

# Equal Opportunities & Dignity at Work Policy

## Equal Opportunities

Tilhill Forestry is committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment and against customers. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities. It is unlawful to discriminate directly or indirectly in recruitment or employment because of:

- Age;
- Disability;
- Sex;
- Gender reassignment;
- Pregnancy and maternity;
- Race (which includes colour, nationality and ethnic or national origins);
- Sexual orientation;
- Religion or belief; or
- Because someone is married or in a civil partnership.

These are known as 'protected characteristics'. Discrimination after employment may also be unlawful, e.g., refusing to give a reference for a reason related to one of the protected characteristics. Employees must not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Tilhill Forestry will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

## Dignity at Work

Tilhill Forestry is committed to providing a working environment for all its employees that is comfortable and free from all forms of bullying and harassment. We adopt a zero-tolerance approach towards bullying and harassment and any employee who is found to have harassed or bullied a colleague will be subject to disciplinary action, up to and including summary dismissal. We recognise some harassment is unlawful discrimination and serious harassment may be a criminal offence.

Our policy covers bullying and harassment in the workplace, and in any work-related setting outside the workplace, of and by managers, employees, contractors, agency staff and anyone else engaged to work at for Tilhill Forestry, whether by direct contract with the Company or otherwise. Tilhill Forestry actively promotes good practice in terms of eliminating discrimination through guidance to employees and contractors at recruitment, training and company communications including our Code of Conduct.



Harry Stevens  
Managing Director  
August 2024



# **EQUAL OPPORTUNITIES & DIGNITY AT WORK POLICY**

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*THERE IS A POLICY ACCEPTANCE FORM AT THE BACK OF THE POLICY TO BE SIGNED AND RETURNED TO THE HR DEPARTMENT*



## **1 SCOPE OF THE POLICY**

"**BSW Group**" includes for the purposes of this policy BSW Timber Limited and all Group subsidiary companies unless explicitly stated otherwise within this policy document.

## **2 EQUAL OPPORTUNITIES**

BSW Group is committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment and against customers.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in the Company.

It is unlawful to discriminate directly or indirectly in recruitment or employment because of: -

- Age;
- Disability;
- Sex;
- Gender reassignment;
- Pregnancy & maternity;
- Race (which includes colour, nationality and ethnic or national origins);
- Sexual orientation;
- Religion or belief; or
- Because someone is married or in a civil partnership.

These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

Employees should not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

BSW Group will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

## **3 DIGNITY AT WORK**

BSW Group is committed to providing a working environment for all its employees that is comfortable and free from all forms of bullying and harassment. The Company adopts a zero-tolerance approach towards bullying and harassment and any employee who is found to have harassed or bullied a colleague will be subject to disciplinary action, up to and including summary dismissal.

This policy covers bullying and harassment of and by managers, employees, contractors, agency staff and anyone else engaged to work at the Company, whether by direct contract with the Company or otherwise. If the complainant or alleged harasser is not employed by



the Company, e.g. if the worker's contract is with an agency, this policy will apply with any necessary modifications such as that the Company could not dismiss the worker but would instead require the agency to remove the worker, if appropriate, after investigation and disciplinary proceedings.

The policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, e.g. business trips and work-related social events.

Some harassment is unlawful discrimination and serious harassment may be a criminal offence.

#### **4 WHAT IS BULLYING AND HARASSMENT?**

**Bullying** is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end.

**Harassment** is unwanted conduct related to relevant protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age, that:

- Has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- Is reasonably considered by that person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend another person. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to him/her and to have his/her feelings respected by others.

Behaviour which any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to him/her.

It may not be so clear in advance that some other forms of behaviour would be unwelcome to, or could offend, a particular person, e.g. certain "banter", flirting or asking someone for a private drink after work. In these cases, first-time conduct which unintentionally causes offence will not be harassment but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him/her.

Harassment may also occur where a person engages in unwanted conduct towards another because he/she perceives that the recipient has a protected characteristic (for example, a perception that he/she is gay or disabled), when the recipient does not, in fact, have that protected characteristic.

