EIA UK Harassment and Bullying Policy

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1. Purpose

This policy outlines EIA's commitment to providing an inclusive, supportive and safe environment for everyone who works here. It is designed to ensure that all staff members are treated fairly and with respect, free from harassment, bullying, and discrimination. As an organisation rooted in charitable values, we believe that maintaining dignity at work is essential to fostering a productive, safe, and inclusive environment for our team.

The policy accompanies our Equality, diversity and inclusion (EDI) policy.

The aim of the Policy is to prevent, respond to incidents that arise, and take action to effect long-term change by:

- educating all staff about Bullying, discrimination and unwanted behaviour and their role in developing a culture free from those
- fostering a working environment that supports the dignity and respect of all and is free from any form of discrimination, bullying, harassment, and violence;
- where bullying and harassment do occur, providing a process and procedure for dealing with it to ensure it is properly managed;

2. Scope

This policy applies to all employees, volunteers, trustees, contractors, and anyone working on behalf of EIA, regardless of their role or location. It also extends to interactions with external stakeholders, partners, and the public.

3. Our commitment to staff

We are committed to taking proactive measures to prevent all forms of bullying and harassment, including sexual harassment, of our workers by:

- ensuring all new starters attend equality, diversity and inclusion training and anti-bullying and anti-harassment training, as part of their onboarding programme;

- requiring all employees to attend regular equality, diversity and inclusion training and anti-bullying and anti-harassment training on at least an annual basis;

- providing additional training for line managers to ensure that they understand how to implement this policy effectively and their role in preventing and stopping bullying and harassment from occurring in the workplace;

- monitoring our workplace culture through anonymous surveys, exit interviews, one-to-one conversations, return-to-work meetings to identify and address any issues;

- undertaking regular risk assessments to determine reasonable measures that can be implemented to minimise the risk of exposure to sexual harassment in the workplace; and

- ensuring that our zero approach to all forms of discrimination, and bullying and harassment, is communicated to all workers and third parties that staff may have contact with.

We believe that a culture of equality, diversity and inclusion not only benefits our organisation but supports wellbeing and enables our people to work better because they can be themselves and feel that they belong.

We are committed to providing a safe and respectful workplace and promoting a working environment based on dignity and trust, and one that is free from discrimination, harassment, bullying or victimisation.

A toxic workplace culture, where bullying or harassment is tolerated, is harmful to the wellbeing of the workforce as well as the wider organisation.

We therefore adopt a zero-tolerance approach to instances of bullying or harassment

4. Roles and Responsibilities

- **Management**: Responsible for promoting a culture of dignity and respect, ensuring the policy is implemented, and addressing any issues of harassment, bullying, or discrimination.
- **Employees**: Expected to behave in a manner that supports this policy and report any observed or experienced breaches.

We expect staff, to take personal responsibility for observing, upholding, promoting and applying this policy. Whatever your job is, this is part of your role. This applies within the course of your employment which includes work-related social events.

Any dealings you have with third parties, including customers, suppliers, contractors, agency staff and consultants, must be free from discrimination, harassment, victimisation or bullying.

If any staff found to have committed, authorised or condoned an act of bullying or harassment, we will take action against them (for those to whom it applies) under our Disciplinary procedure, up to and including dismissal.

There is no justifiable reason to bully or harass someone else. For example, observing a particular religion is not a legitimate reason for bullying or harassing a colleague because of their sexual orientation. Even if you do not intend to bully or harass someone else, this does not legitimise your behaviour as it is the impact on the recipient that is important.

Staff should be aware that they can be personally liable for harassment.

If you experience bullying or harassment, we encourage you to speak up without delay and to ask for appropriate support.

- **Human Resources (HR)**: To provide guidance, training, and support to all staff, ensuring adherence to the policy and managing any investigations or disciplinary actions.

5. Definitions

- **Harassment:** Unwanted behaviour related to a protected characteristic that violates an individual's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment. It can be harassment if the behaviour has one of these effects even if it was not intended or intended to have one of these effects even if it did not have that effect.

- Harassment can occur where someone perceives another person to have a protected characteristic, for example a perception that someone is transgender even if they are not.

- Harassment can also arise by association, where someone is harassed because they are associated with someone with a protected characteristic, for example having a family member of a particular religion.

