



# timeTo

**2020 – 2021 Code of Conduct Addendum**

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Written in response to  
research findings from  
timeTo's 2020 survey,  
conducted by Credos.

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# introduction

**timeTo** was first launched in 2018 and was created through a unique collaboration between the Advertising Association, NABS and WACL, and is backed by ISBA and the IPA.

Our first project was to undertake a major survey of over 3,500 people to understand the level and nature of sexual harassment in the industry. We were shocked by what we unearthed, and the findings greatly shaped our [Code of Conduct](#) and our subsequent campaign work.

During the pandemic in 2020, we undertook another major survey of over 1,200 people to understand the level and nature of sexual harassment following a radical change in the way we worked. We have used our findings to inform our understanding and guidance and have produced this addendum to the Code of Conduct which will also be used to shape the next stage of timeTo's important work.

In total, 89% of respondents told us that it is very important for the industry to focus on the issue of sexual harassment, even at a time of global crisis. We urge all companies to continue to commit to the **timeTo** Code of Conduct and any subsequent updates, including this addendum, embedding key learnings within their organisations. Businesses should combine this with other actions already been taken to ensure more safe and inclusive working environments for all.

Harassment in all forms has a serious and lasting impact on people's mental and physical health as well as on workplace cultures and productivity. As we consider how to create our 'new normal' post-pandemic, it's our collective duty to protect our people, our friends, our colleagues and our team members, ensuring that everyone is physically, psychologically and emotionally safe whether they work from home, from the office or – as will be the case for most of us in the future – in a combination of the two.



# reminder

## #timeTo

### **A Code for everyone: a reminder**

Our Code of Conduct and this addendum is a code for everyone. Whether you're a senior leader or HR; whether you're a newly promoted line manager or just starting out in the industry; a client or customer; freelancer or contractor – regardless of age, gender, role or discipline, this is for you. This is a code for every member of the advertising and marketing industry.

There are no exemptions or special rules for people of a certain status. We must take responsibility for our own behaviour and for the power we have to oppose sexual harassment and all forms of harassment.

No one should have to put up with sexual harassment. No one should have to put up with any form of harassment. The responsibility does not lie solely on those who have been harassed.

# contents

Definitions: sexual harassment and online sexual harassment	4
<i>Taking action:</i>	
For management and HR departments	6
For those who have been sexually harassed	7
For witnesses of sexual harassment	8
For people who fear they have behaved inappropriately	8
For people who have been wrongfully accused of sexual harassment	8
The reset: creating a safer future	9
Resources	11

## **Sexual harassment and online sexual harassment**

The Equality Act defines sexual harassment as unwanted conduct of a sexual nature, which has the purpose or effect of violating the dignity of a worker, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

### **1. What is online sexual harassment?**

There is not a separate piece of legislation specifically around online sexual harassment, it is recognised within the above legislation as it is wide enough to cover both in person and virtual conduct.

If it helps, online sexual harassment can be described as **unwanted** sexual conduct on **any** online platform.

### **Examples of online sexual harassment**

Online sexual harassment can take various forms, including but not limited to:

#### **Virtual pestering**

- Asking repeatedly to meet up;
- High volumes of unwanted and non-related work chat on instant messaging apps, WhatsApp and similar – not necessarily through company messaging apps;
- High volumes of unwanted and non-related work chat on Teams/Slack/Zoom and other corporate communications apps.

#### **Inappropriate behaviour**

- Commenting on a colleague's appearance during video calls;
- Commenting on other people in the background of video calls in a sexualised or discriminatory way;
- Winking at colleagues during video calls;
- Inappropriate and indecent exposure during video calls;
- Unsolicited and/or inappropriate communications through messaging apps, including channels such as Slack/Google Chat/WhatsApp and via private messaging;
- Emails or text messages requesting sexual favours;
- Encouraging a culture of sexual harassment and sexism in the work place by making demeaning comments about women, for example demanding that they be 'sexier' or men being 'manlier'; and
- Stalking on personal social media accounts.

