

# DIGNITY AT WORK – UNDERSTANDING BULLYING & HARASSMENT



People are the heart of our business and we are committed to fostering a diverse, inclusive culture that is representative of our global customers and the societies in which we live; a culture in which every one of our employees can bring their authentic self to work and reach their full potential.

The job of the Board of Management and every leader and manager is to create an environment that enables this. The role of every employee is to actively contribute towards a positive and inclusive working environment.

When we are at work, we all have the right to equal opportunities in respect of employment, recruitment, development and promotion, and to be treated with dignity and respect.

We also have the right to not be subjected to any form of bullying, harassment, violence or threats, whether sexual, physical, verbal or psychological in respect of anyone's characteristics, including, but not limited to: age, disability, gender reassignment (including gender identity, which includes those who identify as gender fluid and non-binary) marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, plus any other characteristic as protected by local laws.

As a business, we must take a zero tolerance approach to bullying, harassment and unlawful discrimination. Workplace bullying and harassment are serious issues that can have a massive impact on an individual's emotional and physical health, employee morale and performance, and JLR's reputation.

Consequently, it's vital that all employees and those in positions of responsibility understand the difference between bullying and harassment and can recognise relevant behaviours, put in place preventative measures, and ensure there are efficient procedures for dealing with complaints and protecting victims. So please, take the time to read this overview, and think about the role you can play in ensuring we have a truly inclusive culture at Jaguar Land Rover.



## UK LAW – THE EQUALITY ACT

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. This covers you in the workplace and also in public services/transport, using businesses for services and goods, joining clubs / associations and in contact with public bodies. The characteristics protected by the Equality Act are:

- age
- disability
- gender reassignment (which includes gender fluid and non binary gender identities)
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation



## JLR POLICY

Jaguar Land Rover has a number of policies and procedures to support Diversity & Inclusion:

- Code of Conduct
- Dignity at Work (Bullying & Harassment procedure)
- Employee Handbook
- Transitioning at Work
- Family Leave policies



## TYPES OF DISCRIMINATION

**Direct discrimination** is when someone is treated unfairly because of a protected characteristic, such as age or race. Indirect discrimination happens when there is a policy that applies in the same way for everybody but disadvantages a group of people who share a protected characteristic, and you are disadvantaged as part of this group.

**Harassment** is defined as unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It is related to an individual's sex, race, colour, ethnicity, nationality, religion and/or religious belief, sexual orientation, gender reassignment (including those identifying as nonbinary or gender fluid), age or due to a disability. e.g., Name calling, use of inappropriate names, banter, practical jokes, suggestive comments, transphobic comments, abusive language, jokes, posters, assault, insulting behavior or gestures.

**Bullying** is defined as persistent malicious behavior that is intimidating and threatening. It is an abuse of an individual's position of power or perceived power. Bullying is indiscriminate and is not related to a protected characteristic. E.g., Humiliating a person in front of others, picking on an individual, purposely withholding information, setting unrealistic goals, setting the person up to fail, shouting, swearing, persistent criticism, ignoring or deliberately isolating an individual, noncooperation, or exclusion.

**Victimisation** is when an individual is treated less favorably because they are suspected or is known to have complained or given evidence about alleged inappropriate conduct. At Jaguar Land Rover we have a zero-tolerance approach to all forms of bullying, harassment and discrimination.

# DIGNITY AT WORK – UNDERSTANDING BULLYING & HARASSMENT



## BUT IT'S JUST BANTER!

Humour and fun can be an important part of ensuring we have a positive working environment and enjoy coming to work. However if the humour rests on teasing or mocking, then there is always a risk involved.

If the humour relates to a characteristic protected by the Equality Act 2010 then it can easily end up as harassment. It can also become bullying when an employee has no alternative but to accept or participate in the banter for fear of the repercussions on their job or career.

Also important is how banter might affect someone by association – that is, even if the remark was not directed at them, or they do not possess the characteristic(s) concerned.

