

## **Dignity at Work Policy**

### **1. Our commitment**

Eco World London (“EWL”, the “Company”) is committed to creating a work environment where everyone is treated with dignity and respect and is free from bullying, discrimination, harassment, and victimisation.

Bullying, discrimination, harassment, and victimisation can have very serious consequences for individuals and the organisation. It may make people unhappy, may cause them stress and affect their health, family and social relationships, may affect their work performance, and could cause them to leave their job. Severe cases can lead to mental illness and suicide. Effects on the Company can include loss of morale, poor work performance, increased turnover of staff, legal claims, and damage to the Company’s reputation.

EWL will not tolerate bullying, discrimination, or harassment of any kind and will also not tolerate victimisation of a person for making allegations of bullying, discrimination, or harassment in good faith or supporting someone to make such a complaint. All allegations will be investigated and, if upheld, disciplinary action will be taken. Employees found guilty of bullying, discrimination, harassment, or victimisation may face disciplinary penalties, up to and including dismissal, they could be personally liable to pay compensation in legal claims, and may find their own family and social relationships are adversely affected. Serious cases of discrimination and harassment may be a criminal offence.

### **2. The scope of this policy**

This policy applies to all employees, contractors, agency staff and anyone else engaged to work at or with EWL, whether by direct contract with the Company or otherwise (collectively referred to as ‘employee(s)’ for ease throughout the policy). If the complainant or wrongdoer is not employed by EWL, e.g. if their contract is with an agency, this policy will apply with any necessary modifications such as that the Company could not dismiss them but would instead require the agency to remove them, if appropriate, after investigation and disciplinary proceedings.

The policy covers bullying, discrimination, harassment, or victimisation in the workplace, on digital/virtual platforms and in any work-related setting outside the workplace, e.g. business trips, work-related social events and working from home.

This policy does not form part of any employee's contract of employment, and the Company may amend it at any time.

### 3. What is bullying?

**Bullying** is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate, or injure the person on the receiving end.

Examples of being bullied at work could include:

- someone spreading a false rumour about you
- someone continuously putting you down in meetings
- your line manager giving you heavier workloads than everyone else
- your department not letting you join social events

Bullying may occur in a regular pattern or may be a one-off incident and may not always be obvious or noticed by others.

#### **Upward bullying**

Bullying can be directed towards a more senior employee, such as a line manager (this can be called 'upward bullying' or 'subordinate bullying').

Examples of upward bullying can include:

- showing continued disrespect
- refusing to complete tasks
- spreading rumours

It can be from one employee or group of employees.

### 4. What is discrimination?

By law (the Equality Act 2010), **discrimination** is when someone's treated unfairly because of any of the 'Protected Characteristics':

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

It's against the law to treat someone unfairly because of any of the Protected Characteristics, except in very rare circumstances.

An employer must not ask questions about any Protected Characteristic when hiring new employees, except in rare circumstances. They should instead ask all applicants if they need any reasonable adjustments to complete the interview or any part of the hiring process.

**Direct discrimination** is when someone is treated unfairly because of a Protected Characteristic, such as sex or race. For example, someone is not offered a promotion because they are a woman and the job goes to a less qualified man.

Direct discrimination includes '**discrimination by association**' where someone is treated unfairly because of the Protected Characteristic of someone they know or someone they are associated with, and '**discrimination by perception**' when someone treats a person unfairly because they think they have a certain Protected Characteristic, whether or not it is true.

**Indirect discrimination** can happen when there are rules or arrangements that apply to a group of employees or job applicants, but in practice are less fair to a certain Protected Characteristic. For example, a job advert states applicants must have 10 years' experience in the Property industry, which could be discriminating indirectly based on age.

An indirect discrimination case may not be upheld if the employer can prove a business case for the rule or arrangement.

## 5. What is harassment?

**Harassment** is when bullying or unwanted behaviour is about any of the following Protected Characteristics under discrimination law:

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation

The law on harassment does not cover pregnancy and maternity or marriage and civil partnership.