**Majority of these examples were informed by timeTo's 2020 research findings.**

For more examples of sexual harassment and what isn't appropriate, refer to pages six and 10 of the Code of Conduct.

To read the Equality Act 2010 legislation on sexual harassment (section 26) visit: [www.legislation.gov.uk/ukpga/2010/15/section/26](http://www.legislation.gov.uk/ukpga/2010/15/section/26)

**This document is for guidance only and should not be used as a substitute for specific legal advice.**

# taking action

## For management and HR departments

We recommend that the principles we highlight below are addressed within your company. You may wish to apply your own company style and indeed you may wish to go further. There are clear legal risks associated with harassment in the workplace including a claim to an employment tribunal if an employer has not taken reasonable steps to prevent the conduct. Plus, of course, there is a moral duty regarding the wellbeing of staff and the company's reputation may also be at stake. A company that values its people should want to eradicate this type of behaviour and ensure it never happens again.

1. Make clear your stance on sexual harassment (and other forms of harassment) with your employees, clients and everyone you work with.
2. Remind your managers and employees that their behaviour will be assessed to the same standards as it would be in the physical work place and that the usual policies apply. Update relevant policies to be specific about any potential blurring of boundaries:
  - a. Clarify which digital communication platforms can be used between colleagues/clients/third parties.
  - b. Enable employees to record meetings on your company video conferencing platforms in the absence of colleagues, should they wish to
  - c. Provide guidance and work with managers on agreed ways of working and what is considered to be 'out-of-hours'.
3. Update any specific anti-sexual harassment policies to incorporate the risks of sexual harassment while working from home and provide clear guidance on online safety.
4. Create further reporting opportunities:
  - a. If you haven't already done so, appoint an anti-sexual harassment or anti-harassment ally – someone who is not HR or the CEO and who people would feel comfortable speaking to. If you can, have more than one and ensure the group is made of people from different backgrounds and of different ages to encourage any underrepresented groups to come forward. Also include different seniority levels, ensuring that those who are less senior are supported and backed.
  - b. Notify your organisation of who and how such person can be contacted and provide them with the necessary training.
  - c. Create an incident management plan and without compromising confidentiality, share, if you can, with your organisation if and how harassment is happening. Use this information to identify the risk areas and to educate your teams on its prevalence and ways of mitigating it happening.
  - d. Inform your teams of any organisational/group wide online reporting and whistleblowing lines that are available. Such reporting lines would need to be confidential and secure, in compliance with data protection regulation.

# talking action

5. Create safe and inclusive spaces and encourage your teams to speak up. As we work through these unusual and challenging times, people may be fearful for their jobs and may be less likely to speak up. You'll need to inspire confidence that your organisation can be trusted, even though creating safe and inclusive spaces won't happen immediately. Ensure that leaders and line managers are authentically working towards an environment in which everyone has the right to be included.
6. Take an intersectional approach: sexual harassment in the work place can reflect power imbalances and can be part of a spectrum of disrespect and inequality. Ensure that your managers are trained in understanding and spotting all forms of harassment and they are equipped to lead and act on any internal grievance and disciplinary processes.
7. If the issue of sexual harassment has been raised, it's your priority to do all you reasonably can to deal with the harassment while your teams are working from home and to ensure that teams are safe once they start to return to the office or if they work a combination of office and working from home.
8. Have an 'always aware' approach. Sexual harassers are often predatory and can exploit weaknesses in any system and processes. Their approach also evolves to find new ways of harassing when barriers are put in their way. When evolving your systems and processes, make this part of your risk management plans.
9. More ways timeTo can support you:
  - a. Remind your employees about your commitment to and endorsement of timeTo;
  - b. Recirculate timeTo's **toolkit** to your teams; and
  - c. Sign up to the timeTo **training**.
10. Direct anyone who has been affected by sexual harassment or harassment of any kind, to the NABS Advice Line, including witnesses and alleged perpetrators as well as those who have experienced it.
11. Within all your communications regarding sexual harassment and other forms of harassment, bear in mind the emotional distress on those who have been affected by any form of harassment and appropriately offer support, including directing people to the **NABS Advice Line**. Call: 0800 707 6607 or email **support@nabs.org.uk**

