

POL/HR0038: Harassment & Bullying Policy

Policy Title:	Harassment & Bullying Policy
Policy Number:	POL/HR0038
Version:	4
Effective Date:	01 August 2025
Scheduled Review Date:	31 July 2027
Supersedes:	Version 3- implemented January 2023
Version 1 Approved by:	Strategic Management Committee (SMC)
Current Version Approved by:	SVP-HR (as per HR Policy Approval Matrix)

1. Purpose

- 1.1 The purpose of this policy is to set out a clear framework and outline for ensuring a safe and supportive workplace for all employees free from bullying and harassment. This document outlines GEMS Education’s policy on all types of harassment and to document the process should any complaint, issue or grievance arise.

2. Scope

- 2.1. The policy applies to all staff employed on a permanent contract with GEMS Education based in schools and SSC.
- 2.2. Volunteers, Consultants, temporary staff and school support staff are included in this policy.
- 2.3. HR Policy cannot override the Board-approved Delegation of Authority (DOA) for GEMS. In the event of any conflict between the two, the DOA overrides HR Policy.

3. Definitions

- 3.1. Harassment includes but is not limited to:
- 3.1.1. Verbal harassment: derogatory name calling, suggestive comments, insults, jokes or racial innuendos, spreading gossip regarding an Employee’s private life, humour connected to age, race, religion, nationality, origin, gender, or disability, threats made or perceived to be malicious;

- 3.1.2. Non- verbal harassment: suggestive or over familiar behaviour;
 - 3.1.3. Visual harassment: Displaying or circulating derogatory or posters, cartoons, drawings, screen-savers, photographs, obscene gestures, slogans, magazines, or any offensive visual material;
 - 3.1.4. Physical harassment: touching or physical attacks, etc.
 - 3.1.5. Harassment can also be racial or religious, where an individual is targeted due to their race, ethnicity, religion or sect. Harassment encompasses words and actions that are specifically designed to degrade or humiliate the individual. This includes the habitual exclusion of a person from an ethnic or religious 'minority' from conversations, remarks, unfair allocation of work, or making unjustifiable comments pertaining to the pace or quality of their work and treating an Employee differently from other employees of the same race or religion.
- 3.2 Sexual harassment is defined as any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature which makes a person feel upset, offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Examples of sexual harassment include, but are not limited to:
- 3.2.1. Staring or leering
 - 3.2.2. Invading personal space
 - 3.2.3. Unnecessary familiarity, such as deliberately brushing up against another person or unwelcome touching
 - 3.2.4. Suggestive comments or jokes
 - 3.2.5. Making gender-related comments about someone's physical characteristics, mannerisms, or conformity to gender stereotypes
 - 3.2.6. Insults or taunts of a sexual nature
 - 3.2.7. Intrusive questions or statements about a person's private life
 - 3.2.8. Displaying posters, magazines or screen savers of a sexual nature
 - 3.2.9. Sending sexually explicit emails or text messages
 - 3.2.10. Inappropriate advances on social networking sites
 - 3.2.11. Threatening to penalise or otherwise punish an employee if they refuse a sexual advance
 - 3.2.12. Displaying or circulating pornography, sexual images or offensive jokes in print or electronic form
 - 3.2.13. Accessing sexually explicit internet sites and sharing with others.
 - 3.2.14. Requests for sex or sexual favours and repeated unwanted requests to go out on dates
 - 3.2.15. Behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications or behaviour that is based on mutual attraction, friendship and respect is not sexual harassment. A relationship or behaviour that is freely accepted by everyone involved is not sexual harassment. If people are in doubt about whether a particular behaviour or relationship is acceptable they should not do it and ask HR for advice.
- 3.3 Bullying includes but is not limited to:
- 3.3.1. Belittlement, degradation, public ridicule or reprimand of an Employee or student or behaviours intended as punishment of an Employee or student i.e. isolation and exclusion from School or SSC activities
 - 3.3.2. Public trivialization of views and opinions, or unsubstantiated allegations of misconduct;
 - 3.3.3. Spreading malicious rumours or making unfounded allegations.

- 3.4. Bullying and harassment may occur through the use of electronic communication, particularly mobile phones and the internet, through deliberate, repeated and hostile behaviour online. It can take a number of different forms: threats and intimidation, harassment or 'cyber-stalking' (e.g. repeatedly sending unwanted texts or instant messages), vilification/defamation, exclusion/peer rejection, impersonation, unauthorised publication of private information/images and 'trolling' (abusing the internet to provoke or offend others online).

