

FREEDOM SCRIPTED RESPECT AT WORK and ANTI-HARASSMENT AND BULLYING POLICIES FOR ALL STAFF

RESPECT AT WORK and EQUALITY POLICY

Introduction

The Company is committed to providing a safe and respectful environment for all staff. This Policy outlines our commitment to promoting a culture of respect, inclusivity, and professionalism at work, where nobody is discriminated against.

The Company also recognises that diversity, equality and inclusion help to support creativity, which is an essential ingredient in a successful television company.

Definition of Respect at Work

Respect at work means treating every individual with dignity, valuing differences, and ensuring a work environment free from discrimination, harassment, bullying, and other inappropriate behaviours.

We want our staff to be truly representative of all sections of society, and we want our Company be one in which every member of staff feels they are respected and able to give their best.

Responsibilities and Equality Policy

The Company is required by law not to unlawfully discriminate against its Stakeholders or allow bullying or harassment in the workplace. The Company's 'Stakeholders' are all job applicants, employees, workers, freelancers/contractors, on and off-air talent, Directors and office holders of the Company, volunteers, customers, clients and business partners.

Management: It is the responsibility of all levels of management to lead by example, foster a respectful workplace, ensure open communications, and promptly address any breaches of this policy.

When recruiting, the Company will ensure that no applicant for any post will be placed at disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute unlawful discrimination.

We will actively seek to increase diversity in our staff, casting and talent decisions. We will ensure training, development and progression opportunities are available for all staff.

The Company also recognises that it has a duty to make reasonable adjustments for Disabled staff. We will ensure reasonable adjustments are made to enable Disabled staff to work successfully in our Company, on and off screen.

All Employees and Workers/Cast and Crew (PAYE, Schedule D, Contractors): All staff are expected to treat their colleagues, managers, talent and clients with respect and professionalism and to observe this Policy.

Prohibited Behaviours:

The following behaviours are **strictly prohibited** at work, whether they take place on a face-to-face basis, in writing or via online communication (via any forum or medium of electronic communication, including social media) or in any other capacity:

- **Discrimination:**

- **Direct Discrimination** - Treating anyone unfairly based on their Protected Characteristic, e.g. their race, colour, nationality, religion or belief, gender, sexual orientation, age, disability, gender reassignment status, marital or civil partnership status, pregnancy or maternity status (including women who are breast-feeding at work).
- This also includes **Associative Discrimination** – which is direct discrimination against someone because they associate with another person who possesses a Protected Characteristic (except this does not apply to discrimination on marriage/civil partnership grounds or on pregnancy/ maternity grounds).
- This also includes ‘**Perceptive**’ Discrimination - which is direct discrimination against an individual because others think they possess a particular Protected Characteristic - even if they do not possess that characteristic (except this does not apply to discrimination on marriage/civil partnership grounds or on pregnancy/maternity grounds).
- **Indirect Discrimination:** This happens when the Company applies a condition, rule, policy or practice which, on the face of it, applies equally to all but which, in practice, can disadvantage individuals with a particular Protected Characteristic. Such requirements or conditions are lawful only if they can be objectively justified. (This does not apply to pregnancy/maternity discrimination).

Indirect Discrimination can also apply to people where they suffer the same disadvantages caused by a policy that affects a person with a particular Protected Characteristic, even though they themselves do not have that characteristic (this is called Indirect Discrimination by Association).

- **Harassment:**

- Defined under the Equality Act 2010 as an individual engaging in unwanted conduct against another relating to the other person’s relevant Protected

Characteristic, or unwanted conduct of a sexual nature.

- Where that conduct has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the recipient, or any other individual affected by such conduct.
 - Harassment does not apply to pregnancy/maternity discrimination or marriage/civil partnership discrimination.
 - Harassment can also be by perception or association.
 - Sexual Harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating the individual's dignity or which creates an intimidating, hostile, degrading, humiliating or offensive environment for them.
- **Bullying:**
 - Bullying is not defined under the Equality Act 2010, but Acas characterises bullying as “offensive, intimidating, malicious or insulting behavior, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient”.
 - Bullying **becomes harassment** when this sort of hostile or unwanted behaviour relates to someone's Protected Characteristic.
 - **Victimisation:** which is subjecting an individual to a detriment because they have in good faith taken action under the Equality Act 2010 (or equivalent legislation).

Training

The Company will provide suitable training to staff and management to ensure they understand this policy and their roles in maintaining a respectful workplace.