As with bullying, the person being harassed might feel emotions including feeling disrespected, frightened, humiliated, made fun of, offended or threatened.

To satisfy the conditions for harassment, the unwanted behaviour must have either:

- violated the person's dignity, whether it was intended or not
- created a hostile environment for the person, whether it was intended or not

For example, a group at work making offensive comments about an employee's age, making them feel humiliated and anxious about coming to work.

Or a male line manager regularly putting down a female employee because she is a woman.

Harassment can be a serious one-off incident or repeated behaviour and can include spoken or written words, imagery, graffiti, gestures, mimicry, jokes, pranks and physical behaviour that affects the person.

Even if the person being harassed does not ask for it to stop, it is still against the law.

Under the law, there's also protection against:

- sexual harassment, which is unwanted behaviour of a sexual nature. This can be written, verbal, imagery, physical or sexual assault. For example, someone making sexual comments or trying to touch someone against their will.
- being treated unfairly because they have received or stood up against these types of harassment.

It may not be so clear in advance that some other forms of behaviour would be unwelcome to, or could offend, a particular person, e.g. certain "banter", flirting or asking someone for a private drink after work. In these cases, first-time conduct that unintentionally causes offence will not be harassment, but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to them.

## **6. Unwanted conduct from a third party**

There may also be circumstances in which an employee is subjected to unwanted conduct from a third party, such as a client or customer. If an employee feels they have been bullied, discriminated, or harassed by any customer, supplier, vendor or visitor, the employee should report any such behaviour to their line manager who will take appropriate action.

## **7. What is victimisation?**

**Victimisation** is subjecting a person to a detriment because they have, in good faith, raised a complaint (whether formally or otherwise) that someone has bullied, discriminated, or harassed, or supported someone to make a complaint or given evidence in relation to a complaint.

Victimisation would include isolating someone who has made a complaint or giving them heavier / more difficult workload.

Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, the Company will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

## **8. Other examples of unacceptable behaviour**

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to):

- physical conduct ranging from unwelcome touching to serious assault
- unwelcome sexual advances
- the offer of rewards for going along with sexual advances, e.g. promotion, access to training
- threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment, evaluation, pay, advancement, assigned work, or any other condition of employment or career development
- demeaning comments about a person
- unwelcome jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion
- questions about a person's sex life
- unwanted nicknames related to a person's age, race or disability
- the use of obscene gestures / language
- excluding an individual because they are associated or connected with someone with a Protected Characteristic, e.g. their child is gay, spouse is black, or parent is disabled
- ignoring an individual because they are perceived to have a Protected Characteristic when they, in fact, do not e.g. an employee is thought to be Jewish, or is perceived to be transgender
- the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, e.g. magazines, calendars or pin-ups
- spreading malicious rumours or insulting someone
- picking on someone or setting him/her up to fail
- making threats or comments about someone's job security without good reason
- ridiculing someone
- isolation or non-cooperation at work and excluding someone from social activities.

## **9. Employee responsibility**

All employees have a responsibility to:

- treat all colleagues with dignity and respect and take appropriate measures to ensure that bullying, discrimination, harassment, or victimisation does not occur.
- be aware of how their own behaviour may affect others and change it, if necessary - you can still cause offence even if you are "only joking"
- take a stand if they think inappropriate jokes or comments are being made
- make it clear to others when they find their behaviour unacceptable
- intervene, if possible, to stop unacceptable behaviour and give support to recipients
- report any witnessed or suspected incidents of bullying, discrimination, harassment, or victimisation immediately to their line manager, the People Team or a member of the Senior Leadership Team ("SLT") and support the Company in the investigation of complaints.

If a complaint of bullying, discrimination, or harassment is made employees must not prejudice or victimise the complainant or alleged person.

