![British Council logo]

Diversity Unit

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Equality Screening and Impact Assessment

November 2023

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Equality Screening and Impact Assessment

Introductory Guidance

What is it?

Equality screening and impact assessment (ESIA) helps us consider the effect of our policies and practices[1] on different people. It helps us minimise negative impact and potential discrimination and promote opportunities to advance equality, inclusion and good relations between different groups of people.

It is deliberately a time and resource intensive process because it encourages us to slow down and build in perspectives from a range of different people.

There are **two** main parts to equality screening and impact assessment.

- **Part 1 (Equality Screening):** The first part of the form presents a set of equality screening questions. These questions help determine whether the policy is relevant to equality and whether it needs to go through an equality impact assessment.

- **Part 2 (Equality Impact Assessment)**: The second part of the form, is the equality impact assessment. This is where a panel of people review the proposed policy, particularly thinking about its impact on different groups of people, trying to identify and counter any potential negative impact and promote any opportunities to enhance equality. The panel suggests actions for the policy owner to adopt.

Why do we do it?

The process helps us improve our policies and build equality into our work. Equality screening and impact assessment (ESIA) helps us consider the potential impact of what we do on different groups who are susceptible to unjustified discrimination, some of whom are legally protected against this, whether by UK or other law. It helps us demonstrate that we have proactively considered equality when developing our policies.

When should we do it?

Assessing the impact on equality should start early in the development of a new policy or review of an existing policy. Assessing the impact on equality should be ongoing rather than a one-off

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[1] Consistent with its broad definition in Section 75 of the Northern Ireland Act and other equality legislation, this guidance uses the term 'policy' as a shorthand for policies, practices, activities and significant decisions about how we work and carry out our functions. The British Council's ESIA process is equivalent to the Equality Commissions screening exercise and equality impact assessment (EIA) and should not be confused with EQIA which is a more detailed equality impact assessment (EQIA) carried out in accordance with Equality Commission guidance, 'Practical Guidance on equality impact assessment (February 2005)'.

exercise because circumstances change over time, so equality considerations should be taken into account both as the policy is developed and also as it is implemented. The guidance here is to help assess the impact on equality before the policy is implemented.

It takes some time to properly set up an equality impact assessment meeting if one is needed, so the equality screening questions should be considered as early as possible once the policy is drafted. If an equality impact assessment is required it will take a little time to identify a chair, a note-taker, a diverse panel and to set up the meeting arrangements.

In addition, once the meeting has taken place there are likely to be actions to be implemented before the policy is launched. All this needs to be considered when determining the best time to address equality screening and impact assessment.

When we are implementing a policy that has been developed elsewhere, for example by a government department, or by a partner organisation we also need to assess the impact on equality. Although responsibility for the policy itself rests with the organisation that developed it, we may have choices in how it is implemented that can help eliminate potential discrimination and promote equality, inclusion and good relations.

For existing policies, please note that an ESIA must be carried out every five years or when any substantial change/review is taking place, whichever is soonest. In this context 'Substantial change/review' means it would affect people in a different way than identified when the original ESIA was carried out.

How do we do it?

Consider the purpose of the policy, the context in which it will operate, who it should benefit and what results are intended from it. Reflect on its potential impact on people with different equality categories and think about which aspects of the policy, if any, are most relevant to equality. Answer the equality screening questions to determine whether an equality impact assessment meeting is necessary.

If an equality impact assessment panel meeting is necessary, identify someone to chair the meeting, and someone to take the notes. The chair and note-taker play a crucial role and specific guidance has been developed to support them:

- ESIA Guide for Chairs;
- ESIA Guide for Note-takers

A diverse panel should be approached, including a range of colleagues from different teams / departments / countries / regions as appropriate, some of whom should be directly involved in or impacted by the policy.

Panel members should be sent the part-completed ESIA form (i.e. Part 1 and Section 1 of Part 2) and the policy documents, giving them at least a full week to read them and prepare for the meeting.

The panel will review the proposed policy, particularly thinking about its impact on people in different equality areas as listed in Part 2, Section 2 (point 3), trying to identify and counter any potential negative impact and promote any opportunities to enhance equality. The panel will suggest actions for the policy owner to implement.

The impact assessment panel meeting must be held, and Part 2 of this tool used, when you still have time to make changes, otherwise it does not have real value. As such the panel meeting should be held **at least one month** in advance of the planned implementation date for the policy.

After the meeting, the action points identified by the panel are reviewed by the policy owner and implemented as appropriate. The policy owner confirms implementation of the action points or provides a planned date for implementation (and outlines a justification for any action points that will not be taken forward) and then signs off and sends the completed form to the audit inbox for audit by the Diversity Unit.

Northern Ireland

There is specific legislation in Northern Ireland which requires a more detailed process of equality screening and impact assessment for policies that are likely to have an impact on equality of opportunity and/or good relations. This includes external consultation with relevant contacts and organisations, which is done through publication on an external website available to the public. Given this, there is a need to confirm whether the proposed policy affects anyone in Northern Ireland. **If it does, all parts of the form need to be completed and the guidance at Annex A must be read and followed.**

Wales

As a public body operating in Wales there is a legal requirement for us to produce any information intended for the general public in Wales in the Welsh language. Therefore, there is a section in the form seeking confirmation of whether the Welsh public will be affected by the proposed policy.

Procedural notes

Please note, the document will be considered invalid for audit if not correctly completed. More information about the audit process can be found in the Guide to the audit of EDI planning tools.

- Complete Part 1 (Equality Screening) ensuring the Record of Decision is signed and dated by the policy owner (a digital signature including typed name is acceptable)

- If Part 2 (Equality Impact Assessment) is required progress to Part 2

- If Part 2 (Equality Impact Assessment) is **not** required, send the Part 1 (Equality Screening) form to the audit inbox for audit by the Diversity Unit.

Submitted tools which pass the audit are uploaded to SharePoint and form part of a database of examples accessible by colleagues.

ESIAs that pass audit will inform and may be used as evidence of completed actions in the EDI planning tools section of the country/business area EDI action plans. Please note that this only applies where an Impact Assessment has taken place and both Parts 1 and 2 of the ESIA form have been completed.

Part 1: Equality Screening

Policy Details[2]

Title of policy	Bullying and Harassment Policy & Procedure
Name of policy owner	**Craig Austin**
Planned implementation date (dd/mm/yy)	**31/03/25**
Policy type (for example global, regional, cluster, country, business area, department, sector policy)	**Global**
Country/Business Area	**All**

Background

Provide brief background information about the policy or change to it. Include rationale, intended beneficiaries and expected outcomes. Use as much space as you wish, the table below will expand as you enter information.

This global Policy & Procedure reflects significant changes to those that currently exist.

The primary focus being on removing any potential barriers to employee reporting of incidents of bullying and harassment and providing additional clarity and reassurance to employees about how a complaint will be responded to, and by whom.

A visual flow-chart reflecting the same has also been added.

The Policy & Procedure make numerous additional specific references to sexual harassment, further to recommendations made by the Equality and Human Rights Commission (a non-departmental public body in Great Britain) to UK employers on their legal obligations to take reasonable steps to prevent sexual harassment of their workers.

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[2] Consistent with its broad definition in Section 75 of the Northern Ireland Act and other equality legislation, this guidance uses the term 'policy' as a shorthand for policies, practices, activities and significant decisions about how we work and carry out our functions.

This includes clarification of the referral process (to Safeguarding) that will be followed where it is felt that a complaint may relate to Sexual Exploitation, Abuse and Harassment (SEAH).

Once finalised, the revised content will be reflected in an updated version of our Bullying & Harassment Awareness online training. It has been decided that this training will now be made mandatory for all employees.

Please note that this revised policy and procedure also forms part of a 7-step action plan to address sexual harassment, with a strong focus on three initial key priorities: risk assessment, policy and procedure updates, and communication.

Equality Screening Questions

To determine if an EIA is necessary, please answer the following by ticking yes, no or not sure:

Question	Yes	No	Not sure
Is the policy potentially significant in terms of its anticipated impact on employees, or customers/clients/audiences, or the wider community?	Y		
Is it a major policy, significantly affecting how programmes/services/ functions are delivered?	Y		

Question	Yes	No	Not sure
Might the policy affect people in particular equality categories in a different way?	Y		
Are the potential equality impacts unknown?		N (though to be tested at ESIA)	
Does the policy have the possibility to support or detract from our efforts to promote the inclusion of people from under-represented groups?	Y (support)		
Total responses Yes / No / Not sure	**4**	**1**	

Deciding if an Equality Impact Assessment is necessary

If you answered 'yes' to any of the questions, then an equality impact assessment is necessary. Please answer these additional questions, by ticking yes, no or not sure:

Question	Yes	No	Not sure
Will the policy have an impact on anyone in Northern Ireland? (*)	Y		
Will the policy need to be communicated externally in Wales and therefore translated into Welsh?		N	

When you have answered these questions, please move to the '**Record of decision'** section below and record confirmation of this by indicating "is required"; **then progress to Part 2**.

(*) If the proposed policy affects anyone **in Northern Ireland**, all parts of the form need to be completed and the guidance at Annex A must be read and followed.

If you answered 'no' to all the Equality Screening Questions above, then an equality impact assessment is not needed. Please move to the '**Record of decision'** section below and record confirmation of this by indicating "is not required".

