Sexual Harassment Policy

Applies to	All employees, workers, agency workers, contractors, consultants, interns, volunteers and job applicants
Policy owner	HR Manager
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Next review	20/07/2027

We are committed to providing a working environment free from sexual harassment. Sexual harassment is unlawful and will not be tolerated under any circumstances. This policy sits alongside our Harassment and Bullying Policy and should be read together with it.

We have a legal duty to take all reasonable steps to prevent sexual harassment of our employees in the course of their employment. This is an active, ongoing obligation - not simply a reactive one. We take it seriously.

This policy applies in all work-related contexts: on our premises, on a client's site, at off-site events, on business trips, and online. It covers sexual harassment by colleagues, managers and third parties.

This policy does not form part of your contract of employment. We reserve the right to amend it.

1. What is sexual harassment?

Sexual harassment is unwanted conduct of a sexual nature, or conduct related to sex or gender reassignment, that has the purpose or effect of:

- violating a person's dignity, or
- creating an environment that is intimidating, hostile, degrading, humiliating or offensive for them

Sexual harassment also occurs where a person is treated less favourably because they have rejected or submitted to unwanted conduct of a sexual nature, or conduct related to sex or gender reassignment.

Sexual harassment is unlawful under the Equality Act 2010. It can occur regardless of the gender of either party, and regardless of whether they are of the same or different genders.

Examples of sexual harassment

Sexual harassment can take many forms. The following are examples - this list is not exhaustive:

- unwanted sexual advances, touching, hugging, kissing or other physical contact
- lewd comments, sexual jokes or sexually suggestive remarks
- staring, leering or suggestive looks
- displaying or sharing sexually explicit images, videos or material
- intrusive questions about a person's private or sexual life
- sexual messages, emails or social media content
- spreading sexual rumours about a person
- making promises or threats in connection with sexual activity

Intent does not determine outcome

Sexual harassment can occur regardless of intent. If your behaviour has the effect of making someone feel harassed, it may still amount to sexual harassment even if that was not your intention. This includes situations where the affected person was not the direct target but witnessed or was impacted by the behaviour.

Behaviour can amount to sexual harassment even if the person being harassed does not complain or ask for it to stop.

2. Victimisation

We are committed to ensuring that everyone who raises a concern about sexual harassment feels safe to do so without fear of reprisal.

Victimisation occurs when someone is treated less favourably because they have raised a complaint of sexual harassment, supported a colleague who has done so, or are suspected of intending to do either of those things.

We do not tolerate victimisation in any form. Anyone found to have victimised a colleague in this way will face disciplinary action.

Whistleblowing protection

If you bring forward information which you believe in good faith shows that sexual harassment has occurred, is occurring or is likely to occur, this disclosure may be a qualifying disclosure under our Whistleblowing Policy, and you may be entitled to whistleblower protection. Please refer to our Whistleblowing Policy for further details.

3. Third-party sexual harassment

Our duty to prevent sexual harassment extends to acts by third parties - including clients, customers, suppliers and visitors. You are encouraged to report any third-party sexual harassment you experience or witness.

We take active steps to prevent third-party sexual harassment and keep our risk assessment under regular review. We welcome your input - if you believe there are areas where our protection could be improved, please speak to your line manager.

Where third-party sexual harassment occurs, we will investigate, take steps to prevent a recurrence, and support the member of staff involved. Action may include warning or banning the individual from our premises and reporting criminal behaviour to the police.

Any sexual harassment by our employees directed at a third party will also be a disciplinary matter.

4. Our duty to prevent sexual harassment

Under the Worker Protection (Amendment of Equality Act 2010) Act 2023, we are required to take all reasonable steps to prevent sexual harassment in the course of employment. We do not treat this as a box-ticking exercise.

Our approach includes:

- maintaining and communicating clear policies on sexual harassment
- training managers to recognise and respond appropriately to sexual harassment
- assessing and regularly reviewing the risk of sexual harassment in our workplace
- making it straightforward for people to raise concerns, including informally
- taking all complaints seriously and investigating them promptly and fairly
- reviewing outcomes to identify patterns and improve our approach

We review our approach to preventing sexual harassment regularly. We encourage you to tell us if you think there are areas where we could do better.

5. Expected standards of conduct

We expect everyone who works for or with us to maintain the highest standards of conduct in their interactions with others. The following behaviours are not acceptable in our workplace at any time:

- unwanted physical contact of any kind
- sexual comments, jokes or innuendo
- displaying or sharing sexually explicit or suggestive material
- intrusive or inappropriate questions about someone's personal or sexual life
- sexually suggestive messages, posts or social media content
- staring, leering or making suggestive gestures
- any conduct that could make a colleague feel sexually harassed or uncomfortable

These standards apply wherever work-related conduct takes place - on our premises, at a client's site, at work events, on business trips, and online. They apply to conduct directed at colleagues and to conduct directed at others outside work where it affects your suitability to carry out your role.

6. If you experience or witness sexual harassment

Informal approach

In some cases, you may wish to speak directly to the person concerned. Sometimes people do not realise the impact of their behaviour, and a direct conversation can resolve the matter. However, we recognise that sexual harassment is a serious and sensitive issue and that a direct approach will not always feel safe or appropriate. You are never required to confront the person concerned.

Reporting to your manager or the HR Manager

If you experience or witness sexual harassment, please speak to your line manager or the HR Manager as soon as possible. If the matter involves your line manager, contact their manager or the HR Manager directly. We will listen, take your concern seriously and advise you on the options available.

Formal complaint

If you wish to raise a formal complaint, please follow our Grievance Policy. You may also be able to raise the matter under our Whistleblowing Policy - see section 2 above. We will investigate promptly and fairly, maintain confidentiality as far as possible, and keep you informed of progress and outcome.

We may separate you from the person you are complaining about during the investigation. This is not a pre-judgement - it is to protect everyone involved while the facts are established.

External support

We recognise that sexual harassment can be deeply distressing. As well as internal support, you may find the following organisations helpful:

- Equality Advisory and Support Service: www.equalityadvisoryservice.com
- Rape Crisis: www.rapecrisis.org.uk
- Rights of Women (England and Wales): www.rightsofwomen.org.uk
- Victim Support: www.victimsupport.org.uk
- Protect (whistleblowing advice): www.protect-advice.org.uk

7. Confidentiality

All complaints of sexual harassment will be handled with the utmost discretion. Details will be shared only with those who need to know for the purposes of the investigation. All parties involved are expected to maintain confidentiality throughout and after the process.

A breach of confidentiality in this context is a serious disciplinary matter.

Records relating to complaints may be placed on personnel files and will be handled in line with our Data Protection Policy.

8. Consequences of breaching this policy

Any breach of this policy will be dealt with under our Disciplinary Policy. Sexual harassment of any kind, victimising someone who has raised a complaint, making false allegations in bad faith, and providing misleading information during an investigation are all disciplinary matters that may result in dismissal for gross misconduct.

Aggravating factors - including an abuse of position or power - will be taken into account when determining the appropriate outcome.

9. Questions and administration

The HR Manager is responsible for administering this policy. If you have any questions, please speak to your line manager in the first instance or contact suebailey@ansteyhorne.co.uk.

Related policies: Harassment and Bullying Policy - Equality, Diversity and Inclusion Policy - Grievance Policy - Disciplinary Policy - Whistleblowing Policy - Data Protection Policy

This policy does not form part of any contract of employment.