### **10. Line manager responsibility**

All managers have a particular responsibility to:

- set a good example by their own behaviour and make sure employees know what standards of behaviour are expected of them
- ensure that there is a supportive working environment
- create a working environment in which employees feel able to challenge inappropriate behaviour
- maintain appropriate levels of communication with their employees and should hold regular 1-1 meetings, team meetings and performance reviews
- intervene to stop bullying, discrimination, harassment, or victimisation and ensure all incidents are dealt with seriously, promptly and fairly.
- keep notes of actions taken and follow up with employees to ensure the situation has improved.

Line managers also should promptly report to the People Team, or to the SLT, any complaint of bullying, discrimination, harassment, or victimisation, or any incident of unacceptable behaviour witnessed by them.

### **11. What should I do if I think I am being bullied, discriminated, harassed, or victimised?**

In some cases, the person upsetting you might not realise the effect of their actions so you can try talking with them, if you feel you can.

It's a good idea to:

- explain how their behaviour makes you feel
- be firm, not aggressive
- stick to the facts

If you do not feel comfortable talking to the person face to face, you could put it in an email or talk with someone at work you feel comfortable with, such as your line manager, a member of the SLT, someone in the People Team or a trade union representative. Alternatively, an initial approach could be made on your behalf by one of these people.

You should tell the person what behaviour you find offensive and unwelcome and say that you would like it to stop immediately. You may want to add that, if the behaviour continues, you intend to make a formal complaint.

Any employee can report an issue they have seen or heard at work, even if the unwanted behaviour is not directed at them.

It's also a good idea to keep a diary or record of any unwanted behaviour, including how it made you feel, dates and times it happened, any evidence e.g. emails or screenshots of social media posts and any witnesses.

Most cases happen out of sight of others, so you might not have any witnesses. This does not stop you reporting the matter to your line manager to get the situation resolved.

If you do not feel comfortable doing this, or an informal approach does not resolve matter, or the issue is very serious, you can raise a formal complaint by using the Company's grievance procedure.

In the case of grievances about bullying, discrimination, harassment, or victimisation the normal grievance procedure is modified so that you can choose whether to raise your grievance with your line manager, directly with the People Team or if appropriate, a member of the SLT. This flexibility will allow you to bring your complaint in the first instance to someone of your own sex, if you so choose.

In very serious cases, a criminal offence may have been committed and you may wish to report matters to the police. The Company can arrange for someone to accompany you to make a complaint to the police.

All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged person. You will have the right to be accompanied by a fellow employee or trade union official at any meeting dealing with your grievance in accordance with the Company's grievance policy. You will be kept informed of the general progress of the process of investigation and, subject to data protection requirements, the outcome of any disciplinary proceedings. The Company will decide on a balance of probabilities, after considering all available evidence, whether or not the alleged behaviour has occurred.

The Company will treat all complaints sensitively and maintain confidentiality to the maximum extent possible. Investigation of allegations will normally require limited disclosure on a "need to know" basis. For example, your identity and the nature of the allegations must be revealed to the person you are complaining about, so they are able to respond to the allegations. Some details may also have to be given to potential witnesses, but this will be limited as far as possible, while ensuring a fair and sufficiently thorough investigation. The importance of confidentiality will be emphasised to witnesses. If the complaint is upheld, but does not result in dismissal, line managers may need to be given some information where this is necessary for them to manage the risk of further harassment by that person against you or others.

Wherever possible, the Company will try to ensure that you and the alleged person are not required to work together while the complaint is under investigation. This could involve giving you the option of working from home, where possible, or remaining at home on special leave, if agreed. In the case of serious allegations, the alleged person may be suspended while investigation and any disciplinary proceedings are underway.

If your complaint is upheld, and the person found to have bullied, discriminated, harassed, or victimised you remains in the Company's employment, every effort will be made to ensure that, if possible, you do not have to continue to work alongside this person, if you do not wish to do so. The Company will discuss the options with you. These may include the transfer of the person at fault or, if you wish, you may be able to transfer to another post.

If your complaint is not upheld, the Company will support you, the alleged person and your line manager(s) in making arrangements for you both to continue or resume working and to help repair working relationships. The Company will consider requests to avoid having to resume a working relationship after the investigation has concluded.

You have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. However, making a complaint that you know to be untrue may lead to disciplinary action being taken against you.

Some types of bullying and harassment may constitute unlawful discrimination and may give rise to the possibility of other civil claims or criminal proceedings. There are strict time limits for bringing claims of unlawful discrimination to an employment tribunal.

## **12. What happens if I am accused of bullying, discrimination, harassment, or victimisation?**

If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were "only joking" or think the complainant is being too sensitive. Remember that different people find different things acceptable and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. You may have offended someone without intending to. If that is the case, the person concerned may be content with an explanation and an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence. Provided that you do not repeat the behaviour that has caused offence, that may well be the end of the matter.

If a formal complaint is made about your behaviour, this will be fully investigated and the Company may bring disciplinary proceedings, if appropriate. The Company will follow its disciplinary procedure and you will have the rights set out in that procedure. You will have the right to be informed of the allegations against you and to set out your side of the story and to be accompanied to meetings by a trade union official or fellow employee. The disciplinary procedure will be implemented at the appropriate stage for the seriousness of the allegation. Complaints of bullying, discrimination, harassment, and victimisation will often be allegations of gross misconduct that, if proven, could lead to dismissal without notice.

The Company will treat complaints sensitively and maintain confidentiality to the maximum extent possible. Investigation of allegations and future management of risk, if complaints are upheld, will normally require limited disclosure on a "need to know" basis. For example, some details may have to be given to potential witnesses, but this will be limited as far as possible, while ensuring a fair and sufficiently thorough investigation. The importance of confidentiality will be emphasised to witnesses.



Wherever possible, the Company will try to ensure that you and the complainant are not required to work together while the complaint is under investigation. If the allegation is of gross misconduct, you may be suspended on full pay during the investigation and, if a disciplinary hearing is to be called, until disciplinary proceedings have been concluded.

If the complaint against you is upheld, on a balance of probabilities, a disciplinary penalty may be imposed up to and including dismissal, having regard to the seriousness of the offence and all relevant circumstances. If the complaint is upheld, but you are not dismissed, the Company could decide to transfer you to another post.

If a complaint is made against you that is not upheld and the Company has good grounds for believing that the complaint was not made in good faith, the Company will investigate and, if appropriate, will take disciplinary action against the person making the false complaint.

You must not victimise a person who has made a complaint in good faith against you or anyone who has supported anyone making the complaint or given evidence in relation to such a complaint. Disciplinary action will be taken against you if the Company has good reason to think that you may have victimised the complainant or someone else.

If the complaint against you is not upheld, the Company will support you, the complainant and your line manager(s) in making arrangements for you both to continue or resume working and to help repair working relationships. The Company will consider making arrangements to avoid you and the complainant having to continue to work alongside each other, if either of you do not wish to do this.

Some types of bullying or harassment may constitute unlawful discrimination and allegations may give rise to the possibility of other civil claims or criminal proceedings against you, which would proceed independently of the Company's disciplinary proceedings. You could be personally liable to pay compensation to the complainant if a successful claim in the employment tribunal or other courts was brought against you. Criminal proceedings could lead to conviction and criminal penalties.

### **13. Making this policy work**

The Company will provide training to all existing and new employees and others engaged to work at the Company to help them understand their rights and responsibilities under this policy and what they can do to help create a working environment free of bullying, discrimination, harassment, and victimisation. The Company will provide additional training to line managers to enable them to deal more effectively with any complaints.

The Company will review the outcomes of cases where complaints have been made to check that the proper procedures have been followed and to identify any points that can be learned from those cases and implement any necessary changes.

The Company will also periodically monitor how successful it is being in creating a workplace free of bullying, discrimination, harassment, and victimisation by other means which may include confidential employee surveys.

When carrying out any reviews or monitoring, the Company will ensure that individuals' personal data is handled in accordance with its Data Protection policies.

#### **14. Associated Policies**

Equal Opportunities policy

Equality, Diversity and Inclusion policy

Disciplinary policy and procedure

Grievance policy