

Sexual Harassment Policy

1. Policy Statement

- 1.1 The Company wishes to provide a safe and supportive working environment for everyone that works for us. Such an environment cannot exist where any member of staff is subjected to harassment, intimidation, aggression, victimisation or coercion.
- 1.2 We recognise that sexual harassment is unlawful under the Equality Act 2010. It is unacceptable and will not be tolerated.
- 1.3 The law requires employers to take reasonable steps to prevent sexual harassment of their employees. The Company will be responsible for ensuring everyone understands the rules and policies relating to the prevention of harassing behaviour at work and during work-related social events.
- 1.4 The Company recognises that sexual harassment can exist in the workplace and this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment. Our managers operate an open-door policy and our employees should feel empowered to raise any complaints or concerns if they see or experience inappropriate behaviour.
- 1.5 The Company will treat all complaints of sexual harassment seriously and will investigate them promptly and in confidence. We recognise that we have a duty to implement this policy and all employees are expected to comply with it.
- 1.6 The Company undertakes to review this policy at regular intervals in order to monitor its effectiveness.
- 1.7 Instances of sexual harassment or victimisation may lead to disciplinary action up to, and including, termination of employment.

2. Definitions of Sexual Harassment and Victimisation

- 2.1 Sexual harassment is unwanted conduct of a sexual nature, which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.
- 2.2 Sexual harassment also covers treating someone less favourably because they have submitted to, or refused to submit to, unwanted conduct of a sexual nature or in relation to gender reassignment or sex.
- 2.3 Sexual harassment may be persistent or an isolated incident, obvious or subtle, face-to-face or indirect.
- 2.4 Examples of behaviour which may constitute sexual harassment include (but are not limited to):
 - 2.4.1 Unwelcome sexual advances or physical contact;
 - 2.4.2 Sexual comments, intrusive questions or offensive/embarrassing jokes; physical assault;

- 2.4.3 Abusing a position of power e.g. by making promises in exchange for sexual favours;
 - 2.4.4 Blocking promotion or access to development opportunities;
 - 2.4.5 Cyber-bullying e.g. sending offensive and/or sexually explicit emails, texts or visual images, or posting embarrassing images on social media;
 - 2.4.6 Displaying sexually graphic pictures or photos;
 - 2.4.7 Suggestive looks, staring or leering; or
 - 2.4.8 Spreading sexual rumours about an individual.
- 2.5 Victimization is subjecting an individual to detriment because they have done, are suspected of doing, or intend to do, an act which is protected under discrimination and harassment laws. These are:
- 2.5.1 Making a claim or complaint under the Equality Act;
 - 2.5.2 Helping another individual to make a claim by giving evidence or information in connection with proceedings under the Equality Act; and making an allegation that someone has breached the Equality Act.
- 2.6 Examples of victimization may include:
- 2.6.1 Not considering an individual for promotion because they have previously made a complaint of sexual harassment;
 - 2.6.2 Dismissing an individual because they accompanied a colleague to a meeting about a sexual harassment complaint; or
 - 2.6.3 Excluding an individual from meetings because they gave evidence as a witness for another employee as part of a sexual harassment employment tribunal claim.

3. Unlawful Grounds of Sexual Harassment

- 3.1 The Company reiterates that it will not tolerate any instance of sexual harassment, regardless of the grounds. This Policy will equally apply to work related events, even if they occur away from the normal workplace.
- 3.2 Harassment may be committed by a fellow employee or a third party and it does not need to occur in person, e.g. it can occur digitally (WhatsApp, social media sites etc).

4. Reporting Harassment

- 4.1 Employees have the right to complain if they are treated in a way that they believe constitutes sexual harassment or victimization. The informal and formal procedures to follow are set out below.
- 4.2 Employees who make a genuine complaint under this policy will not be subjected to any unfavourable treatment or victimization as a result of making the complaint.

5. Witnessing Harassment or Victimisation

- 5.1 If an employee sees sexual harassment or victimisation taking place, they are encouraged to take appropriate action to address it. If the employee is unable to intervene to prevent the action, they should encourage the employee who is being harassed or victimised to report the incident or report the incident themselves.

Reports of incidents should be made in writing to the HR Manager.

6. Third party harassment

- 6.1 The Company operates a zero-tolerance policy in relation to sexual harassment of its employees by a third party, such as a client, supplier or visitor. The law requires employers to take steps to prevent sexual harassment by third parties and we are committed to doing so.
- 6.2 All employees are encouraged to report any instances of harassment involving a third party in line with the reporting procedure set out below.
- 6.3 In order to prevent third-party sexual harassment from occurring, the Company will inform third parties of the prevention of Sexual Harassment Policy.
- 6.4 If an allegation of harassment by a third party proves to be well-founded, steps taken by the Company may include:
- 6.4.1 Warning the individual about the inappropriate nature of their behaviour;
 - 6.4.2 Banning the individual from the Company's premises; and
 - 6.4.3 Reporting the individual's actions to the police.

