



PROTOCOL FOR THE PREVENTION AND TREATMENT OF SEXUAL AND SEX-BASED HARASSMENT IN THE WORKPLACE AND OTHER FORMS OF DISCRIMINATION

1. STATEMENT OF PRINCIPLES

Our Code of Professional Conduct highlights the commitment of World Leadership Alliance Club de Madrid (CdM) to the human and labour rights recognised in Spanish legislation and international agreements. The Code establishes that professionalism and integrity must guide the conduct of CdM professionals. It enshrines the principles of non-discrimination, respect for personal and family life, and the right to privacy. In accordance with these principles, CdM is committed to creating, maintaining and protecting a working environment that respects the dignity of the individual and the rights and values referred to above.

In order to ensure a working environment for all our staff in which their dignity, moral integrity and sexual freedom are respected, CdM declares its commitment to an organisational culture that guarantees equal, respectful and dignified treatment for all its employees, rejecting all types of harassment at work, sexual and gender-based harassment and any other types of discrimination such as racial or ethnic origin, culture, religion or beliefs, disability, age, sexual orientation or any other personal or social condition or circumstance, as well as any form of physical and psychological violence at work.

2. OBJECTIVE OF THIS PROTOCOL

The purpose of this Protocol is to prevent and eradicate situations that constitute harassment, in all its forms, and for the Organisation to take responsibility to prevent conduct contrary to the dignity and values of the individual. To this end, this Protocol considers two fundamental aspects: the prevention of harassment and the organisation's reaction to complaints of harassment. To this end, two types of actions are contemplated:

1. Adoption of measures through which CdM seeks to prevent and avoid situations of harassment or situations that may constitute harassment.
2. An internal procedure for cases where a complaint or internal complaint of harassment is made by an employee.

3. SCOPE OF APPLICATION

The Protocol shall be applicable to all the Organisation's employees, regardless of their employment relationship with CdM. The Protocol deals specifically with internal situations that may arise between the Organisation's employees, including supervisors and management.

Situations affecting third parties

When the actions of a member of staff, in the course of their work for the Organisation, affect a person who is not a member of the staff, in any of the situations described in this Protocol, the Organisation undertakes to cooperate with the complainant and the Organisation to which he/she may belong in order to clarify the facts, following a procedure similar to the one described in this Protocol for internal situations, and adopting, if necessary, the appropriate disciplinary measures in line with the provisions of this Protocol for such internal situations.

Situations caused by third parties

When the person reported is a non-staff member (e.g., a supplier, activity partner, donor, activity participant, etc.), the Organisation shall endeavour, to the extent possible, to follow the procedures described below, seeking, where appropriate, the cooperation of the Organisation to which the reported person belongs. Appropriate action will be taken, including legal action, if necessary. Depending on the outcome of the procedure, appropriate measures will be taken that may affect both the person reported and, if applicable, CdM's relationship with the Organisation to which they belong.

Situations caused by members

If the person reported is one of the Organisation's Members, the Secretary General shall inform the President of the Organisation so that they may take the appropriate action to deal with the situation. If the President is the person reported, the Vice-Presidents of the Organisation shall be informed. The person making the complaint, the Human Resources Director and the workers' representatives shall also be informed of this procedure and of the decisions taken.

4. EXCLUSIONS

One-off interpersonal conflicts, which may occur within the framework of work relations and affect the Organisation and its development, but which do not intend to cause personal or professional harm to any of the parties involved in the conflict, are excluded from the concept of moral harassment at work.

In these cases, the Human Resources Director and any other managers or directors involved must clarify and find a solution to this type of behaviour to stop these incidents or specific conflicts from becoming commonplace and leading to harassment in the workplace.

5. PREVENTION MEASURES

In order to prevent harassment or situations potentially constituting harassment, the Organisation shall establish the following measures:

1. The Organisation shall promote an environment of respect and propriety in the working environment, instilling in all workers the values of equal treatment, respect, dignity and free expression of their personality.
2. The Organisation shall strive to integrate newly hired employees during their initial induction process and subsequently. The Organisation shall take into account the personal and cultural circumstances of new employees in order to contribute to their integration.
3. The Organisation shall provide information and training to employees on the principles and values to be upheld in the Organisation and on unacceptable conduct. Other persons, such as volunteers, interns, consultants, and in general those who regularly interact in the Organisation's workspace and activities, shall also be informed of these policies.
4. The Organisation prohibits insinuations or manifestations that are contrary to the principles outlined above, both in terms of language, communications of any kind, or attitudes.
5. When unacceptable conduct is detected in a certain group or team, the Organisation's Management shall immediately contact the person in charge of the group or team to inform them of the issue detected, the obligations that must be observed and the consequences that derive from non-compliance, holding the appropriate meetings, if necessary, to analyse what has occurred and resolve the situation. The Organisation shall be constantly involved in the adoption of new measures or the improvement of existing ones to achieve harmonious coexistence at work, safeguarding the rights of its employees.

