

Sexual Harassment Policy

For the attention of: All Staff

Produced by: Group Executive Director of People

Approved by: SLT in consultation with JCNC

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Vision, Purpose & Values

Our Vision

Our students will be recognised locally & nationally for their positive impact on the communities and industries in which they choose to work.

Our Purpose

To inspire our students to gain the skills, knowledge and behaviours they need to be resilient and thrive in an ever-changing world.

Our Values

Excellence: A culture of creativity, high expectations, ambition and aspiration

Respect: Showing fairness, courtesy and mutual respect to each other and our environment

Integrity: Honesty, openness and trust at the heart of College life

Diversity: Celebrating diversity and inclusivity as a key to our success

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1. Purpose and Scope

1.1. Windsor Forest College Group recognizes your right to attend and perform your duties without being subjected to any form of sexual harassment.

1.2. The aim of this policy is to prevent sexual harassment, respond to incidents, and take action to effect long-term change by:

- Educating you and all employees about sexual harassment and your role in fostering a culture free from harassment.
- Promoting a working environment that supports dignity and respect for all, free from discrimination, bullying, harassment, and violence, including gender-based violence.
- Monitoring progress toward a workplace free from harassment.
- Building continuous improvement into the workplace culture.

1.3. You have a part to play in being aware of, preventing, and dealing with sexual harassment. This policy sets out the expectations for your behaviour and explains what the college can do to protect you and others from sexual harassment.

1.4. We will not tolerate any form of sexual harassment in the workplace and will treat all incidents seriously. We will promptly investigate all allegations of sexual harassment, with no time constraint on when you can report an incident.

1.5. You should read the following policies in conjunction with this one:

- Disciplinary
- Grievance
- Capability
- Data Protection
- Health and Safety
- Whistleblowing
- Dignity at Work Policy

1.6. Disclosures made around sexual harassment, including that it has occurred, is occurring, or is likely to occur, will qualify as a “protected disclosure”. As with other qualifying disclosures, the disclosure will not need to be substantiated, however you must have reasonable belief that it is true and it must be in the public interest. As a result, you making a qualifying disclosure in relation to sexual harassment will be protected from suffering a detriment and any dismissal for this reason would be automatically unfair.

2. Policy Details

2.1. What is Sexual Harassment?

- 2.1.1. Sexual harassment is prohibited under the Equality Act 2010. It occurs when you are subjected to unwanted conduct of a sexual nature that has the purpose or effect of:
- Violating your dignity.
 - Creating an intimidating, hostile, degrading, humiliating, or offensive environment for you.
- 2.1.2. Unwanted conduct can still be considered harassment even if the person didn't intend to have that effect. A single event or a series of incidents can constitute sexual harassment. You can be affected by sexual harassment even if the conduct is not directly targeted at you.
- 2.1.3. Anyone can be a victim of sexual harassment, regardless of sex, sexual orientation, or gender identity. Sexual harassment can occur between people of the same sex, and we recognize that it often arises as a form of violence against women and girls. However, sexual harassment can also be targeted at men or those with non-binary gender identities.
- 2.1.4. We recognize that certain vulnerable or minority groups may be more at risk of sexual harassment. If you have more than one protected characteristic (such as gender, race, sexuality, or disability), this may increase your risk of experiencing sexual harassment, a concept known as "intersectional harassment."
- 2.1.5. Behaviours that constitute sexual harassment include, but are not limited to:

Physical Conduct

- Unwelcome physical contact such as patting, pinching, stroking, kissing, or hugging.
- Physical violence, including sexual assault and rape.
- Job-related threats or rewards used to solicit sexual favours.

Verbal Conduct

- Banter.
- Comments on your appearance, age, or private life.
- Sexual comments, stories, jokes, or pranks.
- Sexual advances.

- Repeated and unwanted social invitations for dates or physical intimacy.
- Insults based on your sex.
- Condescending or paternalistic remarks.
- Sending or sharing sexually explicit messages or images.
- Gaslighting.

Non-verbal Conduct

- Displaying sexually explicit material or imagery.
- Graffiti.
- Acts affecting your surroundings.
- Social media posts or contact.
- Sexually suggestive gestures.
- Facial expressions, whistling, or leering.
- Predatory behaviour.