If there are any 'not sure' responses to the Equality Screening Questions above, then please discuss next steps further with the Dedicated EDI Lead in your region/sector or with the Diversity Unit, who will help you decide if an equality impact assessment is necessary.

Record of Decision

I confirm an equality impact assessment **is required**.
Policy Owner (Name): Craig Austin
Policy Owner (Role): Global Employee Relations Case Manager
Policy Owner (Signature): C AUSTIN (A typed signature is sufficient)
Country/Business Area and Region: UK (People Function)
Date (dd/mm/yy): 04/02/2025

Procedural notes

Note 1: If an equality impact assessment **is required**, please complete Part 2, Section 1 and send this part-completed form to the panel along with any relevant background documentation about the policy **at least one full week** prior to the EIA meeting. This should include the draft policy and any supporting data or relevant papers.

Note 2: If an equality impact assessment **is not required**, this Equality Screening section (i.e. Part 1) of the form **must** be sent to the audit inbox for audit by the Diversity Unit.

Part 2: Equality Impact Assessment (EIA)

Section 1

This section is to be completed before the EIA panel meeting and sent at least **one week** in advance to the panel along with the policy and other relevant documents.

Title of Policy	Bullying and Harassment Policy & Procedure

1. Please summarise the purpose of the policy, the context in which it will operate, who it should benefit and what results are intended from it.

This global Policy & Procedure reflects significant changes to those that currently exist.

The primary focus being on removing any potential barriers to employee reporting incidents of bullying and harassment and proving additional clarity and reassurance to employees about how a complaint will be responded to, and by whom.

A visual flow-chart reflecting the same has also been added.

The Policy & Procedure make numerous additional specific references to sexual harassment, further to recommendations made by the Equality and Human Rights Commission (a non-departmental public body in Great Britain) to UK employers on their legal obligations to take reasonable steps to prevent sexual harassment of their workers.

This includes clarification of the referral process (to Safeguarding) that will be followed where it is felt that a complaint may relate to Sexual Exploitation, Abuse and Harassment (SEAH).

Once finalised, the revised content will be reflected in an updated version of our Bullying & Harassment Awareness online training. It has been decided that this training will now be made mandatory for all employees.

Please note that this revised policy and procedure also forms part of a 7-step action plan to address sexual harassment, with a strong focus on three initial key priorities: risk assessment, policy and procedure updates, and communication.

2. Please explain any aspects of the policy you've been able to identify that are relevant to equality. This will contribute to the equality-focused discussion the panel will have.

The policy specifically references six characteristics that are protected within UK law.

I have previously referred to changes made in response to recommendations made by the EHRC in respect of sexual harassment and how such complaints are responded to.

3. Please outline any equality-related supporting data that has been considered. This could include consultation with Trades Union Side or staff associations, equality monitoring data, responses from staff surveys or client feedback exercises, external demographic and benchmarking data or other relevant internal or external material.

Recommendations made by the EHRC in respect of sexual harassment and how such complaints are responded to, along with supporting information and guidance from the same body.

Feedback from the sexual harassment working group as part of policy development.

Staff survey responses.

Section 2

This section captures the notes of the Equality Impact Assessment panel meeting.

Title of Policy[3]:	Bullying and Harassment Policy & Procedure
Date of EIA Panel Meeting: (dd/mm/yy)	**26/02/25 – 9am start**
Name of Panel Chair:	**Javed Iqbal**
Name of Note-taker:	**Matt Dawson**

1. Please list the names, roles/business areas and geographical location of the panel members. If contributions have been received in writing by people who could not attend please list their details too and note 'input in writing' by their name.

Javed Iqbal (Chair) **JA** – Director of Technology and Delivery E&E – UK based

Michael O'Donnabhain **MO'D** – Head of Operations Data Management E&E – UK based

Anna Mears **AM** – EDI Advisor E&E - Spain based

Makram Elmouzayen **ME** – Accounts Relationship Manager E&E – Saudi Arabia based

Jane Franklin **JF** – Global Head of Equality, Diversity & Inclusion – UK based

Megan John **MJ** – Business Development Comms Coordinator E&E – Portugal based

Catherine Gater **CG** – Head of EDI, E&E – UK Based

Alison Sriparam **AS** – Regional Exams Director Wider Europe E&E – Turkey based

Basma Aftab **BA** – Regional Head of EDI, International Ops – South Asia based

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[3] Consistent with its broad definition in Section 75 of the Northern Ireland Act and other equality legislation, this guidance uses the term 'policy' as a shorthand for policies, practices, activities and significant decisions about how we work and carry out our functions.

2. Summarise the main points made in the discussion, noting which documents were reviewed. Note any points relating to clarity / quality assurance as well as points relating to equality issues.

JI introduced the meeting and explained why we have an ESIA process, which is to help us improve our policies and build equality into our work. JI asked all panel members to introduce themselves to conclude the introduction.

CA, the policy owner, then talked the panel members through the context of what has been put forward today. Though all the global Employee Relations policies are being reviewed and revised, Bullying & Harassment has been designated the immediate priority given the importance of the issue and other external factors, not least recommendations made by the Equality & Human Rights Commission in the UK in respect of the prevention of sexual harassment. Sanjay, our Chief People Officer, has communicated to the organisation a seven-step action plan to address sexual harassment, and a working group has been set up. One of these priorities is policy and procedures, and the working group has already provided feedback and suggestions at developmental stage, a number of which have formed part of the proposal presented today.

To not create a perceived hierarchy of bullying & harassment, a decision has been made to not separate the issue of sexual harassment from our Bullying and Harassment policy. This approach does not make us an outlier in the world of work, and is the same approach taken by the FCDO.

The revised policy and procedure make a number of proposed changes and also seek to focus on removing any potential barriers to employees reporting incidents of bullying and harassment, while seeking to provide additional clarity and reassurance to employees about how a complaint will be responded to and by whom.

Key to the new policy and procedure is the requirement to refer a potential sexual exploitation, abuse and harassment, known as a SEAH complaint, to Safeguarding – for them to make an assessment about what investigative process is most appropriate in the circumstances, either a Safeguarding or people management investigation process.

There are also changes made to the informal resolution section as well, following EHRC recommendations which we acknowledge. It is noted that in many cases of perceived bullying, harassment, informal resolution simply isn't appropriate.
CA made clear that there's now a visual flow chart included, making clear to employees how they can expect any complaint to be responded to and investigated.

JI opened the discussion to comments and questions to the policy owner, CA.

M O'D: Are both documents (Bullying & Harassment policy and procedure) available to all staff? How is the difference between them explained?

CA: Both will be available to all employees, as they currently are – but both make clearer at the outset about the need for them to be read in conjunction to ensure a full understanding of how a reported complaint will be responded too.

AS: If you look at the different equality categories, we could say that quite a few would be more susceptible to sexual harassment. You mention there is a seven-step action plan to address sexual harassment in the workplace. I'm not sure that we can be assured that there's enough being done about prevention if you are still including sexual harassment within a mainstream policy and procedure. Where is the prevention part sitting in this?

In this context (ESIA panel) this is very much about protecting people and vulnerable people so that is where my question is coming from.

CA: Policy and procedure are just one part of the seven-step action plan, and the issue of prevention is primarily dealt with within other elements of that plan. The plan makes reference to risk assessments, line manager training etc. A policy by itself is not going to prevent sexual harassment, but it does help to strengthen the organisation's response to that as part of a wider strategy on what we should be doing in that space.

AS: As we don't have sight of the other steps, it's difficult to know how far the other steps are going in terms of prevention, and states that it would be better if there was a separate policy for this sexual harassment.

JF: Craig, you said that one of the main goals is to ensure that it's easier for colleagues to report their concerns. Some people will be accessing this in a language that is not their first, some people are not from reading cultures, and there's a lot that people have to read. In the policy there's no link to how you report, you are just directed to the procedure. There is also concern from me around structure because definitions do not come in until the bottom of Page 6, so there's an assumption that people will read the whole document. That will be hard for people who are experiencing something awful, it will also be hard for people who have neuro divergent conditions, non-native speakers etc.

CA: You have mentioned a number of things there which are a challenge generally in a global organisation, dealing with global policies. In terms of definitions is that something you would suggest having up front?

JF: Yes, it would be helpful to know immediately what is bullying, what is harassment, what is sexual harassment as they are referred to continually. Also when something happens to you, you're not sure whether what you've experienced falls into this or if you should be going somewhere else. We are also introducing the SEAH and other new elements which will be confusing for colleagues – but having clear definitions up front would be helpful.

CA: The way it's been positioned is in line with our global policy template which has the definitions at the back end rather than the front end but that isn't cast in stone. It's useful feedback, thank you.

JF: If it is cast in stone, maybe there could be a hyperlink in the document to where the definitions are stated, I think that would help.

CA: I'll take that away and think about it. In terms of the reporting of concerns, the procedure does talk about the form that people can complete about bullying and harassment – is there a view that it isn't clear enough or should be positioned differently?

JF: The procedure does, but the policy doesn't and one of the challenges of if you are trying to report something, I's hard to know what document you should go too. By making it as easy as possible to report, I think moves us closer towards proactively preventing.
CA: I'm conscious that we're talking about a policy and procedure and people are more likely to read a policy before they read a procedure so that point is noted.

