

SEXUAL HARASSMENT POLICY

1 INTRODUCTION

1.1 We are committed to providing a work environment free from sexual harassment where everyone is treated with dignity and respect. Sexual harassment is unlawful and we will not tolerate it.

1.2 We will take active steps to help prevent our staff from being sexually harassed in the workplace or from being victimised if they have made a complaint or have supported someone else who has made a complaint.

1.3 We encourage anyone who is a victim of, or witness to, sexual harassment to report it in accordance with this policy. This will enable us to take appropriate action and provide support.

1.4 Sexual harassment can result in legal liability for us as a business and the perpetrator.

1.5 Any member of our staff who sexually harasses another person will be disciplined and, where appropriate, may be dismissed. Any student who sexually harasses another person will be disciplined and, where appropriate, may be expelled.

1.6 This Policy:

- explains what sexual harassment is
- sets out the standards of behaviour we expect you to follow
- sets out the process you should follow if you wish to raise a complaint
- explains how we will deal with any complaints
- explains the preventative measures we will take to reduce the risk of sexual harassment happening in our workplace.

1.7 This Policy applies to everyone who works for us and studies with us, including employees, workers, agency workers, consultants, casual workers, volunteers and interns, students and contractors. It does not form part of your contract with us and we reserve the right to amend it.

1.8 This Policy applies to all areas of our organisation including any overseas sites, subject to any applicable local laws which impose any additional requirements on us.

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2 WHAT IS “SEXUAL HARASSMENT”?

2.1 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. Unwanted means unwelcome or uninvited. It reflects the employee’s view and means unwanted by them.

2.2 It also includes treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature in the past.

2.3 Some examples are:

- unwanted physical conduct including touching
- continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome
- unwelcome sexual advances or suggestive behaviour
- sending or displaying material that is sexual (including emails, text messages, video clips and images sent by mobile phone or posted on the internet)
- unwanted banter of a sexual nature.

2.4 A single incident can amount to sexual harassment.

2.5 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 or by overhearing colleagues’ discussion of their own sexual activities.

2.6 A person may experience sexual harassment because of conduct of a sexual nature that they find unwanted, even if it was not intended to have that effect by the person doing it. For example, whilst a joke may have been intended to be inoffensive, it may be offensive to the recipient and if it is of a sexual nature, this may amount to sexual harassment.

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2.7 We will not tolerate sexual harassment in our workplaces. Any member of staff who sexually harasses another person will be disciplined (and in appropriate cases may be dismissed) if it happens:

- in a work situation including whilst working from home
- during any situation related to work, such as at a social event with colleagues, clients or customers
- on social media or other platforms and involves a colleague or any other person connected to us
- against anyone outside of a work situation where the incident may negatively impact on our reputation or is relevant to your suitability to carry out your role.

3 THIRD-PARTY HARASSMENT

3.1 Third-party sexual harassment occurs where a person is sexually harassed by someone who isn't employed by us or is under our control 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 supplier visiting our premises, by our customers, or where employees are visiting third party premises in the course of their employment.

3.2 The law requires us to take reasonable steps to prevent sexual harassment by third parties and we will not tolerate third party harassment either by a third party to our staff or by our staff to a third party. Examples of steps that we will take to prevent third party harassment include: code of conduct information in the Student Handbook, student induction, partner agreements, among others.

3.3 All staff are encouraged to report any sexual harassment they experience or witness in accordance with this policy, including third party harassment, and to speak to their manager or any other appropriate person in our business if they think there are additional steps we could take to protect them from sexual harassment.

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4 THE STEPS WE ARE TAKING TO PREVENT SEXUAL HARASSMENT

We will take the following reasonable steps to prevent sexual harassment in our workplace:

- conduct regular risk assessment to identify where our staff or students may be exposed to sexual harassment by other members of staff, students or by third parties;
- implement training programmes for all employees to ensure they recognise behaviours that may amount to sexual harassment, understand how we expect them to behave towards the people they come into contact with and how to complain if they experience or witness inappropriate behaviour;
- make this policy available to all members of staff and students;
- encourage staff and students to report incidents and deal with complaints in line with this policy.

5 HOW TO COMPLAIN OR RAISE ISSUES

5.1 We encourage staff and students who witness sexual harassment or victimisation to take appropriate steps to address it. Depending on the circumstances, this could include:

- intervening where you feel able to do so;
- supporting the victim to report it or reporting it on their behalf;
- reporting the incident where you feel there may be a continuing risk if you do not report it;
- co-operating in any investigation into the incident.

5.2 You can also report the matter anonymously as detailed above or speak to your manager for advice.

5.3 If you believe that you have been sexually harassed you have a number of options open to you:

- **5.3.1** if you feel confident doing so, speak to the person who has harassed you, explain why their behaviour is unwanted and ask them to stop. Sometimes, people do not realise how their actions are impacting others and pointing this out can be enough to prevent repeat behaviour. Please speak to your manager if you'd like advice about how to approach the conversation;

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- **5.3.2** make a complaint under our grievance procedure (you have the option of choosing an informal or formal approach). Sometimes an informal solution may not be appropriate or hasn't worked. Where appropriate, we will talk to you about making a formal complaint;
- **5.3.3** use our confidential reporting form: **welfare issues**. You don't have to give your name unless you wish to, although it may impact on our ability to fully investigate incidents if we don't have full details about what has happened, whether anyone witnessed it etc..