There may also be circumstances in which an individual is subjected to unwanted conduct from a third party, such as a client or customer. For example, it might be that a client makes a series of racist remarks to a black employee. If an employee feels that he/she has been bullied or harassed by customers, suppliers, vendors or visitors, he/she should report any such behaviour to their manager who will take appropriate action. Bullying or harassment of customers, suppliers, vendors or visitors will be dealt with through the disciplinary procedure.



A single incident can be harassment if it is sufficiently serious.

All bullying and harassment is misconduct and is a disciplinary offence which will be dealt with under the Company's disciplinary policy.

Bullying or harassment will often be gross misconduct, which can lead to dismissal without notice.

Bullying or harassment will constitute unlawful discrimination where it relates to one of the protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Serious bullying or harassment may amount to other civil or criminal offences, e.g. a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.

## **5 EXAMPLES OF BULLYING OR HARASSMENT**

Bullying and harassment may be misconduct that is physical, verbal or non-verbal, e.g. by letter or email (so-called "flame-mail").

Examples of unacceptable behaviour that are covered by this policy include (but are not limited to):

- Physical conduct ranging from unwelcome touching to serious assault;
- Unwelcome sexual advances;
- The offer of rewards for going along with sexual advances, e.g. promotion, access to training;
- Threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment, evaluation, pay, advancement, assigned work, or any other condition of employment or career development;
- Demeaning comments about a person's appearance;
- Unwelcome jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion;
- Questions about a person's sex life;
- Unwanted nicknames related to a person's age, race or disability;
- The use of obscene gestures;
- Excluding an individual because he/she is associated or connected with someone with a protected characteristic, e.g. his/her child is gay, spouse is black or parent is disabled;
- Ignoring an individual because he/she is perceived to have a protected characteristic when he/she does not, in fact, have the protected characteristic), e.g. an employee is thought to be Jewish, or is perceived to be a transsexual;
- The open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, e.g. magazines, calendars or pin-ups;
- Spreading malicious rumours or insulting someone;
- Picking on someone or setting him/her up to fail;
- Making threats or comments about someone's job security without good reason;
- Ridiculing someone;
- Isolation or non-cooperation at work; and
- Excluding someone from social activities.

**Victimisation** is subjecting a person to a detriment because he/she has, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing him/her or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because he/she has made a complaint or giving him/her a heavier or more difficult workload.



Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the Company will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

## **6 WHAT SHOULD YOU DO IF YOU THINK YOU ARE BEING BULLIED OR HARASSED?**

You may be able to sort out matters informally. The person may not know that his/her behaviour is unwelcome or upsetting. An informal discussion may help him/her to understand the effects of his/her behaviour and agree to change it. You may feel able to approach the person yourself, or with the help of someone in HR, a manager, trade union representative or another employee. Alternatively, an initial approach could be made on your behalf by one of these people. You should tell the person what behaviour you find offensive and unwelcome, and say that you would like it to stop immediately. You may want to add that, if the behaviour continues, you intend to make a formal complaint to your manager or HR. You should keep a note of the date and what was said and done. This will be useful evidence if the unacceptable behaviour continues and you wish to make a formal complaint.

If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you can make a formal complaint by using the Company's grievance procedure. In the case of grievances about bullying or harassment, the normal grievance procedure is modified so that you can choose whether to raise your grievance with your manager or directly with the HR department. The Company will ensure that you can bring your complaint in the first instance to someone of your own sex, if you so choose.

In bringing a complaint of harassment/bullying, the employee should be prepared to state:

- The name of the person whose behaviour he/she believes amounts to harassment or bullying;
- The type of behaviour that is causing offence, together with specific examples if possible;
- Dates and times when incidents of harassment or bullying occurred, and where they occurred;
- The names of any employees who witnessed any incidents, or who themselves may have been the victims of harassment or bullying by the same person; and
- Any action that the employee has already taken to try to deal with the harassment.

In very serious cases, a criminal offence may have been committed and you may wish to report matters to the police. The HR department can arrange for someone to accompany you to make a complaint to the police.

All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser. You will have the right to be accompanied by a work colleague or trade union representative of your choice at any meeting dealing with your grievance. You will be kept informed of the general progress of the process of investigation and the outcome of any disciplinary proceedings. The Company will decide on a balance of probabilities, after considering all available evidence, whether or not harassment or bullying has occurred.