**For further guidance, please refer to our [Code of Conduct](#), pages 8-9.**

# taking action

## For those who have been sexually harassed

Your employer is obliged to take whatever reasonable steps they can to prevent and then deal with any notified harassment. It is their legal duty to protect the health, safety and wellbeing of employees and provide a safe place and system of work. Therefore, employers should put in place reasonable measures, policies and procedures to try and ensure that sexual harassment does not happen. They must also take seriously any notification that there has been workplace (whether virtually or at the office or at premises outside the office) sexual harassment and deal with that as appropriate, in accordance with their internal policies.

1. Specific guidance on what you can do to report sexual harassment is detailed on page 11 of our [Code of Conduct](#)
2. Documenting inappropriate behaviour and staying safe:
  - a. Keep a record of the harassment or discrimination - save/screenshot emails and any other communications.
  - b. Use company-approved digital communication platforms when communicating with colleagues and clients so your employers can monitor activity.
  - c. Most platforms enable you to choose a background so your colleagues can't see your home. Use this feature if you don't want others to see where you live. Alternately, if possible, consider sitting in communal spaces at home to protect your privacy.
  - d. Don't feel pressured to respond to the harasser. Direct the communication back through your work communication channels and use blocking functions on your personal channels. Don't answer unwanted calls and end calls that make you feel uncomfortable.
  - e. Avoid online one-to-one communication with anyone who is making you feel uncomfortable; always insist on having another colleague join any meetings.
  - f. If you're being asked to meet up alone by anyone who is making you feel uncomfortable, say no and inform your HR department/line manager. Follow company (and government) procedures. At the very least, insist on another work colleague joining you, and do so in a public place.
  - g. Where possible, work regular hours rather than logging on late and at weekends. If you need to work out-of-hours, set your status so that you appear 'offline' i.e. turn your instant messenger to unavailable/off.
  - h. Maintain professional distance and don't feel obliged to add anyone who makes you feel uncomfortable to your personal social media accounts. If they are already a contact, consider limiting their viewing and contact permissions or delete entirely. Only do this if you consider it is safe to do so.



# talking action

3. If you've been sexually harassed and you need further guidance on any of these issues – or if you just want someone to talk to – contact the NABS Advice Line. The advisors are trained to deal with issues regarding sexual harassment and much more and if you need specialist guidance, they can direct you towards relevant support agencies or organisations. Call: 0800 707 6607 or email: support@nabs.org.uk

## **For witnesses of sexual harassment**

1. If you think that you have witnessed sexual harassment and are unsure of what constitutes sexual harassment, including online sexual harassment, read the examples within this addendum and within the Code of Conduct.
2. Follow the guidance for witnesses of sexual harassment on page 13 of the **Code of Conduct**, including looking after your wellbeing; and
3. If you want to check what possible actions you could take, call the NABS Advice Line. You may also want to suggest to the person who you believe is being harassed that they get in contact. Call: 0800 707 6607 or email: support@nabs.org.uk

## **For people who fear they have behaved inappropriately**

1. If you fear you have behaved inappropriately and are unsure of what constitutes sexual harassment, including online sexual harassment, read the examples within this addendum and within the Code of Conduct.
2. Follow the specific steps on page 14 of our **Code of Conduct**, including looking after your wellbeing; and
3. Speak to someone to work out the best course of action to remedy the situation. The NABS Advice Line can offer you some perspective and impartial, confidential advice. Call: 0800 707 6607 or email: support@nabs.org.uk

## **For people who have been wrongfully accused of sexual harassment**

1. If you have been wrongfully accused of sexual harassment and are unsure of what constitutes sexual harassment, including online sexual harassment, read the examples within this addendum and within the Code of Conduct.
2. Follow the specific steps on page 14 of our **Code of Conduct**, including looking after your wellbeing.
3. Speak to someone to weigh up your options and work out the best course of action. The NABS Advice Line can offer you some perspective and impartial, confidential advice. Call: 0800 707 6607 or email: support@nabs.org.uk

# the reset

## Creating a safe future

As we move towards a post-pandemic world, we have the chance to reset and create a new normal where nobody has to endure any form of harassment. We're all responsible for setting expectations and boundaries around respect and appropriate behaviour. Together, we must and we can create a culture where racism, homophobia, sexism and other forms of discrimination and multiple oppressions are no longer tolerated, working towards a future where they're eradicated.