4. Policy Statement

- 4.1 Every employee has the right to a working environment free from all types of bullying and harassment and GEMS will take appropriate steps to promote and maintain such an environment.
- 4.2 GEMS will not accept that any employee should be the cause of or be subject to bullying or harassment and will provide protection for employees who consider that they are being harassed and / or bullied.
- 4.3 Where a person's actions did not intend for their actions to constitute harassment, this will not be considered a defence to a complaint of harassment.
- 4.4 An employee who in good faith, reports an incident of alleged harassment of whatever form, will not suffer any penalty for doing so.
- 4.5 Retaliation against an employee for raising a complaint of harassment will be treated as a disciplinary offence (reference to GEMS Disciplinary Policy (POLHR0009)).
- 4.6 An employee who commits harassment will be subject to disciplinary action which could include termination.
- 4.7 If an employee is requested to stop a behaviour that is deemed to constitute as harassment or sexual harassment, they should do so immediately, apologise to the wronged party and ensure to not repeat the behaviour in future.
- 4.8 HR must ensure that all reported harassment cases are dealt with in a timely and professional manner. When an investigation is required, it must comply with defined procedures for proper conduct and documentation. All reports will be treated seriously and without prejudice to employees or their careers.
- 4.9 Filing groundless or malicious complaints is an abuse of this policy, will be treated as a violation and action will be taken according to the GEMS Disciplinary Policy (POLHR0009).
- 4.10 During the complaint process, the confidentiality of the information received, the privacy of the individuals involved and the wishes of the complaining person will be protected to as great a degree as is possible.
- 4.11 The expressed wishes of the person making the complaint (hereafter referred to as the "complainant") for confidentiality will be considered in the context of the Company's legal obligation to act on the charge and the right of the accused individual (hereafter referred to as the "respondent") to obtain information.

5. Procedure

- 5.1. **Responding to Conduct in Violation of Policy**
5.1.1. Employees

If an employee believes that he or she has been subject to bullying or harassment or any unwelcome sexual attention, he or she may address the situation directly and immediately to the harasser, if appropriate and safe to do so.

If the inappropriate conduct does not cease, or if the employee is unable to, or uncomfortable with addressing the alleged harasser directly, he or she should report the incident to his or her own Line Manager or Head Of Department, or to a member of the HR Team. It is helpful, but not required, to provide a written record of the date, time and nature of the incident(s) and the names of any witnesses.

It is important to report any and all concerns of harassment including any inappropriate sexual conduct to the School HR Representative or SSC HR Business Partner and the Line Manager / Head Of Department as soon as possible. Management must be made aware of the situation so that it can conduct an immediate and impartial investigation and take appropriate action to remediate or prevent the behaviour from continuing.

5.1.2. Managers and Supervisors

Managers and supervisors must deal expeditiously and fairly with allegations of sexual harassment within their departments whether or not there has been a written or formal complaint. They must:

- 5.1.2.1. Take all complaints or concerns of alleged or possible harassment seriously no matter how minor they themselves may consider it or who is involved.
- 5.1.2.2. Ensure that harassment or inappropriate sexually oriented conduct is immediately reported to HR so that a prompt investigation can take place.
- 5.1.2.3. Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.
- 5.1.2.4. Ensure that any mandated action is adhered to by employees and that complainants have the information they need to feel protected.

Line Managers and Heads Of Department who knowingly allow or tolerate sexual harassment or retaliation, including the failure to immediately report such misconduct to HR, are in violation of this policy and subject to discipline procedures up to and including termination.

5.1.3. School HR Representative.

The relevant HR Representative (School HR or SSC HR) is responsible for:

- 5.1.3.1. Ensuring that both the complainant and respondent are aware of the seriousness of a harassment complaint.
- 5.1.3.2. Explaining GEMS' harassment policy and investigation procedures to the complainant and the respondent.
- 5.1.3.3. Where appropriate, exploring informal means of resolving harassment complaints.
- 5.1.3.4. Seeking advice from the GEMS Legal team, notifying the police if criminal activities are alleged.
- 5.1.3.5. Arranging and conducting an investigation of the alleged harassment and the preparation of a written report.
- 5.1.3.6. Submitting a written report summarizing the results of the investigation and making recommendations to designated company officials.
- 5.1.3.7. Notifying the complainant and the respondent of the corrective actions to be taken, if any, and administering those actions.
- 5.1.3.8. Ensuring that HR Business Partner is informed of the update at each stage of the process. On a case-by-case basis, the HR Business Partner will

advice and support with the above responsibilities. In SSC the HRBP should keep the SVP-HR or CPO updated as appropriate.