The Company will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Investigation of allegations will normally require limited disclosure on a "need to know" basis. For example, your identity and the nature of the allegations must be revealed to the person you are complaining about, so he/she is able to respond to the allegations. Some details may also have to be given to potential witnesses but the importance of confidentiality will be emphasised to them. If the complaint is upheld, and a person who has been found to have harassed you is kept in the Company's employment, managers may need to be given some information where this is necessary for them to manage the risk of further harassment by that person against you or others.

Wherever possible, BSW Group will try to ensure that you and the alleged harasser are not required to work together while the complaint is under investigation.

If your complaint is upheld, and the person found to have bullied or harassed you remains in the Company's employment, every effort will be made to ensure that, if possible, you do not have to continue to work alongside the harasser, if you do not wish to do so. We will discuss the options with you. These may include the transfer of the harasser or, if you wish, you may be able to transfer to another post.

If your complaint is not upheld, the HR Department will support you, the alleged harasser and your manager(s) in making arrangements for you both to continue or resume working and to help repair working relationships. BSW Group will consider making arrangements to avoid you and the alleged harasser having to continue to work alongside each other, if either of you do not wish to do this.

You have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. However, making a complaint that you know to be untrue may lead to disciplinary action being taken against you.

Some types of bullying or harassment may constitute unlawful discrimination and may give rise to the possibility of other civil claims or criminal proceedings. Claims to an employment tribunal about unlawful discrimination must be presented to the tribunal within three months beginning with the act complained of.

Any employee accused of harassment or bullying will be informed of the exact nature of the complaint against him/her and afforded a full opportunity to challenge the allegations and put forward an explanation for his/her behaviour in a confidential interview, with a companion present if he/she wishes. No employee will be presumed guilty following an allegation of harassment or bullying against him/her.

Any employee who believes that another employee's conduct amounts to bullying or harassment has the absolute right to complain to a line manager/HR. Furthermore, employees have the right to complain if they believe that they have been bullied or harassed by a third party, for example a customer, client or supplier.

Employees are encouraged to report any incidents of bullying or harassment that they experience or witness so that the Company can investigate and resolve the matter. The Company will take all such complaints seriously and an employee who makes a genuine complaint of bullying or harassment will be protected and will not be penalised or victimised in any way.





## **7 INVESTIGATING CLAIMS OF BULLYING AND HARASSMENT**

As part of its investigations, BSW Group will:

- Check whether the employee suspected of bullying or harassment has received previous warnings for similar misconduct (or other types of misconduct) and, if so, whether any earlier warnings are active;
- Talk in confidence to any employees who may have evidence relating to the employee's alleged behaviour;
- Endeavour to persuade any employees who may have been witness to the employee's alleged bullying or harassment, or who may have knowledge of it, to give a written statement to that effect;
- Set up an interview with the employee believed to have bullied or harassed a colleague, allowing him/her the right to be accompanied at the interview;
- Allow the employee a full and fair opportunity to answer any allegations against him/her and/or explain his/her conduct;
- Assess objectively whether the employee's conduct appears to have amounted to bullying or harassment;
- Adopt an objective and balanced approach to the information gained as a result of the investigation;
- Avoid allowing personal views about the employee to influence the overall assessment of the conduct under review; and
- Keep confidential records of the investigation and ensure that these are handled in accordance with the Company's Data Protection & Retention Policy.

BSW Group reserves the right to suspend or temporarily redeploy either the employee suspected of bullying or harassment or the employee raising a complaint of bullying or harassment during the investigations, if it is considered in the interests of the individual or the Company to do so. Suspension in these circumstances does not constitute disciplinary action and will be on full pay.

As soon as possible following the conclusion of the investigation, the Company will inform the employee suspected of bullying or harassment as to the outcome. The Company will decide at that point whether or not it is appropriate to instigate disciplinary action against the employee. Any disciplinary proceedings will, where possible, be conducted by a different manager from the person who conducted the investigation.

## **8 WHAT HAPPENS IF YOU ARE ACCUSED OF BULLYING OR HARASSMENT?**

If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were only joking or think the complainant is being too sensitive. Remember that different people find different things acceptable and everyone has the right to decide what behaviour is acceptable to him/her and to have his/her feelings respected by others. You may have offended someone without intending to. If that is the case, the person concerned may be content with an explanation and an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence. Provided that you do not repeat the behaviour that has caused offence that may well be the end of the matter.

