



*"I believe we could paint a better world if we learned how to see it from all perspectives, as many perspectives as we possibly could. Because diversity is strength. Difference is a teacher. Fear difference, you learn nothing"*

- Hannah Gadsby, NANETTE (2018)

### **Policy – Formal Anti-Discrimination Policy and Anti-Harassment Policy**

Our mission at Backed is to back the optimists building a future we want to share. We know that that future will necessarily be built by talented individuals and communities with diverse experiences, backgrounds, ideas, and visions, and so it is vital that in all we do, we ensure that we create a welcoming and safe environment for all, free of discrimination and harassment.

One of the four core values at Backed is putting people first. To be clear, this includes *all* people, regardless of any of the following "protected characteristics":

- sex
- marriage or civil partnership
- gender re-assignment
- pregnancy and maternity
- sexual orientation
- race (including racial group, ethnic origin, colour, nationality and national origin)
- religion or belief
- disability (physical and mental)
- age

We are committed to fostering, cultivating and maintaining a culture of diversity and inclusion, embracing the differences in our team and portfolio as cultural enhancers as well as the very qualities that will help us to explore new worlds of imagination and progress.

We strive to ensure that everyone who comes into contact with Backed LLP feels respected and supported to give their best, and, where possible, that our team will be truly representative of all sections of society. This policy sets out key practices and procedures to achieve these aims.

### **Scope of this policy**

This policy applies to the whole Backed LLP team including employees, consultants, applicants, temporary workers, casual workers, and agency staff and contractors. The principles of anti-discrimination and anti-harassment also apply to dealings with people externally such as those interacting with our staff on Backed LLP-related business, including entrepreneurs, portfolio company employees, LP investors, board members, suppliers, consultants, event attendees and other third-party individuals.

Backed LLP will not tolerate any of its staff or external associates being discriminated against or made to feel uncomfortable or unsafe due to inappropriate behaviour or harassment.

This policy applies to every aspect of employment with Backed LLP, including the advertising of jobs and recruitment and selection, to training and development, opportunities for promotion and career development, to conditions of service, terms and conditions of employment, benefits and pay, to health and safety and to conduct at work, to grievance and disciplinary procedures and to termination of employment.

### **Definitions**

#### **Discrimination**

Discrimination can take a number of forms and it is usually irrelevant whether it is intentional or unintentional. The forms of discrimination set out below are unacceptable to us as well as being unlawful.

#### **Direct discrimination**

- It is unlawful for employers to treat a person less favourably than others because of any protected characteristic. Except in the case of marriage and civil partnership, or pregnancy and maternity, it is also unlawful to directly discriminate against a person because either they are perceived

to possess a protected characteristic, or they associate with another person who possesses any protected characteristic. Unlike other forms of direct discrimination, direct discrimination because of age may be permitted if it can be shown to be for a good reason.

### **Indirect discrimination**

- Indirect discrimination takes place where a provision, criterion or practice applies to all employees but disadvantages those with a particular protected characteristic (except pregnancy and maternity) – for example, the exclusion of part-time workers from pension schemes, which would be likely to have a disproportionate effect on women. Such a rule will be indirectly discriminatory unless it can be objectively justified as a proportionate means of achieving a legitimate aim.

### **Victimisation**

- It is unlawful to treat someone less favourably because they have made or supported a complaint or grievance relating to an instance of discrimination because of a protected characteristic.

### **Harassment - general**

- Harassment is any form of unwanted conduct which has the effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating, or offensive environment for the recipient. The intention behind the conduct is irrelevant. The following is a non-exhaustive list of examples of harassment:
  - racist, sexist, ageist or homophobic jokes, derogatory 'banter' or stereotypical remarks about a particular group;
  - insult or ridicule;
  - threatened or physical violence;
  - use of email or other technology to harass;
  - isolation or non-cooperation at work, including deliberate exclusion from conversations at work;
  - demeaning a colleague in their own or others' eyes;
  - intrusion by pestering, spying, following and so on;
  - mimicking, mocking or belittling a person's disability; or
  - threatening to out someone's sexual orientation.

Any individual can complain of offensive behaviour even if it is not directed at them. For example, a person may be harassed by a racist joke about a different ethnic group if it creates an offensive working environment for them.

## **Harassment - sexual**

- Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating, or offensive environment for the recipient.
- As with any form of harassment, behaviour may be sexual harassment even if the alleged harasser did not intend their actions to be viewed as sexual harassment, or did not consider that the recipient would find their actions unwelcome, offensive, or unacceptable.
- The intention behind the conduct is largely irrelevant, and if conduct should reasonably be considered to have the effects described below, it will be sexual harassment.
- Sexual harassment may be a one-off incident or it may be ongoing incidents or part of a pattern of behaviour.
- There are two types of sexual harassment:

- Unwanted conduct of a sexual nature:

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating, or offensive environment for the recipient.

