

Policy & Procedure for:

Discrimination, Bullying and Harassment (DBH) (Flex)

This policy outlines Cadent's commitment to creating a respectful and dignified work environment, prohibiting discrimination, bullying, harassment, sexual harassment, and victimisation. It applies to all Cadent employees including permanent, temporary, agency workers, consultants, and self-employed contractors.

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1 Policy Overview

Cadent is committed to creating a work environment where everyone is treated with dignity and respect and aims to ensure fair treatment for anyone who wishes to raise a grievance in accordance with this Policy.

Cadent will not tolerate discrimination, bullying, harassment or sexual harassment of any kind nor will it tolerate victimisation of a person for making allegations in good faith and/or supporting a fellow colleague to make such a complaint. For these reasons, Cadent takes a zero-tolerance approach to discrimination, any kind of harassment and victimization and recognise that it is responsible for protecting all workers from these kinds of behaviours.

The Discrimination, Bullying and Harassment (DBH) Policy (“the Policy”) applies to all Cadent employees, regardless of contract, role or status.

Agency workers, consultants and self-employed contractors are also required to abide by this Policy, however the process for raising a grievance as detailed in the Cadent Flex Grievance Policy and Procedure does not apply to these individuals.

Employees found guilty of discrimination, bullying, harassment, sexual harassment and/or victimisation may face disciplinary action up to and including dismissal with or without notice and may be personally liable to pay compensation in legal claims.

2 Purpose

This Policy addresses discrimination, bullying, harassment, sexual harassment, and victimisation both within the workplace and in external settings where such behaviour may impact work or working relationships. It sets out:

- Actions we can take to prevent discrimination, bullying, harassment, sexual harassment, and victimisation;
- Clear definitions of each term—“discrimination,” “bullying,” “harassment,” “sexual harassment,” and “victimisation”—to support better understanding, along with illustrative examples;
- Guidance for employees on what to do if they believe they are experiencing any of these behaviours;
- Expectations for people managers on how to respond to, support, and manage concerns raised by employees;
- Information on further support available to individuals who are affected by or accused of such behaviour.

This Policy should be read in conjunction with the **Cadent Flex Grievance Policy and Procedure**.

3 Responsibilities

3.1 Cadent

Cadent has a duty to protect its employees from unlawful discrimination, harassment, sexual harassment, bullying and/or victimisation whilst at work and in circumstances where they are in attendance because of their work, including off-site training programmes, customer locations, travel on company business and company social events. As an employer, Cadent has a legal duty to be proactive in preventing sexual harassment in the workplace.

In addition, the Health and Safety at Work Act places a duty of care on Cadent to provide a safe working environment for all employees.

3.2 Employees

All employees and workers (regardless of contract, role and status) have a personal responsibility to help create and maintain a working environment that is free from discrimination, harassment, bullying and victimisation. Employees can help to do this by:

- Not behaving in a manner that could have a detrimental impact on another's ability, well-being or confidence to carry out their work
- Being aware of how their behaviour may affect others, and changing it if necessary – even an intended joke can cause unintended offence
- Treating colleagues with dignity and respect
- Taking a stand if inappropriate jokes or comments are being made
- Making it clear to others when you find their behaviour unacceptable
- Intervening, if possible, to stop discrimination, bullying and/or harassment and giving support to recipients.
- Reporting promptly to their People Manager or My People Services, any issues or incident of which they become aware, and supporting any subsequent investigation
- Not prejudging or victimising either the employee who complains or the worker subject to the allegations.

3.3 People Managers

Supervisors and managers have some additional responsibilities for:

- Ensuring that the Policy is implemented and observed. This includes taking action by counselling any employee whom they observe adopting behaviour which breaches or has the potential to breach this Policy
- Setting a good example and practising zero tolerance of discrimination, bullying, harassment and victimisation through their own leadership behaviour
- Communicating this Policy to their employees and ensure that they know what standards are expected of them
- Ensuring that once they know of a complaint that action is taken to resolve the matter quickly and discreetly
- Treating informal and formal complaints seriously, with sensitivity to the feelings, perceptions and need for confidentiality of the individual raising the complaint
- Investigating any complaints of bullying, harassment and sexual harassment against or from third parties e.g. customers/contractors etc whilst ensuring compliance with business guidelines
- Treat all employees who encounter these behaviours through work with dignity and respect and do not treat less favourably by victimising or discriminating against them should they raise concerns
- Assessing and managing risk arising from disclosures, reports and disciplinary processes
- Ensuring this policy is always followed through and raising awareness of this policy amongst their direct reports
- Ensuring that they and their team participate in regular relevant training (i.e. HR Managers Essentials, sexual harassment prevention training)
- Signposting affected employees to support services including the Employee Assistance Programme (EAP).