Consider the following ideas and practicalities to help you set a new tone in your organisation, particularly if you're in a position of authority and able to enact change:

- **Managing change:** prior to the return to working in an office environment, help allay any confusion, fears and anxieties, apprehensions and feeling of overwhelm by keeping your teams informed of the 'back to office/new ways of working' plan. Encourage the opportunity for questions and feedback to help manage expectations.
- **Social conduct and a zero-tolerance approach:** start with a positive approach by clarifying what constitutes expected behaviour when returning to the office or working a combination of office and working from home. Have a zero-tolerance approach to sexual harassment, alongside all forms of transgressions including racism and homophobia, and ensure that the correct standards of behaviour are communicated regularly and demonstrated by leadership.
- **Safety in the workplace:** both social distancing and having less people in the office brings risks and opportunities for harassers. Build lone working into your risk assessments: introduce a buddy system so that everybody's whereabouts are known, and that people can raise the alarm if necessary.

# the reset

- Shift any flexible working biases that may be in existence so that there is more emphasis on working remotely rather than working in the office, should people want it. Remote working potentially makes sexual misconduct more difficult as virtual environments are more likely to enable paper trails. There's also a lack of opportunity for physical interaction, and a reliance on verbal over non-verbal communication. While this won't solve the issue of harassment, it does go some way to creating some psychological respite.
- Examine where digital boundaries can be blurred, and clarify these to your teams, for example by promoting the use of official channels, such as Teams, rather than private instant messaging services.
- Seek expert guidance to help build new cultures; timeTo's training programme gives people a practical understanding of the issues, increasing understanding of what is and isn't acceptable.

**Find out more about timeTo training [on our website](#) or email [timetotraining@nabs.org.uk](mailto:timetotraining@nabs.org.uk)**

# resources

## Further resources listed on our [timeTo Code of Conduct](#) page 16

### Specific ways timeTo can help include:

- **Training:** practical guidance on sexual harassment at work to increase your teams understanding of what is and what isn't acceptable in the workplace
- **Toolkit:** to be used to help embed key messages within your organisation from the Code of Conduct and subsequent Addendum
- **Code of Conduct:** information and guidance for everyone

### Specific ways NABS can help include:

- Providing information and guidance on what constitutes sexual harassment and what you can do if you have been subject to sexual harassment, witnessed it, if you fear you have behaved inappropriately or if you have been wrongfully accused of sexual harassment
- Providing support around the emotional impact sexual harassment may have
- Signposting to any necessary specialist organisations
- NABS Advice Line: 0800 707 6607 email: [support@nabs.org.uk](mailto:support@nabs.org.uk)

### Other organisations:

- **[Suzy Lamplugh Trust](#)** - a charity that works towards reducing the risk of violence and aggression through campaigning, education and support: **['Guidance for employers and employees to Stay Safe at Work'](#)**
- **[Fix the Glitch](#)** - a UK charity working towards ending abuse online

### Further reading:

- **[The Equality and Human Rights Commission](#)** - An independent statutory body with the responsibility to encourage equality and diversity, eliminate unlawful discrimination, and protect and promote the human rights of everyone in Britain. **['Sexual Harassment and Harassment at Work Technical Guidance'](#)**



# timeTo

**timeto.org.uk**



**WACL**

• FOUNDED IN 1923 •

**NABS**

**No one should have to put up with sexual harassment; anytime or anywhere.**

For free, confidential and impartial advice and support, for anyone working in the advertising, marketing and media industry, call the **NABS Advice Line on 0800 707 6607**, 9am-5.30pm on week days.

**This Addendum was written by Lorraine Jennings, director of wellbeing services and culture change at NABS.**