6. Examples of Harassment

Harassment can occur in many forms, and can take place either at work, outside work, in person, or online. While this is not an exhaustive list, examples include:

- "banter", jokes, taunts or insults that are sexist, racist, ageist, transphobic, homophobic or derogatory against any other protected characteristic;
- unwanted physical behaviour, for example, pushing or grabbing;
- excluding someone from a conversation or a social event or marginalising them from the group;
- derogatory comments about pregnancy, maternity leave or IVF treatment;
- mimicking or making fun of someone's disability;
- derogatory or offensive comments about religion;
- unwelcome comments about someone's appearance or the way they dress that is related to a protected characteristic;
- "outing" (ie revealing their sexual orientation against their wishes), or threatening to "out", someone;
- consistently using the wrong names and pronouns following the transition of a person's gender identity;
- displaying images that are racially offensive; and
- excluding or making derogatory comments about someone because of a perceived protected characteristic, or because they are associated with someone with a protected characteristic.

Harassment may be sexual in nature. The law defines sexual harassment as:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and

- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

7. Examples of sexual harassment

Sexual harassment can occur in many forms, and can take place either at work, outside work, in person, or online. While this is not an exhaustive list, examples include:

- physical conduct of a sexual nature, unwelcome physical contact or intimidation;
- persistent suggestions to meet up socially after a person has made clear that they do not welcome such suggestions;
- showing or sending offensive or pornographic material by any means (eg by text, video clip, email or by posting on the internet or social media);
- unwelcome sexual advances, propositions, suggestive remarks, or gender-related insults;
- offensive comments about appearance or dress, innuendo or lewd comments;
- leering, whistling or making sexually suggestive gestures; and
- gossip and speculation about someone's sexual orientation or transgender status, including spreading malicious rumours.

8. Examples of bullying

There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating or injuring the recipient.

Bullying can be physical, verbal or non-verbal conduct. It is not necessarily face to face and can be done by email, phone calls, online (cyber-bullying) or on social media. Bullying may occur at work or outside work.

If the bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore, will be unlawful.

While this is not an exhaustive list, bullying may include:

- physical, verbal or psychological threats;
- excessive levels of supervision; and
- inappropriate and derogatory remarks about a person's performance.

It is important to understand that legitimate, reasonable and constructive criticism of a person's performance or behaviour, or reasonable instructions given to people in the course of their employment, will not of themselves amount to bullying.

9. Microaggressions

Microaggressions - sometimes called micro-incivilities - are statements, actions, or incidents that are regarded as indirect, subtle, or unintentional discrimination against members of a marginalised group such as a racial or ethnic minority. They are sometimes referred to as "death by a thousand cuts".

Microaggressions generally take one of three forms:

- Micro-assaults: Conscious and obvious insults made verbally or non-verbally to a marginalised individual or group, for example directing limp-wristed hand gestures towards a gay colleague and saying "It's just a joke".
- Micro-insults: Unintentionally insensitive remarks or assumptions based on stereotypes, for example saying to a person with a disability "You don't look disabled to me".
- Micro-invalidations: Where a person denies, or seeks to cancel, the feelings and lived experiences of a marginalised individual or group, for example a white person saying "I don't think the UK has a problem with racism - some people are just too sensitive".

Serious microaggressions can amount to unlawful harassment, bullying or discrimination but even less serious microaggressions can negatively impact the health and wellbeing of the person experiencing them.

10. Reporting Procedures

10.1 Informal Resolution:

If you feel able to, you may decide to raise the issue with the individual themselves, to make clear that their behaviour is not welcome and to ask them to stop. They may not be aware that their behaviour is offending you.

Alternatively, if you do not feel up to speaking directly to the individual, you may consider asking your manager, a colleague, or the HR team for support.

You may or may not want them to talk to the individual on your behalf and, where possible, we will respect your wishes. However, if the welfare or safety of you or others is at risk or where your allegations are particularly serious, we may have to approach the individual and instigate a formal investigation.

If you would prefer not to discuss the issue with anyone at work, help and support is also available through our employee assistance programme (EAP) Health Assured. Staff can use Health Assured to speak to an independent adviser on a confidential basis about any issue that is troubling them.