Banter is likely to be acceptable as long as it is not unwanted and does not relate to a protected characteristic. You should consider your audience, the context and environment you are in, and whether what you are saying is appropriate. It is the impact of our behaviour rather than our intention that primarily defines it as harassment or bullying. For example, one person's banter, no matter how innocently meant, may cause genuine offence, amounting in some cases to harassment.

This is relevant whether the banter is verbal, face to face, over social media or via other messaging apps.

If you have doubts, don't say it at all, and apologise when you make mistakes.

## WAYS TO DEAL WITH BULLYING & HARASSMENT



**PERSONAL ACTION** - If you feel able, you may approach the person (or people) whom you believe is using / displaying the inappropriate behaviour, and ask for their behaviour to stop. In some instances an individual may not be aware that their behaviour is upsetting anyone and will willingly change their behaviour once they become aware it is causing offence.



**INFORMALLY** - If the employee feels unable to speak directly with the person in question, then they should seek advice from their Supervisor/Manager, HR Direct or their Trade Union representative. Following discussions, a course of action will be pursued aimed at resolving the problem in an amicable way. This could include direct or indirect intervention - for example the Manager/Supervisor could speak directly to the alleged perpetrator on behalf of the complainant or the Manager/Supervisor could take general action through team meetings or bulletins. If the issue is not resolved informally, the employee may raise the issue formally.



**FORMALLY** - If an employee wishes to pursue a formal complaint of harassment, they should raise the matter with their Manager/Supervisor (or their Manager's Manager if their Manager/Supervisor is involved in the allegation in any way). The Manager/Supervisor will:

- Arrange to meet with the employee who will be given the opportunity to invite a Trade Union representative or a colleague to be present to offer support.
- Take details of the complaint.
- Instigate an investigation into the complaint.

## BE AN ALLY



An ally is someone that may not be a member of an underrepresented group but uses their privilege and takes action to support that group.

They are role models of inclusive behaviours, seek to actively broaden their perspectives and understanding of others lived experiences.

They also actively challenge poor behaviours, and support colleagues to create a safe and inclusive workplace environment.

## WHY DON'T ISSUES ALWAYS GET REPORTED?

- Feeling that it's "just the way it is around here"
- Anxiety about what other colleagues think e.g. I'm not up to the job, I can't cope, I can't take a joke
- Being friends with the perpetrator
- Worried about not being believed or accused of over-reacting
- Fear of retribution for raising an issue or making a mistake (victimisation)
- Lack of support from colleagues who fear being called as a witness and their own potential repercussions
- Colleagues colluding with the bully or harasser as a way of avoiding attention on themselves
- What could you have done differently?

# DIGNITY AT WORK – UNDERSTANDING BULLYING & HARASSMENT



## HOW TO REPORT ISSUES AND WHERE TO FIND FURTHER SUPPORT

### HOW TO REPORT AN INCIDENT ANONYMOUSLY

If you don't want anyone at all to know you have reported the incident, use the independent, external, anonymous reporting service [SpeakUp](#). You can:

- [report the incident using the SpeakUp website](#) or;
- telephone SpeakUp on 0808 1005689.

You will need to provide JLR's SpeakUp access code, which is 55770.

Even though you report anonymously it is really important you provide us with enough information to assist the company to investigate your concern thoroughly.

### EMPLOYEE ASSISTANCE PROGRAMME (EAP)

The FREE helpline is available 24 hours a day, 365 days a year for confidential advice, information and counselling.

Call 0800 015 5630

Or visit [eap-carefirst.com](#) and enter:

**Username:** lifestyle1234 **Password:** carefirst

**EAP In Your Pocket** - Care first's 'EAP In Your Pocket' app gives you access to the established Employee Assistance Programme Services. The app is available for iOS and Android devices.

**Access/coupon code:** JLR0001

## TAKING ACTION

- What have you learned from this Introduction to Dignity at Work?
- What has surprised you? What resonated most?
- Have you ever witnessed bullying or harassment? What did you do? What could you have done differently?
- Have you ever been on the receiving end of inappropriate banter? How did it make you feel?
- Have you ever directed inappropriate banter at someone? What impact did it have?
- What could you do to be more inclusive? How could you be an ally to others?

