

Prevention of Discrimination, Harassment and Bullying Policy

Reviews	Effective from	Next review	Review Frequency
	Q4 2024	Q4 2026	Every 2 years
Responsibilities	Policy owner	Policy lead	Approved by
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Purpose and context

The Clean Air Fund is committed to ensuring the safety and protection of our employees from all forms of harm - this policy seeks to support the achievement of that. We don't tolerate discrimination, harassment or bullying. This policy outlines our approach to making sure we have a fair place to work and making sure everyone's dignity at work is respected.

We believe in fairness at work and maintaining an environment where we can all come to work as our whole selves and without fear of discrimination, harassment or bullying. The purpose of this policy it to help us recognise when discrimination, harassment or bullying is taking place and to enable us to raise concerns in the knowledge that, when raised, they will be investigated and dealt with appropriately.

We work best when we harness the different perspectives, experiences and talents of our society to learn from each other and best serve our culturally rich and diverse communities. If you feel you have been discriminated against, bullied or harassed or have seen this behaviour, you will find information on how to report that. We will deal with reports of discrimination, harassment and bullying in accordance with our [Grievance Policy](#) (for employees) and the [Complaints Policy](#) (if external).

Scope

In this policy 'employees' refer to all employees employed by the Clean Air Fund, working for a subsidiary or doing work for the Clean Air Fund through an Employer of Record.

This policy governs conduct in the workplace (any place where employees perform work) as well as online and off-premises such as events. This policy applies to all our work including interactions with external parties and applies to all employees (as well as casual, agency workers and interns), Trustees, grantees, consultants, contractors and suppliers across all Clean Air Fund geographies. We are all responsible for upholding the principles of this policy.

This policy will be updated to provide links to specific further requirements in our geographies, as and when these are required. This policy does not form part of the contract of employment and Clean Air Fund may amend it at any time.

Definitions and Principles

1. Discrimination

We are committed to the elimination of unlawful and unfair discrimination. We do not discriminate against any individual due to any **protected characteristics** (as defined by the UK Equality Act 2010), including age, disability, sex, race (which includes colour, nationality, ethnic or national origin), religion and belief, gender reassignment, marriage or civil partnership, pregnancy & maternity, race and sexual orientation.

The definitions of Discrimination (from our Equity Diversity and Inclusion (EDI) Policy, are repeated below for ease of reference), the principles and implementation of our non-discrimination objectives are covered in the [EDI Policy](#).

- a. **Direct discrimination** This occurs where, because of a protected characteristic, a person receives worse treatment than someone who does not have that characteristic. For example, an employee is turned down for a job because their manager believes that their sexual orientation will prevent them gaining their team's respect.
- b. **Discrimination by association** This is discrimination against someone because they associate with another person who possesses a protected characteristic. For example, treating someone less favourably at an event because of a friendship with an individual who is transgender.
- c. **Discrimination by perception** This is discrimination against an individual because others think (incorrectly) that they possess a protected characteristic. For example, an employee is not offered the chance to represent her company at a major event because her line manager believes she has mental health issues.

- d. **Indirect discrimination** This occurs when there is a policy or a practice that applies to everyone but which particularly disadvantages people with a protected characteristic compared with people who do not have that characteristic. For example, including unnecessary criteria in a person specification that could increase the barriers for those with certain characteristics to applying. Working in a building with no lift (which is a barrier for those in a wheelchair.)

2. **Bullying and Harassment**

Harassment or bullying is not dependent on an intention to cause distress or hurt but is assessed by the impact that it has on the recipient rather than the acts themselves. Behaviour that is acceptable to one person may not be acceptable to another. We recognise that bullying and harassment are often (though not exclusively) carried out by those with more power and/ or seniority.

- a. **Harassment** is unwanted behaviour related to a **protected characteristic** that:
- i. 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 their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person even if that was not the effect intended.
 - ii. Conduct/ behaviour may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" or "banter" may offend another person. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.
 - iii. Conduct/behaviour that unintentionally causes offence may sometimes be considered harassment depending on the circumstances.
 - iv. Behaviour that any reasonable person would realise is likely to cause offence, such as sexual touching will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to them.
 - v. A single incident can be harassment if it is found to be sufficiently serious.

