

## A) INTRODUCTION

Every staff member is entitled to be treated with dignity and respect within our workplace. This encompasses a right to be free from sexual harassment, to feel secure and supported, and to have access to remedies should such behaviour occur.

Sexual harassment can manifest in various forms; regardless of its nature, it is deemed unlawful under the Equality Act 2010, as amended. We maintain a zero-tolerance stance towards such conduct.

The law mandates that employers take appropriate measures to prevent sexual harassment among their employees. We are committed to proactive measures to avert such incidents and have established clear reporting protocols for staff to lodge complaints regarding sexual harassment. If you have experienced or witnessed sexual harassment, we strongly encourage you to report it so that we can address the issue promptly.

Harriet Barlow holds the ultimate responsibility for the enforcement of this policy. Our management will uphold an open-door policy. All staff members are expected to adhere to the standards set forth in this policy.

Incidents of sexual harassment or victimisation may result in disciplinary measures, which could include termination of employment or contract.

This policy undergoes regular reviews to ensure its relevance and effectiveness. Any necessary amendments will be enacted and communicated to our workforce.

## B) SCOPE

We condemn all forms of sexual harassment and are dedicated to fostering a safe and supportive working environment for all individuals associated with our organisation. This commitment extends to employees, workers, agency personnel, volunteers, and contractors across all divisions of our organisation, including any international locations.

## C) DEFINITIONS

Sexual harassment refers to unwanted behaviour of a sexual nature that aims to or results in the violation of an individual's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive atmosphere for that individual. It also includes treating someone inappropriately based on their gender. Sexual harassment may be committed by a fellow worker, an agent of an organisation, or a third party. It does not need to occur in person. It can occur via digital means including social media sites or channels e.g. Facebook, Instagram

Sexual harassment can occur even if an individual is not the direct target of such behaviour.

**Instances of sexual harassment encompass, but are not limited to:**

- a) Inappropriate sexual remarks or jokes, often dismissed as 'banter'
- b) The exhibition of sexually explicit images, posters, or photographs
- c) Suggestive glances, prolonged staring, or leering
- d) Proposals and sexual advances
- e) Offering promises in exchange for sexual favours
- f) Sexual gestures
- g) Intrusive inquiries regarding an individual's private or sexual life, or discussions about one's own sexual experiences
- h) Sexual content or interactions in online communications, including social media platforms
- i) Circulating sexual rumours about an individual
- j) Sending sexually explicit emails, text messages, or messages through other social media channels
- k) Unwanted physical contact, such as touching, hugging, massaging, or kissing
- l) (Include any additional examples relevant to your workplace)

Victimisation refers to the act of subjecting an individual to disadvantage due to their engagement in, suspicion of engaging in, or intention to engage in actions that are protected under discrimination and harassment legislation. It is important to note that the individual does not need to have actually performed the protected act for the treatment to be classified as victimisation.

**The acts that are protected include:**

- a) Submitting a claim or complaint under the Equality Act 2010, such as for instances of discrimination or harassment
- b) Assisting another individual in filing a claim by providing evidence or information relevant to proceedings under the Equality Act 2010
- c) Accusing someone of violating the Equality Act 2010, or
- d) Engaging in any other activities related to the Equality Act 2010

**Instances of victimization may encompass:**

- a) Not considering an individual for a promotion due to their prior submission of a sexual harassment complaint
- b) Terminating an employee's position because they supported a colleague during a meeting regarding a sexual harassment complaint
- c) Excluding an individual from work-related meetings due to their role as a witness for another employee in an employment tribunal case concerning harassment.

**CIRCUMSTANCES INCLUDED UNDER THIS POLICY**

This policy encompasses conduct that takes place in the following contexts:

- a) Within a professional environment
- b) In scenarios occurring beyond standard workplace settings or regular working hours that are associated with work, such as business lunches, work-related travel, or social events
- c) In situations outside of the workplace that involve a colleague or another individual affiliated with the organisation, including interactions on social media platforms
- d) In incidents occurring outside of a work context that pertain to your qualifications for fulfilling your role.

**WHAT TO DO IF YOU EXPERIENCE SEXUAL HARASSMENT OR VICTIMISATION**

1) We are dedicated to maintaining a workplace free from sexual harassment and victimisation. Any allegations regarding these issues will be addressed as disciplinary matters, with each case evaluated individually in line with our disciplinary procedures. A copy of these procedures can be obtained from Harriet Barlow.

**2) Informal Complaint**

We understand that complaints related to sexual harassment or victimisation may involve sensitive or personal matters, making it potentially inappropriate to utilise our standard grievance procedure. In such cases, you are encouraged to discuss your concerns with a senior colleague of your choice, who will act as a confidential support person. This individual should not be the same person responsible for investigating the issue should it escalate to a formal complaint.

3) If you encounter sexual harassment and feel comfortable doing so, it is advisable to inform the harasser informally that their conduct is unwelcome and request that they cease. If you are unable to communicate this verbally, you may provide a written request to the harasser, with assistance from your confidential support person if needed.

4) Additionally, you may opt to express your concerns during your regular discussions with Harriet Barlow, such as in a one-on-one meeting. Harriet Barlow will take your concerns seriously and listen attentively, although they may suggest that you follow the reporting procedures outlined below.

### **Formal Complaint**

In instances where the informal resolution process is ineffective or you prefer not to engage in it, you are encouraged to submit a formal written complaint to Harriet Barlow. Your confidential advisor can assist you in this process.