6. HARASSMENT AT WORK

Workplace harassment is the reiteration of conduct, practices or behaviour carried out individually or in a group, that violate the dignity of one or more employees, creating a stressful, intimidating, humiliating or offensive environment, with the purpose of diminishing their professional abilities and/or expectations or even forcing them to leave, or undermining the dignity or psychological stability of the victim or victims.

The hierarchical position of the victim and the harasser shall be taken into account as an aggravating factor.

The following list includes a number of specific forms of conduct that could constitute harassment at work:

Organisational measures:

- Forcing someone to perform tasks that go against their conscience.
- Judging an employee's performance in an offensive manner, concealing their efforts and abilities. Critical appraisals of performance should always be made directly to the person concerned and in a respectful and discreet manner (individually and in private).
- Repeated negative appraisal of the performance of an employee in a way that is visible to other colleagues, or to other colleagues when the person is not present.
- Questioning and undermining the person's decisions and opinions offensively or publicly to others, in person or online.
- Not assigning tasks or assigning tasks that are unrelated to the business of the Organisation or are degrading.
- Denying or concealing the means to perform a task or providing misleading information.
- Knowingly assigning tasks or responsibilities that are way beyond the person's skills or qualifications, or require much lower qualifications than those held.
- Giving contradictory or impossible orders.
- Ignoring, or unreasonably denying requests for leave of absence of any kind, changes in working conditions, especially to facilitate work-life balance, training or any other requests in accordance with the Organisation's staff rules and policies.
- Threatening or putting pressure on people who support the person being harassed.
- Judging or negatively assessing the taking of leave for childbirth and childcare, illness, care of dependents or other situations to which the Organisation's employees are entitled, including possible references to their poorer job performance as a result of or related to the exercise of these rights.

Reducing the scope for communication:

- Changing the person's location by separating them from their colleagues.
- Ignoring the person's presence, or not speaking to them, both in communal workspaces and in physical and online meetings or activities.
- Intentionally and repeatedly ignoring an employee's opinions and comments about activities in which they are involved or which directly concern them.
- Intentionally and repeatedly ignoring or eliminating a team member from the exchange of emails or other communication channels about professional activities for which they are responsible or involved in.
- Side-lining or taking retaliation against colleagues who maintain personal contact or a professional relationship with the employee in question.
- Not allowing the person to express themselves or denying them spaces for participation and interaction in professional activities that come under their responsibility or are of general interest.

- Eliminating or restricting the means of communication available to the person (telephone, e-mail, etc.)

Actions that affect the physical and/or psychological health of the victim:

- Threats and physical aggression. Damaging the workplace or personal belongings.
- Verbal and written threats. Shouting and insults.
- Provoking the person, forcing an emotional reaction.
- Requiring the person to perform tasks that may be detrimental to their own physical and psychological wellbeing or may directly and objectively affect the health of the people with whom they live or with whom they have an affective bond.

Attacks on privacy and personal or professional reputation:

- Manipulating their personal and/or professional reputation through rumour, denigration and ridicule.
- Implying that the person has psychological problems and seeking to make the person undergo a psychiatric examination or assessment.
- Making fun of the person's gestures, voice, physical appearance, disabilities, illness, etc.
- Criticism or stereotyped references that may be offensive, referring to nationality, sex, race and ethnicity, social class, political or religious attitudes and beliefs, sexual orientation and gender identity, private life, etc.

7. SEXUAL HARASSMENT AND SEX-BASED HARASSMENT

Article 7 of Spanish Organic Law 3/2007, of 22 March, on the effective equality of women and men defines sexual harassment and sex-based harassment:

"Article 7. Sexual harassment and sex-based harassment.

1. *Without prejudice to the provisions of the Criminal Code, according to this Law, any verbal or physical behaviour of a sexual nature that has the purpose or effect of violating the dignity of a person, in particular when it creates an intimidating, degrading or offensive environment, shall be deemed as sexual harassment.*
2. *Harassment on the grounds of gender includes any behaviour that has the purpose or effect of violating the dignity of a person and of creating an intimidating, degrading or offensive environment, based on their sex.*
3. *Sexual harassment and sex-based harassment shall in any case be deemed to be discriminatory.*
4. *The conditioning of a right or the expectation of a right on the acceptance of a situation which constitutes sexual harassment or sex-based harassment shall also be deemed to constitute discrimination on grounds of gender.*

"Discrimination on the basis of sex shall also be deemed to be any adverse treatment or adverse effect on a person as a result of the filing by them of a complaint, claim, report, suit or appeal, of any kind, aimed at preventing discrimination and demanding effective compliance with the principle of equal treatment between women and men."