Examples of harassment include, but are not limited to:

- Refusing to work with someone, allocating work unfairly or deliberately isolating them;
- physical conduct ranging from unwelcome touching to serious assault;
- unwelcome sexual advances, leering and suggestive remarks and asking unwelcome intimate questions in this context.

- demeaning, unwanted or derogatory comments about a person's appearance;
- unwelcome jokes or comments;
- excluding an individual because they are associated or connected with someone with a protected characteristic, e.g. their child is homosexual, spouse is a person of colour or parent has a disability;
- repeated name calling or ignoring an individual, because they are perceived to have a protected characteristic (whether or not they do, in fact, have that protected characteristic), e.g. an employee is thought to be Jewish, or is perceived to be transgender;
- the use of obscene gestures;
- the open display or sharing of pictures or objects with offensive overtones relating to any protected characteristic, even if not directed at any person, e.g. emails, magazines, calendars;
- deriding someone's religion or beliefs;
- stereotyping or making assumptions based on a protected characteristic;
- homophobic, biphobic or transphobic jokes or outing someone (disclosing their sexual orientation or perceived sexual orientation without their consent);
- refusing to address or acknowledge a person in their affirmed gender / failure to use correct pronouns after they have made preferences clear / transitioned; or
- making fun of someone based on their age or question their ability because of their age or any other protected characteristic.

b. **Bullying** is a more general form of harassment that is **not based on a protected characteristic**. It takes the form of offensive, intimidating, malicious or insulting behaviour; and/or an abuse or misuse of power that undermines, ridicules, humiliates or injures the person on the receiving end. People affected by bullying often have trouble articulating it in fear that the actions will appear trivial. Bullying may be a pattern of behaviour rather than a one-off incident and can be (but is not limited to) carried out by someone who is more senior or wields more power in a situation.

Examples of bullying include, but are not limited to:

- Picking on someone, setting them up to fail or making threats about someone's job security without good reason.
- Persistent unjust criticism – please note that legitimate, constructive, fair and timely feedback is not bullying.
- Shouting at colleagues in public or private.
- Deliberate isolation by ignoring or excluding a person.
- Withholding information or removing areas of responsibility without justification.
- Spreading malicious rumours. Blocking leave or training for reasons unrelated to business needs.

- Undermining a person's self-respect through treatment that denigrates, ridicules, intimidates, demeans or is physically abusive.
- Consistently refusing to listen to someone's valid concerns.
- Intimidating or hurtful emails or text messages.
- Using threatening or intimidating body language.

Victimisation

Victimisation is treating colleagues less favourably because of action that they have taken to protect themselves or others, for example making a formal complaint / raising a grievance about themselves/ someone else, giving evidence against a colleague or accompanying someone to a formal hearing. You have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. There is a presumption that all complaints are made in good faith, with the complainant believing that there are reasonable grounds for their complaint. However, making a complaint that you know to be untrue may lead to disciplinary action being taken against you.

Policy requirements

1. Responsibility of all employees:

All employees (and especially those in senior positions) must ensure that they are behaving appropriately and report incidents of inappropriate behaviour to their manager or HR. Employees can be held personally liable, as well as or instead of the Clean Air Fund, for any unlawful discrimination and employees who commit serious acts of sexual harassment/ harassment may be guilty of a criminal offence.

2. Responsibility of line managers:

If a direct report informs you of inappropriate behaviour, you must seek advice from HR, and may be required to investigate promptly, thoroughly and objectively. It is not acceptable to say that actions that contradict this policy are part of your own or anyone else's management style, or to condone inappropriate behaviour because that is "just how XXX behaves".

3. Responsibility of HR:

On successful recruitment or on joining the organisation HR must ensure that employees read and acknowledge that they have read this Policy.

4. In our geographies:

In the UK we have legal obligations. Harassment is unlawful under the Equality Act 2010. All employers must take reasonable steps to prevent sexual harassment of their employees. The relevant law is the Worker Protection (Amendment of Equality Act 2010) Act 2023. The law came into effect in October 2024.