3.4 Employee Relations (ER) Case Management & My People Services

The ER Case Management and My People Services Teams, in addition to the above, are responsible for:

- Ensuring that any complaint is dealt with fairly and quickly without unreasonable delay
- Offering / arranging mediation where this is an agreed route for resolving the complaint

- Protecting the confidentiality of anyone raising or subject to these type of concerns
- Ensuring signposting to external services such as Employee Assistance Programmes
- Maintaining and updating this Policy in line with legislation
- Periodically review risks and controls and ensure risk owners know their roles.

3.5 Work Colleagues or trade union representatives

Work colleagues and/or trade union representatives are responsible for supporting and accompanying employees to any associated meeting(s) if requested to do so.

4 Definitions

What do we mean by the term “discrimination”, “bullying”, “harassment” “sexual harassment”, “third party harassment” and “victimisation”

4.1 Discrimination

Cadent believes that the contribution of all employees should be valued and respected. All aspects of employment practice such as recruitment and selection, performance management and promotion should be based on assessment of the worker’s capabilities against the criteria that are relevant to the work they are required to undertake.

Basing judgements on characteristics or status unrelated to the employee’s ability to perform their role can amount to unfair discrimination and is unacceptable and potentially unlawful.

Discrimination can take many different forms, including where a person treats another less favourably than they treat or would treat others because of a protected characteristic as defined in the Equality Act 2010. The following are protected characteristics:

- Race
- Age
- Sex
- Disability
- Sexual Orientation
- Gender reassignment
- Marital or civil partner status
- Pregnancy or maternity; or

- Religion or belief.

4.2 Bullying

Bullying is treating someone in an aggressive, offensive, intimidating, malicious or insulting way, either in public or in private, and/or is an abuse or misuse of power which is meant to humiliate and undermine someone's self-esteem and confidence. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear and intimidation.

Bullying can include but is not limited to:

- **Physical:** conduct which is intimidating or threatening or where someone aims to hurt or injure another
- **Verbal:** constantly shouting or humiliating someone, persistently criticising and putting them down in front of others and/or subjecting them to abusive language, conduct that attacks someone's character or reputation, ridicules, humiliates or consistently undermines them
- **Non Verbal:** looks, gestures, facial expressions (i.e. glaring) and/or excluding someone from group/social activities
- **Cyberbullying:** sending malicious emails or text messages or using social media to spread rumours or inappropriate messages.
- **Misuse of power or position:** stopping a fellow worker from progressing through the business by blocking promotion or training opportunities for no good reason setting them up to fail (i.e. setting tasks that are beyond their capabilities), false allegations of poor performance etc; or overbearing and intimidating levels of supervision.

Legitimate, reasonable and constructive criticism of an employee's performance or behaviour, or reasonable instructions given to employees in the course of their employment will not amount to bullying.

A difference of opinion, changing targets to suit business needs, negotiating extra workloads to suit business needs, and/or proper and correct monitoring of an employee under Company Policy is not bullying, provided everyone is treated fairly with respect and dignity.

4.3 Harassment

Harassment means any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Harassment may involve a single incident or may be persistent and may be directed towards one or more individuals. Harassment can also happen both inside and outside of the workplace (i.e. at a work social event, sending an inappropriate text or email or “tagging” another worker on a social media post).

Harassment can include treatment which is not directed at a particular person and/or is not intended to offend e.g. alleged joke which may offend another person. In considering whether harassment has occurred the effect on the person is just as important a consideration as the intention behind the unwanted conduct.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment) and/or an incident or series of incidents of abuse, or it may be related to a protected characteristic.

It is unlawful to harass anyone on the basis of these characteristics including if:

- They have a protected characteristic (e.g. they are pregnant),
- They are associated with a protected characteristic (e.g. a family member who has been through a gender reassignment); or
- They are perceived to have a protected characteristic (e.g. someone thinks they are homosexual even though they are not).

Examples of harassment include but are not limited to:

- **Unwanted Physical conduct:** touching, patting or pinching. Using insulting or abusive gestures, physical threats, or physical, sexual assaults etc.
- **Unwanted Verbal Communication:** insulting or ridiculing someone, unwelcome advances, favours which may advance a worker’s career (or refusal that may damage it), propositions for sexual advances, using over familiar, suggestive or sexually based comments, spreading malicious rumours, insulting remarks, offensive jokes or abusive language and behaviour.
- **Other Unwanted Non-Verbal Conduct:** ostracising and excluding a worker from social activities; looks and gestures, displaying or circulating racially or sexually based material, posters, magazines or pin-ups, abusive or offensive gestures, intimidating visual behaviours such as leering, or mis-use of email, mobile phones, software, the internet / intranet, written notes etc.
- **Domestic abuse:** assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

4.4 Sexual Harassment

Sexual harassment is any unwanted physical, verbal or non-verbal conduct of a sexual nature that has the purpose or effect of violating a person's dignity, or creating an

intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to sexual harassment. This is regardless of the person's gender. It also includes treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex, in the past.

Unwanted conduct of a sexual nature covers a range of behaviours and can include:

- sexual comments or jokes
- the display or circulation of pornography
- displaying sexually graphic pictures, posters or photos
- suggestive looks, staring or leering
- propositions and sexual advances
- requests or demands for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages, and
- sexual assault including unwelcome touching, hugging, massaging or kissing.

Sexual harassment can occur in a work situation, during any situation related to work such as at a social event, outside of the workplace such as a site visit or visiting a customer's home or place of work, and on social media or any online communication such as emails, video conference calls, phone calls or instant messaging platforms. This may be on an employee's work or personal device. See Acceptable Use of IT Standard and social media Policy for further details on acceptable use on devices.

A person may be sexually harassed even if they were not the intended target. For example, a person may be sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

4.5 Third Party Harassment

Third-party harassment occurs where a person is harassed or sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, unwelcome sexual advances from a client, customer or supplier visiting the employer's premises, or where a person is visiting a client, customer or supplier's premises or other location in the course of their employment.

Third-party sexual harassment can result in legal liability and will not be tolerated. The law requires employers to take reasonable steps to prevent sexual harassment by third parties. Although a member of staff cannot bring a claim for third-party harassment alone, it can still result in legal liability for an employer when raised in other types of claims. All staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy.

Any sexual harassment by a member of staff against a third party may lead to disciplinary action up to and including dismissal. We will take active steps to try to prevent third-party sexual harassment of staff. If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again.

4.6 Victimisation

Victimisation occurs when someone is treated less favourable because they have, in good faith, taken steps to assert their rights under this Policy or the law. This includes making a complaint of discrimination, bullying or harassment (whether formal or informal), or because they have supported someone else in doing so – for example, by acting as a witness or providing evidence.

This protection applies complaints or support relating to any form of discrimination or harassment, including but not limited to those based on, race, religion or belief, sex, gender reassignment, disability, sexual orientation, age, married or civil partnership, pregnancy or maternity, or any other characteristic protected under the Equality Act 2010.

Employees who raise concerns or support others in doing so, provided they act in good faith (i.e. genuinely believe what they are saying is true) have the right not to be victimised or suffer detriment for doing so.

Any victimisation will be treated as a serious matter and may result in disciplinary action in accordance with the Cadent Flex Disciplinary Policy and Procedure, up to and including dismissal, with or without notice.

However, where a complaint or allegation is found to have been made maliciously or in bad faith, (i.e. the employee knew the complaint was fake), this will be treated as misconduct and may also result in disciplinary action, up to and including dismissal (see Section 5.3: Making Malicious Complaints”).

5 Process

5.1 What should I do if I face discrimination or harassment?

5.1.1 Informal Approach

Employees should try to resolve issues informally at an early stage to prevent them escalating. A fellow colleague may not know that their behaviour is unwelcome and upsetting. An informal discussion may help them to understand the issue and agree to change their behaviour.

An employee may wish to raise the problem informally with the person responsible, making it clear that their behaviour is not welcome or is making them uncomfortable.

Employees should keep their own records of the discussion including the date, issues raised, and any actions agreed. This will be useful if the unacceptable behaviour continues and the worker wishes to make a formal complaint.

If an employee does not feel able to confront the offending person by themselves, they may prefer to write them a letter. Alternatively, they may ask someone in My People Services, a People Manager or another colleague to speak to the person on their behalf.

If Cadent employees need to raise any concerns of this nature when visiting public addresses, they can do so via the 118 Library.

5.1.2 Mediation

In some cases, it may be helpful to use mediation, for example where there has been a misunderstanding or a breakdown in communication. This may involve appointing a third-party mediator, who will work with those involved to find a solution.

Mediation can be introduced at an early stage but can also be used as part of the conclusion/recommendation to a complaint. Mediation is a voluntary process and will only be used if all parties involved agree.

The ER Case Management team can provide further information about the mediation process and/or arrange for it to take place.

5.1.3 Formal Approach

Where the informal approach does not resolve matters or is too serious to be dealt with informally an employee may consider raising a formal complaint - via the **Cadent Flex Grievance Policy and Procedure** in the first instance. Where this is not possible or appropriate, individuals may choose to report via the Speaking Up Policy.