The aforementioned conduct carried out by any person professionally related to the victim, or by taking advantage of their hierarchical superiority, shall be deemed to constitute sexual harassment and harassment based on sex.

By way of example, and without exclusion or limitation, the following types of conducts are deemed to constitute sexual harassment and sex-based harassment:

Sexual harassment

Both men and women can suffer sexual harassment. However, it is mostly women who suffer it. It is therefore necessary to take into account the roles traditionally attributed to relationships between men and women in our society.

Some examples of sexual harassment include:

- Suggestive remarks, jokes, and comments about the employee's appearance or sexual condition.
- The use of sexually explicit graphics, cartoons, drawings, photographs or Internet images.
- Offensive telephone calls, letters or e-mails of a sexual nature.
- Deliberate and unsolicited physical contact, or excessive or unnecessary physical approaches: e.g., touching, rubbing, etc.
- Inappropriate questions or comments about sex life.
- Lewd or compromising invitations and requests for sexual favours, when they associate the approval or refusal of these favours, by means of attitudes, insinuations or directly, to an improvement in working conditions, job stability or professional career.
- Any other behaviour that has as its cause or objective discrimination, abuse, humiliation or humiliation of the employee because of their sexual condition.
- Any other type of sexual aggression defined in the Criminal Code.
- Sexual harassment differs from freely accepted and reciprocal approaches, insofar as they are unwanted by the person who is the object of them. A single unwanted episode might constitute sexual harassment.

Sex-based harassment

Harassment based on sex is caused by gender stereotypes and is usually aimed at belittling people because of their identification with a particular sex, undervaluing their abilities,

technical competencies and skills. Although both sexes can be victims of this type of harassment, it is discrimination against women that occurs most frequently.

Some examples of sex-based harassment include:

- Public and/or private disqualifications about the person and their professional performance based on their gender.
- Use of expressions, comments, jokes, etc., of a sexist nature and/or which are denigrating to a person based on their gender.
- Ignoring or not valuing the opinions, messages or orders of a person based on their gender.
- Assigning tasks or functions below their level of responsibility based on their gender.
- Denying leave and other rights to which a person would be entitled, arbitrarily because of their sex.
- Denying or undervaluing a person and/or their professional performance because they exercise their maternity/paternity rights.

Passive and active subject.

- Passive subject: any worker, regardless of their professional status and the nature of the employment relationship.
- Active subject: the active subject of harassment shall be considered the bosses and colleagues of the passive subject.

8. ACTION PROCEDURE FOR HARASSMENT COMPLAINTS

The CdM Management undertakes to activate its internal action procedure when the existence of harassment or events that could be considered as harassment are reported in writing (in accordance with the model attached in Annex I of this protocol). In any case, the provisions of article 42 of the current Collective Bargaining Agreement (2019-2021) referring to protection measures for female workers who are victims of gender-based violence, shall be taken into consideration and applied.

The complaint may come from:

- The person concerned.
- The worker's legal representative, or failing that, from a co-worker.
- The Organisation's Management and departmental managers.

Should the complaint not be submitted directly by the person concerned, they shall be informed so that they can give their consent.

Anonymous complaints and those in which the person concerned does not give their consent shall not be processed.

8.1. Guiding principles of the procedure, guarantees of action.

The guarantees to be observed in the application of this protocol are as follows:

- a. Respect and confidentiality: the necessary discretion must be exercised in order to protect the privacy and dignity of the persons concerned. The persons involved in the procedure have the obligation to maintain strict confidentiality and secrecy at all times.
- b. Deadlines: the investigation and resolution of the reported conduct must be carried out as quickly as possible, avoiding unnecessary delays.
- c. Protection of the victims and restitution of their working conditions, if they are affected in the process.
- d. Protection of health: adoption of the relevant measures to guarantee the health of all affected persons.
- e. Prohibition of retaliation: retaliation against persons who make a complaint, appear as witnesses or participate in a harassment investigation is expressly prohibited, provided that they have acted in good faith.
- f. Impartiality: the procedure must ensure a fair hearing and fair treatment for all persons concerned. All those involved in the procedure shall work towards clarifying the reported allegations.
- g. Equal treatment: there shall be no difference in the treatment of the persons involved in the procedure, irrespective of their personal, employment or social status or circumstances.
- h. Professional and thorough investigation of the reported allegations.
- i. Adoption of measures of all kinds, including disciplinary measures, where appropriate, against the person/s whose harassment is proven. Likewise, any false accusations or complaints in relation to these behaviours is considered reprehensible and deserving of reproach, and where appropriate, of punishment, via the adoption of the necessary measures.
- j. Respect for the principle of the presumption of innocence.
- k. All communications to the members of the Committee shall be made in line with data protection legislation.