AM: In the policy document it refers to bullying and harassment not needing to be a repeated behaviour but within Safeguarding I've understood within their framework that bullying is something which is repeated. I wanted to make sure we have the same criteria as they would in safeguarding so that its clear to all.

CA: That was looked at when we created the content for the Bullying & Harassment awareness training module. I recall receiving feedback from Jane's team on this. My personal view is that it only has to be a single incident, but I'd welcome others thoughts.

JF: My understanding is it doesn't need to be repeated because it can be a serious enough incident to have happened one time. What Anna is saying though is important as we've currently got two different models – a HR model and a Safeguarding model and they are not the same. It is therefore really important that we are joining up like this and being very clear where we are getting our definitions from. Traditionally we'd get our definitions from the EHRC and cross checking this with other sources, but because the laws changed in the UK we'd need to reference that strongly too.

AM: I was wondering how the policies that we have within Safeguarding and our Bullying & Harassment policies how they kind of inter-weave or how we make sure that they speak to each other in a clear and coherent way – so there aren't any contradictions or differences.

CA: They are separate processes, but wider discussions happening about aligning our approaches as best we possibly can, not least because some of their related activity that might arise from investigations may result in a disciplinary people process.

JI: While we're talking about safeguarding Craig, a comment from Basma in the chat. It appears that this policy priorities safeguarding as a key stakeholder so would it have been more effective to have a team representative here on the ESIA panel, what is your thoughts on that?

CA: The Safeguarding team are aware that the ESIA panel is happening, and I have been in discussion with them regarding the sections that are relevant to them. The wording has been agreed with that team, and it needs to be made clear that there are two separate investigation processes (Safeguarding and people process). Routine conversations do take place between ER and Safeguarding about what process is most appropriate in specific circumstances, but that isn't made clear in the current policy and procedure, and we should absolutely be responding to that where there is any element of confusion.

JI: There is a potential for negative impact here whereby the victim is told your complaint is not this process, it's that process (confusion between safeguarding and a people investigation process)

CA: I've certainly been thinking about the employee experience in formulating this policy and procedure so I would expect that to be quite seamless in terms of the person who has made the complaint being informed about the suggested approach (investigation pathway) once those conversations have taken place (between safeguarding and ER). Everyone should receive an early acknowledgement and then communication to let them know what will happen next, what they can expect etc.

I don't expect from an employee experience perspective it would be significantly different (depending on which pathway is initiated) although we wouldn't want anybody hanging around to find out, or feeling that they need to chase.

CG: I think safeguarding should appear in the responsibilities element, specifically to say what their role and responsibility is within this, where appropriate. Further to this it doesn't appear to be anyone's responsibility of training managers, ensuring that training is designed well etc.

Another point is that from these documents it is the manager's decision upon receiving a complaint whether it relates to sexual exploitation abuse and harassment and I wonder should that decision rest with the person who has made the complaint to say I believe it has this element.

CA: I don't think the intention is for it to be about management control. I think if people think it's a safeguarding issue, then they have every right to report that directly to that team. I think this is about the manager looking at it and going it might be more appropriate for this team (to investigate). So, it is less about management control and more about the consideration of the facts and after having spoken to safeguarding, a decision on who is most appropriate to look into it is made.

CG: It's all one process that somebody would engage with. What happens behind the scenes isn't so relevant to the person making the complaint, Should it not be the person who is stating they have been sexually harassed to lead on whether they felt it was?

CA: I would say that there is another process is they wish to directly report it to safeguarding, which they are entitled to do.

CG: The point of having a single process and a single place to report everything I don't believe takes on board the points that Jane made earlier about English may not be your first language, definitions not being consistent etc. I feel the control should be sitting with the person who has made the complaint to decide which team will investigate.

CA: It's something I can discuss with safeguarding, but colleagues can, and still will be able, to report matters directly to Safeguarding.

CG: Also, I feel a lot of people would prefer to speak to a person instead of submitting a form (to complain if they feel they have been sexually harassed) perhaps that can be reflected with the new people taking on board the contract (this regards Safecall)

CA: That is a different reporting mechanism, but the point about how we position this and manage expectations can definitely be taken away.

MJ: Why is only sexual harassment being passed to safeguarding and not bullying and harassment complaints as well? I thought that safeguarding is only for external customers and doesn't cover British Council colleagues, so this is confusing.

CA: That theme came out of the global Speak Up calls, that the perception is safeguarding is for external use only. This process being discussed now won't necessarily involve safeguarding, so it is important this policy and procedure clarifies that point.

MJ: OK. Can bullying and harassment also be raised with them, or is there anything safeguarding will do differently, can't everything go to them?

CA: If it did, we would have no management accountability. Safeguarding have their own classification process regarding what is appropriate for them, but we must not lose sight of management and business area accountability here. I still see this as primarily a people manager process, similar to how a disciplinary, a grievance process needs to have the same accountability. The business will be supported and partnered with on these processes, whether this is through the advisory hubs or ER Case Managers. Ultimately, there are things that need to be managed by our managers, and I don't wish to lose sight of that.

MJ: Do we mean direct line managers or higher up?

CA: This depends on who is appropriate, as there are times when line managers are not appropriate, especially if the complaint relates to them. There are also wide-ranging complaints which need to go elsewhere, but I don't want to lose sight of that appropriate focus on accountability.

BA: The mandatory training that is referred to, does not appear to be mandatory as I have not done this in my HR portal. Another point is regarding timelines, apart from one timeline where it says within five working days the person who has raised the concern will be met with the investigator once they are appointed, no other timelines for the process are given. If I was going to raise a concern I would want everything to happen very soon, but at the same time there is concern around our resources, constraints and other things. If we are asking people to Speak Up, we should be ready to address and make those investigations in an appropriate pace, in a quicker way which would be helpful for the employee experience.

CA: The training isn't currently mandatory, but we do intend to introduce mandatory training. The point around timeliness is important, and in the policy and procedure it does talk about specific working days at times, but I think it is key to manage expectations – it is very difficult to employ strict timelines. This would create a presumption that every case is the same, every case is the same in terms of its complexity, the amount of people that need to be spoken to etc. So, we try to strike the right balance around some of that stuff (the timelines) without being too prescriptive when we know that's not always realistic – but of course I welcome others' thoughts on it.

JF: I accept it's hard to put fixed timelines on it, but could there be a requirement that the person who has raised the concern will be kept informed at least every, however many days to ensure there isn't silence after a complaint has been put in.

MJ: It is important that both parties are kept informed, both the complainant and the person who it is about, and maybe they should be informed of what's happening so they don't think it's being pushed aside.

CA: I agree, and that is reflected in the guide for investigators, which currently does exist as well. It talks of the importance of keeping both parties updated and giving reasons for any delays. I have no objection to including that in this policy and procedure so I'll take that away.

JI: I have seen some examples of investigations and decisions taking months, sometimes years. I see benefit in the approach that Basma raised, that there should be a discipline regarding timelines.

CG: In Section 2 of the scope of this policy, we have said that this applies to all globally, but we don't include in the examples of people who are not employed by us, but do work for us – freelance teachers and examiners etc. In some regions they can actually outnumber employees, so I wonder how they might be included in the policy?

CA: In terms of the scope, this remains as per the previous policy (employees only). The consideration around those who may be employed by a third-party forms part of the wider action plan and I believe there is a reference to this in the communication that went out.

JF: It might be useful to say who is in scope and who is out of scope because for some line managers they may be on a relatively low pay band but manage a lot of NPW's. It may be useful for them to know what the right mechanism is, a link perhaps.

CA: There's a direct link we can make because when we launched the policies that I wrote on informal resolution, there's another that was launched at the same time which was responding to an employee concern – which deals specifically with third party employees, contractors etc and who you refer those concerns to. There is a potential link to be made where we can be consistent about the wider employee message.

AM: When working with suppliers and contractors, do we check if they have robust policies around dealing with bullying and harassment? Another question regards the reporting of information – can we have data and information about the cases broken down by different demographics, to know what actions would need to be taken in future.

CA: Regarding the first part, that is my understanding yes, we do check. Regards the second question, we have a global employee relations tracker which includes things like disciplinary, grievance, and also includes bullying and harassment cases. This feeds into a dashboard which gives us insights where there may be themes in particular regions, hot spots, that kind of thing, so we do have that information to hand. It's not however something that is shared with the wider organisation.

MO'D: I like that the policy explains what sexual harassment is, and the appendix which describes different types of harassment based on the protective characteristics. However, it doesn't explain sexual harassment in the context of each of the protected characteristics. I do feel strongly a separate sexual harassment policy would be better, the main reason being accessibility, and the fact that sexual harassment is something quite different. I do think that approach would be more beneficial than the current approach of keeping everything in these two presented documents.

CA: I've shared my thoughts around why the organisation thinks it's appropriate to have a single policy. One thing that came up on the Speak Up calls was a potential misunderstanding about the actual internal investigative and management procedures that are followed when concerns are reported, and having a separate policy may cause further misunderstanding when actually the same process is followed broadly for all complaints of harassment. I note your point though.

MO'D: Would there need to be a completely different process document for sexual harassment? Could we have two policies and a similar procedure?

CA: I think we probably would (need completely separate policies and procedures) because if you look at the disciplinary policy, the grievance policy, they've all got separate procedures with that. We don't want to inundate people, and I think it's important to avoid confusion.

JI: There is a comment in the chat from Basma – teachers who are NPW's, would they be covered by this policy if they are bullying against a member of staff, or would that be a safeguarding process?

