

Anti-harassment, Discrimination and Bullying – Taylor Hopkinson (Respect @ Work)

Overview

Taylor Hopkinson strive towards providing a safe and respectable working environment, free from discrimination, harassment including sexual harassment, bullying and any other unlawful behaviour. These behaviours are unethical and unlawful and beneath the standard Taylor Hopkinson expects from all workers, as well as customers, suppliers, and visitors. Taylor Hopkinson acknowledges that these behaviours can take a psychological, emotional, and physical toll and has detrimental consequences on the careers and personal lives of those affected, as well as their families and those close to them. By effectively implementing our Respect @ work Policy we aim to create a positive workplace environment for all our workers.

All workers, customers, suppliers, visitors, and members of the public are required to be treated and to treat others with dignity, courtesy, and respect. In providing workforce solutions we share responsibility for the safety and wellbeing of our people and in partnership with our customers we are committed to consulting, reviewing, and coordinating activities with all other persons who have a duty in relation to the same matter.

To achieve our purpose Taylor Hopkinson will:

- Embed risk management principles and protocols into our standards, procedures, planning, decision making, recruitment and training to identify the risk and manage harassment, discrimination, bullying and victimisation in the workplace.
- Eliminate as far as possible bullying and unreasonable behaviour including victimising, humiliating, intimidating, or threatening.
- Eliminate as far as possible harassment based on the grounds of race, colour, gender, age, sexual orientation, disability, or other attributes protected by any state or federal anti-discrimination legislation.
- Take a zero-tolerance approach to sexual harassment by being proactive in eradicating the behaviour in all its forms, ensuring action and consequences are appropriate and proportionate considering the offender's behaviour and impact while considering the wishes of the person subjected to the harassment.
- Eliminate as far as possible harassment on the grounds of gender, being unwelcome conduct based on the gender of the person but not necessarily sexual in nature.
- Eliminate as far as possible discrimination on the grounds of gender being differential treatment based on the gender of the person or conduct that subjects a person to a hostile workplace environment on the grounds of gender.
- Eliminate as far as possible discrimination based on the grounds of race, colour, gender, age, sexual orientation, disability, or other attributes protected by anti-discrimination legislation.
- Ensure all Taylor Hopkinson people receive induction training with regards to all forms of harassment, discrimination, and bullying and receive regular education to maintain awareness including Taylor Hopkinson's organisational stance and response to allegations.
- Ensure equal employment opportunities are provided in recruitment, training, promotion, appointment, or any other employment related issue without regard to any factor not related to their competency and ability to perform their duties.
- Develop an effective grievance handling framework addressing reports of harassment including sexual harassment, bullying, discrimination, and victimisation and treat complaints confidentially, seriously, fairly, ensuring they are impartially investigated in a timely manner. (See our Grievance Policy).
- Promote an organisational culture that does not tolerate these behaviours and where our people are encouraged to report harassment including sexual harassment, bullying, discrimination and victimisation that they are subject to or witness.

- Provide an active Employee Assistance Program to ensure our people's psychological wellbeing is cared for.

Discrimination harassment and bullying is covered by three pieces of UK legislation: the Equality Act 2010 including the Worker Protection (Amendment of Equality Act 2010) Act, the Protection from Harassment Act 1997, and the Health and Safety at Work Act 1974. In Spain this is covered by the Workers' Statute, Law 15/2022, for Equal Treatment and Non-discrimination, The Constitutional Act 3/2007, for Effective Equality between Men and Women, and the Law Guaranteeing Sexual Freedom.

What is harassment

Harassment is unwelcome behaviour that intimidates, offends, or humiliates an individual, or group of people. Unlawful harassment occurs when someone is subjected to prohibited behaviour under anti-discrimination legislation based on race, colour, gender, age, sexual orientation, disability, or other attribute protected by any state or federal anti-discrimination legislation.

Under legislation, sexual harassment is indeed unlawful and is characterised by behaviour that is unwanted, sexual in nature and reasonably anticipated to offend, humiliate, demean, or intimidate.

Examples of sexual harassment include, but are not limited to:

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching.
- suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about your private life
- displaying posters, magazines, or screen savers of a sexual nature
- sending sexually explicit emails, SMS, phone messages or social media
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates.
- 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.