5.4 If you are not certain whether an incident or series of incidents amounts to sexual harassment, please speak to our Welfare Officer, your Manager or the HR Department and ask for advice.

5.5 If your concerns relate to your manager, contact the HR Department or another senior leader.

5.6 We want to reassure you that you will not be penalised for making a complaint – even if we don't uphold it. Staff and students will only face disciplinary action if we reasonably conclude that their allegations are false and were made in bad faith (that means the employee who made the complaint didn't honestly believe it to be true). This will only be necessary in exceptional circumstances.

6 HOW WE WILL DEAL WITH COMPLAINTS

6.1 We will deal with complaints in line with our grievance policy.

6.2 We may, if we think it necessary, separate you from the person you are complaining about whilst we investigate to prevent things from getting worse whilst the investigation is ongoing. This is not a prejudgment of your complaint and we will discuss this with you before doing it.

6.3 If we uphold your complaint we will deal with the matter in accordance with our disciplinary policy.

6.4 If we decide not to uphold your complaint, we will explain why and explain how you can appeal in accordance with our Grievance Policy. If your complaint relates to a colleague, teacher or another student, we will consider ways of improving your relationship and may, for example, suggest mediation or offer training.

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7 WHEN WE WILL TAKE DISCIPLINARY ACTION

7.1 Any employee found to have sexually harassed a colleague or another person will be subject to disciplinary action and may be dismissed. We will take into consideration any aggravating factors such as abuse of power over a more junior or vulnerable colleague, when deciding on the appropriate disciplinary action. We may also report any criminal acts to the police.

7.2 If a member of staff has been harassed by a third party, we will take appropriate action to prevent it from reoccurring. That may include warning the harasser that if they repeat their behaviour we may ban them from our premises and report any criminal acts to the police.

8 HOW WE WILL PROTECT AND SUPPORT THOSE INVOLVED

8.1 Anyone who raises an allegation of sexual harassment with us in good faith will not be subjected to any detriment as a result.

8.2 We will provide appropriate support to anyone who makes a complaint or who witnesses an incident and will protect them from victimisation. You should not fear retaliation for having raised or supported a complaint of harassment and you will be protected from being treated less favourably because you have done so.

8.3 We will provide regular training to all employees on what sexual harassment is and how to report it. We will provide separate training to managers so they understand the role they have in supporting colleagues who experience or witness sexual harassment.

8.4 We will undertake risk assessments and take other reasonable measures to understand areas and roles where our staff are most at risk of sexual harassment and will take reasonable preventative steps to mitigate those risks.

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9 HOW WE WILL MAINTAIN CONFIDENTIALITY

9.1 We are committed to handling all complaints of sexual harassment sensitively and confidentially.

9.2 If you have made a complaint, witnessed an incident or are accused of sexual harassment, you must not discuss the case with anyone except:

- The Welfare Officer
- any manager or other responsible person in our organisation you have approached for help and support;
- your trade union representative;
- someone at work who is acting as your companion at a formal meeting;
- close family or friends who are supporting you;
- anyone who is providing counselling or other services to you provided they are suitably qualified.

9.3 We will ensure that any investigation into a complaint is conducted confidentially and that the details of the complaint are only disclosed to those who need to know in order to investigate and resolve the matter. In some cases, this may include providing information to the police or to a regulator.

9.4 We may place information and documents about a complaint raised by or about you on your personnel file. These will be processed in accordance with our Data Protection Policy.

9.5 We will only use Non-Disclosure Agreements (NDAs) or confidentiality provisions if it is lawful, necessary, and appropriate to do so, and will not prevent employees from making protected disclosures (whistleblowing) as defined under the Employment Rights Act 1996. Please refer to our Whistleblowing Policy for more details.

9.6 If you fail to maintain confidentiality when you are involved in some way in a sexual harassment complaint, then you may be disciplined in accordance with our Disciplinary Policy.

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10 HOW WE WILL MONITOR OUR PROGRESS

10.1 We will monitor the treatment and outcomes of any complaints of sexual harassment or victimisation we receive to make sure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and workforce training is targeted where needed.

10.2 We will review the effectiveness and contents of this policy at least on an annual basis. We will identify any themes that emerge, evaluate feedback and consider what lessons can be learned.

11 USEFUL LINKS

11.1 The following documents containing internal policies will offer additional guidance:

- Employee Handbook

11.2 The following additional resources may also be useful to those who would like to understand more:

- [**the Equality Advisory and Support Service**](#)
- [**Protect \(the whistleblowing charity\)**](#)

Kat Jeffries (kat@speakuplondon.com) is responsible for the administration of the Sexual Harassment Policy. Please contact her if you have any feedback or have suggestions about how we can improve.

Dated: 20 December 2024