CA: It depends, is the simple answer to this. I've referenced the existing policy which sets out how to respond to a concern (not just employee concerns) but often matters come from third parties, or an NPW making a complaint or allegation and we occasionally see this through Safecall. Through Safecall it's not necessarily dealt with through the bullying and harassment policy – it may be dealt with through the misconduct policy if there is sufficient evidence to go on. So it will depend on the circumstance how it is progressed, for instance a concern raised through Safecall by an NPW regarding the conduct of an employee could be followed through an (employee) disciplinary process.

JI: A flow chart might be helpful here, because there are so many different directions to deal with a problem. This would help navigate between different policies and procedures and help the victim of bullying & harassment to follow this.

CA: I think we've covered some of that both in terms of how we position the introduction and scope, and some of the other documents that people can access. I know we've talked about links but the guys in policy compliance hate links for the simple reason that they can become outdated quite quickly, but we can certainly reference specific things that people can access via the loop, for instance. Some of that might be helpful from the outset, setting people off on the right path. What we want to avoid is someone starting off on one path and having that expectation, then it is changed. We need to be as seamless as we can about that, certainly in times when people are feeling distressed or anxious.

JI: A question from Basma in the chat regarding the use of the word reasonable in the procedure, how do we define reasonable? This is in relation to reasonable delays etc. can we have clarity on that?

CA: We can use a different word, so for instance we could use unjustifiable because that puts the onus on the individual to justify why there's been a delay.

JI: There could be justifiable reasons to the person making the decision, but unjustifiable to the person on the receiving end, so it depends which angle we are looking at it from.

CA: I'll go away and reflect on that.

JI: The informal resolution section could do with more clarity as there is some ambiguity there. When is it appropriate for the informal resolution process, thinking from the employees' point of view which maybe they might feel complaints will not be taken seriously if an informal approach is suggested to them. It might help if we explicitly state that employees have the right to refuse informal resolution.

MO'D: Regarding this point, as a Union Rep we sometimes have people coming to us with claims of harassment and/or sexual harassment and they do not wish to take that further. Can we take it further if the member themselves does not want to? I think there have been cases where particularly women will feel they cannot take that further because they won't be listened to. Previously Rob (McChesney) has said that he didn't see the union as part of informal resolution but sometimes people just want to be heard, and they just want to be seen – not necessarily wanting to go further than that. I do think there's a danger of those things not being dealt with if someone tells another member of the team and says I don't want to tell anyone – then there's an allegation which is not being dealt with which can be poisonous and toxic atmosphere. So how does that work? Also, it's not quite clear what we mean by informal resolution and how to implement that, but it could really have a value sometimes. Does the person who is affected by this get a choice in informal resolution rather than launching into a formal process?

CA: Yes, they do have choice about it, you can choose to make something formal at any point you want. We do make reference to the guidance I wrote on informal resolution, which is the content we are currently running manager sessions on. There will be more manager sessions in the next few weeks, however, to talk specifically there are instances where informal resolution certainly isn't appropriate – which is covered within that guidance. You have mentioned the Trade Union role Michael, and there is a reference to the role the Union and staff associations can play within informal resolution, as I wrote it.
I think the point Rob was making was we need the two parties to own informal resolution and where individuals feel informal resolution is a possibility they can pursue this.

We wouldn't wish to detract from the individual's ownership of that process, but the unions definitely are referenced within that guidance.

JI: Within the document there are mentions around disciplinary actions, disciplinary sanctions that could result in dismissal and it talks of suspension etc. Could there be a link to the Disciplinary Policy? I also found myself confused as to what level of wrongdoing could result in what level of disciplinary action, so what framework is there that manages that approach?

CA: The frameworks are the disciplinary policy and procedure which makes clear what might constitute gross misconduct for instance, however the list provided isn't exhaustive. What I would say is, if we go too far down the disciplinary process within this, then we will probably lose sight of the process that an individual can immediately expect because they won't necessarily be part of a disciplinary process, for example if a complaint of harassment is upheld, a disciplinary hearing which follows from this will be management action arising from this. The individual won't be part of that.

JI: The next one from me was within this policy we have the victim and the perpetrator. The person who is alleged to have committed the bullying & harassment – is there a need for a reference for them, giving due consideration or protection to them as well that innocent until proven guilty, providing the same level of support to the person who is accused.

CA: I think it does that within the policy and I think it makes references that no judgement is made until an investigation has been concluded.

JI: Thinking primarily from the point of view of handling false allegations – do we mention or refer to how the organisation treats false allegations, and what support is needed for those who are accused of harassment?

CA: There'll be no detrimental impact for anybody who has raised a concern, even if it's not been upheld provided it's been submitted in good faith. I think there's that language in there, I suppose the question you are asking is regarding malicious allegations. If we can evidence a malicious allegation that would be viewed as misconduct. We have gone with the wording we have gone with because we were thinking primarily around perceived blockers to reporting, there wouldn't be any sense in making a complaint which would result in having a detrimental impact – that's what we are trying to avoid here. I think we've tried to strike the right balance, but I'd welcome the thoughts of others.

JF: In some countries there is very much a culture of raising concerns against other people. I wouldn't want to see anything that would stop people from reporting when something has happened, so I think it is about how the organisation offers sufficient protection. If someone makes an allegation against you, I don't know whether there are other sources of support other than the EAP which is mentioned. I think it makes very clear that as an employee and you're raising an allegation you can be accompanied. But also, if you are the person who has been accused you can be accompanied too, so I think it's worth checking for balance. It's hard because the impact disproportionately is likely to be on the people who don't have a voice in the organisation, who are underrepresented and who are being quiet at the moment. It's just concerning getting that balance right that Alison raised at the beginning.

CA: I was going to make the same observation, I take your point Jane, and I think striking the right balance is really, really important here.

MO'D: I have additional thoughts and observations. I've looked at ACAS guidance on what should be included within a sexual harassment policy. I don't see in our policy how you would handle time off because of sexual harassment because people may not come forward if they are going to prioritise their dependents before themselves. The other is specifically relating to sexual harassment from third parties and customers. We've mentioned NPW's who are dealing with customers, and they are not covered by this as they are not employees, but even employees being protected from third parties I couldn't find in the policy. It might be worth stating we don't tolerate this behaviour from suppliers and customers, and it would not be accepted.

CA: The scope references employee complaints of alleged bullying & harassment from those who do not work for British Council. For example, partners clients, students, visitors etc.

JF: In some cultures if somebody is of a higher status, a higher rank or an elder, colleagues may feel unable to report something like that. They may feel it's not something other people will listen to, or that the organisation won't wish to tackle it. So, the cultural dimension is worth pulling out because this is where we differ from other organisations, people need to understand that even though those things may be culturally accepted, they are not within our organisation.

CA: That's a good point, because when we talk about imbalance of power and that is mentioned within this, people's mind will often go to the hierarchy within the organisation, but actually it goes wider that that doesn't it. So, I think we can definitely do something on that.

Adjournment 10:30 – 10:37AM.

JI: Next, we will be looking at the equality categories and the impact of this policy. Any potential negative impact, and anything where we can help improve the policy and we will review category by category. We'll be starting with **Different ages** (older, middle-aged, young adult, teenage, children; authority generation; vulnerable adults)

MO'D: I'm thinking about younger colleagues here as they are more likely to be in a position where the power imbalance is against them as younger colleagues tend to be on positions of less power. It might be worth adding in a line about how we counter that, what we're doing to address the power balance by giving you different channels to report harassment or sexual harassment.

CA: I'll take this away and consider this.

JF: I have a question on consistency of page 9 on the policy. For example, use of inflammatory or offensive language or derogatory name calling is there in disabilities but not in age. So, for consistency either we have ones that are specific to that particular area, or having generic ones which will hold for lots of them.

CA: I'm happy to revisit for consistency.

JF: Thank you. The main thing I've seen around age is bullying of older people, pressure to retire, assumptions about retirement, people who have been told they are not worth investing in terms of learning and development etc. Does there need to be a link to learning and development? With age there are strong assumptions about this, and if reiterated they can take a form of bullying. We should put something in there about cultural expectations. How younger and older people behave, or cultural stereotypes related to age.

AS: I think it's an important point when we're in a phase of restricting employment, downsizing, making people redundant etc. That is when these views come into play.

JI: Moving onto the next category - **Different dependant responsibilities** (childcare, eldercare, care for disabled and/or extended family)

MO'D: Information regarding time off for the victims of sexual harassment would help. People are likely to prioritise their dependents over themselves so may not report sexual harassment if it may impact their ability to provide support for their dependents. So, something included within the policy that explains you can take time off to deal with this, that you can prioritise yourself and you will be supported might help this particular group of people.

JI: Thanks, Michael. Any further thoughts from colleagues?

JF: If you are the primary earner, if you've got dependents then rocking the boat is really dangerous. It could also be if your status in a country depends on your job, your house and your ability to reside in that place is tied to your job. That's a different sort of dependency but you'll be less likely to rock the boat.

CA: We talk with the policy and procedure about victimisation, so we could add job security to that.

JF: While we are talking about victimisation, the way it is described in the policy says "being subject to a detriment" which is hard language. There is a lot of misunderstanding about victimisation, I think people think it's being made a victim. Could we use more simple language?

CA: That actually comes from EHRC, but we haven't got to be beholden to that. If we can use language that is more easily understood and grasped easier then fine.

