

**1625 Independent People
Sexual Harassment Policy**

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1 Policy position

1.1 Purpose

The purpose of this Policy is to ensure that all colleagues are treated and treat others with dignity and respect, free from sexual harassment. With this in mind, you are expected to make the time to ensure you understand what types of behaviour are unacceptable under this Policy.

1.2 Principles

This Policy covers sexual harassment which occurs both in and out of the workplace. This includes work trips, events and work-related socials, or on any social media platform. It covers sexual harassment by colleagues and also by third parties such as clients, suppliers or visitors to any of our premises.

We all have a responsibility to treat each other and anyone external working with us with dignity and respect. Before we speak or do something, we must always consider whether our words or behaviours could be offensive to others in our company. Even unintentional harassment or bullying is not OK.

Our organisation takes allegations of sexual harassment and victimisation seriously. We address them as promptly as possible and confidentially where possible. Sexual harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal if they are committed:

- a) In a work situation.
- b) During any situation related to work, such as at a social event with colleagues.
- c) Against a colleague or other person connected to us outside of a work situation, including on social media.
- d) Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.

We will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

If any sexual harassment or victimisation of colleagues occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include but is not limited to, updating relevant policies, providing further training and taking disciplinary action against the alleged perpetrator.

2 Statutory / regulatory considerations

2.1 Statutory

Equality Act 2010

Harassment Act 1997

Health and Safety at Work Act 1974

Sir Robert Francis' Freedom to Speak Up Review

Worker Protection (Amendment of Equality Act 2010) Act 2023 (2023 Act)

Management of Health and Safety at Work Regulations 1999

3 Scope and definitions

3.1 Scope

This Policy covers all individuals working at 1625ip or at any of our premises irrespective of their status, level or grade. It therefore includes all employees, managers, directors, officers, consultants, all contractors, trainees, apprentices, homeworkers, relief workers, casual and agency staff, volunteers and interns on placement/work experience or similar (collectively referred to as '**colleagues**' in this Policy).

This Policy (and related Procedure) has been implemented following consultation with our recognised Trade Union. It (and related Procedure) does not form part of any employee's contract of employment, and we may amend it at any time.

4 Responsibility

The Strategic Leadership Team (SLT) are responsible for:

- The effective operation of this Policy (and related Procedure).
- Implementation of this Policy (and related Procedure).

People / line managers are responsible for:

- Day-to-day operation for this Policy (and related Procedure) and any questions about this Policy (and related Procedure) should be referred to them in the first instance.
- All managers have a specific responsibility to operate within the boundaries of this Policy, to ensure that all colleagues understand the standards of behaviour expected of them and to take action when behaviour falls below its requirements. Guidance is provided to managers to ensure they have the necessary knowledge and skills to communicate and operate this Policy effectively.

Colleagues are responsible for:

- Compliance with this Policy (and related Procedure).
- Raising questions about this Policy (and related Procedure) where further information or clarity is needed.
- Colleagues should disclose any instances of harassment or bullying of which they become aware to their line manager or their line manager's manager or someone in the People Advisor if the concerns relate to their line manager.
- Questions about this Policy and requests for training or information on dealing with bullying or harassment should be directed to individual line managers.
- Colleagues are invited to comment on this Policy (and related Procedure) and suggest ways in which it might be improved by contacting their line manager.

People team are responsible for:

- Supporting managers and colleagues with the operation of this Policy (and related Procedure).
- The People Director has responsibility for ensuring that any person who may be involved with investigations or administrative tasks carried out under this Policy (and related Procedure) receive regular and appropriate advice and support to assist them with these duties.

5 Equity statement

1625ip aims to design and implement policy documents that meet the diverse needs of our young people and colleagues, ensuring that none are placed at a disadvantage over others. It takes into account the provisions of the Equality Act 2010 (including the Public Sector Equality duty) and advances equal opportunities for all.

This document (and the related Procedure) has been Equality Impact Assessed (EQIA) to ensure that no one receives less favourable treatment on the protected characteristics of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, ethnic or national origin), religion or belief, sex (gender) or sexual orientation.

In carrying out its functions, 1625ip has due regard to the different needs of different protected equality groups in their area. This applies to all the activities for which 1625ip is responsible, including policy development, review and implementation.

6 What the law says

The Equality Act 2010 prohibits harassment related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. For more information see our policy and/or procedure on equity, diversity and inclusion.

The Protection from Harassment Act 1997 also makes it unlawful to pursue a course of conduct which you know or ought to know would be harassment, which includes causing someone alarm or distress.

Under the Health and Safety at Work Act 1974, colleagues are entitled to a safe place and system of work.

Individual colleagues may in some cases be legally liable for harassment of others and may be ordered to pay compensation by a court or an Employment Tribunal.

The Sir Robert Francis' Freedom to Speak Up Review recommends that colleagues should be able to work in a culture which is free from bullying and other oppressive behaviours.

The Worker Protection (Amendment of Equality Act 2010) Act 2023 (2023 Act) requires employers to take reasonable steps to prevent the sexual harassment of employees during the course of their employment.

7 What is sexual harassment?

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. A single incident can amount to sexual harassment.

It also includes treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex, in the past.

Sexual harassment may include, for example:

- a) Unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing.
- b) Continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome.
- c) Sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet).
- d) Unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless); or
- e) Offensive emails, text messages or social media content.

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.

8 What is third party sexual harassment?

Third-party harassment occurs where a person is sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party sexual harassment could include, for example, unwelcome sexual advances from a client, for example, a young

person using our services, or a relative, visitor, or friend of a young person, or supplier visiting the employer's premises, or where a person is visiting a client, or supplier's premises or other location in the course of their employment.

Third-party sexual harassment can result in legal liability and will not be tolerated. All colleagues are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy (and related Procedure). If any third-party harassment of colleagues occurs, we will take steps to remedy any complaints and to prevent it happening again. These may include warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police, and sharing information with other parts of the organisation.

Any sexual harassment by a colleague against a third-party may lead to disciplinary action up to and including dismissal.

9 What is victimisation?

Victimisation is where a person (A) treats another person (B) unfavourably because A knows, or suspects B has done or intends to do a protected act. Protected acts include bringing discrimination proceedings under the Equality Act 2010, giving evidence or information in connection with discrimination proceedings under the Equality Act 2010, making an allegation of unlawful discrimination under the Equality Act 2010, or doing anything else under, or by reference to, discrimination legislation.

Victimisation may include, for example:

- a) Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment.
- b) Excluding someone because they have raised a grievance about harassment.
- c) Failing to promote someone because they accompanied another colleague to a grievance meeting.
- d) Dismissing someone because they gave evidence on behalf of another colleague at an employment tribunal hearing.

10 Reviewing Policy

Policies (and associated procedures) are reviewed regularly and in consultation with colleagues, Board, young people, our recognised Trade Union, or other identified stakeholders as relevant, through:

- Colleague surveys, team briefings, team meetings and development days.
- Board / Committee meetings.
- Independent People Ambassadors, 1625ip Connects events and other young people's meetings as appropriate.
- JNC meetings.
- Stakeholder feedback processes.

11 Links

This Policy links to all our policies and procedures which relate to our colleagues.

12 Communication of policy

This Policy is available electronically and is accessible to all people involved with 1625 Independent People. Communicating policy content occurs at induction for new starters or to everyone when a policy has been updated, e.g., via the Team Brief.

Where relevant, young people are given a summarised version at commencement of service and / or in the Young People's Handbook.

If you would like this document in a different, more accessible format please contact the People Advisor.

13 Document history

Version #	Owner	Issued date	Date of next review
1	People Director	October 2024	October 2027