

## Sexual Harassment Policy

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## 1. Policy

- 1.1 The aim of the University's Sexual Harassment Policy is to ensure that all staff are treated with dignity and respect at work. This means freedom from sexual harassment, feeling safe and supported and having access to redress if such behaviour does arise.
- 1.2 The University deplores all forms of sexual harassment and will not tolerate it and will seek to ensure that the working environment is safe and supportive for all those who work for us.

## 2. Scope of the Procedure

- 2.1 This procedure applies to all employees, workers, agency workers, volunteers and contractors.
- 2.2 This policy covers behaviour which occurs in the following situations:
  - A work situation;
  - A situation occurring outside of the normal workplace or normal working hours which is related to work e.g. a working lunch, a business trip or social function;
  - Outside of a work situation but involving a colleague or other person connected to the University, including on social media.

## 3. Law

- 3.1 Sexual harassment takes many forms, but whatever form it takes it is unlawful under the Equality Act 2010 (EqA) as amended.
- 3.2 The law requires employers to take reasonable steps to prevent sexual harassment of their workers. The University acts to prevent sexual harassment from occurring and has clear reporting procedures for our staff to make a complaint about sexual harassment.

## 4. Definitions

- 4.1 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. It 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.
- 4.2 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., WhatsApp). Someone may be sexually harassed even if they were not the target of the behaviour. Examples of sexual harassment include, but are not limited to:
  - Sexual comments or jokes, which may be referred to as "banter";
  - Displaying sexually graphic pictures, posters or photos;
  - Suggestive looks, staring or leering;
  - Propositions and sexual advances;
  - Making promises in return for sexual favours;
  - Sexual gestures;
  - Intrusive questions about a person's private or sex life or a person discussing their own sex life;

- Sexual posts or contact in online communications, including on social media;
- Spreading sexual rumours about a person;
- Sending sexually explicit emails, text messages or messages via other social media;
- Unwelcome touching, hugging, or kissing

4.3 Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do, an act which is protected under discrimination and harassment laws. It is not necessary for the person to have done the protected act in order for detrimental treatment to be considered as victimisation.

4.4 The 'protected act' means taking action related to discrimination law, this includes:

- Making a claim or complaint of discrimination or harassment;
- Supporting some else's claim or complaint;
- Gathering information that might lead to a complaint;
- Acting as a witness in a complaint;
- Saying something or giving evidence that does not support someone else's complaint.

4.5 Examples of victimisation may include:

- Failing to consider someone for promotion because they have previously made a sexual harassment complaint;
- Dismissing someone because they accompanied a colleague to a meeting about a sexual harassment complaint;
- Excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

## 5. Anonymous Reporting

5.1 The University recognises that it can be a difficult decision to report an incident of sexual harassment and there may be reasons why a person may not want to report what has happened to them. The University understands that some individuals may wish to report an incident, but may not want to disclose their identity.

5.2 If an employee chooses to report an incident anonymously the University will not collect any information that could identify the employee or other parties, therefore will not be able to act on the information or respond to the employee.

5.3 The University will use the information provided to inform understanding of incidents within the University community.

5.4 Employees reporting anonymously are strongly encouraged to access one of the forms of [support](#) available both within and external to the University.

5.5 Incidents of sexual harassment can be reported anonymously [here](#).

## 6. Process for staff who are subject to sexual harassment or victimisation

6.1 Informal complaint

6.2 The University recognises that complaints of sexual harassment or victimisation can be of sensitive or intimate nature and that individuals may prefer to raise the behaviour informally in the first instance. In these circumstances, employees are encouraged to raise such issues with their line manager or HR Business Partner/Advisor. The purpose of this contact is to discuss confidentially, what the employee has experienced and to assist the employee to consider various courses of action.

- 6.3 If an employee experiences sexual harassment and they feel comfortable to do so, they should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If the employee feels unable to do this verbally they should provide a written request to the harasser, with the support of their line manager and/or HR Business Partner/Advisor.
- 6.4 The informal steps outlined in the University Grievance Policy and Procedure may also be used as guidance.
- 6.5 If an issue is raised with a line manager or HR Business Partner they will listen to and take the concerns seriously and may suggest that the employee follows the formal process set out below.
- 6.6 Formal complaint
- 6.7 Where the informal route fails or if the sexual harassment or victimisation is more serious, the employee should raise concerns or allegations using the University [Grievance Policy and Procedure](#).
- 6.8 If the grievance is upheld this may result in disciplinary action being taken in accordance with the University [Disciplinary Policy and Procedure](#).
- 6.9 If following consideration of a formal grievance, it is concluded that a complaint is both untrue and has been brought with malicious intent, disciplinary action may be taken against the employee who raised the original complaint.

## 7. What to do if you witness sexual harassment or victimisation

- 7.1 If an employee witness' sexual harassment or victimisation, they are encouraged to take appropriate action to address it. They should not take any action that may put them at risk of harm. If they feel able to, they should intervene to prevent the matter continuing. If they are not able to do this, their actions may include offering support to the person who has been sexually harassed and encouraging them to report the incident or reporting the incident themselves, either anonymously or through the informal or formal processes outlined above.

## 8. Third-party sexual harassment

- 8.1 Third-party sexual harassment occurs when a member of University staff is subjected to sexual harassment by someone who is not part of the University workforce but who is encountered in connection with work. This includes but is not limited to University customers, students, suppliers, members of the public, contractors.
- 8.2 Third-party sexual harassment of University staff is unlawful and will not be tolerated. The law requires employers to take steps to prevent sexual harassment by third parties and the University is committed to doing so.
- 8.3 The law does not provide a mechanism for individuals to bring a claim of third-party harassment alone. However, failure for an employer to take reasonable steps to prevent third-party sexual harassment may result in legal liability in other types of claim.
- 8.4 The University will inform third-parties of its Sexual Harassment Policy within supplier documentation, to raise awareness and ensure compliance.
- 8.5 If an employee has been subjected to third-party sexual harassment, they are encouraged to report this promptly using the reporting mechanism outlined above.
- 8.6 The University will consider what further action may be appropriate, depending on the circumstances and the nature of the relationship with the third party, this may include sanctions being issued.

8.7 The University will not tolerate sexual harassment by any member of staff against a third party. Instances of sexual harassment of this kind may lead to disciplinary action.

## 9. Training

9.1 The University will provide training to all staff on sexual harassment, to ensure there is a clear understanding of;

- What sexual harassment is, how it may occur and that it will not be tolerated;
- Expected levels of behaviour;
- How to report any incidents of having been sexually harassed or having witnessed it;
- How acts of harassment will be dealt with under the grievance and disciplinary procedure.

## Relevant Policy Headings

[Grievance Policy and Procedure](#)

[Disciplinary Policy and Procedure](#)

[Dignity at Work Statement](#)

[Employee Assistance Programme](#)

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