CAF will comply with local laws in the jurisdictions in which it operates.

- a. CAF India:
 - i. In compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in India, CAF India's [POSH] [Policy](#) implementing this Act takes precedence for allegations of sexual harassment in India.
 - ii. In addition, CAF India has its own [Dignity at Work Policy](#), (complementing and overlapping with this Policy), which takes precedence in India if there are any concerns about inconsistency.
- b. Employees employed outside of the UK office / in other Geographies:

Where formal processes (grievance or disciplinary procedure) are instituted because of a complaint in relation to this Policy, CAF may be obligated to share certain information with the Employer of Record to ensure appropriate management of formal proceedings in relation to national employment, if required.

Procedure

How to make a complaint (for Employees):

1. If you feel you are being discriminated against, harassed or bullied you may be able to resolve matters informally as the person may not know that their behaviour is unwelcome or upsetting. If you feel able to do so, we encourage you to approach the person and explain 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. You should keep a note of the date of the conversation. You may ask a colleague (if they feel comfortable) or HR to support / accompany you in preparing for or holding this discussion. If your concerns are with your manager, then you should raise the issue with their manager or HR as soon as you can.
2. 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 our grievance procedure. In the case of grievances about discrimination, bullying or harassment, the normal grievance procedure is modified so that you can choose whether to raise your grievance with your manager or with another manager as detailed in the Grievance Policy.
3. If the case is about a third party and their behaviour, if an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you can also raise this through the Grievance Policy. HR will inform the Legal Counsel / Chief Operating Officer where the grievance relates to a third party (not CAF employees).

4. The organisation will treat complaints of discrimination, bullying and harassment sensitively and maintain confidentiality to the maximum extent possible.
5. In very serious cases, a criminal offence may have been committed, HR will inform the Legal Counsel / Chief Operating Officer and you may wish to report matters to the police / we may consider that we have an obligation to report the matter.
6. In bringing a complaint of discrimination, harassment, bullying, you should be prepared to state:
 - a. the name of the person whose behaviour you believe amounts to discrimination, harassment or bullying;
 - b. the type of behaviour that is causing offence, together with specific examples if possible;
 - c. dates and times when incidents occurred, and where they occurred;
 - d. the names of any employees who witnessed any incidents, or who themselves may have been the victims by the same person; and
 - e. any action that you have already taken to try to deal with the issue.
 - f. what outcomes you believe would resolve the matter including what changes may be helpful until the matter is resolved.

How to make a Complaint for third parties

Please refer to the [Complaints Policy](#).

Disclosure and Confidentiality

The charity will maintain records of investigations into alleged incidents of discrimination, harassment or bullying, the outcome of the investigations and any corrective or disciplinary action taken. The charity treats personal data collected during this process in accordance with its data protection policy.

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Investigation

All complaints will be taken seriously, investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser. CAF takes all reports of inappropriate behaviour seriously and will prioritise the dignity of all involved through the processes.

A complainant will have the right to be accompanied by a work colleague (or another appropriate representative as per local legal requirements if relevant) at any meeting dealing with the grievance (in terms of the Grievance Policy). The complainant will be kept informed of the progress of the investigation and the outcome.

Outcomes

Being found guilty of discrimination, bullying or harassment could result in disciplinary action (which could include dismissal).

Any manager who has been made aware of inappropriate behaviour but has not acted will be asked to justify their actions and may be subject to performance management and/or disciplinary procedures.

Policy implementation and compliance monitoring

HR will keep records on all complaints received under this policy and will report aggregate data on the number of issues handled on at least an annual basis to the Board.

Relevant documents and signposting

This policy refers to the following [Policies](#):

- Grievance Policy
- Disciplinary Policy
- Complaints Policy
- Data Protection Policy

And the country specific policies in paragraph 4., above.

This policy covers topics also covered in the EDI Policy, and the Employee Code of Conduct. HR can signpost employees to the EAP, Mental Health First Aiders and other resources – please speak to HR.

ENDS