

Neon Films Limited

Dignity at Work Policy - Tackling bullying harassment and racism

Updated 14/06/21

What is the purpose of the policy?

NEON FILMS LIMITED strives to offer an environment where everyone is treated with dignity and respect. We do not tolerate bullying and or harassment, racism or any other forms of discrimination, such as towards the D/deaf and disabled community.

We have a duty of care to protect you, we will make it our priority to support you if you experience problems with bullying or harassment or racism and this policy is designed to help us do that. If you have a problem with bullying or harassment or racism we encourage you to use the support available to try to resolve it as early as possible. We will investigate any complaint that you bring to our attention in a fair, independent and confidential way and, after considering all the facts, we will take prompt and appropriate action. Informal resolution is also a route available to you to deal with bullying or harassment or racism.

This policy is accompanied by a [Set of Principles](#) and [Guidance](#) to tackle bullying and harassment in the screen industries developed by the BFI and BAFTA in partnership with the UK industry. This offers a broader guide on how to prevent and address bullying and harassment for everyone working in the screen sectors. It sets out examples of bullying and harassment as well as how workers including employers and freelancers can best respond. It also provides links to further resources available to anyone in the screen sectors on the issue of bullying and harassment.

Who does the policy apply to?

This policy applies to everybody working for Neon Films Limited. This includes full-time and part-time staff, freelancers, sub-contractors and agency workers. It can be used by anyone experiencing bullying or harassment at work, work-related events such as social functions or business trips, as well as via telephone, email, text messages and online.

All those working with Neon Films Limited are expected to comply fully with the terms of this bullying and harassment policy. They are also expected to familiarise themselves with the bullying and harassment Set of Principles and to uphold these values at all times.

Neon Films Limited regards acts of bullying and harassment and racism as a serious disciplinary matter. Those found to be acting in an unacceptable manner towards others may find their continued employment or engagement at risk.

Freelancers (PAYE or gross paid) who wish to make a complaint should contact their manager, the 'designated person' if the production has one, or the free-to-call Film and TV Support Line ([24HR Support Line](#)) on 0800 054 00 00. The same principles of fairness and objectivity will be applied. We will mirror the formal process set out in this Policy with flexibility, and in exceptional circumstance, take into account the short term nature of some freelance engagements.

What is bullying and harassment?

Bullying or harassment can take place face-to-face, behind your back, by telephone, email, text, social media or any other form of communication.

The [Guidance](#) that supplements this Policy is designed to help you better understand bullying and harassment by providing examples and case studies of what is acceptable and unacceptable behaviour.

The Advisory, Conciliation, and Arbitration Service ([Acas](#)), a UK organisation providing free and impartial information on all aspects of workplace relations and employment law, provides definitions for bullying and harassment.

Bullying is defined as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Harassment is defined as unwanted conduct which is related to a protected characteristic of the [Equality Act 2010](#) (age, sex, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation), which has the purpose or effect of violating a person's dignity, or creating for that person an intimidating, hostile, degrading, humiliating or offensive environment.

Bullying and harassment can be:

- Intentional or unintentional, targeted at an individual or a group
- Not specifically targeted but have 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 in the organisation
- In the same or different departments or areas of work within or outside of the organisation
- Between employees, workers and external contractors and/or clients within or outside of the organisation
- Mobbing – when more than one person is involved
- Neglect or marginalisation
- 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 and online, e.g. social media platforms.

What the Equality Act says about race discrimination

The Equality Act 2010 says you must not be discriminated against because of your race.

In the Equality Act, race can mean your colour, or your nationality (including your citizenship). It can also mean your ethnic or national origins, which may not be the same as your current nationality. For example, you may have Chinese national origins and be living in Britain with a British passport.

Race also covers ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race.

A racial group can be made up of two or more distinct racial groups, for example black Britons, British Asians, British Sikhs, British Jews, Romany Gypsies and Irish Travellers.

You may be discriminated against because of one or more aspects of your race, for example people born in Britain to Jamaican parents could be discriminated against because they are British citizens, or because of their Jamaican national origins.

There are four main types of race discrimination.

DIRECT DISCRIMINATION

This happens when someone treats you worse than another person in a similar situation because of your race.

INDIRECT DISCRIMINATION

This happens when an organisation has a particular policy or way of working that puts people of your racial group at a disadvantage.

HARASSMENT ON THE GROUNDS OF RACE

Harassment occurs when someone makes you feel humiliated, offended or degraded. For example, a young British Asian man at work keeps being called a racist name by colleagues. His colleagues say it is just banter, but the employee is insulted and offended by it.