AM: Making a wider point - how will this be communicated to staff; how will we build confidence around this area and gain people's trust that this is a good policy to follow and that they will be supported. I think some of the problems will be any of the categories where people have a vulnerability, it's going to be about gaining their confidence, I think there needs to be real buy in. I don't know whether that is related to being transparent about how things are handled, how cases are being successfully managed but I think that's an important area to consider.

CA: I think the comms part sits outside of my remit to a certain extent; however, I do know, having spoken to Caroline Montgomery who is overseeing the organisations response and the seven point plan, we want an aligned comms message, so we are not just issuing policy and procedure and it not being connected to anything, and that is the plan.

JI: Shared a personal story of being bullied by a senior manager within the organisation and states a woman in Pakistan who is complaining about sexual harassment will think twice - what will it do to her reputation, rather than the perpetrator?

AM: A similar situation in Spain is that a female colleague has previously received inappropriate messages from a manager whilst a restructuring exercise was being carried out and being told they could help them. So, it's obviously very difficult for a woman in that situation to report this so there does need to be an important campaign to help make people feel comfortable.

CA: There are really important points there made around cultural considerations, domestic considerations etc. There has to be trust in the organisation, trust in the manner which it responds, the speed it responds. All those kinds of things, and whilst a policy and procedure in itself is not going to deliver that, hopefully what people see in terms of a wider proposition and potentially a shift in what the organisation is saying about these things will help to bridge any trust gap that there might be. You should feel sufficiently empowered and supported to make a complaint to a more senior person. But thank you for sharing, both.

CG: From personal experience I think it's a call you have to make as an individual is to raise it on your own behalf and to think if I don't say anything then this behaviour will continue and it might happen to other people, it's a difficult call. People may also leave as a result of this, and never raise it, they may simply find another job. I wonder if we could do an anonymous survey to see if we could find out if that is ever a factor in people's decision to leave whether people speak up or not, so we are aware of this.

CA: I don't know to what extent that is being considered as part of the wider strategy but I wouldn't want to pre-empt that, so I can't give you a personal view on that. I think it's a valid point, though.

JF: Can I ensure that Matt captures this as an action – not for Craig but it might be appropriate to assign it to someone like Gabriel who is leading on the exit questionnaires to see if it is asked, or if it is something that would be asked so it can be responded to in the same way.

JI: Moving onto the next category - **Disabled people** (physical, sensory, learning, hidden, mental health, HIV/AIDS, other) and neurodiversity

MO'D: This is a group that could be more affected by sexual harassment, particularly than other groups of people. If you are physically disabled, you may not be able to prevent an attack or unwanted touching from another colleague or stakeholder. If you have a mental disability than you are very vulnerable, and predators may pick on those who can't process what's happening to them. People have different ways of processing information, and I think we could remove a barrier by having a standalone sexual harassment policy as opposed to this being buried inside a much bigger document. That would make both policies more digestible to anyone who struggles to process information. More visual description of the process as described on the procedures is helpful. Disabled people and neurodiverse people may struggle with this in its current format (large sections of content, non-visual steps of the process).

JF: I think it's really important in terms of the visual aspect, but also the policy itself we need to make sure it's accessible. There is no point having a visual flow chart if it's not accessible. It needs to be accessed by screen readers for example, keeping the language straightforward thought-out will help that. Another note is related to people with HIV/AIDS.

There is so much stigma associated with it – what you have to reveal, who you have to reveal to – especially if you're getting support from the organisation with medication, and that puts you in a vulnerable position. I think it's an awareness that's needed and it might come through perhaps in training that brings it to life.

MO'D: Regarding HIV/AIDS, if there is a case of rape, will the policy give guidance on what happens if it is transmitted because of something that's happened in a work context?

CA: I can take all those away and I do welcome feedback on the visual process flow which has been used almost as a tester for this policy because I think there is real value in it. I'm currently reviewing and reviewing all the policies owned by Global Employee Relations and it sounds like this is something that will be welcome for all of those unless you tell me otherwise.

JI: Moving onto Different **ethnic/racial** and **cultural groups** (majority and minority, including Roma people, people from different tribes/castes/clans)

MO'D: In the appendix where we have further examples of harassment, age, disability etc – it would help to put something specifically in there regarding sexual harassment. For example, black and ethnic minority colleagues experience unwanted touching of their hair, skin – it's helpful to know when does this crossover into sexual harassment. So, in the appendix stating what sexual harassment can mean in the context of ethnic, racial and cultural groups would be helpful. In this policy it's another opportunity to point out unwanted touching is not OK.

AS: It's such a complex area overseas, working in different offices and if you are there for a while you'll probably find there is mostly one ethnic group, mostly one tribe in the office. We have to be really careful to ensure everything isn't through the UK perspective because Michael's point sounds very UK centric.

AM: There are different incidences of bullying and harassment that can happen in different places and that can be very complex, there can also be different ideas of what constitutes bullying and harassment, and people may not agree on the same definitions or the same sort of behaviours constituting as inappropriate or not. One of the challenges is making sure the policy and procedure is communicating well on a local level and really delivered, in a face-to-face way as much as possible. It's difficult to capture all of the nuances within one document of such a large organisation.

MO'D: I agree it's very complex culturally and every other way. I think racism is racism however, and this is a global issue and a global problem. Unwanted touching is also a problem everywhere, I don't think it's a UK specific point of view.

JF: I think there's some points around race and ethnicity that's worth pulling out. One of them is conflict and within the countries we operate in that get played out in our offices. Azerbaijan and Armenia for example or people working across Isreal and Palestine and all of the surrounding countries, the tensions that exist within our operation and how harassment slips into that. I think this would be in some training rather than in a policy or procedure, but it's worth highlighting conflicts and how people have goaded others at times of conflict, maybe unintentionally by expressing support for a particular side and how the opposing side in that conflict have found that. The other thing is about the positioning of racial harassment and the danger of sexual harassment being treated separately and investigated separately but that not happening for racial harassment. Safeguarding are specialist investigators and whilst management colleagues are doing the best they can, there is a danger of downplaying racial harassment because they are not specialist investigators.

I think we need to think about the messaging and make sure that we're not implying that racial harassment is not really important.

AS: Managers don't get training; they get support on how to deal with investigations and that's part of the issue when investigations go above and beyond the level that a manager is comfortable with. Safeguarding are feeling overwhelmed at all the sexual harassment being channelled to them and it's a question of us prioritising resource.

JF: I just feel around race, there are a lot of nuances that the person who is investigating needs to be aware of. The training around investigators feels really important to me in this area and just the sensitivities.

JI: Shares a personal story highlighting racism from a former senior manager in the organisation towards him and stating that victims don't always understand they are victims, that what is happening to them is bullying and harassment.

CA: Thanks for sharing your comments, everyone. I think that a manager should use not just policy but the really detailed guidance that we have now provided for managers who are undertaking investigations is a good and sufficient source of support – which almost spoon feeds managers a lot of this information and obviously there is the support from the people function advisory hubs or in more complex matters the employee relations case managers. However, I also acknowledge that in complex cases we may need specialist insights and further support might be required. What I can share with you, is that I understand that a budget will be made available to create a pool of investigators as well. But again, I would caveat that by saying I don't think that is appropriate in the vast majority of cases because most of our cases are not complex. Whilst people managers might not welcome the cases because it's in addition to their workload, that doesn't make them complex in themselves.

JI: Thank you for this Craig. The next category is Different **sexes and genders** (men, women, non-binary, transgender or intersex people, other issues)

MO'D: I searched for the words male, female, non-binary, transgendered in both the policy and procedure documents and I could not find these words mentioned. Whilst the word gender is within the appendix – this is to do with gender reassignment but that's very specific and doesn't relate to all transgender and non-binary people. We need to highlight in the policy that sexual harassment can take place between a woman and a man, and vice versa. It could also be male to male for non-binary and transgendered people, and that's a group of people who are particularly vulnerable to sexual harassment. These people also experience high levels of inappropriate touching and comments about their sex life, all kinds of intrusive stuff. We could highlight in the appendix to recognise that this particular group could be affected in this particular way, so if you're from that group and you see that in the policy this would make sense to you.

AM: There is also a geographical aspect as well in terms of where the person is based, what kind of attitudes there are to transgender or non-binary people that may have an exacerbation on the situation for the person. So, this would need to be carefully considered in terms of guidelines and advice given to staff and managers.

JF: The interplay between sex and gender may need to be factored in. At the moment it says under gender reassignment in the appendix that consciously referring to someone's previous name or gender having been asked not to do so – and on the face of it that looks appropriate however a person who is gender critical and their belief is protected through legislation, that person does not accept that it's possible to change your sex and therefore may have particular problems with referring to somebody with a different set of pronouns.

It is just about being careful with how is framed, so we are not implying that something is definitely harassment where it might not be. There's definitely bullying that can arise from using people's previous names, the wrong pronouns but I think that's difficult to get right in the framing (of these documents). The documents should highlight the potential problems we face here, thinking also about the protected beliefs that may exist on the other side. We also have different cultural acceptances and people who are in danger in the countries they are in.

CA: I think the global lens is really important because there are elements of this where I would have liked to have said in the policy and procedure about certain things being unlawful, but we can't necessarily say that for a global audience. It's important to understand that the EHRC recommendations are very much through a UK lens that talks about being unlawful, and we've had to take a step back from some of that despite not really wanting to because we're faced with a different reality as a global audience, and I'll definitely reach out to you Jane on some of the points mentioned.