- Rejection or submission to conduct of a sexual nature:

A person (A) will also harass another person (B) if sexual harassment will also occur where:

- A or another person engages in unwanted conduct of a sexual nature or that is related to gender reassignment or sex;

- The conduct has the purpose or effect of violating B's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for B;
- because of B's rejection of or submission to the conduct, A treats B less favourably than A would treat B if B had not rejected or submitted to the conduct.

Sexual harassment can include:

- suggestive or overly personal comments about appearance;
- suggestive, overly personal, or intrusive comments or questions about an individual's private life (or comments about sexual activities, deficiencies, or prowess), including but not limited to their past or current relationships or sex life;
- unnecessary, uninvited, or unwelcome flirtations or body contact, such as touching, brushing up against an individual's body, kissing, hugging, pinching, rubbing, or impeding or blocking movements (including, continuing to express personal interest after such interest has not been reciprocated);
- jokes or gestures of a sexual nature (including suggestive or derogatory comments, epithets, slurs, sexually explicit jokes, whistling or comments about an individual's body or dress);
- looking at, sharing or displaying sexually offensive material, e.g. posters or other inappropriate material (such as sexually suggestive objects, pictures or cartoons) that may offend another on discriminatory grounds. Looking at these things on screen, mobile phone or in other ways can be harassment, even if the content is not circulated or displayed;
- any unwelcome sexual attention, including but not limited to sexual flirtation, advances, or propositions which are unwelcome or threatening; or
- suggestions that engaging in sexual conduct may further someone's career, or that refusal may damage it, or basing decisions affecting a colleague's job on such factors;
- retaliation, threatened or real, for rejecting sexual or romantic advances or propositions; and
- exclusion from roles or projects in the event that advances are refused.

If you believe that you have been the victim of sexual harassment you are encouraged to report this and you should refer to the procedure below for more information on your options for resolution. Backed LLP is aware that complaints of

sexual harassment can often be emotional and distressing for those involved and will endeavour to handle any complaint in a fair and sensitive manner.

### **Sexual assault, physical violence or physical threats**

Some forms of harassment (including sexual harassment), such as sexual assault, physical assault, or physical threats, may also be criminal matters.

If you believe that you have been the victim of a criminal offence you should report this to the police.

Where Backed LLP believes that a criminal offence has taken place, we will advise you to report the matter to the police.

If we have serious concerns about your safety, or the safety of others, we may also have a duty to report the matter to the police, but will always do our best to inform you of our intentions to do so first.

### **Bullying**

Bullying is intimidating or offensive behaviour or an abuse of power which makes the victim feel upset or threatened or which undermines them. All forms of bullying are unacceptable under this policy (including inappropriate behaviour based on socio-economic background, gender presentation and body size), not just the "protected characteristics" set out above.

Examples of bullying are:

- inappropriately criticising or deriding workers in front of colleagues;
- setting someone up to fail;
- excluding a colleague from groups or social events intending to cause distress;
- misuse of power, such as overbearing supervision;
- making threats or comments about job security without foundation; and
- preventing individuals from progressing by intentionally blocking their career.

Not all behaviour which upsets a worker will amount to bullying. For example, it is not bullying for a manager to give reasonable and justified feedback on performance.

## **Reporting procedures**

If you believe you have been subject to discrimination, harassment or bullying, there are three main options available to you under this policy to resolve the problem:

1. an informal procedure where the individual approaches the person causing concern;
2. an informal procedure using your line manager or People Operations; and
3. a formal procedure. This can be initiated at any time, but it is best to take action as soon as possible after the incident and to keep your own written record of dates, times, witnesses, and what was said or done. This will help in the event of a formal complaint or a repeat of the behaviour.

In encouraging victims and witnesses of discrimination or harassment to come forward, we guarantee that where appropriate:

- you will be heard and taken seriously;
- your complaint will take priority over daily business;
- we will take steps to prevent victimisation;
- you will be given options and informed of next steps and potential consequences of each option; and
- you will be connected with resources that may help you move forward.

## **Investigation and Enforcement**

Where possible we encourage individuals to deal with internal issues informally, which can involve addressing concerns independently, or with the help of a line manager, another manager, or a member of the People Operations team.

### **Informal procedure where individual approaches source of concern**

If you feel comfortable doing so, you may choose to explain the impact of and ask the person to stop the unwanted behaviour and, in cases of harassment if appropriate, make it clear that the attention is unwelcome.