It is advisable to maintain a record of the events related to the complaint, which should encompass:

- a) The name of the individual accused of harassment
- b) The specifics of the alleged harassment
- c) The dates and times when the incidents occurred
- d) The names of any witnesses present
- e) Any measures you have already taken to address the alleged harassment.

1) Upon receiving a formal complaint, we will take necessary steps to ensure your separation from the alleged harasser, facilitating an uninterrupted investigation. This may involve temporarily relocating the alleged harasser to a different work area or placing them on suspension with pay until the issue is resolved.

2) The individual assigned to handle the complaint will arrange a meeting with you at a mutually convenient time and location to discuss the matter and conduct a comprehensive investigation. This meeting will typically occur within five working days of receiving your complaint. You are entitled to have your confidential advisor or another colleague accompany you to this meeting, and you are expected to make all reasonable efforts to attend. All parties involved in the investigation are required to maintain confidentiality, and any breach of this confidentiality may result in disciplinary action.

3) Following the investigation, which is generally completed within ten working days of your meeting, the investigator will provide you with a written summary of their findings and decision.

4) You have the right to appeal the investigator's findings. Should you choose to appeal, you must notify (Insert name) within five working days. You will then be invited to a subsequent meeting, which will, as far as reasonably possible, be attended by a more senior manager than

the one present at the initial meeting.

Following the appeal meeting, you will be informed of the final decision, normally within ten working days, which will be confirmed in writing.

Regardless of the outcome of the procedure, we are committed to providing the support you may need. This may involve mediation between you and the other party or some other measure to manage the ongoing working relationship.

You will not be victimised for having brought a complaint.

### **ACTIONS TO TAKE IF YOU OBSERVE SEXUAL HARASSMENT OR VICTIMISATION**

- 1) Should you observe an instance of sexual harassment or victimisation, it is advisable to take appropriate measures to address the situation. However, it is crucial to avoid any actions that may expose you to the risk of sexual harassment or other forms of harm. If you feel comfortable doing so, you may intervene to halt the ongoing situation. If intervention is not feasible, consider providing support to the individual who has experienced sexual harassment and encourage them to report the incident, or you may choose to report it on their behalf.
- 2) When reporting the incident, please submit your concerns in writing to Harriet Barlow. Alternatively, you may report occurrences of sexual harassment by sending an email to [sparkledancers@hotmail.com](mailto:sparkledancers@hotmail.com). Your concerns will be addressed by Harriet Barlow who will engage with the individual affected by the sexual harassment in a sensitive manner to ascertain their preferred course of action regarding the situation.

### **THIRD-PARTY SEXUAL HARASSMENT**

- 1) Third-party sexual harassment refers to instances where an employee experiences sexual harassment from individuals who are not part of our organisation but are encountered in a work-related context. This may involve customers, suppliers, members of the public, and other relevant parties such as clients, service users, colleagues' friends and family, audiences, and self-employed contractors.
- 2) The occurrence of third-party sexual harassment against our employees is illegal and will not be tolerated under any circumstances. Employers are legally obligated to implement measures to prevent such harassment by external parties.
- 3) While the law does not allow individuals to independently file claims for third-party harassment, an employer's failure to take appropriate actions to mitigate the risk of such harassment may lead to legal liability in other claims.
- 4) To effectively prevent third-party sexual harassment, we will:  
**(THE FOLLOWING ARE EXAMPLES AND SHOULD BE AMENDED TO REFLECT YOUR ORGANISATION)**
  - a) Install signage in customer-facing areas of the workplace to clearly indicate that sexual harassment of our employees is strictly prohibited.
  - b) Communicate our zero-tolerance sexual harassment policy to third-party suppliers through our supplier documentation.

c) Display signs to inform customers of our firm stance against sexual harassment.

1) If you experience sexual harassment from a third party, please report the incident promptly to Harriet Barlow.

2) In the event that a customer engages in sexual harassment towards our staff, we will take appropriate action, which may include issuing a warning, prohibiting the customer from returning, or sharing details of the incident with our other locations. Any criminal behaviour will be reported to law enforcement.

3) We maintain a strict policy against sexual harassment by any employee towards third parties. Such behaviour may result in disciplinary measures, including the possibility of termination.

### **DISCIPLINARY ACTION**

1) In the event that the investigation substantiates the allegations of sexual harassment or victimisation, the individual found responsible will face disciplinary measures in accordance with our established disciplinary procedures, which may include immediate termination of employment. An employee who receives a formal reprimand or is dismissed for sexual harassment or victimisation has the right to appeal through our disciplinary appeal process.

2) When determining the appropriate level of disciplinary action, we will consider any aggravating circumstances relevant to the case. An example of such aggravating circumstances includes the misuse of authority over a subordinate employee.

3) Should the investigation reveal that your complaint is false and was made with malicious intent, you will be subject to disciplinary action.

### **TRAINING**

1) We offer comprehensive training to all employees regarding sexual harassment to ensure a thorough understanding of its definition, potential occurrences, the unacceptability of such behaviour, expected standards of conduct, and the procedures for reporting incidents of sexual harassment, whether experienced or witnessed. Any acts of harassment will be addressed through the disciplinary process, which may lead to termination.

2) We guarantee that all management personnel receive training on the implementation of this policy, including strategies for preventing and addressing sexual harassment in the workplace, as well as the appropriate procedures to follow upon receiving a report of an allegation.

3) We will conduct regular assessments to evaluate the effectiveness of our training programs.

4) We will provide refresher training as necessary.