

PLYMOUTH ARENA

INAPPROPRIATE BEHAVIOUR POLICY

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REFERENCE NUMBER: PA/IND11/2025/IBP

RESPONSIBLE PERSON: RICHARD FINDLAY

DATE FOR RENEWAL: NLT 5 YEARS

**ICONIC.
INDEPENDENT.
YOURS.**

INAPPROPRIATE BEHAVIOUR POLICY

PURPOSE

To help and encourage all employees to achieve and maintain standards of conduct and job performance.

All members of staff are entitled to be treated with dignity and respect in our place of work. This means freedom from inappropriate behaviour, feeling safe and supported and having access to redress if such behaviour does arise.

To ensure consistent and fair treatment for all.

SCOPE

This policy and procedure applies to all staff that work for Plymouth Arena. This includes employees, workers, agency workers, volunteers and contractors in all areas of our organisation.

POLICY

The Inappropriate Behaviour Policy is central to the way we operate and as such, the overall responsibility for its implementation rests with the Chief Executive and Management Team.

The Chief Executive and Management Team will, through the delivery and implementation of this policy and associated tools, ensure that all managers receive appropriate instruction to support their understanding of the Inappropriate Behaviour Policy and enable them to consistently apply the principles therein.

Managers, coordinators and supervisors have specific responsibilities to ensure that their decisions do not discriminate unlawfully against members of their team and that any corrective action taken is within the bounds of this policy and subsequently current legislation and best practice.

The Chief Executive and Management Team will:

- Endorse and support the policy
- Ensure all line managers and employees are made aware of the policy and their responsibilities within it
- Review the policy annually and amend as necessary to reflect legislative or best practice changes

This policy replaces the previous harassment policy, in order to provide an environment where any member of staff can highlight behavior that makes them uncomfortable, whether that behaviour is aimed at them or others. It is accepted that for some people, the idea of raising a complaint under the title of “bullying” or “harassment” may feel extreme, and this leads to an unintended acceptance of poor / inappropriate behaviours that need to be addressed.

This policy covers behaviour which occurs in the following situations:

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

- Against anyone outside of a work situation where the incident is relevant to your suitability to carry out the role

This policy gives formal and informal options to resolve concerns. If, however, it is believed that harassment is taking place (as described below) the matter will be dealt with in a robust way and formal action is likely to be taken.

AVAILABILITY OF THE POLICY

A copy of this policy is available to all current employees:

- As part of their staff induction
- On the administration drive

HARASSMENT

This is defined as any form of conduct that is unwanted and results in an employee feeling violated, offended, humiliated, threatened or intimidated, insulted or that they feel like their privacy is being imposed upon.

Managers should exercise due diligence whilst at work, in some cases problems go unreported with offences still being committed as some employees may not feel entirely comfortable reporting issues. If a manager witnesses possible harassment or bullying in the workplace, they should address it swiftly and sensitively. Further information on harassment can be found in the company Equality & Diversity Policy.

SEXUAL HARASSMENT

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It also covers treating someone less favourably because they have submitted to, or refused to submit to, unwanted conduct of a sexual nature or in relation to gender reassignment or sex.

BULLYING

This is defined as conduct that is offensive, intimidating, malicious or insulting, an abuse or misuse of power through means that humiliate, degrade or injure the employee.

INVESTIGATE

Before a formal investigation takes place, an employee needs to raise a complaint or a grievance with their line manager. This should be made in writing. The procedure for raising a complaint or grievance is defined in the Grievance Policy. Once a formal complaint or grievance has been raised a formal investigation is required.

If an individual wishes to have support because they consider that inappropriate behaviour is taking place, but they do not wish to have the matter dealt with formally, they should raise it with their line manager, or another appropriate manager if the subject of the complaint is the line manager, and the line manager will seek appropriate advice from the Senior Management Team regarding informal action.