Diamond

Diamond has been developed to collect and monitor diversity information in TV. All our staff are encouraged to provide the Company with their e-mail address so it can be entered into a system called Silvermouse. Silvermouse will then invite you to provide your diversity characteristics – gender, ethnicity, disability, age, gender identity and sexual orientation. The broadcaster, as data controller, is responsible for this data but we will have access to reports compiled from it for purposes of the research. You can opt-out of this if you prefer.

Further information can be found at <http://creativitydiversitynetwork.com/diamond/>

Reporting Procedure

Staff should report any breaches of this policy to their safe-guarding contact or senior manager. All reports will be treated confidentially and investigated promptly in line with the Company's grievance procedure (as described in more detail in the following Anti-Bullying and Harassment Policy).

Consequences

Breaches of this policy may result in disciplinary action, including warnings, suspension, or termination, as appropriate and depending on the severity of the allegations.

(These Policies are non-contractual and do not form part of a workers' terms and conditions with the Company. The Company reserves the right to amend these policies at any time).

ANTI-HARASSMENT AND BULLYING POLICY

1 Introduction

The Company is committed to and supports the rights of **all staff** to work and function in an environment that is free of all forms of harassment, bullying, intimidation and victimisation.

In addition, all customers, suppliers, clients and the public who come into contact with anyone working for the Company should be treated with equal dignity and respect, and they in turn should treat all staff in the same manner.

Harassment in any form is unacceptable to the Company and we will not tolerate such conduct.

Best Practice: The following steps will be applied:

- When starting with the Company, everyone will be shown this policy and told who they can contact to report bullying and harassment or receive support.
- All staff, cast and crew must complete ScreenSkills' training before the production starts <https://www.screenskills.com/online-learning/learning-modules/tackling-harassment-and-bullying-at-work/>
- There will be a named safeguarding contact on all productions. That person will be a senior member of the production team, identified to all staff as someone they can approach if they have concerns.

All staff are expected to comply with this policy in full and take appropriate measures to ensure that such conduct does not occur within the Company.

Managers are also expected to act as role models in their business conduct and leadership style.

The policy also covers harassment/bullying which occurs both in and out of the work place such as on business trips or at events or work-related social functions.

The purpose of this policy is to provide guidance and explain the procedure for reporting any incidents of harassment and/or bullying that you encounter at work, especially if the behaviour is based on any of the following grounds (the 'Protected Characteristics'):

- If you have a disability;
- your gender;
- harassment of a sexual nature;
- because you intend to or have undergone a gender re-assignment or are transgender;
- your sexual orientation;
- your marital or civil partnership status;
- your pregnancy or maternity status;
- your race, colour, nationality, caste, ethnic or national origins;
- your age; or
- your religion or similarly held beliefs.

2 Does this policy apply to me?

This policy applies to all employees, workers, interns, job-applicants, crew, talents, artists, agency workers, consultants and contractors, Directors and office-holders of the Company, whether full time, part time, permanent, fixed term or temporary and irrespective of status, level or grade.

A breach of this policy may result in disciplinary action, including warnings, suspension, or termination, as appropriate and depending on the severity of the allegations.

Managers/supervisors who witness an interaction that may violate this policy, or who suspect or become aware that this policy has been violated, or who are told about potential discrimination, bullying or harassment must report it as soon as possible to a senior manager or their safeguarding contact. A manager is obliged to report violations of this policy to senior management, even if no complaint has been made, or even if the individual affected insists that the matter must not be reported.

The Company encourages all staff to tell their safeguarding contact about situations they see or hear that may violate this policy, even if they are not directly involved or affected. Without receiving reports about potential concerns, the Company may be unable to take appropriate action.

3 What is Harassment and Bullying?

“Harassment” means unwelcome or unwanted physical, verbal or non-verbal conduct based on Protected Characteristics, which has the purpose or effect of:

- violating that person’s dignity at work; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Please remember that Harassment may involve conduct not directed at the person concerned, but which cause offence nonetheless, such as sexual jokes or gestures made in an employee’s presence even though the joke is not aimed at the employee in question.

A single incident can be harassment. Unlawful harassment (i.e. defined by law) may involve conduct of a sexual nature or it may be related to race, colour, nationality, marital or civil partner status, pregnancy or maternity, disability, gender re-assignment, religion or belief, ethnic or national origin, sexual orientation, or age. Other forms of harassment, not covered by the law, are also unacceptable.

“Bullying” is not defined under the Equality Act 2010, but Acas characterises it as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient”. Bullying tactics can include hostile verbal or non-verbal communication, sabotage, exclusion, manipulation, and psychological or physical abuse.

Bullying becomes harassment when this sort of hostile or unwanted behaviour relates to someone’s Protected Characteristic.

Bullying and harassment can be:

- Intentional or unintentional, targeted at an individual or a group
- Not specifically targeted but has an overall impact that creates a negative work environment
- Repeated behaviour over a period of time, or one isolated incident
- Between workers and/or managers at the same or different levels and departments
Between employees, workers and external contractors and/or clients within or outside of the organisation
- Neglect or marginalisation
- Inappropriate behaviour during daily work activities, at work-organised events held on-site or off-site, inside and outside of working hours
- Face-to-face, over the telephone, by email, text messages or online, e.g. social media platforms.

4 More details about Harassment

Examples of Harassment (incorporating bullying also) include the following types of behaviour (this is not, however, an exhaustive list):

a. Sexual Harassment:

Any conduct that is overtly sexual in nature;

- unwanted and unwelcome physical contact, such as deliberately touching, patting, pinching or brushing against another employee;
- behaving in an intimidating fashion towards another employee, such as standing or sitting too close to another employee, particularly for unnecessarily long periods;
- unwanted and unwelcome sexual advances; propositions or pressure for sexual activity;
- sexually suggestive remarks; sexual innuendo or banter; lewd or licentious comments;
- sexually-based comments about another employee's physical appearance or dress;
- repeated and unwanted invitations in relation to activities outside work (for instance: invitations to dinner, the cinema, a lift home, etc);
- talking about one employee in a sexual context to another;
- flirtation; unwanted or unwelcome sexual or sexually suggestive gestures or postures; whistling; leering; notes, letters, texts or e-mails of a sexual nature;
- unwanted presents such as flowers, chocolates etc;
- the display of pornographic, explicit or sexually suggestive pictures or images, including the display of such images on computer screens.

It does not matter if a person has sexual feelings towards the recipient, only that the behaviour is of a sexual nature and that it was unwanted and/or offensive. Sexual harassment is gender neutral and orientation neutral. It can be perpetrated by any gender against any gender.

Remember also, that behaviour that is acceptable to one person does not mean that it will be acceptable to another. Harassment includes conduct that is unwanted, unreasonable or offensive **to the recipient**.

Workplace Sexual Harassment:

On 26th October 2024 a new law on **Workplace Sexual Harassment** is introduced that obliges Employers to take 'reasonable steps' to prevent all their workers (employees, Contractors, Freelancers, or any other types of staff) from being subject to sexual harassment in the course of their employment, whether that sexual harassment is committed by other workers or by other 3rd parties (e.g. clients, visitors, customers).

Therefore, the Company will undertake a risk assessment to anticipate possible situations/scenarios where our staff may be subject to Sexual Harassment and take action, where it is reasonable to do so, to prevent that harassment taking place (and stop it happening again). **This action may include:**

- Providing training about Sexual Harassment;
- Making sure staff understand how to raise a complaint and who they can talk to about their concerns;
- Taking complaints of Sexual Harassment seriously and investigating them properly;
- Taking action against perpetrators when their misconduct is proven, using the disciplinary procedure;
- **Communicating that we have** zero-tolerance towards harassment of any type, by anyone. This includes communicating to Clients and others that we have a zero-tolerance towards sexual harassment in the workplace;
- Ensuring Induction programmes set out the Company's expectations in terms of culture and behaviour and ensuring the Anti-Harassment policy/Equality policy is updated and easily available to all staff;
- Reviewing the measures we take, regularly, to ensure they go far enough to prevent sexual harassment in the workplace.

b. Other forms of Harassment:

Any intimidating, hostile, degrading, humiliating or offensive conduct that is undertaken based on someone's Protected Characteristics;

- remarks, jokes, terminology, nicknames or comments directly relating to someone's Protected Characteristics;
- comments about another employee's physical appearance or dress where the comments are directly or indirectly linked to their Protected Characteristics;
- offensive gestures; notes, letters, texts or e-mails of an offensive nature;
- the display of pictures or images which may offend on Protected Characteristic grounds;

- the “outing” of a colleague whose sexual orientation is regarded as private by the individual;
- segregating a person from others on the basis of their Protected Characteristics;
- failing to promote someone or disciplining them on account of their Protected Characteristics.

c. Bullying:

In addition to and along with forms of Harassment above, Bullying is:

- physical, verbal or non-verbal contact which intimidates, offends or degrades including shouting at, being sarcastic towards, ridiculing or demeaning others;
- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- inappropriate and/or derogatory remarks about someone's performance;
- abuse of authority or power by those in positions of seniority; deliberately excluding someone from meetings or communications without good reason.