2.1.6. The effect of such behaviour and whether it is unwanted should be considered from your perspective as the recipient.

2.2. When Does This Policy Apply?

This policy applies to any unwanted conduct that occurs during the course of your work, whether at your place of work, while working from home, on your commute, or at work-related events, trips, or social gatherings.

3. Roles and Responsibilities

3.1. Responsibilities of Managers

3.1.1. Your manager is expected to model appropriate behaviour. Any inappropriate behaviour or abuse of power will be considered a serious breach of this policy and will be addressed under the disciplinary procedures.

3.1.2. Your manager must ensure everyone is treated with dignity and respect by:

- Challenging any unacceptable behaviour they become aware of, even if they are not directly affected.

- Responding to complaints swiftly, sensitively, and objectively.
- Understanding the issue and addressing it proportionately.
- Ensuring complaints are handled according to data protection policies.
- Following this policy.

3.1.3. A trained HR member will assist your manager in dealing with sexual harassment complaints.

3.1.4. If your manager fails to implement this policy or address sexual harassment, this could result in disciplinary action.

3.2. Responsibilities of Employees

3.2.1. You have a duty to help create a safe working environment where sexual harassment is not tolerated by:

- Understanding what sexual harassment is.
- Being aware of how your behaviour may affect others.
- Challenging unacceptable behaviour if it is safe to do so, for example:

Calling out inappropriate behaviour.

Defusing situations.

Checking in with the recipient of the behaviour.

- Reporting incidents of sexual harassment when witnessed and supporting those affected.
- Cooperating with investigations.

4. Procedure

4.1. Informal Reporting

4.1.1. If you prefer to keep a report informal, the college will try to respect your wishes. However, if the harassment poses a serious risk to your safety or others, formal action may be required, including suspension or transfer of the alleged perpetrator.

4.2. Formal Reporting

- 4.2.1. If informal action does not stop the harassment or if you wish to make a formal report, you should follow the grievance procedure.
- 4.2.2. Both you and the person accused have the right to be accompanied by a trade union representative or work colleague.
- 4.2.3. If you believe you have been sexually harassed and decide to report it, you should first inform your line manager. If your line manager is not appropriate, for example, if they are the harasser, you should report it to a senior manager or HR. Where possible, provide a written account, including details of the incident(s).
- 4.2.4. All complaints will be handled confidentially and in a timely manner. You will be invited to a meeting within 10 working days, where you can be accompanied by a trade union representative or colleague.

4.3. The Investigation

- 4.3.1. All complaints will be investigated.
- 4.3.2. During the investigation, participants will be asked to keep the process confidential.
- 4.3.3. The investigator will interview you and the alleged perpetrator separately. If you prefer, you may request an investigator of the same sex.
- 4.3.4. If the reported incident is serious, steps will be taken to ensure you do not have to work with the alleged perpetrator while the investigation is ongoing.
- 4.3.5. At the end of the investigation, you will receive a written response detailing the outcome. If the complaint is upheld, you will be informed of the action taken to address the issue.

4.4. Right to Appeal

- 4.4.1. You have the right to appeal the investigation's decision within 5 working days of receiving it.
- 4.4.2. Appeals must be made in writing, explaining why you are dissatisfied with the outcome.
- 4.4.3. A meeting will be arranged with a senior manager to consider your appeal. The decision of this manager will be final.

- 4.4.4. If disciplinary action is taken against an individual for sexual harassment, they will also have the right to appeal.
- 4.5. Support for Those Affected by Sexual Harassment
- 4.5.1. Confidential support and advice are available through the employee assistance programme. You can access the service by following the link on the HR intranet page <https://wisdom.healthassured.org/login> , using the code MHA081528.
- 4.5.2. We recognize that sexual harassment can cause stress and mental or physical health issues. You are encouraged to seek help and support

5. **References**

- <https://www.acas.org.uk/sexual-harassment/steps-for-employers-to-prevent-sexual-harassment>
- <https://www.acas.org.uk/sexual-harassment/creating-a-sexual-harassment-policy>