HARBOURSIDE

Bullying, Harassment and Sexual Harassment (inc 3rd party sexual harassment) Policy:

At Workout Harbourside, everybody is welcome. We want to create and foster an environment that is welcoming to anyone, allowing them to feel safe to enjoy and be a part of our community and their fitness and wellness plans. Everyone has the right to be, and feel, safe. Harassment is unacceptable and will not be tolerated in any form, by any person, at any time. Staff, members, and PTs are all expected to be respectful to each other, at all times. We operate a zero tolerance policy to ensure everyone feels safe while at workout harbourside.

If any member, team member, instructor, contractor, freelancer, PT or visitor in our gyms feel they have been harassed they should speak to a member of the gym management team or report it on our digital feedback which can be anonymous if needed.

Every person and every case will be reviewed in detail then dealt with sensitively, confidentially and care Perpetrators will be banned from our gyms.

OUR POLICY

This policy applies to all people within Workout Harboursides facilities, including member, Team member,instructor, contractor, freelancer, PT or visitor.

This policy clearly defines what bullying, harassment and Sexual Harassment between members or 3rd party toward our staff is and our approach to managing allegations or experience of this behaviour in our gym.

In a UK workplace, harassment and bullying are closely related but are treated differently under the law. The main difference is that harassment has a specific legal definition, while bullying does not always amount to unlawful conduct on its own. Harassment is unlawful under laws such as the Equality Act 2010. It involves unwanted behaviour connected to a protected characteristic

such as:

- race
- sex
- disability
- religion or belief
- age
- sexual orientation
- The behaviour must create an intimidating, hostile, degrading, humiliating, or offensive environment.

Bullying is often dealt with through:

- company grievance procedures
- disciplinary policies
- health and safety obligations

Where is the cross over?

- The two can overlap. If bullying behaviour is linked to a protected characteristic, it may become unlawful harassment.

Example of bullying only:

- **Verbal abuse or humiliation**
  A manager or colleague repeatedly shouts at, insults, belittles, or humiliates an employee, particularly in front of other staff.
- **Excluding or isolating someone**
  Deliberately leaving an employee out of meetings, conversations, social activities, or important work-related communications in order to make them feel isolated.
- **Constantly undermining someone's work**
  Repeatedly criticising an employee's work unfairly, setting them unreasonable deadlines, or deliberately withholding information they need to complete their job.
- **Spreading rumours or making personal comments**
  Repeatedly spreading malicious rumours about a colleague, making derogatory comments about them, or encouraging other employees to treat them negatively.

Examples of Bullying in the Gym:

An instructor repeatedly mocks a member's fitness level, body shape, ability, or technique in front of other members rather than providing constructive feedback.

A member repeatedly shouts at, threatens, insults, or deliberately humiliates a team member, instructor, contractor, free lancer, personal trainer or other staff member when they do not get what they want.

A personal trainer repeatedly makes insulting comments about a client's weight, appearance, fitness ability, or progress, using humiliation as a way to motivate them.

A member repeatedly makes derogatory comments about another member, deliberately excludes them from activities, mocks their exercise ability, or encourages others to make fun of them.

Bullying is generally characterised by **repeated, unreasonable behaviour that can cause harm, distress, humiliation, or intimidation**. A one-off disagreement or reasonable performance feedback would not necessarily constitute bullying, although it could still be inappropriate or unacceptable behaviour.

HARASSMENT CAN BE DEFINED AS

• Aggressive pressure or intimidation.
• Unwelcome attention based on a personal characteristic.
• Conduct which threatens, intimidates, alarms or puts a person at fear for their safety.
• Physical violence, or direct or inferred sexual threat.
• Threatening, offensive, unwelcome, abusive verbal language or behaviour.

HARASSMENT CAN BE

• Direct – to you as an individual from an individual or group.
• Indirect – witnessed toward someone else, or a group you are not related or linked to. Harassment doesn’t have to be about you to affect you.

HARASSMENT EXAMPLES

There are many forms of Harassment, some examples of this are:
• Negative, unwelcome, aggressive or detrimental comments about race, heritage or ethnicity.
• Comments, jokes or suggestive statements about someone’s sexual orientation, gender or identity.

• Derogatory comments or actions regarding a person's ability or disability – physical or mental.
• Exclusive or negative comments, suggestions or behaviours towards a person because of their age.
• Unkind, negative comments that will offend or embarrass someone because of their size or fitness levels. The extent of harassment is not limited to the above examples and each case will be fully investigated on its own basis.