5 Is the conduct offensive?

For the Company - when determining whether or not conduct is offensive, the issue is whether the recipient of the conduct considers it to be an act of harassment or bullying (e.g. offensive or intimidating).

For staff – before acting in any way you should consider in advance how the other person may feel about the conduct in question and if you are in any doubt as to whether or not the conduct will be perceived as an act of Harassment (e.g. unwanted or unwelcome and offensive or humiliating etc), you should not act in the manner concerned.

Legitimate, reasonable and constructive criticism of an individual's performance or behaviour by a more senior member of staff, or reasonable instructions given to an individual in the course of their employment, however, will not amount to harassment or bullying on their own.

Staff with a strong faith or belief must respect the rights of other staff to hold and follow their own religions and beliefs (or non-beliefs as the case may be). The Company does not accept that any member of staff has any right to refuse to work with a colleague on the grounds of that colleague's sexual orientation, religion, belief, gender or race, even where this refusal is raised on the grounds of the employee's own religious or cultural beliefs.

6 Complaints Procedure

If you experience or observe bullying or harassing behaviours, we ask that you report it to someone that you trust in the Company; please do not ignore it, or hope it will go away, or feel too awkward/embarrassed/concerned to report it.

If you are on the receiving end of the harassment or bullying, you might feel upset and angry, and may blame or question yourself about what has happened. **However, we ask you to tell us about your concerns.** Very serious concerns (e.g. sexual or physical assault) should be reported immediately to a senior manager.

It is important that we try to resolve your complaint as early as possible, to reduce stress and worry for you, and possibly for the other person involved.

Generally, you should avoid being alone with the person harassing/bullying you if possible. You should also keep a diary of incidents – dates, times, witnesses, how you felt, any relevant notes/emails. The Film and TV Charity have a digital tool called Spot where you can create a private record of something you've experienced or witnessed - <https://app.talktospot.com/flows>

As well as reporting all concerns to the Company, you can also use the free-to-call Film and TV Support Line on 0800 054 0000 for confidential advice (see the back of this policy for other resources that may help you).

Informal Procedure

- a. If you are being harassed or bullied, consider first if you are able to raise the problem with the person harassing you, to tell them that you find the conduct inappropriate, that the conduct is unwelcome or unwanted and that you want it to stop immediately. It is always best to try and calmly and carefully explain how you feel directly. Sometimes people are not aware that their behaviour is unwelcome. Often the offence is not intentional and is simply ill judged and the individual causing offence will have a better understanding of their behaviour and an opportunity to change/stop their behaviour and apologise.
- b. If you feel unable to confront them in person you could consider writing them a note to make it clear what impact their behaviour is having on you. Keep a copy of your note and any reply.
- c. You can also ask your colleagues if they have witnessed what has happened, if you are comfortable doing that.
- d. If you are not comfortable with any of the previous steps, (or they have not been successful) then you must speak to your safeguarding contact or line manager/producer, Production Manager, Producer or Executive Producer (as is appropriate – called the Trusted Person). They can provide you with confidential advice and assist you in resolving the issue formally or informally.
- e. Any meeting you have with this Trusted Person will be treated with discretion so far as is reasonably practicable, and they will discuss with you what further action should be taken.
- f. If you decide not to take matters any further, the Trusted Person will make a note of the meeting. However, staff need to be aware that, in some situations, the Company will have no choice but to investigate the allegations further (either informally or formally),

even if you do not wish to raise a formal complaint. This means that the Trusted Person or safeguarding contact will inform an appropriate senior manager(s) of the allegations.

g. It is important that staff understand that if they wish to make an anonymous complaint (i.e. staff do not wish to be identified, either as the harassed recipient or as a witness), that this may make the complaint more difficult to investigate, as the Company may not be able to discuss anything tangible with the alleged harasser. The Company cannot take complaints at face value alone, and need to undertake a thorough investigation with the alleged harasser as well, to reach an appropriate outcome. The Company will make every effort to keep confidential the identity of the worker who has complained (or has been a witness), but their identity will need to be revealed to those involved in investigating the complaint.

h. Other informal action that can be taken, if appropriate, can include mediation, and/or counselling, both of which are voluntary processes that you can agree to (or not).

i. If it is decided to take the matter further, the formal complaints procedure set out below will be used.