JI: Moving to the next category different **languages** (Welsh and/or other UK languages, local languages, sign language/s)

MJ: Is there a possibility for colleagues to raise a grievance in their preferred language and for it to be investigated in their preferred language? Some people may not feel confident to express what is happening to them in English, if it is not their first language.

CA: I think we'd have to consider the circumstances as English is our language that we use within British Council.

JF: That would be hard, Megan. However I think it would be entirely appropriate for them to be accompanied by someone who speaks the same language, and in certain countries maybe some of it could be done in local language. But it is important to note nuance in how words are interpreted in different languages.

CA: Nuance is really important because it can have a huge impact, terminology and that kind of thing. I am aware we have had complaints come in through Safecall that aren't in English, and they've had to be navigated as best as we can. But part of the Safecall functionality is that we can go back and communicate with people who wish to remain anonymous and can do so. It is difficult to do, to converse in the language that you either don't understand, or don't understand the nuances of it and I am not aware in the two and a half years I've been with British Council where we've done that, but I don't remember us ever refusing it either. I just don't think it's been an issue and it's certainly not something that's come under my radar and it would usually get escalated to my team if it was.

MO'D: English is the language of our organisation, but one of the types of sexual harassment could be sexual comments or jokes. I've witnessed a younger women accusing an older man of sexual harassment because he said she looked very fit, but this can have two meanings in English as well. We're working in an organisation where English is not the first language for most of our staff, so I go back to the need for training and awareness of the use of language, because what one person hears and understands may not be what the other person meant.

CA: I think that's what a skilled investigator or decision manager would need to take a view on. We're not a court of law, we don't have to establish the same level of proof and I think ultimately we have to take a view as an organisation what is most likely in the circumstances, what is credible, what is less credible. An investigator would need to try and get under the skin of a situation to try and understand the nuance, intent, perception that type of thing but I take your point.

There have been examples of investigations or complaints which have been specific to a culture, region or country, so these things do crop up. This relates to words which might not mean anything to anyone in a different country but still carries a lot of weight and baggage to the individual, so I am aware of these things.

JI: Are our global policies ever translated into local languages, or training delivered in local languages?

CA: I think that's a wider question about policy generally, but I don't think we currently do that.

JF: We've definitely done it in the past for some documents. I know colleagues in certain countries have had for example the equality policies, the equality policy statement translated, and they've used that with their third parties. I am not aware about full policies like this, however. But who would do it, and how would you know that the translation is exactly as intended? I think there definitely can be ways that the policy is socialised in local languages, and people can have the concepts explained to them in local languages for sure. I think there is an assumption that colleagues English is so good, but there may be cleaning staff, contractors etc, people who may not have the levels of English needed so that you can understand a policy statement and express yourself accordingly.

CA: I can see why it would work for third parties, because often we will be engaged in two roles that may not even require any kind of level of English, so I understand that. I am not aware of anything that we do in terms of global policies and procedures for employees (referring to the translation of these)

AM: I know it might be challenging but it would also show a real commitment to engaging everybody, and reaching people. Something to think about.

JI: Moving to the next category, different **marital status** (single, married, civil partnership, other)

MO'D: If someone is single, I think there is a much greater chance that it is interpreted that they are available. They may receive unwanted attention more, and if you are a single young woman that's probably a more vulnerable group. I don't know if this needs to be highlighted in the appendix that within that category there may be one group more impacted than others.

CA: I take your point, but there is another way to look at this. I have observed that people in relationships, certainly married people are less likely to report because of how that might be perceived if there's a wider awareness of the issue. That is where your cultural considerations come in as well, so it can work both ways.

JI: Moving on to Different **political opinions** or **community backgrounds** (particularly relevant to Northern Ireland)

MO'D: In terms of bullying and harassment, there is a sectarian element that comes into that. But I could not think of sexual harassment in a particular context relevant to Northern Ireland. Sexual harassment is something that happens globally, so is another argument in favour of separating those policies out.

JF: What springs to mind for me is the other sorts of political opinions that we were talking about earlier relating to conflicts – the power and status that might get associated with them. This does relate more to bullying and harassment rather than sexual harassment, although with power comes more likely a chance for sexual harassment of the more vulnerable groups.

CA: An observation from me, having worked for some time in the Republic of Ireland and Northern Ireland is that there can be instances where derogatory statements based on any of these things are combined with sexual slurs – so there can be a combination of both of those things occurring.

AS: When it comes to war, rape is very much a part of war and the degradation of women. And if you take that up a few levels and if you are looking down, you can have racism against one group of people, and that's going to put the women down lower. As Craig was saying, the two can be associated because it's part of that separateness, that kind of racial difference that you're less valuable than somebody else.

JF: It's helpful to hear the different examples which don't immediately come to mind. I think it's helpful to expand on the appendix that we have currently, to list the less well-known ones because it will show that it's been thought about carefully. It might help people to see that actually what they are going through is a form of bullying and harassment and is therefore relevant.

JI: Moving on onto the next category is **Pregnancy, maternity, paternity** and adoption (before/during/after)

MO'D: I have a question related to unwanted touching. Once you become pregnant it's like your body is an open field and everyone can touch you. Is there a possibility of unwanted touching for pregnant women, that people need to be aware of? Even in the UK I think it's quite acceptable and pregnant women's bodies are seen differently than women who are not pregnant.

JF: Highlighting the risk of unwanted touching is helpful.

CA: That's a good example. In most cases, that would appear to be unwanted touching, that is not in a sexualised way?

MO'D: I hope not but it is still unwanted, whether that is sexual or non-sexual people should ask first. In different cultures as well there is different approaches to touching, and sometimes it is acceptable.

AM: Another point, women who are pregnant may feel they are excluded simply because they are pregnant, not being chosen for tasks in a job setting and being overlooked. It's another potential area of difficulty.

JF: There may be links with this, but menopause isn't mentioned anywhere and that might be worth putting in there. Comments might be made, or assumptions might be made, people might be on treatment going through the menopause as well.

JI: Moving on Different or no **religious** or philosophical **beliefs** (majority/ minority/ none)

JF: I think there is actually lots of inter-religious and intra religious bullying and harassment that goes on in the British Council and it might be around the way people of particular faiths practise their faith – whether they are not Muslim enough if they don't use the prayer room for example. Issues around fasting – whether someone is the right type of Christian those sorts of things. Then there are sometimes people who are religious, harassing those who don't have a religion – feeling sorry for them, expecting them to believe in a certain way, sending them messages trying to convert them. There is loads in this space around protected beliefs and that's really challenging. It would be easy to create a couple of examples in the appendix and that would help with people noticing that these things could actually be bullying behaviours.

MO'D: There might be a perception that for people who have no religious belief, means they have no morality essentially. For those staff who are going to other countries, whether they are religious or not there can be kind of a perception that western people are looser and more sexually available than other people, because our religions are not as strict as other religions.

CA: Thank you for sharing, this is all valuable.

JI: The next category is Different **sexual orientations** (gay, lesbian, bisexual, heterosexual etc)

MO'D:This relates to inappropriate questions, and I wanted to ask if there may be a particular issue with what I call CIS men, or men who are biologically male and identify as a male, towards lesbian women because in the queer community we hear a lot about lesbian women facing persecution from straight men who believe they can be converted to not being a lesbian. That is an example of how a group could be harassed by another group, and that particular kind of sexual harassment. It is not just sexual harassment against women, but there is another element to it – that idea you can convert someone to not being gay.

CA: I'll need to go away and consider these examples, where things don't fit into straightforward categories, and how that can best be reflected.

AM: It's useful to have some of these case studies if we are having training, to have clear ideas of the different types of situations that might happen. Inside guides that are created by the Diversity unit they have good examples that could probably be used directly here.

JF: They could be linked to from the training if that is easier, absolutely Anna.

JI: Moving on **Additional equality grounds** (such as **socio-economic background**, full-time/part-time working, geographical location, other)

JF: This is a place where people are particularly vulnerable. If people are working part time, if people are from a lower socioeconomic background and they're really dependent on their job, if they are in a remote geographical location, there's all sorts of reasons why people might be vulnerable and reluctant to report, so I think that's helpful. There is also something around bullying, that socio-economic background is linked to status. You may feel like a lesser person in some way if someone appears more educated or speaks better than you do etc. You may feel diminished or not feel worthy.

CA: From a socio-economic perspective, and my own lived experience, two things that come out for me are probably an absence of confidence and empowerment, and I think that's something that we shouldn't underestimate.

MO'D: Our shared service centre in India, they work on shift patterns and quite young women work late night shifts and Delhi has a bad reputation for rape. People from lower socioeconomic backgrounds are more likely to be in face to face, using public transport rather than managers and you know people who've got more money and may be working from home. We managed to negotiate with the shared service centre that people will be travelling in pairs to locations, secure transport when working late at night rather than public transport where there are certain risks inherent to young women, so that is a good practise example that we have in the organisation already.

JI: Moving on British Council **values** (open and committed; expert and inclusive; optimistic and bold)

MO'D: Thinking more about the opportunities to promote the policy, I think having a standalone sexual harassment policy could deliver on our value of being open & committed. We need complete openness in the organisation in relation to sexual harassment. We also need to make a commitment to protect vulnerable staff members and pulling that policy out separately would show how seriously we are taking this.