VICTIMISATION

This is when you are treated badly because you have made a complaint of race related discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of race related discrimination. For example:

- the young man in the example above wants to make a formal complaint about his treatment. His manager threatens to sack him unless he drops the complaint

There are some circumstances when being treated differently due to race is lawful. A difference in treatment may be lawful in employment situations if:

- belonging to a particular race is essential for the job. This is called an occupational requirement. For example, an organisation wants to recruit a support worker for a domestic violence advice service for South Asian women. The organisation can say that it only wants to employ someone with South Asian origins
- an organisation is taking positive action to encourage or develop people in a racial group that is under-represented or disadvantaged in a role or activity. For example, a broadcaster gets hardly any applicants for its graduate recruitment programme from Black Caribbean

candidates. It sets up a work experience and mentoring programme for Black Caribbean students to encourage them into the industry

It is important to note that not all harassment is sexual but keep in mind that, with sexual harassment:

- A hug, kiss on the cheek, or casual touch is not necessarily sexual harassment. The key is whether the behaviour was unwanted or offensive
- 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.

Neon Films' Approach

Neon Films Limited believes everybody deserves to be treated with respect. We value inclusivity, appreciate difference, welcome learning from others, and consider people equal without prejudice or favour. We will not tolerate any behaviour that does not answer to these values, including bullying or harassment in any form. We will work to the best of our ability to ensure everybody who works with or for us is treated according to these beliefs.

We will never victimise, unfairly treat or discipline anybody who makes a genuine formal or informal complaint about bullying and harassment. We will respect and maintain your confidentiality and will speak to anybody involved about their responsibility to maintain confidentiality on the issue. As we have a duty to protect you and your colleagues, there may be times we decide to act on your complaint independently. In these situations, we will encourage you to use support services that we can direct you towards and will inform you of the outcome of our investigations if you wish to know.

Neon Films Limited aims to offer the best possible support to those working with or for us that experience bullying and harassment. You can use our informal or formal processes to resolve your complaint although where possible, we encourage you to try to resolve any problems informally in the first instance. As well as the Film and TV Support Line, 0800 054 00 00 there are a number of internal and external support services (found in the [Guidance](#)) available to help you get the advice you need.

How do I make a complaint about bullying and harassment or racism?

Anyone with a complaint regarding bullying and harassment can choose to pursue it via either a formal or informal process.

1. The informal process
2. The formal process

a. Using informal processes

If you have a complaint about bullying and harassment or racism, you may want to resolve problems informally where appropriate, before using the formal process. It is important to remember that the other person may be unaware of their behaviour and the impact it has on you, and your informal feedback may give the person a better understanding and opportunity to change or stop their behaviour.

We advise you to try to resolve your complaint as early as possible, if you feel able, to reduce stress and worry for you and possibly the other person involved.

To address a complaint informally, you should speak to anyone involved in the situation about how their behaviour is affecting you. It can be helpful to describe particular instances of this behaviour, including times, places, events or conversations in order to clearly illustrate your point. You should use the opportunity to ask the person to change or stop their behaviour.

If you feel unable to speak to the person yourself, you can approach an identified 'designated person' if the production or organisation has appointed one, your manager, or if the complaint is about your manager, the next level of management.

b. Using the formal process

If you do not feel that the informal process is a viable option for addressing your complaint, or if you have already pursued the informal process and your issue persists, you may decide to follow the formal process for addressing complaints. Or Neon Films Limited may decide the matter is a disciplinary issue which needs to be dealt with formally.

We ask you to put your formal complaint in writing and send it to your manager. If your complaint is against your manager you should send it to the next level of management. It should include full details of your complaint including a detailed account of the incident, the date it took place, who was involved including any witnesses, and any action you may have taken. This will provide 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 and will investigate any complaint made in good faith.

Once a formal complaint has been submitted the manager will send you written acknowledgement of the complaint.

The procedure for investigating a formal complaint is outline below.

- we will arrange a meeting with you to discuss the problem
- you have the right to be accompanied at the meeting
- we may need to speak to other witnesses
- the decision about your case will be made and communicated to you including any associated recommendations or appropriate action
- if you are unhappy with the result you will have the right to appeal

What to do if you witness bullying or harassment or racism

A Neon Films Limited, we all share responsibility for ensuring a safe working environment for ourselves and others. You may not have experienced bullying or harassment directly, but have witnessed someone else being bullied or harassed. If this has occurred, you should raise your concerns in order to protect the safety and wellbeing of the other person.

We understand you may feel worried about getting involved in a situation that does not directly affect you. We will support you in raising your concerns in an informal or formal way, so the bullying or harassment can stop. We will not victimise, unfairly treat or discipline you for raising a genuine concern.

There are a number of support services (found in the [Guidance](#)) that provide confidential advice and guidance on your options. We encourage you to contact the Film and TV Support Line, 0800 054 00 00 your trade union representative or manager to explain the situation and get advice on possible next steps.

If you decide to raise a formal complaint we ask you to send this in writing to your manager, or if the complaint is about your manager, the next level of management as soon as possible after the time of the incident. A formal complaint will be investigated in accordance with the process outlined above.

ENDS