

## Dignity at Work

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### 1. INTRODUCTION

- 1.1 Devonshires (“the firm”) 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.

### 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 status, 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 status, race, religion or belief, sex, or sexual orientation, but adversely affects people with a particular protected characteristic more than others.
  - Victimisation – this is where a person is subjected to a detriment because they have (or are believed to have) 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, irrespective of whether such discrimination is

unlawful. Victimization also arises where the perpetrator acts because they think the other person may take any of these actions.

- Harassment – this is unwanted conduct relating to age, disability, gender identity, 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 their dignity or of creating an intimidating, hostile, degrading or offensive environment for them, even if this effect was not intended by the person responsible for the conduct and even if the conduct was not 'directed' at them. Acts or behaviours may be offensive, and humiliating based on how they are reasonably perceived by the individual concerned.
  - Harassment also includes conduct of a sexual nature (sexual harassment).

### **3. HARASSMENT AND BULLYING**

3.1 Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power undermines, humiliates, or injures the individual on the receiving end.

3.2 Harassment and bullying can also include unwelcome physical, verbal, or non-verbal conduct.

3.3 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 firm can include poor work performance and consequent client service, loss of morale, increased staff turnover (which means additional costs) and damage to reputation.

- 3.4 The firm 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.
- 3.5 Incidences of bullying and harassment undermine the effectiveness and integrity of the firm and as such will be taken seriously and dealt with under the disciplinary procedure as appropriate.
- 3.6 Harassment and bullying can be carried out by colleagues or subordinates, as well as by partners, consultants, managers, supervisors, clients of the firm and other third parties contracted by the firm. 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, consultants and partners have a responsibility to implement and comply with this policy.
- 3.8 Any employee, consultant 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 with the perpetrator may seek advice or support from a partner or manager with whom they work. Where the complaint is about a client of the firm, it should always be referred to a partner. The informal 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 (or alternative if they are not an employee).

- 3.9 This policy covers bullying and harassment of individuals (employees, partners, or consultants) 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 compliance training will include a section on Dignity at Work which will remind all employees, consultants, and partners of what constitutes unacceptable behaviour under legislation and in general.
- 4.2 For the avoidance of any doubt, examples of unacceptable behaviour may 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 or belief, age, disability, gender identity or marital status.
- 4.3 No individual should be subject to coercion by partners, managers, or peers to carry out actions which they find offensive, and no partners or managers should abuse their positions of authority. Any individual who believes they are subject to coercion by partners, managers, peers, suppliers, or clients to carry out actions that they consider offensive should report this to the HR Team or to one of the partners.
- 4.4 This policy applies 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 individuals should be assured that the policy remains in place at such times where the event is work-related.
- 4.5 Should an individual be offended by the action of a client or supplier, The firm will act accordingly to support them. 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 firm will not tolerate unacceptable behaviour from its clients or suppliers.

- 4.6 Any employee, consultant or partner who believes they have been harassed or bullied at work or at events organised by the firm, may bring a complaint either formally or informally as detailed above.
- 4.7 Where a matter is raised informally with HR, if the HR representative deems it to be sufficiently serious, they may pursuant to a discussion with the Head of HR, determine that a formal investigation following the Grievance Procedure needs to be instigated.
- 4.8 The firm 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.