

Dignity at Work

1. INTRODUCTION

- 1.1 Devonshires is committed to providing equal opportunities in employment and to providing a workplace which fosters the development of the individual and is free from discrimination, harassment and bullying, where everyone is treated with dignity and respect.
- 1.2 We will not tolerate discriminatory conduct by any partner, consultant or employee, client or supplier which is unwanted or offensive to the recipient or which creates an intimidating, hostile or humiliating environment.

2. DISCRIMINATION

- 2.1 We prohibit the following kinds of discrimination (irrespective of whether such discrimination is intentional or unintentional):
- Direct discrimination – this occurs when a person is treated less favourably because of perceived or actual age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. This also occurs if the less favourable treatment is because a person is associated with someone who has one of the protected characteristics.
 - Indirect discrimination – this occurs where a provision, criterion or practice which cannot be justified is applied equally to all groups regardless of age, disability, gender identity, marriage and civil partnership, race, religion or belief, sex or sexual orientation, but causes or could cause detriment to a considerable proportion of a protected group.
 - Victimisation – this is where a person is treated less favourably than others because he or she has made allegations or complaints of discrimination, provided information about such allegations or complaints,

or have supported someone else who has made or intends to make such an allegation or complaint, whether or not such discrimination is unlawful.

- Harassment – this is unwanted conduct relating to age, disability, gender identity, marriage and civil partnership, race, religion or belief, sex or sexual orientation or any other personal characteristic which:
 - Has the purpose of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual or;
 - Is reasonably considered by that person to have the effect of violating his or her dignity or of creating an intimidating, hostile, degrading or offensive environment for him or her, even if this effect was not intended by the person responsible for the conduct. Acts or behaviours can be considered to be offensive and humiliating based on how they are reasonably perceived by the employee concerned.

3. HARASSMENT AND BULLYING

3.1 Bullying is offensive, intimidating, malicious or insulting behaviour; an abuse or misuse of power which is meant to undermine, humiliate or injure the individual on the receiving end.

3.2 Harassment and bullying can have very serious consequences, potentially causing stress and affecting an individual's well-being, their relationships and their performance at work. Effects on the practice can include poor work performance and consequent client service, loss of morale, increased staff turnover (which means additional costs) and damage to our reputation.

3.3 Devonshires will not tolerate bullying or harassment of any kind and will also not tolerate victimisation of any person for making allegations of bullying or harassment in good faith.

3.4 Incidences of bullying and harassment undermine the effectiveness and integrity of our practice and as such will be taken seriously and dealt with under the disciplinary procedure as appropriate.

- 3.5 Harassment and bullying can include unwelcome physical, verbal or non-verbal contact. It can also include unwarranted conduct which has the purpose and/or the effect of creating a hostile working environment for the other person.
- 3.6 Harassment and bullying can be carried out by colleagues or subordinates, as well as by partners, consultants, managers, supervisors, clients of the practice and other third parties contracted by the practice. Whatever form it takes it will be unwarranted behaviour which is unwelcome and unpleasant. Extreme forms of harassment or bullying such as sexual or racial abuse may also constitute a criminal offence.
- 3.7 All employees and partners have a responsibility to implement and comply with this policy.
- 3.8 Any employee or partner who believes they are being harassed or bullied has the option to have their complaint dealt with formally or informally.
- Informal action: in some instances it will be sufficient for the recipient to raise the problem informally with the perpetrator, pointing out that their conduct is unwelcome. Anyone who finds it intimidating or embarrassing to raise the problem direct may seek advice or support from a partner or support manager with whom they work. Where the complaint is about a client of the practice, it should always be referred to a partner. The complaint may be passed to the relevant member of the HR team who can advise, on a confidential basis, how best to resolve the problem informally if possible.
 - Formal action: this will generally be appropriate where informal action has proved ineffective or for more serious instances of harassment or bullying where the individual requests to use the formal procedure immediately. In these instances the Grievance Procedure will be followed and should the Grievance be upheld then the perpetrators will be dealt with under the Disciplinary Procedure.

- 3.9 This policy covers bullying and harassment of and by partners, consultants or employees in the workplace or in any work related setting outside the workplace. All individuals have a responsibility to help create and maintain an environment free of bullying and harassment.

4. PRACTICAL IMPLICATIONS

- 4.1 The regular programme of training will include a section on Dignity at Work which will remind all staff and partners of what constitutes unacceptable behaviour under the legislation and in general.
- 4.2 For the avoidance of any doubt, examples of unacceptable behaviour include: unwanted sexual advances or physical contact, displays of sexually suggestive pictures, inappropriate sexual comments or derogatory remarks about a person's sex, sexuality, race, religion etc.
- 4.3 No employee will be subject to coercion by partners, support managers or peers to carry out actions which they find offensive and no partners or support managers will abuse their positions of authority. Any employee or partner who believes they are subject to coercion by partners, managers, peers or clients to carry out action that they consider offensive should report this to the HR Team or to one of the partners.
- 4.4 This policy applies at all times when at work and may also apply outside core working hours because in the legal profession, client entertaining is common, as are social interactions within and across teams and with clients'. There is a possibility that harassment could occur in such situations and employees should be assured that the policy remains in place at such times.
- 4.5 Should an employee be offended by the action of a client or supplier, Devonshires will act accordingly to support the employee. This may include informing the client or supplier of the unacceptable nature of such behaviour, or if appropriate not working with that client or supplier going forward. The practice will not tolerate unacceptable behaviour from its clients or suppliers.

- 4.6 Any employee who believes they have been harassed or bullied at work or at events organised by the practice, may bring a complaint either formally or informally as detailed above.
- 4.7 Devonshires is determined to ensure as far as is reasonably practicable that the working environment remains conducive for all its employees, consultants, partners, clients and suppliers.