

ANTI-BULLYING AND HARASSMENT POLICY 2025

Esmée Fairbairn Foundation aims to provide a working environment that respects the rights of each individual employee and where colleagues treat each other with the utmost respect. Any behaviour that undermines this aim is unacceptable; no forms of harassment and bullying will be tolerated under any circumstances.

While implementing and upholding this Policy is the duty of all managers, all employees and Trustees have a responsibility to ensure that harassment has no place in the workplace.

All Trustees and Employees should act in a way that is consistent with the Foundation's [Values](#).

1. Harassment

Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment. It can be verbal, non-verbal, or physical.

2. Bullying

Bullying is a sustained form of psychological abuse intended to demean or intimidate an individual.

3. Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature that creates an offensive, degrading, or intimidating environment. Examples include but are not limited to:

- Unwelcome sexual advances or requests for sexual favours
- Sexually suggestive comments, jokes, or gestures
- Displaying sexually explicit images or materials
- Unwanted physical contact.

Sexual harassment may be committed by a fellow worker, an agent of an organisation, or a third party. It can occur in person or via digital means, including social media sites or channels.

Conduct 'of a sexual nature' include a wide range of behaviours but are not limited to:

- sexual comments or jokes, which may be referred to as "banter"
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- sexual posts or contact in online communications, including on social media
- spreading sexual rumours about a person
- sending sexually explicit emails, text messages or messages via other social media
- unwelcome touching, hugging, massaging or kissing.

Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do, an act which is protected under discrimination and harassment laws. These are outlined below. It is not necessary for the person to have done the protected act in order for detrimental treatment to be considered as victimisation.

The protected acts are:

- making a claim or complaint under the Equality Act 2010 (e.g. for discrimination or harassment)
- helping someone else to make a claim by giving evidence or information in connection with proceedings under the Equality Act 2010
- making an allegation that someone has breached the Equality Act 2010
- doing anything else in connection with the Equality Act 2010.

4. Responsibilities and preventive measures

The Worker Protection Act (Amendment of Equality Act 2010) requires employers to take reasonable steps to prevent sexual harassment at work, including by third parties. At Esmée Fairbairn, we are committed to fostering a safe, inclusive workplace where harassment is not tolerated. Managers should maintain an 'open-door' policy, and employees are encouraged to raise concerns.

Preventative measures include:

- All trustees and employees must treat others with respect and refrain from any form of bullying or harassment. We should always act in a way with the Foundation's [Values](#).
- Managers are responsible for preventing and addressing issues in their teams
- The Foundation will provide training material to support managers.
- Managers should assess whether meetings, events, or work-related activities (e.g., social events, overnight business travel involving multiple colleagues) pose any potential risks. If concerns arise, they should discuss them with a fellow SMT member or the COO to determine appropriate measures and ensure a shared level of confidence in proceeding safely.
- All trustees and staff should set clear standards for behaviour that align with the Foundation's values e.g. work-related social events.
- Access to an independent Employee Assistance Programme (EAP) for all staff.
- Whistleblowing Policy and [independent whistleblowing organisation](#) and confidential reporting.
- Zero tolerance for sexual harassment.

5. Reporting and Complaint Procedure

5.1 Informal Resolution

If comfortable, individuals are encouraged to address concerns directly with the person involved or seek informal resolution through a line manager or the Chief Operating Officer (COO).

5.2 Formal Complaint

If the issue persists or is serious, a formal complaint should be submitted in writing to the COO or Chief Executive (CEO). The complaint should include details of the incident(s), dates, witnesses, and any previous actions taken.

5.3 Investigation Process

- The COO (or CEO if appropriate) will investigate complaints promptly and confidentially. If the Complaint is about the CEO, then the Foundation Chair will be informed.
- The complainant and the alleged harasser will be interviewed separately.
- Actions might include mediation, disciplinary action, or termination of employment in severe cases.

Confidentiality will be maintained as far as possible. However, if an employee decides not to take any action to deal with the problem and the circumstances described are very serious, the Foundation reserves the right to investigate the situation, as it has an overall duty of care to ensure the safety of all employees who may be adversely affected by the alleged harasser's/bully's behaviour.

5.4 Appeals

If dissatisfied with the outcome, the complainant can appeal within five working days. The CEO will review and provide a final decision.

Regardless of the outcome of the procedure, we are committed to providing the support you may need. This may involve mediation between you and the other party or some other measure to manage the ongoing working relationship. You will not be victimised for having brought a complaint.

6. Third-Party Harassment

The Foundation takes third-party harassment seriously and will take appropriate steps to prevent and address it, including:

- Informing external partners of this policy where relevant
- Assessing risk and any mitigations where appropriate
- Taking disciplinary action where necessary.