AM: I think there is an opportunity to work more in the area of transparency in terms of how we are sharing our data. I feel there could be an opportunity to share a bit more with staff (data on cases and people function information) to raise confidence. Also, when cases are in the press that have happened in relation to bullying and harassment, I think it would be quite positive if the organisation would speak about that as well. Not going into details which are not known, but that would help to raise the level of trust within the organisation and live those values of openness and transparency that we are talking about.

CA: I think that when we talk about expert and inclusive, there are more references within the policy now to where specialist advice should be sought, whether that is in respect of internal investigations or reporting behaviours externally. I think Anna makes a good point around the organisation's response to things which is in the public domain. Sometimes we are not in a position to do that, because an external process has not concluded and for us to say anything internally could be perceived as prejudicing or aggravating a judicial process, which we have to be really careful about. But in relation to the first point you made, we have a seven-point plan and I can't see that you'd have a plan that is not then tracked in terms of progress, impact, success or otherwise. So, I'd be surprised if that didn't form part of the plan.

JF: Coming back to the point that Anna made – of course we can't comment on particular cases but I think what we can say to the organisation is that if it's in the press – that we're working on it, we can't comment on it but this is a very important matter to us, please don't forget we've got our policy and procedure in place and if you need to report anything yourself this is how you can do it. It's not talking about the case, but it's also not pretending that people can't see it. I think that is relevant to this because this is about us trying to help proactively prevent, and that sort of stuff does build the culture around it that says we can see it and we're not hiding it but for sensitive and legal reasons we can't jeopardise anything but this is what we want you to do if you are concerned about anything.

JI: Moving on to the last category, alignment with our commitments to **decolonise** our work (positioning of UK and other countries, power, status and privilege)

AM: Trying to make the policy relevant to local contexts and taking into consideration you need local languages potentially, or adapting training to suit local context is quite relevant to decolonization and kind of making it less UK centric. I realise that we have to have one policy and procedure, but trying to consider other voices and perspectives as much as possible is important.

MO'D: I have a suggestion, people who are appointed from the UK overseas and have a lot of responsibility in terms of representing the organisation – I wonder if that group of people needs more advanced training on sexual harassment, but also things like racism as well. This is a group of people who are very vulnerable in terms of responsibility and understanding what's going on and the rest of it. I think that group needs additional support because if we are sending people into different cultures and there are these nuances, they should have that kind of cultural awareness. I would recommend in the policy that we give advanced training to those staff appointed from the UK to work overseas, to deal with sexual harassment but also things such as racism as well.

JI: We have talked a lot over the call about sexual harassment and a takeaway I have is that among UK schools, the way they deal with the elephant in the room is by saying we have a problem about this now, rather than saying we don't have a problem and let's find data to prove it. If you listen to voices across the network what I am hearing is we have a problem. As an organisation it might help us to say we have a problem, and we are dealing with it.

I thank everyone for their time and commitment today, any last comments that anyone would like to make?

CA: I want to personally thank you all for your time you've committed to this, not just the time spent this morning but the time you've no doubt spent reviewing the policy and procedure in advance, and for the time you've spent in conversation with me in the lead up to this as well, I've certainly got a lot to consider now. For consistency I've sent you two versions of the policy and procedure, one clean and one marked up. For any further changes I intend to use the clean version as the basis for that.

JI: Thanks all attendees and brings the meeting to a close

MEETING CLOSED 12:05PM

3. Capturing information about the protected groups / characteristics

Based on the notes of the discussion (section above), record here any potential for negative impact identified and any opportunity to promote equality, inclusion and good relations. (The header row in the table will repeat if the table continues on to a new page.)

Equality categories (with prompts to guide full consideration)	Potential for negative impact	Opportunity to promote equality, inclusion and/or good relations between different groups
Different **ages** (older, middle-aged, young adult, teenage, children; authority generation[4]; vulnerable adults)		A sentence added to state what we're doing to address the power balance between younger staff who may be in positions of less power, by explaining the different channels to report harassment or sexual harassment. A link to learning and development – and highlighting that colleagues or all ages are equally worth investing in.
Different **dependant responsibilities** (childcare, eldercare, care for disabled and/or extended family)		Information regarding time off for the victims of sexual harassment as people may not report it if it may impact their ability to provide support for their dependents. Including within the policy an explanation that you can take time off to deal with this, that you can prioritise yourself and you will be supported might help this particular group of people.

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[4] The term 'authority generation' refers to cultural or national norms and customs in relation to particular age generations. For example, in some countries older people are held in high esteem and are considered to have a form of social authority by virtue of age. In addition, different generations (Generation X, Y, Millennials, Baby Boomers) are also thought to have varying common attitudes towards authority, with for example Baby Boomers commonly questioning authority.

Equality categories (with prompts to guide full consideration)	Potential for negative impact	Opportunity to promote equality, inclusion and/or good relations between different groups
Disabled people (physical, sensory, learning, hidden, mental health, HIV/AIDS, other) and **neurodiversity**	Standalone policy for sexual harassment may make it easier and more digestible for neurodiverse and disabled colleagues then it currently is at present	Ensuring language used throughout is straightforward, that the documents are accessible by screen readers etc and ensuring more visual descriptions throughout.
Different **ethnic/racial** and **cultural groups** (majority and minority, including Roma people, people from different tribes/castes/clans)	Sexual harassment being investigated separately by safeguarding and this not being the case for incidents of racial harassment.	
Different **sexes and genders** (men, women, non-binary, transgender or intersex people, other issues)	The words male, female, non-binary, transgendered not being explicitly mentioned in the policy or procedure documents	The interplay between sex and gender being factored in
Different **languages** (Welsh and/or other UK languages, local languages, sign language/s)	Not being able to raise a grievance, or have your grievance investigated in your preferred language.	Policies being translated into local languages
Different **marital status** (single, married, civil partnership, other)		
Different **political opinions** or **community backgrounds** (particularly relevant to Northern Ireland)		
Pregnancy, maternity, paternity and adoption (before/during/after)	Menopause not being mentioned in the documents	
Different or no **religious** or philosophical **beliefs** (majority/ minority/ none)		

Equality categories (with prompts to guide full consideration)	Potential for negative impact	Opportunity to promote equality, inclusion and/or good relations between different groups
Different **sexual orientations** (gay, lesbian, bisexual, heterosexual)		If training does takes place, it may be useful to have case studies of different types of situations which may happen to this particular group. It was highlighted that guides used by the EDI team have good specific examples to use here.
Additional equality grounds (such as **socio-economic background**, full-time/part-time working, geographical location, other[5])		
British Council **values** (open and committed; expert and inclusive; optimistic and bold)	Having a standalone sexual harassment policy could deliver on our open & committed value.	Sharing data on people function information & cases may increase organisational transparency
Alignment with our commitments to **decolonise** our work (positioning of UK and other countries, power, status and privilege)		Adapting training to take into account local context and making it less UK centric. Giving UK contracted overseas staff advanced training on all aspects of harassment for cultural awareness

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[5] Any other categories people share that might impact on how the policy affects them.

4. Agreed actions

Insert additional rows for more action points and number each individual action point. (The header row in the table will repeat if the table continues on to a new page.)

Action identified by Panel	Agreed by Policy Owner (Yes / No)	If not agreed, please provide justification	Has action been completed? (Yes / No)	Completion date	If not, indicate planned date to complete
1.) A link added in the policy for how you report incidents of bullying & harassment	See comments	Policy has already been revised to make this clearer and reference the process detailed within the procedure	See comments		
2.) Definitions stated at the beginning of the policy, including what is bullying, what is harassment, what is sexual harassment etc.	See comments	Now signposted within Policy Introduction	Yes		
3.) Making clear in the policy and procedure that there are two separate investigation processes (Safeguarding and People process)	See comments	The policy and procedure already do this. Previously agreed wording re: Safeguarding has however been further revised following subsequent discussion with Safeguarding team.	Yes		
4.) Safeguarding appearing in the Responsibilities section, stating	Yes		Yes		

Action identified by Panel	Agreed by Policy Owner (Yes / No)	If not agreed, please provide justification	Has action been completed? (Yes / No)	Completion date	If not, indicate planned date to complete
what their role is within these documents as a key function.					
5.) Making clear within the introduction or scope of the document that people can directly report their concern to Safeguarding, should they choose to.	See comments	Previously agreed wording re: Safeguarding has been further revised following subsequent discussion with Safeguarding team.			
6.) Providing clarify that Safeguarding also covers British Council colleagues and is not just for external use only and explaining Safeguarding's remit.	No	This is straying too far into Safeguarding policy and procedure territory.			
7.) Including within the policy and procedure the importance of keeping parties updated in relation to progress once a report has been made.	Yes (now reflected in the procedure)		Yes		
8.) Stating who is within scope and who is out of scope of these documents so that everyone knows the correct reporting mechanism to use (NPW, employees etc.)	See comments	The policy and procedure already make clear that this is for employees			