8.2. Procedure

INVESTIGATOR

The Organisation's Human Resources Director, or the person they designate, who must meet the conditions of aptitude, objectivity and impartiality required by the procedure,

shall act as the investigator in this procedure. The investigator shall initiate the procedure, either ex officio or at the request of a party, shall provide support and assistance to the allegedly harassed employee, and shall take the necessary steps to clarify the facts, gathering all the information deemed appropriate and carrying out interviews and other necessary actions.

When the Human Resources Director is the person who has been reported for alleged harassment, the Secretary General of the Organisation or the person they designate shall act as the investigator.

When the Secretary General of the Organisation is the person who has been reported, a member of the Board of Directors designated for this purpose or, in the absence of this designation, another member of the Board of Directors, another full member or an external person who meets the aforementioned conditions, designated by the President of the Organisation, shall act as the investigator.

INVESTIGATION COMMITTEE

An Investigation Committee shall be appointed by the Management, made up of two members, the Secretary General of the Organisation or person delegated by them, and the workers' representative (if any) or another worker who can perform this representative function, who also meet the aforementioned requirements of aptitude, objectivity and impartiality. An external technical advisor may be included in the aforementioned Committee.

When the Secretary General of the Organisation is the person who has been reported for alleged harassment, the Committee shall be made up of the President of the Organisation and another member of the Board of Directors, another full member of the association or an external person meeting the above requirements, designated by them.

PROCEDURE

If circumstances make it advisable, the facts may be investigated by external professionals of proven repute in the field.

The investigation procedure shall be carried out with the utmost speed, confidentiality, secrecy and participation of the persons involved.

During the procedure, and as a precautionary measure, the investigator may propose to the Committee, due to the seriousness of the conduct reported and the appearance of veracity of the evidence provided, the separation of the persons involved, without detriment to their working conditions.

During the procedure, the interested parties may provide documents or other elements of judgment, which will be taken into account by the Committee when issuing the corresponding proposal.

Both the complainant and the person reported may be accompanied during the interviews, if they so request, by workers' representatives, trade union representatives or other persons of their choice, and shall have the right to be informed of the content of the statements made by the other party and the witnesses and of the case documentation.

The following guidelines shall be observed during the interviews, in which the parties and witnesses shall be heard under the principle of neutrality:

- a. Introduction given by the interviewer, explaining the procedure to be followed and the limits of confidentiality.
- b. Signing of the informed consent at the beginning of the procedure (model in Annex II).
- c. The aim shall be to reduce or minimise emotional tension, showing empathy, but not identifying with any of the parties.
- d. Listening to the questions that are asked about the procedure and giving the necessary explanations, for example, clarifying neutral or general answers, such as "normal", "as usual", "I have not been informed".
- e. Gathering possible written evidence or from other sources that may corroborate the stories and allegations.
- f. Analysing the story and the experiences presented.
- g. Avoid victimising the complainant by forcing them to unnecessarily or redundantly repeat events that may have been degrading.
- h. Identifying the positions of each party and their interests.
- i. Summarising the story in chronological order.
- j. Never using real situations of other cases that may have been investigated as an example.
- k. The interviews shall begin with the complainant and the witnesses proposed by the complainant, continuing with the person reported and, if applicable, the witnesses proposed by the person who has been reported.

The Committee, within a maximum period of twenty days from the date of its first meeting, and in view of the procedure carried out, shall issue a conclusions report. The period shall be thirty days if the person reported is the Secretary General, in order to facilitate the full participation of the members of the Board or other full members involved.

The conclusions report shall include at least the following information:

- a. List of the persons on the Committee and identification of the allegedly harassed persons and their harassers.
- b. Case background, complaints and circumstances.

- c. List of the statements made in the procedure, arguments put forward, testimonies, verification of evidence, etc.
- d. Chronological summary of the facts.
- e. Statement of the existence or non-existence of harassment.
- f. Proposals for corrective measures, if applicable. If harassment is found to have occurred, the following measures may be proposed:
 - Psychological and social support for the victim.
 - Modification of the working conditions which, with the prior consent of the harassment victim, are deemed beneficial for their recovery.
 - Adoption of surveillance measures for the protection of the victim.
 - Reiteration of the Organisation's ethical and moral standards.
- g. Proposal for the initiation of disciplinary proceedings.
- h. Initiation of legal action if appropriate in accordance with the legislation in force in Spain on this matter.