The normal grievance procedure will be modified (where appropriate) to ensure that complaints of discrimination, bullying, harassment, sexual harassment and/or victimisation may be raised; directly with another supervisor / manager of their choice; someone of the same gender or from the same ethnic background; and/or a member of the My People Services team if due to the sensitive nature of the issue, they do not wish to discuss it with their immediate supervisor/manager in the first instance.

5.1.4 Investigation

All investigations into discrimination, bullying, harassment, sexual harassment and/or victimisation will be dealt with promptly and as confidentially as possible. Investigations will be independent and objective, with respect for all the people involved.

Where an employee wishes to complain anonymously, every effort will be made to respect these wishes, though this may limit the scope of any discussion or remedial action.

Both the complaining employee and the individual subject to the allegations are entitled to be accompanied by a work colleague or a TU Representative.

If appropriate, we will seek to agree working arrangements with the complainant and the individual that is subject to the allegations whilst the investigation takes place. Where necessary, this may involve making temporary changes to working arrangements pending the outcome of the investigation. In some cases, the individual subject to the allegations may be suspended with pay.

5.1.5 Deciding the Outcome and the right of appeal

The outcome of a complaint will be provided in the form detailed in the Cadent Flex Grievance Policy. The employee will also have the right to appeal the outcome in accordance with that Policy.

5.2 Can I withdraw a complaint I have made?

An employee may be able to withdraw their complaint after they have raised a formal grievance, however in some circumstances, Cadent may not be able to ignore the allegations that have been made because of their seriousness. In that case, we may

still believe that it is necessary to continue with the investigation to ensure that we uphold our responsibility to provide a safe working environment.

5.3 What support is available if I have a complaint made against me?

Cadent recognises that allegations of discrimination, bullying, harassment, sexual harassment or victimisation can cause significant distress and disruption to all those involved. Anyone who finds themselves the subject of a complaint can ask for advice and assistance from another People Manager or a member of the My People Services Team and/or ER Case Management team.

5.4 Malicious Allegations

Complaints should be raised in good faith, any employee found, after investigation, to have made a deliberately false, malicious or frivolous allegation may be subject to the Cadent Flex Disciplinary Policy and Procedure up to and including dismissal with or without notice.

If you have any further questions about this Policy, please contact the ER Case Management team for further information.

5.5 Confidentiality and Record-Keeping

Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a “need to know” basis. Breach of confidentiality may give rise to disciplinary action under the Cadent Flex Disciplinary Procedure.

Information about a complaint by or about an employee may be placed on the employee’s personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Company Privacy Policy, available on the Company Website.

6 Other Support Available

There is lots of support available for all Cadent employees, such as access to counselling and advice via the Employee Assistance Programme and reporting potential risks at external properties via the 118 Library.

All contact details for support available is listed either on My Rewards via the Hapi App, on The Depot or on My People Hub.

We have also suggested external helplines which you may find useful, such as the National Bullying Helpline and ABS Help – Harassment where victims of bullying and harassment can access support and advice.

118 Library

The 118 library is an internal app (which is linked in work orders for field force) where Cadent employees can report potential risks at public addresses. Further information can be found on the depot, see below the web link:

[Keeping you safe with our new 118 Library](#)

7 Relevant Documents

Acceptable Use of IT Standard

Always Doing the Right Thing

Flex Disciplinary Policy

Flex Grievance Policy

Social Media Policy

Speaking Up Policy

Speaking Up Standard

Document History

Version	Changes	Author	Approved by	Approved on
V1.0	Rebranded for Cadent	ER Cases Team	N/A	April 2019
V1.1	Rebranded and new Policy Code applied	HR Services		
V2.0	Updated to include changes in preventing Sexual Harassment	Elevate Sexual Harassment Project Team	HRPAG PPRG BPAC PAC	23 rd July 2025 30 th July 2025 5 th Aug 2025 21 st Oct 2025

Note on version numbers: V0.x = draft before approval, V1.0 = first approved version, v1.x= minor amendments, V2.0 = major changes

Application

Users should ensure they are in receipt of the current version by referring to the My People Hub on The Depot.

Compliance with this Policy does not confer immunity from breach of statutory or other legal obligations.

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Mandatory and non-mandatory requirements

In this document:

Shall: indicates a mandatory requirement

Should: indicates best practice and is the preferred option. If an alternative method is used then a suitable and sufficient risk assessment shall be completed to show that the alternative method delivers the same, or better, level of protection

Comments & Queries

Any comments or queries about the content of this document should be directed to:

Cadent Gas Limited

Pilot Way
Ansty Park
Coventry
CV7 9JU