5.2. **Complaint Resolution Procedures**

To initiate a formal investigation into an alleged violation of this policy, the complainant may be asked to provide a written statement about the alleged misconduct to the relevant HR Representative (School HR or SSC HR). Complaints should be submitted as soon as possible after an incident has occurred. The HR Representative may assist the complainant in completing the statement.

A prompt and thorough investigation will be completed as per the relevant HR Policies (GEMS Discipline Policy POLHR009 and GEMS Grievance Policy POLHR0010).

To ensure the prompt and thorough investigation of a harassment complaint, the complainant should provide as much of the following information as is possible including:

- 5.2.1. The name, department and position of the respondent.
- 5.2.2. The name(s) of the employee(s) who has allegedly experienced the harassment and their contact information.
- 5.2.3. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
- 5.2.4. The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his or her employment.
- 5.2.5. The names of other individuals who might have been subject to the same or similar harassment.
- 5.2.6. Any supporting documents the complainant may have in his/her possession that are relevant to the alleged incident.
- 5.2.7. What, if any, steps the complainant has taken to try to stop the harassment (noting that the complainant is under no obligation to try to stop it but this information may be material to the investigation).
- 5.2.8. Any other information the complainant believes to be relevant to the harassment complaint.

5.3. **Discipline**

Employees who violate this policy are subject to appropriate disciplinary action. If an investigation results in a finding that this policy has been violated, an appropriate sanction will be applied. For any sexual harassment violation, the mandatory minimum disciplinary sanction is a written warning. Depending on the case, coaching for the respondent may also be a part of the disciplinary outcome in order to avoid a reoccurrence. GEMS may be required to report findings of an investigation to the police as appropriate. GEMS Legal team will provide the necessary advice and guidance if any external police investigation is required. Refer to GEMS Discipline Policy (POLHR0009).

The discipline for very serious or repeat violations is termination of employment. Persons who violate this policy may also be subject to civil damages or criminal penalties.

5.4. **Confidentiality**

All inquiries, complaints and investigations are treated confidentially to the utmost extent possible. Information contained in a formal complaint is kept as confidential as possible and information will only be revealed on a need-to-know basis. However, the identity of the complainant is usually revealed to the respondent and witnesses. The HR Representative will take adequate steps to ensure that the complainant is protected from retaliation during the period of the investigation. All information pertaining to a sexual harassment complaint or investigation is maintained by the HR Representative in secure files. The HR Representative can answer any questions relating to the procedures for

handling information related to sexual harassment complaints and investigations to complainants and respondents.

5.5. **Other Available Procedures**

The procedures available under this policy do not pre-empt or supersede any legal procedures or remedies otherwise available to a victim of harassment or sexual harassment under law.

6. Responsibilities

- 6.1 The Company may update this policy at any time. It is the responsibility of every employee to be aware of and follow the policy in place.
- 6.2 It is the responsibility of all employees to ensure that they act with care and consideration when dealing with other employees.
- 6.3 Employees are responsible for reporting all bullying and harassment as outlined under “Definition”, provided it is supported by recorded factual details of each incident. The report should be to the appropriate Line Manager/School HR Representative or SSC HR Business Partner.
- 6.4 Employees who observe what they consider to be unacceptable behaviour, are encouraged to report what they have observed through the correct channels outlined in this policy.
- 6.5 It is the responsibility of the HR Department in SSC to develop, monitor, maintain and implement this policy.

7. References

- 7.1 See the Employee Code of Conduct (English and Arabic versions) for further information on bullying and harassment
- 7.2 See GEMS Discipline Policy (POLHR0009) for further information (available on GEMSNet).
- 7.3 See GEMS Grievance Policy (POLHR0010) for further information (available on GEMSNet).
- 7.4 There may be instances where harassment amounts to an offence under UAE’s Penal Code under Article 358, 359, 360 or Article 370 and should be reported to the police.

8. Exceptions

8.1. Any exceptions to this policy require approval of SVP – HR.