Behaviour that is based on mutual attraction, friendship and respect is not sexual harassment. Sexual, romantic, or intimate interaction that is entered into freely and reciprocated between consenting workers is not a form of sexual harassment. However, if people behave in sexually inappropriate ways at work, it could still create a sexualised atmosphere that is unwanted by others in the workplace.

Harassment, including sexual harassment, is to the nature and consequence of the behaviour, not the intent of the initiator, and occurs in circumstances where a reasonable person would have expected the behaviour to be offensive, humiliating, demeaning, or intimidating.

What is Bullying

Bullying is repeated and unreasonable behaviour directed towards a person or a group of persons that creates a risk to health and safety. Unreasonable behaviour includes behaviour that is victimising, humiliating, intimidating, or threatening. Whether a behaviour is unreasonable can depend on whether a reasonable person might see the behaviour as unreasonable in the circumstances.

Examples of unreasonable behaviour includes (but are not limited to):

- Offensive language or comments
- Unjustified criticism
- Aggressive and intimidating conduct
- Deliberately excluding someone from workplace activities
- Withholding information that is needed for work.
- A person treating one or more people in the workplace less favourably, either directly or indirectly, may be considered unreasonable and inappropriate.

- Setting unreasonable timelines or constantly changing deadlines
- Setting tasks that are unreasonable below or beyond a person's skill level.
- Denying access to information, supervision, consultation, or resources to the employee's detriment.

Unreasonable behaviour amounts to Bullying if it meets the following criteria:

- It is repeated.
- It is unwelcome and unsolicited.
- Based on available information, the behaviour is considered offensive, intimidating, degrading, humiliating, or threatening to the individual it is directed at, or others who are witness to or affected by the behaviour.

What is Discrimination?

Discrimination is treating or proposing to treat someone unfavourably because of a personal characteristic protected by law on the basis of their:

- Race, including colour, national or ethnic origin or immigrant status.
- Sex, pregnancy or marital status and breastfeeding
- Age
- Disability, or
- Sexual orientation, gender identity and intersex status

Harassment including sexual harassment, discrimination and bullying can happen during work hours, between people sharing the same workplace, at work-related activities such as training courses, conferences, trips, work-related social activities or between colleagues outside of work. This conduct creates a workplace environment that is hostile under these grounds and is unacceptable to Taylor Hopkinson and unlawful under the legislation listed above.

What is Victimisation?

Victimisation involves threatening or subjecting a person to detriment because they took certain action such as:

- Making or proposing to make a complaint.
- Taking or proposing to take action relating to the making of a complaint or bringing proceedings including giving information, producing documents, attending a conference or appearing as a witness.
- Reasonably asserting their rights or supporting someone else's rights under legislation.
- Alleging that a person has acted unlawfully under legislation.

Victimisation may include for example:

- Moving an employee to a position with less responsibilities while their complaint is being considered.
- Denying an employee, the opportunity of a promotion because they made a complaint.
- Providing a critical reference to an employee because they made a complaint.
- Dismissing an employee or refusing further contract work because they made a complaint.

Additionally, Taylor Hopkinson requires our people to:

- Behave in a way that is fair and does not unreasonably offend, humiliate, intimidate, belittle, undermine, scare, threaten, exclude, or embarrass anyone it is directed at, or anyone who sees or overhears it.
- Behave in a way that is respectful, inclusive and that does not constitute any form of harassment, discrimination, or bullying.
- If safe to do so, intervene or report when you see or know of behaviour that may cause offence, distress, or harm to others. (See our Grievance Policy).

- Not engage in any behaviour of victimisation or retaliation against anyone who has lodged a complaint about harassment, discrimination, or bullying.
- Keep formal investigations confidential. It is unacceptable to talk to other workers or third parties about any complaints of harassment, discrimination or bullying whether you are the person who reported an issue, participated in inquiries or are the subject of inquiries about your behaviour.

Action

Bullying, sexual harassment, harassment or any other detrimental treatment afforded to a colleague is unacceptable. All workers are required to comply with our Code of Conduct, policies, procedures, and systems of work developed in accordance with this policy. Workers found to have engaged in the conduct outlined in this policy might be counselled, warned, or disciplined. Severe or repeated breaches can lead to formal discipline and possible termination of contract.

Who to contact

If you experience or witness harassment, please speak to your Line Manager in the first instance if appropriate or the HR Department.