AGGRAVATING CIRCUMSTANCES

- The abuse is committed by a person in a position of hierarchical superiority and/or with decision-making power over the victim's working conditions or the employment relationship itself.
- Reiteration of inappropriate conduct by the accused person.
- Existence of two or more victims in a specific case or by the same accused person.
- The victim suffers some type of physical or mental disability.
- When the inappropriate conduct occurs during recruitment or promotion processes.
- When any type of coercion or pressure is exerted on the victim, witnesses or people in the work or family environment with the aim of avoiding or influencing the investigation process.
- The victim's employment status on a temporary or interim contract, a trial or training period, or as an intern or volunteer.

DISCIPLINARY PROCEDURES

The disciplinary procedures to be taken should the accusations of harassment be founded will be referred to Article 49 of the relevant Collective Bargaining Agreement where they are classified as minor, serious or very serious accusations.

RESOLUTION

Within five days of receipt of the conclusions report, the Management shall issue a resolution agreeing on the proposed measures. The resolution will be notified to the persons concerned.

If harassment is not proven, or the accusations cannot be verified, the case will be closed.

If, as a result of the investigation carried out, harassment is not found to exist, but it becomes clear that there is an underlying conflict that may be affecting the professional capabilities and dignity of some of the persons involved, the investigator shall propose the adoption of the appropriate measures to resolve the conflict.

UNFOUNDED OR FALSE ALLEGATIONS

If from the initial assessment or report issued by the Committee it is deduced that the complaint has been filed in bad faith, or that the data or testimonies are false, the Committee shall propose to the Management the initiation of the corresponding disciplinary proceedings against the persons responsible for such behaviour.

OTHER CONSIDERATIONS

Any retaliation against persons who make a complaint, testify, collaborate or participate in the investigations carried out, and against those persons who challenge any situation of harassment against themselves or against third parties is expressly prohibited.

9. REVIEWS

One month after the adoption of the necessary measures by the Organisation's Management, the Commission shall issue a follow-up report on the proposed measures and on the safeguarding of the principle of non-discrimination, as well as on the supervision of possible reprisals against any of the employees who have intervened in the procedure as complainant, victim, witness or informant.

10. DISSEMINATION, ENTRY INTO FORCE AND TRAINING

The contents of this Protocol are mandatory for all CdM staff. As a first dissemination measure, the Organisation shall distribute the agreed Protocol to all staff. The Protocol shall also be given to those who regularly share the Organisation's workspace, such as volunteers.

The Protocol shall be given to all organisations and companies with which services are contracted or subcontracted in which the situations covered by this Protocol could occur.

Its contents shall come into force as soon as it is notified to the staff. It shall remain in force until it is modified or replaced by another protocol. The Protocol in force shall be made available to all employees.

Specific training sessions for the prevention of harassment and sexual or gender-based harassment will be organized for all staff.

ANNEX I: TEMPLATE FOR COMPLAINT FORM

COMPLAINANT:

PERSONAL DATA OF THE PERSONS CONCERNED:

(name and surname, identification number, position).

DESCRIPTION OF THE FACTS:

POSSIBLE SOLUTIONS PROPOSED:

ATTACHED DOCUMENTATION, if applicable:

I hereby request the initiation of the Protocol for the Prevention and Treatment of Sexual and Sex-based Harassment in the Workplace.

Place and date

Signature of the complainant:

**ANNEX II: INFORMED CONSENT FOR PARTICIPATION IN THE
INTERVIEW PHASE OF THE OPEN PROCEDURE AFTER THE
ACTIVATION OF THE PROTOCOL FOR THE PREVENTION AND
TREATMENT OF SEXUAL AND SEX-BASED HARASSMENT IN THE
WORKPLACE**

NAME AND SURNAME:

ID. NUMBER:

HEREBY STATES:

That I am aware of the procedure established in the World Leadership Alliance Club de Madrid's "**PROTOCOL FOR THE PREVENTION AND TREATMENT OF SEXUAL AND SEX-BASED HARASSMENT IN THE WORKPLACE AND OTHER FORMS OF DISCRIMINATION**" and, consequently, the guarantees provided therein regarding the respect and protection of the privacy and dignity of the persons concerned and the obligation to maintain strict confidentiality of the information.

I HEREBY GIVE:

My consent to participate in the interview phase of the procedure initiated on the day _____ for the investigation of the facts.

Place and date

Signature: