.
- Appeal:
 - If either party is dissatisfied with the outcome of the formal complaints procedure, they may lodge an appeal within 5 working days of receipt of notification of the outcome of the process.
 - The reason for the appeal should be outlined in writing to the HR department. The appeal will be heard by another person(s), of at least the same level of seniority as the original investigation panel. The appeal will focus only on the aspect of the case cited by the appellant as being the subject of the appeal.
 - The grounds of the appeal and any outcome and methodology employed will be appended to the investigation file. Please note that the final report of the investigation itself will not be subject to amendment.
- The investigation panel will keep a detailed record of all stages of the process. The purpose of these records is to provide evidence that the complaint was dealt with in an appropriate manner.
- All parties will maintain, insofar as possible, the confidentiality of the formal process. Breaches of confidentiality will be treated as a serious disciplinary matter.

8. Record Retention

Records of bullying and harassment and any related investigations and outcomes will be kept in accordance with the General Data Protection Regulations and Data Protection Act. For further information please refer to the company's Data Protection Policy.

9. References

Policies, acts and other legislation referred to in this policy:

- Mediahuis Ireland Disciplinary Policy
- General Data Protection Regulation (GDPR) (EU) 2016/679
- Data Protection Act 2018
- Mediahuis Ireland Data Protection Policy

10. Document Control

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| Document Classification: | Internal |
| Naming Convention: | DignityAtWork_HRNI_PO016_VERSIONDATE |
| Owner: | HR Department |
| Author: | Monica McHugh, HR Director |
| Ratified By: | Executive Committee |
| Current Version: | 2.1 |
| Current Version Active Date: | 29 August 2024 |

11. Revision History

| Version: | Date: | Edited By: | Key Changes: |
|----------|------------|---------------|---------------------------------|
| 1.0 | 09/07/2023 | Monica McHugh | Establishment MHIE NI version 1 |
| 2.0 | 13/05/2024 | Monica McHugh | Full update |
| 2.1 | 29/08/2024 | Chantal Fay | More inclusive references added |