10.2 Formal Complaint

If you are not happy with the outcome of an informal process, or if you feel it is not appropriate to approach the issue informally, you may decide to raise it formally.

To make a formal complaint, you should discuss this first with your manager. If your complaint is about your manager, you should raise this with a more senior manager. If for any reason you are unable to approach your manager or a more senior manager, you can speak to the HR team.

You can raise a formal complaint of bullying or harassment under our HR-009 EIA UK Grievance Procedure.pdf if it applies to you. However, you may prefer to do so under this policy because it is specifically aimed at dealing with such issues. You should be aware that you cannot raise a complaint under this policy if you have raised a complaint about the same issue already under the Grievance procedure.

Under the formal procedure within this policy, we will usually:

- ask you to set out your complaint in writing and include as much detail as possible, for example the alleged bully/harasser's name, the nature of the

bullying/harassment, the dates of the alleged acts of bullying/harassment, names of any witnesses, and details of any action taken to address the matter so far;
- hold a meeting with the alleged bully/harasser to ascertain their response to the allegations;
- carry out further investigations where necessary, including interviewing potential witnesses who we will instruct to keep the matter confidential;
- invite you to a meeting to discuss your complaint in full and where you will have the right to be accompanied by a colleague or trade union representative;
- hold a meeting with you to enable us to ask you further questions in light of any information we have gathered from the alleged bully/harasser and/or witnesses;
- consider all the evidence in full and make a decision; and
- inform you of our decision and, if we uphold the complaint, instigate disciplinary action up to and including dismissal against the bully/harasser.

We will investigate fully every formal complaint in an objective and confidential way, while also ensuring that we respect your rights as well as the rights of the alleged bully/harasser and the investigator will be appointed by the HR department

We will use every effort to complete an investigation into bullying or harassment as quickly as possible.

Where the alleged bully/harasser is a third party, we may need to adjust the procedure under this policy to ensure we conduct appropriate investigations and we will discuss this with you.

10.3 Outcome and Resolution

- The findings of the investigation will be reviewed by HR and senior management.
- Based on the findings, appropriate actions may include mediation, training, disciplinary action, or dismissal.
- Both parties will be informed of the outcome in writing, and the complainant will be advised of their right to appeal.

10.4 Appeal

If you are not satisfied with the outcome of the formal investigation, you have the right to appeal.

Should you wish to appeal, you should write to hr@eia-international.org setting out what aspects of the decision you are unhappy with and the reasons why. Appeals

should be submitted within five working days after we inform you of the decision as stated on the Grievance Procedure.

The HR department will appoint a Senior Manager who has not taken part in any of the previous steps who will arrange a meeting with you to discuss your appeal in full and to try and reach a satisfactory solution. You must take all reasonable steps to attend this meeting and you may be accompanied by a colleague or trade union representative.

The appointed manager will write to you to confirm the outcome of the appeal, which will be final.

11. Confidentiality

EIA is committed to ensuring that all complaints are handled with the utmost confidentiality. Information will only be shared on a need-to-know basis to resolve the issue effectively.

If you are found to have breached confidentiality or acted without due care or sensitivity in a case of bullying or harassment, we may take disciplinary action against you up to and including dismissal (or other appropriate action for non-employees).

12. Consequences of breaching this policy

If, following a formal investigation, we find that you have committed, authorised or condoned an act of bullying or harassment, we will deal with the issue as a possible case of misconduct or gross misconduct.

We may take disciplinary action against you, up to and including dismissal (or other appropriate action for non-employees).

Anyone who complains or takes part in good faith in a bullying or harassment investigation must not suffer any form of detrimental treatment or victimisation. If we find that you have victimised anyone in this way, we will instigate disciplinary action against you up to and including dismissal (or other appropriate action for non-employees).

If you are an employee, please refer to our Disciplinary procedure for further information.

13. Record-keeping

We process personal data collected in relation to bullying or harassment complaints in accordance with our data protection policy. In particular, data collected in relation to the investigation of bullying or harassment complaints is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints and conducting an investigation. You should immediately report any inappropriate access or disclosure of employee data in accordance with our Data protection policy as this constitutes a data protection breach. It may also constitute a disciplinary offence, which we will deal with under our disciplinary procedure.