7. Procedure for Complaints

- 7.1 The Company is committed to ensuring that there is no sexual harassment or victimisation in our workplace.
- 7.2 Any employee who feels that they have been subjected to sexual harassment or victimisation should raise the matter as soon as reasonably practicable.
- 7.3 Employees can raise a complaint informally and/or formally. They should contact the HR Manager or another manager in the absence of that manager or where their complaint is against that specific manager.
- 7.4 Before raising a formal complaint, the employee is encouraged to talk directly and informally to the person whom they believe is harassing them, using the informal procedure below. It may be that the person whose behaviour is causing offence is genuinely unaware that their behaviour is unwelcome or causing distress and that a direct approach can resolve the matter without the need to use the formal procedure.

8. Informal Procedure

- 8.1 If the employee feels able to do so, they should speak up at the time when they feel harassed. It is important to be direct and for the employee to state explicitly that they feel they are being harassed and that the behaviour is unacceptable to them. The employee can also discuss the matter with another

colleague or their line manager or HR Manager and ask them to speak to the harasser on their behalf.

- 8.2 Alternatively, if the employee feels unable to speak to the harasser directly, they could write a letter to them which clearly identifies the offending behaviour and requests that it stops immediately. The employee should sign and date any such letter and ensure that a copy is kept for any possible future formal complaint. It is also advisable that the employee keep an 'incident diary' of any offending behaviour.
- 8.3 Where the informal procedure has not resolved an employee's complaint, a formal grievance can be raised by the employee.

9. Formal Procedure

- 9.1 Any employee who feels that they have been subjected to sexual harassment may at any time decide to deal with the issue through formal procedures (using the Company's grievance procedure), regardless of whether informal steps have been taken or not.
- 9.2 When bringing a complaint of sexual harassment, the employee should state:
 - 9.2.1 The name of the person whose behaviour is believed to amount to sexual harassment;
 - 9.2.2 The behaviour that is causing offence, with specific examples;
 - 9.2.3 Dates and times when incidents of sexual harassment occurred;
 - 9.2.4 The names of any employees who witnessed any incidents;
 - 9.2.5 Details of any action the employee has taken to try and address the harassment.
- 9.3 The Company will investigate any complaint thoroughly and fairly.
- 9.4 An employee accused of sexual harassment will be informed of the exact nature of the complaint against them and given a full opportunity to give their version of events.
- 9.5 During the investigation, the Company reserves the right to suspend or temporarily redeploy either the employee making the complaint of sexual harassment, or the employee suspected of sexual harassment. Suspension will be on full pay and is not a disciplinary sanction. As soon as the investigation is complete, the Company will inform the employee suspected of sexual harassment of the outcome and decide if it is appropriate to start disciplinary proceedings.
- 9.6 On conclusion of the investigation, a report of the findings will be submitted to the manager who will hold the grievance meeting. The employee who has made the complaint will be invited to attend a meeting to discuss the matter. The meeting will be held in accordance with the Company's grievance policy.
- 9.7 If, following the hearing, it is decided that the allegation is well-founded, the harasser will be subject to disciplinary action up to, and including, dismissal in accordance with the Company's disciplinary procedure.
- 9.8 The Company is committed to ensuring employees are not discouraged from using this procedure and no employee will be victimised for having brought a complaint.

10. Consequences of Breach

- 10.1 Sexual harassment is a disciplinary offence and will be dealt with according to the Company's Disciplinary Procedure. Sexual harassment or victimisation may constitute gross misconduct, punishable by summary dismissal without notice.
- 10.2 Employees should bear in mind that harassment may also constitute a criminal offence punishable by a fine and/or imprisonment.

11. Responsibilities of Employees and Managers

- 11.1 The Company requires its employees to behave appropriately and professionally at all times.
- 11.2 All employees are responsible for their own behaviour and should ensure that they comply with this Policy at all times.
- 11.3 All managers are responsible for implementing this Policy and bringing it to the attention of employees.
- 11.4 Any complaints under this Policy brought to the attention of a manager must be dealt with promptly, confidentially, fairly and consistently.
- 11.5 All incidents of sexual harassment will be reported to the HR Department.
- 11.6 Any form of harassment or victimisation may lead to disciplinary action up to and including dismissal if it is committed:
 - 11.6.1 in a work situation;
 - 11.6.2 during any situation related to work, such as a social event; or
 - 11.6.3 against a colleague or other individual connected to the employer outside of a work situation, including on social media.

12. Training

- 12.1 The Company will provide training to all our staff on sexual harassment and victimisation to ensure there is a clear understanding of:
 - 12.1.1 What sexual harassment and victimisation is;
 - 12.1.2 Expected levels of behaviour;
 - 12.1.3 How employees can report any incidents of having been harassed or having witnessed such incidents; and
 - 12.1.4 How acts of sexual harassment will be dealt with under the disciplinary procedure, which can potentially result in dismissal.
- 12.2 In addition, the Company will ensure that all managers are trained on implementing this policy.

13. Support and Advice

- 13.1 Further confidential support is available by contacting our Employee Assistance programme, by accessing the AVIVA Digicare + Workplace App. Details of accessing the service can be obtained by contacting the HR Department.

14. Confidentiality

- 14.1 The Company will treat any complaint received under this Policy confidentially.
- 14.2 All employees involved with an investigation are required to respect the need for confidentiality.
- 14.3 The Company will maintain records of investigations into alleged incidents of sexual harassment and the outcome of the investigations. These records will be maintained in confidence and in line with the Company's Data Protection Policy.
- 14.4 Any breaches in confidentiality will be subject to disciplinary action.