



HORNDDEAN PARISH COUNCIL

SEXUAL HARASSMENT POLICY

1. Purpose

1.1 The Council wishes to promote a safe and inclusive work place and all members of staff are entitled to be treated with dignity and respect in the workplace. This includes freedom from sexual harassment, feeling safe and supported, and having access to redress if such behaviour occurs.

1.2 Sexual harassment is unlawful under the Equality Act 2010, and more particularly under the Worker Protection (Amendment of Equality Act 2010) Act 2023, and the Council will not tolerate it.

The law requires employers to take reasonable steps to prevent sexual harassment. Consequently, the Council will take all necessary action to prevent it and has clear reporting procedures in place. Failure to implement preventative measures can be reported directly to the Equality and Human Rights Commission (EHRC) for enforcement purposes.

The Council holds overall responsibility for the operation of this policy, though implementation may be delegated.

Instances of sexual harassment or victimization will be taken seriously and may lead to disciplinary action, including dismissal.

The policy is regularly reviewed to remain up to date and monitor its effectiveness.

2. Scope

2.1 The Council condemns all forms of sexual harassment, ensuring a safe and supportive environment for employees, workers, volunteers, contractors, and others engaged with the Council.

3. Definitions

3.1 Sexual harassment is unwanted conduct of a sexual nature that violates a person's dignity or creates an intimidating, hostile, or offensive environment, whether intended or not.

3.2 It may occur between employees, agents, or third parties and does not need to be face-to-face.

3.3 Victimization occurs when someone is subjected to detriment because they undertook a protected act under the Equality Act 2010.

3.4 It can be a one-off act or a pattern of behaviour but it doesn't have to be repeated.

Examples include:

- making sexual remarks about someone's body, clothing or appearance
- asking questions about someone's sex life
- telling sexually offensive jokes, making sexual comments or jokes about someone's sexual orientation or gender reassignment
- displaying or sharing pornographic or sexual images, or other sexual content
- touching someone against their will, for example, hugging them
- sexual assault or rape

Joking and 'banter' deemed as part of the workplace culture can still be sexual harassment.

4. Circumstances Which Are Covered

4.1 This policy applies to behaviour in work-related settings, social functions, or outside work where relevant to a person's role or professional relationships.

5. Third-Party Sexual Harassment

5.1 Third-party harassment occurs when an employee is harassed by someone outside the workforce.

5.2 The Council will not tolerate third-party harassment and will take steps to prevent it, including placing signage and informing suppliers of its zero-tolerance policy.

5.3 Employees are encouraged to report any incidents of third-party harassment.

5.4 Criminal acts will be reported to the police, and harassment by the public will result in warnings or bans.

5.5 Complaints against third parties such as suppliers and contractors may result in their removal from the Council's premises and / or cancellation of contracts.

6. Disciplinary Action

6.1 Disciplinary measures will be taken if allegations of harassment or victimization are found to be true, up to and including dismissal.

6.2 Disciplinary action will also apply if complaints are found to be untrue and malicious.

6.3 Sexual harassment of third parties by employees may lead to disciplinary action and potentially will be reported to the Police.

6.4 Aggravating factors, such as abuse of power over a more junior colleague, will be taken into account in deciding what disciplinary action to take.

7. Reporting

7.1 Employees must immediately report any behaviour perceived as sexual harassment whether this is experienced directly or witnessed. The Chief Officer, Line Manager, Chairman of the Council/Staff Committee are the appropriate points of contact.

7.2 On receipt of a complaint of sexual harassment the complainant will be protected from ongoing harassment or being victimised during an investigation or complaint.

7.3 Action will be taken immediately to resolve the complaint, taking into account how the employee wants the matter to be resolved.

7.4 If the complaint of harassment constitutes a criminal offence, support will be provided should the employee wish to report the matter to the police.