Action identified by Panel	Agreed by Policy Owner (Yes / No)	If not agreed, please provide justification	Has action been completed? (Yes / No)	Completion date	If not, indicate planned date to complete
9.) Separating sexual harassment into its own policy & procedure	No	For the reasons explained within the ESIA panel			
10.) Within the appendix, explaining sexual harassment in the context of each of the equality categories	No	This may cause confusion and potentially negates the intention not to have a perceived 'hierarchy' of bullying and harassment.			
11.) A flow chart included to help the person who has reported the concern to understand what happens next, and to help them navigate between the different policies and procedures.	See comments	This is already included in the procedure, which makes clear that it needs to be read in conjunction with the policy.			
12.) Using the word unjustifiable instead of unreasonable in relation to delays in the process once a concern has been reported.	See comments	Please see action point 7. The added wording doesn't require either word, I'd suggest.			
13.) The informal resolution section having more clarity regarding when it is appropriate for this process and making explicitly clear that employees have the right to refuse this.	See comments	Procedure already states that 'It should also be understood that the employee making the complaint can make			

Action identified by Panel	Agreed by Policy Owner (Yes / No)	If not agreed, please provide justification	Has action been completed? (Yes / No)	Completion date	If not, indicate planned date to complete
		the matter formal at any stage if they wish to'			
14.) Mentioning in the policy that if you have an allegation made against you that you can also be accompanied	Yes		Yes		
15.) Information regarding time off for the victims of sexual harassment as people may not report it if it may impact their ability to provide support for their dependents.	No	Policy already makes clear that 'an appropriate manager will work with the employee to understand these difficulties and try to provide the appropriate level of support and reassurance'. This may take numerous forms, depending on the circumstances.			
16.) Revising page 9 of the policy ensuring examples of harassment are consistent. Either by having specific examples relating to that particular equality category or having generic examples which will hold for multiple categories.	Yes		Yes		
17.) Using simpler language to define victimisation, language	Yes	Have added 'or less favourable treatment'	Yes		

Action identified by Panel	Agreed by Policy Owner (Yes / No)	If not agreed, please provide justification	Has action been completed? (Yes / No)	Completion date	If not, indicate planned date to complete
which is more easily understood and grasped					
18.) The documents talk about victimisation, and we could add job security to that as people may be anxious or scared to report concerns in relation to this	Yes		Yes		
19.) A more visual description of the process as described in the procedures would be helpful to disabled people and those who are neurodiverse.	See comments	A visual flow-chart is already included and will be replicated for future ER-owned policy reviews			
20.) Making sure the documents are accessible, and they can be accessed by screen readers for example. Ensuring that the language being used is kept straightforward throughout.	See comments	Both documents will be accessible to all employees.	No		28 MAR 25
21.) Stating in the appendix what sexual harassment can mean in the context of ethnic, racial and cultural groups. Pointing out that unwanted touching is not acceptable	See comments	My comments re: 10.) refer. Unwanted touching is already referenced. Other references to 'unwelcome' touching has been changed to 'unwanted'.			

Action identified by Panel	Agreed by Policy Owner (Yes / No)	If not agreed, please provide justification	Has action been completed? (Yes / No)	Completion date	If not, indicate planned date to complete
22.) The need to be mindful with messaging in these documents and making sure we are not implying that racial harassment isn't as important as sexual harassment which is investigated separately by Safeguarding's specialist investigators.	See comments	Agreed. My previous comments re: a 'perceived hierarchy' refer.			
23.) Highlighting in the appendix that sexual harassment can take place between a woman and a man and vice versa. Highlighting also that non-binary and transgendered people are particularly vulnerable to sexual harassment.	See comments.	The first point is already referenced in the policy. I've not included the second point, again seeking to avoid a perception of 'hierarchy'.			
24.) The interplay between sex and gender being factored into the document's appendix.	See comments	Guidance on terminology has been sought from EDI and reflected accordingly.			
25.) The documents should highlight the potential problems we face - thinking specifically about the protected beliefs that may exist on the other side. We also have different cultural acceptances and people who are	No	I believe this is more for the revised B&H awareness training.			

Action identified by Panel	Agreed by Policy Owner (Yes / No)	If not agreed, please provide justification	Has action been completed? (Yes / No)	Completion date	If not, indicate planned date to complete
in danger in the countries they are in. This should be reflected within the documents.					
26.) Exploring the possibility of colleagues raising a grievance in their preferred language and investigated in their preferred language	No	Though this doesn't mean that appropriate support won't be made available if this is felt to be required when it comes to an investigation.			
27.) These policies being transferred into local languages to ensure we have a commitment to engage and reach everyone.	No	That would involve a wider organisational decision that wouldn't just affect this policy and procedure.			
28.) It would be helpful to expand on the appendix to list the less well-known examples of bullying and harassment in relation to the equality groups	Yes	This has been revised with EDI guidance.			
29.) Highlighting further bullying and harassment examples in the appendix in relation to Religion	Yes	This has been revised with EDI guidance.			

Sign-off by Policy owner

I confirm that the policy has been amended as identified in the **agreed actions** table above. Any actions planned but not yet completed will be implemented before the policy is introduced. If the policy has an impact on people or functions in Northern Ireland, I confirm **Annex A (below)** has also been completed.

Please ensure the majority of agreed identified actions have been taken before the policy owner signs and the tool is submitted for audit.

Actual policy implementation date (dd/mm/yy): 1 APRIL 25 (if different from planned implementation date)	
Policy Owner (Name): Craig Austin	
Policy Owner (Role): Head of Global Employee Relations Case Manager	
Policy Owner (Signature): (A typed signature is sufficient) C A	
Country / Business Area and Region: UK / People Function	
Sign-off date (dd/mm/yy): 11 MARCH 25	

Procedural Note

The majority of actions identified at the panel meeting must be completed before the policy start date. Once the actions table has been updated to show that the majority of actions have been completed, or commented on to explain why actions will not be implemented, the Policy Owner (or someone acting on their behalf) must send the completed ESIA form for audit to the audit inbox (this can be before or after the policy start date).

Annex A: Policies with an impact in Northern Ireland

In accordance with the Guide for Public Authorities, policies which have a **major** impact on equality will share some of the following factors:

- they are deemed to be significant in terms of strategic importance;

- the potential equality impacts are unknown;

- the potential equality and/or good relations impacts are likely to be adverse or experienced disproportionately by groups who are marginalised or disadvantaged;

- the policy is likely to be challenged by a judicial review;

- the policy is significant in terms of expenditure.

Policies which have a **minor** impact on equality will share some of the following factors:

- they are not unlawfully discriminatory, and any residual potential differential impact is judged to be negligible;

- aspects of the policy are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making the changes identified in the action points at Section 4;

- any differential equality impact is intentional because the policy has been designed specifically to promote equality for particular groups of disadvantaged people;

- by amending the policy there are opportunities to better promote equality, inclusion and/or good relations.

Policies which have **no** impact on equality will share some of the following factors:

- they have no relevance to equality, inclusion or good relations;

- they are purely technical in nature and have no bearing in terms of the impact on equality, inclusion or good relations for people in different equality groups.

For policies impacting on people or functions in Northern Ireland, you must identify whether any of the issues identified by the EIA panel in the table at Section 2, Point 3 above are likely to have a **major**, **minor** or **no** impact on equality.

This consideration must be given to all the items listed in the table at section 2, Point 3 whether they have potential for negative impact or the opportunity to promote equality, inclusion and good relations.

The following questions are applied to all our policies as part of the ESIA process:

- Are a large number of people affected by the proposed policy?
- Are a small number of people who are particularly under-represented, or disadvantaged, or excluded, affected by the proposed policy?
- Are the proposed changes (if this is a new policy, or a change to an existing policy) profound?
- Might the proposal benefit people within any of the groups identified above?
- Might the proposal disadvantage people within any of the groups identified above?

Equality categories	Negative / Positive impact on equality, inclusion or good relations		
	No	Minor	Major
Age	X		
Dependants	X		
Disability	X		
Ethnicity	X		
Marital status	X		
Political opinion	X		
Religious belief	X		
Sex and gender	X		
Sexual orientation	X		

If the answer to the above questions is NO, no further action is needed.

If **minor** impact is identified and the actions listed at Section 4 will address this, no further action is needed. Where the actions listed at point 4 will not sufficiently address the impact, additional measures that might mitigate the policy impact as well as alternative policies that might better achieve the promotion of equality of opportunity and/or good relations should be considered.

If mitigating measures and/or an alternative approach cannot be taken then the policy should be subject to full Equality Impact Assessment (EQIA) aligned to Northern Ireland's equality legislation.

If a **major** impact is identified in any of the answers above, then the policy must be subject to full Equality Impact Assessment (EQIA) aligned to Northern Ireland's equality legislation.

For guidance on completing full EQIA aligned to Northern Ireland's equality legislation, see http://www.equalityni.org/archive/pdf/S75GuideforPublicAuthoritiesApril2010.pdf.

A member of the Diversity Unit should be involved in any EQIAs that take place.

Record of Decision and Sign-off by Policy Owner

Please delete <u>two</u> of the following statements (those that do not apply).

I confirm that a full EQIA is not needed, and no further action needs to be taken.

Signed by

Name:	C AUSTIN
Role:	Head of Global Employee Relations Case Management
Date: (dd/mm/yy)	11 MARCH 25

Procedural Note

The majority of actions identified at the panel meeting must be completed before the policy start date. Once the actions table has been updated to show that the majority of actions have been completed, or commented on to explain why actions will not be implemented, the Policy Owner (or someone acting on their behalf) must send the completed ESIA form for audit to the audit inbox (this can be before or after the policy start date).