7. Disciplinary Action

Employees found guilty of bullying, harassment, or sexual harassment will face disciplinary action up to and including dismissal. False or malicious complaints may also result in disciplinary measures. An employee who receives a formal warning or who is dismissed for sexual harassment/victimisation may appeal by using our disciplinary appeal procedure.

If, due to the investigation, it is concluded that your complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you.

8. Guidance and support

We provide guidance to all employees on sexual harassment, covering:

- What it is, how it occurs, and zero tolerance
- Expected workplace behaviour
- Reporting procedures for victims and witnesses
- Disciplinary consequences, including possible dismissal

Managers receive support on prevention, handling reports, and policy implementation, with refresher sessions as needed.

9. Policy Review

This policy will be reviewed periodically to ensure its effectiveness and compliance with legal requirements.

Reviewed March 2025

Appendix

Service (including web link)	Phone No:	What the service offers
BullyingUK	0808800 2222 & live chat service Open 24 hours, 7 days a week	Part of the Family Lives charity providing advice on all aspects of family life including workplace bullying. They offer a helpline, advice website, email service, live chat and parenting/relationship support groups.
National Stalking Helpline	0808 802 0300 Open Mon-Fri 09:30-16:00 (except Wed 13:00-16:00)	Provide guidance and information to anyone currently or previously affected by harassment or stalking. They also advise on legal aspects, gathering evidence and how to report, ensuring personal safety and reducing risks. Calls are free from landlines and 6 main mobile providers.
Public Concern at Work	020 7404 6609 Open Mon-Fri 09:00-18:00	A whistleblowing charity that specialises in providing free and confidential legal advice on how to raise a concern about serious malpractice at work. They can also advise whether a circumstance can be properly reported to an additional outside body, such as the Police.
ACAS	08457 47 47 47 Open Mon-Fri 08:00-20:00 / Sat 09:00- 13:00	The Advisory, Conciliation & Arbitration Service who supply up-to-date employee relations information, independent advice and high quality training. They also work with employers and employees to solve problems. You can get free advice from their website or by calling the helpline.
Equality Advisory Service	0808 800 0082 & live chat service Open Mon-Fri 09:00-20:00 / Sat 10:00- 14:00	Free phone and live chat services (from most landline/mobile providers) that provide information, advice and support on discrimination and human rights issues in England, Scotland and Wales. Also offer guidance on the Equality Act 2010, resolving workplace issues informally or formally, legal aid, and how to access other support services.
True Vision		Offer information on hate crimes and hate incidents relating to disability, race, religion, sexual orientation, or transgender identity. Hate crimes or hate incidents can be reported using their online form. Support is also available for victims.

Service (including web link)	Phone No:	What the service offers
England & Wales: Citizens Advice Bureau	England: 08444 111 444	Provide free, independent, confidential and impartial advice on your rights and responsibilities via their website, local bureau or by telephone. Resources are
Scotland: Citizens Advice Scotland Northern Ireland: Citizens Advice Bureau	Wales: 08444 77 20 20 Open during business hours	available on work issues including discrimination at work. Advice also available on personal/ home life issues including money, benefits, relationships, housing, the law, tax, health and education. Calls to the 08444 numbers cost 5p per minute from BT landlines and may cost more from mobiles and other phones. Standard phone charges apply if you contact a local bureau directly.
Samaritans	08457 90 90 90 Open 24 hours, 7 days per week	A national charity that offers a confidential helpline for anyone suffering from emotional distress. It is staffed by trained volunteers. Calls are charged depending on your landline or mobile service provider.
Mind	Infoline: 0300 123 3393 Legal Advice: 0300 466 6463 Open Mon-Fri 09:00 – 18:00	The Infoline provides information on different types of mental health problems, where to get help, medication and alternative treatments and advocacy. The legal advice service provides general advice on mental health law covering mental health, mental capacity, community care, human rights and discrimination/equality related to mental health. Calls from landlines are charged at local rates and from mobile phones vary.
Mental Health Support	Online chat room	A Welsh based service that provides advice and information on mental health issues and services to everyone in the UK. Also offer useful information and resources on Adult Bullying.
Health & Safety Executive		A national independent watchdog for work-related health, safety and illness. Offer information on bullying or harassment.
Trades Union Congress (TUC)		54 of Britain's unions offering policy, research, training, lobbying, campaigning and worker representation. Information on workplace bullying & harassment also available.
Federation of Entertainers Union (FEU) Creating Without Conflict	Access code of conduct and guidance here	A code of conduct and a set of guidelines for staff and freelances has been drawn up by the FEU (2013) based on the findings for a survey of 4,000 workers across the media, arts and entertainment industry.

Service (including web link)	Phone No:	What the service offers
WorkSmart		A website offered by the TUC that provides information on workplace rights, pensions, health at work and your career. Information available on workplace bullying and harassment.
GOV.UK		Websites of Government departments, agencies and public bodies. Policies, publications and statistics available including information on bullying and harassment.