If a formal complaint is made about your behaviour, this will be fully investigated and the Company may bring disciplinary proceedings, if appropriate. BSW Group will follow its disciplinary procedure and you will have the rights set out in that procedure. The procedure will be implemented at the appropriate stage for the seriousness of the allegation.





Complaints of bullying and harassment will often be allegations of gross misconduct that, if proved, could lead to dismissal without notice.

BSW Group will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Investigation of allegations and future management of risk, if complaints are upheld, will normally require limited disclosure on a "need to know" basis. For example, some details may have to be given to potential witnesses but the importance of confidentiality will be emphasised to them.

Wherever possible, the Company will try to ensure that you and the complainant are not required to work together while the complaint is under investigation. If the allegation is of gross misconduct, you may be suspended on full pay during the investigation and, if a disciplinary hearing is to be called, until disciplinary proceedings have been concluded.

If the complaint against you is upheld, on a balance of probabilities, a disciplinary penalty may be imposed up to and including dismissal, having regard to the seriousness of the offence and all relevant circumstances. If the complaint is upheld, but you are not dismissed, the Company could decide to transfer you to another post.

If a complaint is made against you that is not upheld and the Company has good grounds for believing that the complaint was not made in good faith, BSW Group will take disciplinary action against the person making the false complaint.

You must not victimise a person who has made a complaint in good faith against you or anyone who has supported him/her in making the complaint or given evidence in relation to such a complaint. Disciplinary action will be taken against you if BSW Group has good reason to think that you may have victimised the complainant or someone else.

If the complaint against you is not upheld, the HR Department will support you, the complainant and your manager(s) in making arrangements for you both to continue or resume working and to help repair working relationships. The Company will consider making arrangements to avoid you and the complainant having to continue to work alongside each other, if either of you do not wish to do this.

Some types of bullying or harassment may constitute unlawful discrimination and allegations may give rise to the possibility of other civil claims or criminal proceedings against you, which would proceed independently of BSW Group's disciplinary proceedings. You could be personally liable to pay compensation to the complainant if a successful claim in the employment tribunal or other courts was brought against you. Criminal proceedings could lead to conviction and criminal penalties.

## **9 WHAT CAN YOU DO TO HELP STOP BULLYING AND HARASSMENT?**

We all have a responsibility to help create and maintain a work environment free of bullying and harassment. You can help to do this by;

- Being aware of how your own behaviour may affect others and changing it, if necessary - you can still cause offence even if you are "only joking";
- Treating your colleagues with dignity and respect;
- Taking a stand if you think inappropriate jokes or comments are being made;
- Making it clear to others when you find their behaviour unacceptable, unless it should be obvious in advance that this would be the case;
- Intervening, if possible, to stop harassment or bullying and giving support to recipients;
- Making it clear that you find harassment and bullying unacceptable;
- Reporting harassment or bullying to your manager or HR and supporting the Company in the investigation of complaints; and



- If a complaint of harassment or bullying is made, not prejudging or victimising the complainant or alleged harasser.

Managers have a particular responsibility to:

- Set a good example by their own behaviour;
- Ensure that there is a supportive working environment;
- Make sure that staff know what standards of behaviour are expected of them;
- Intervene to stop bullying or harassment; and
- Report promptly to HR any complaint of bullying or harassment, or any incident of bullying or harassment witnessed by them.



**BSW  
GROUP**

member of binderholz

Building  
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PLEASE SIGN THE ACCEPTANCE FORM BELOW AND RETURN TO THE HR DEPARTMENT.  
IT WILL BE KEPT IN YOUR PERSONNEL FILE.

## **EQUAL OPPORTUNITIES & DIGNITY AT WORK POLICY**

### **POLICY ACCEPTANCE FORM**

I confirm that I have received, read and understood the Equal Opportunities & Dignity at Work Policy and agree to the terms and conditions as set out therein.

**Employee Signature:** - \_\_\_\_\_

**Print Name:** - \_\_\_\_\_

**Date:** - \_\_\_\_\_

**Issue date:** - \_\_\_\_\_