This approach will not result in any formal internal investigation or disciplinary action but is intended to allow you to resolve the matter yourself without it going any further.

## **Informal procedure using manager or People Operations**

If you feel unable to raise the issue directly, or if your request or complaint is ignored and the treatment continues, you can discuss with your Backed LLP line manager, another manager or a member of the People Operations team. They will discuss the situation with you and help you to decide how to deal with it.

Your Backed LLP line manager or a member of the People Operations team can arrange to speak directly to the person causing concern, or else mediate a discussion between you and the person about the unacceptable behaviour and explain that it must stop.

## **Formal process**

- Anyone who believes they have been harassed or otherwise discriminated against, or who believes they have witnessed such an incident, can initiate a formal complaint with their line manager, another manager, or a People Operations team member. Details of the behaviour causing offence will be taken – including dates, details of the incidents and details of any informal complaints which have already been made. This written account will form the basis of the formal complaint and will be put to the person complained about.
- We start with a deep respect for confidentiality and everyone involved in the formal procedure will observe requests for confidentiality as far as possible. However, details may be disclosed to those people who need to know as part of the procedure; for example, for the purpose of investigating the complaint or taking disciplinary measures.
- Every formal complaint will be investigated in full and Backed LLP aims to deal with complaints without unreasonable delay. The investigation may include interviews with the parties involved and with others who may have witnessed the alleged conduct or have other relevant knowledge. All complainants will be entitled to be accompanied during meetings or discussions by a colleague of their choice. Both parties will be kept informed of the general progress of the investigation.
- Backed LLP acknowledges that this is likely to be a difficult process for the complainant. Backed LLP will also pay due regard to the rights of the person complained about during the process.
- It may be necessary to take interim action during the investigation, such as making arrangements to prevent contact. This might include giving alternative duties to you or the person complained about or requiring that



one of you or someone else directly involved remains at home during the investigation. If it is not found to be a situation of discrimination or harassment, it may be decided to require the parties to attend a meeting to discuss any outstanding issues.

- You and the person complained about will be informed in writing whether all, part or none of the complaint will result in disciplinary action.
- Once a disciplinary process is commenced, if it seems justified the person complained about has the right to be informed who has made the allegation against them, if that has not already happened.
- Retaliation against an individual for reporting harassment or discrimination or assisting in providing information relevant to a claim of harassment or discrimination is a violation of this policy and will be treated with the same strict discipline as will the harassment or discrimination itself. Acts of victimisation/retaliation should be reported immediately and will be investigated promptly.
- Misconduct violating this policy or otherwise constituting harassment or discrimination will be dealt with appropriately by Backed LLP. Responsive action may include training, counselling, or disciplinary action which may include temporary suspension, demotion, withholding of bonus or promotion, or termination of employment, as deemed appropriate by People Operations and the leadership team.
- If the complainant disagrees with the outcome of the formal procedure, he or she has a right of appeal. A written appeal should be submitted within 10 working days to the Chief Executive Officer or the Director of People Operations, whose decision within the business will be final.
- Any colleague who is, after investigation, found to have provided false information or to have acted in bad faith in relation to a complaint under this policy, whether as complainant, witness or otherwise, will be subject to appropriate disciplinary action. We do recognize however that complaints of harassment or discrimination which are made in bad faith are very different from complaints which are made in good faith but which cannot be substantiated or represent a difference of opinion on what constitutes appropriate conduct.

### **Harassment or discrimination by third parties**

Backed LLP takes seriously its responsibility to ensure that employees and third-party contacts are protected from discrimination and harassment. If you believe you have grounds to complain about the actions of a non-employee (e.g. a contractor, customer, client, supplier or visitor) then you should submit a complaint in writing to a member of the People Operations team. Backed LLP will consider what action may be appropriate to protect you and anyone involved

pending the outcome of an investigation, bearing in mind the needs of the business and the rights of that person. Backed LLP may contact the third party in the course of that investigation.

### **Responsibility for this policy**

All Backed LLP employees should act in accordance with this policy. In particular they:

- should be aware that discriminatory practices are unlawful and will not be tolerated;
- have a responsibility under the law and their terms and conditions of employment to co-operate in ensuring the effective operation of this policy;
- must comply in all respects with this policy and ensure that they do not discriminate or harass;
- should report any incidents of discrimination or harassment to which they have been subjected or witnessed.

People Operations will implement equal opportunities training for all appropriate colleagues.

Those working at management level have a specific responsibility to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of Backed LLP with regard to anti-discrimination and anti-harassment.