Formal Procedure

a. You should raise a formal grievance in writing, and send it to your safeguarding contact or a senior member of the Production staff/senior manager. Your complaint will be dealt with in accordance the Company's Grievance Procedure. However, the Company recognises that complaints about Harassment can raise some sensitive issues and so certain modifications may apply to the usual Grievance Procedure, especially if the complainer or complainant are Freelance/Contractors and/or there are time pressures.

b. Please include full details of your complaint including a detailed account of the incident(s), the date(s) it took place, who was involved including any witnesses, and any action you may have taken. This will give us the best opportunity to fairly and reasonably investigate your complaint, while details of what took place can readily be remembered by anyone involved. We understand this may not be possible in all cases but we will investigate any complaint made in good faith.

c. A senior manager will interview you, as soon as possible, and interview, separately, the person about whose conduct you have complained. They will interview all relevant witnesses and may take written statements from all those interviewed.

d. All interviews and statements will be conducted in private and all matters will be handled with discretion. All statements, documents and interview records may be used during the grievance process, and during any disciplinary process and in any legal proceedings that follow (and will be placed on the individuals personnel file). All information collected will be processed in accordance with the Company's Data Protection Policy.

e. The Company will give consideration to permitting (as far as reasonably practicable) you to cease or reduce the amount of contact you have at work with the alleged harasser (including considering whether you can work from home or take paid leave etc.), pending the

completion of the investigation and the resolution of the complaint. In addition, the Company reserves the right to suspend the alleged harasser, on full pay, pending the outcome of the complaint; but will also consider what support it is appropriate to provide the alleged harasser during the process.

f. **At the grievance hearing** - Both you and the alleged harasser will be given a fair and impartial hearing and will be given the opportunity to state your respective cases in full, to call any witnesses and/or other evidence if necessary. You will have the right to be accompanied during the grievance process by a colleague or recognised trade union representative.

g. We will consider all the circumstances before reaching a conclusion. If the complaint is substantiated, disciplinary proceedings may be commenced against the harasser, which will be held in accordance with the Disciplinary Procedure, or their contract may be terminated.

h. Other outcomes, whether the complaint is upheld or not, could be counselling, mediation, training or coaching.

i. If there are serious concerns about behaviour on one of our productions' we will need to inform the Commissioning Editor of the Broadcaster we are making the programme for. The Broadcaster will usually not get directly involved in the complaint but does need to be informed and may offer advice on our next steps.

j. If you are dissatisfied with the outcome of this formal procedure, you have the right to appeal within 5 working days of the decision being communicated to you. Any appeal should ideally be submitted in writing. The appeal will be conducted by a different senior employee appointed by the Company (where at all possible) and the outcome will be communicated to you as soon as possible.

7 General Information

You have the right to complain about Harassment and to act as a witness in relation to any Harassment aimed at other member of staff without fear of intimidation, victimisation, discrimination or any other adverse behaviour from the alleged perpetrator of the Harassment. Any such conduct by the alleged perpetrator against you will be treated as a disciplinary offence and disciplinary action will be taken.

The Company needs to know of any acts of harassment and bullying in its own workplace, and we aim to remedy that wrongdoing internally. However, there may be circumstances where you wish to talk to someone outside of the Company to take advice or get support. A list of resources is available at the end of this Policy.

Please note that all genuine complaints of Harassment will be taken seriously. It is, though, a disciplinary offence to knowingly bring false allegations of Harassment against another member of staff in bad faith, and the Company will take disciplinary action (up to and including summary dismissal) if any such allegations are made by any member of staff.

8 Legal Liability

Acts of Harassment can lead to legal proceedings being brought against the alleged harasser and/or against the Company.

It may be a criminal offence to harass another member of staff. Sexual or physical assaults will be reported to the Police.

9 Useful Resources

[The Film and TV Charity](#)

The Film and TV charity provides information and a free 24-hour support line for Bullying and Harassment – call 0800 054 0000.

The **Equality and Human Rights Commission** (EHRC) is a prescribed body for whistleblowing about breaches of equality law. If you have a concern about a breach of equality law (including sexual harassment in the workplace), you can tell them [here](#).

Protect are a charity who provide independent, free and confidential advice on how to raise a whistleblowing concern and who to talk to. Website: <https://protect-advice.org.uk/advice-line/>

[BFI Principles](#) - to tackle and prevent bullying and harassment in the screen industries.

[BFI Guidance](#) - for the prevention of bullying and harassment in the screen industries.

[Directors UK Bullying and Harassment Handbook](#) -

for screen directors which contains useful information about behaviours and their legal status, as well as Directors UK's own code of conduct.

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