Investigations into bullying and harassment must be carried out objectively and without unreasonable delay. The investigation needs to be independent and managers should seek advice from the Senior Management Team and/or a HR professional if they do not feel they can carry out the investigation

objectively (managers should seek advice from the Senior Management Team first before contacting external HR resources).

It is imperative that investigations are carried out with care and sensitivity; complainants should not be blamed or questioned for failing to report problems earlier or for being upset or distressed.

The purpose of an investigation is to gain as much information as possible and is a fact finding mission in order to consider the appropriate action required. This should include collating evidence via an interview or through statements from witnesses and/or from relevant employees. When addressing an allegation, managers should be clear about the nature of the complaint and decide if what has taken place could be reasonably considered to have caused offence.

For further guidance on carrying out investigations, please refer to Plymouth Arena Disciplinary Policy, or the ACAS website.

INFORMAL ACTION

Employees who make a complaint will not be victimised or transferred to another job role and/or department unless it has been requested by them. In some cases, employees may make an unfounded allegation with malicious intent, these incidences should also be investigated and dealt with fairly and objectively under the company Disciplinary Policy.

Often bullying and harassment can be unintentional or behaviour may be inappropriate without reaching the threshold of bullying or harassment, through lack of awareness and as such, the investigating manager may decide (in discussion with the complainant) that the complaint could be dealt with informally. In some cases mediation may then be an option to ensure understanding and agreement is sought between both parties, and the impact of one person's behaviour on another is understood.

Both parties would need to enter into mediation voluntarily with an independent third person who will mediate the meeting and seek to help both to find a solution and agreement. Mediation can only be successful if both understand the purpose of mediation and are looking for the working relationship to be repaired.

DECISION TO PROCEED TO DISCIPLINARY

Following the investigation, if it is decided that disciplinary action is required the investigation undertaken will provide evidence to the disciplinary investigation. The disciplinary policy will be followed.

In the case of a formal grievance instigating the investigation regarding someone's behaviour, that grievance must be completed formally via a hearing.

Where a disciplinary hearing is deemed appropriate, the individual subject to the disciplinary hearing will be given all relevant information including the original investigation report and grievance complaint. The originator of the grievance will not be entitled to know the outcome of any disciplinary hearing, and may be requested to be a witness at a disciplinary hearing if appropriate, and able to do so. For further guidance on carrying out a disciplinary, please refer to Plymouth Arena Disciplinary Policy.

CONCLUSION

Plymouth Arena strongly believes that it is in everyone's best interest to give the fullest consideration to the circumstances in all cases of inappropriate behaviour. The Inappropriate Behaviour Policy is designed to help and encourage all employees to achieve and maintain standards of conduct and sets out the INAPPROPRIATE BEHAVIOUR POLICY

manager's framework for dealing with such matters. The aim is to ensure consistent and fair treatment of all employees.

ENFORCEMENT

MANAGERS, COORDINATORS AND SUPERVISORS

Managers, coordinators and supervisors are responsible for their staff reading this policy and procedure and ensuring compliance with consistent and fair application within their areas of responsibility. Where managers feel they need further training around such issues, they should seek development in this area.

INDIVIDUAL EMPLOYEE RESPONSIBILITY

Every employee has a responsibility to follow Plymouth Arena procedures regarding conduct.

An employee's responsibilities are to ensure that they:

- Take full accountability for their actions and inactions
- Maintain expected and reasonable conduct at work
- Attend and participate in relevant meetings
- Comply with the company's policies and procedures
- Treat each other with dignity and respect

ADDITIONAL INFORMATION

The Equality Act 2010 protects relevant characteristics, namely age, disability, gender reassignment, race, religion or belief, sex and sexual orientation and uses the definition of harassment to cover these. Bullying and harassment is therefore unlawful and will not be tolerated.

More information on bullying and harassment at work can be found here:

<https://www.gov.uk/workplace-bullying-and-harassment>

<https://www.gov.uk/raise-grievance-at-work>