IN GYM HARASSMENT EXAMPLES

Harassment may take on many forms, but in a gym environment all of the above can be seen through unwanted, unreasonable and unnecessary behaviours that have a negative impact on another person.

SEXUAL HARASSMENT EXAMPLES

There are many forms of Sexual Harassment, some examples of this are:
• Unwelcome physical contact – patting, pinching, stroking, kissing, hugging, fondling or inappropriate touching.
• Physical violence, including sexual assault (as defined by the Crown Prosecution Service/Sexual Offences Act).

- Sexual comments, jokes or stories that offend or humiliate a person or group.
- Unwanted comments on a person's looks, dress, sexuality, age or gender in a derogatory or objectifying way.
- Repeated unwanted flirting or flirting at an inappropriate time which could be deemed to undermine or damage a person's reputation.
- Lewd behaviour such as leering, whistling or gesturing. The extent of sexual harassment is not limited to the above examples only and each case will be fully investigated.

IN GYM SEXUAL HARASSMENT EXAMPLES

Harassment may take on many forms, but examples of this in a gym environment are:
• Uninvited correction of another gym user's form or technique when training.
• Taking unsolicited photographs of another person.
• Excessive watching or staring at another person – directly or via mirrors.
• Continuously exercising next to or near to another person or following them.
• Sending or sharing of unwelcome personal images to any other person.
• Unwanted flirtation or sexual advances.
• Commenting on other people's body, looks or clothing.

WHAT TO DO IF YOU HAVE EXPERIENCED HARASSMENT OR INAPPROPRIATE BEHAVIOUR

If you feel you have been the victim of harassment by a member, Team member,instructor, contractor, freelancer, PT or visitor, where appropriate you should discuss this with them directly.

If this is not possible or you are uncomfortable to do so, you should report it to the Gym Management team immediately, this could be the Owner, Assistant Manager, Studio Manager or Gym Manager

You can contact our anonymous digital reporting system HERE, you can level your details if you would like us to follow up with you or remain anonymous.

We will then commence an investigation which will follow the company procedures and include:

1. Report the allegation to an appropriate Management or digital system.
2. Take a detailed statement from you about the incident / read what has been reported/
3. Discuss allegations with the individual they are against. This will only be done with your consent and at an appropriate time if you have provided your details.
4. Review the initial allegations with the senior manager to agree to any immediate action.
5. If considered appropriate, a member, Team member,instructor, contractor, freelancer, PT or visitor may be suspended from the gym while a full investigation is carried out.
6. A full investigation meeting will be arranged with you, with notes of the discussion taken
7. CCTV video will be reviewed.
8. Statements will be taken from any witnesses.
9. Review any written or other submissible evidence (text, email, social media posts etc) with your consent.
10. If there is sufficient evidence to support the allegations a decision will be made to progress to a disciplinary hearing (employee), terminate agreements (PT, instructors, contractors,freelancers), terminate membership (member, visitor) or close proceedings if there is insufficient evidence to support the allegations.
11. Summarise in writing the process findings to all parties.
12. Offer mediation to enable and support both parties to move forwards.
13. If the incident is referred to the Police Workout Harbourside will cooperate fully.

POSSIBLE OUTCOMES OF EMPLOYEE DISCIPLINARY ACTION

If following an investigation of a minor incident, there is a belief that the individual had acted with poor judgement or made an innocent error – coaching and education would be the appropriate course of action to take.

If however, the investigation provides evidence that there has been direct or indirect intentional harassment, a formal sanction will be issued.

Sanctions will be in line with the following guidance as in line with our Grievance and Disciplinary policies :

If this leads to a Summary Dismissal for Gross Misconduct. The internal processes remain confidential as with all employee management, however the lessons learned, and evidence may be redacted and used in further staff training and education to promote best practice in the future

SUPPORT TO MEMBERS OR SELF-EMPLOYED PTS WHO HAVE EXPERIENCED HARASSMENT

1. If you are not happy with the process or the outcome, you can request to escalate this to the Police.
2. We hope you will be comfortable to return to the gym and will support you as much as we can. Just let the management team know when you will be there so we can plan to see you. 3. You will be offered an opportunity for a mediated conversation with the individual the allegation was against if they are remaining in the gym, if they are agreeable to the session and if you feel this would be beneficial.
4. If you would prefer to cancel we will of course action this as fast as we can.