

SEXUAL HARASSMENT POLICY

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

This policy will be reviewed annually by :-

Nechells POD is continuously developing policies and procedures to ensure it meets the requirements of the law, the registration authority and good practice. This policy will be reviewed every year or when guidance or legislation changes.

This policy was last review on:	March 2026
Next review date is:	March 2027
Reviewed by:	Jo Corkery – External HR Consultant Collette Woodburn – Project Manager

General Overview

Everyone has a right to feel safe and supported at work. This policy covers an update to employment legislation set out in the Equality Act 2010 in relation to sexual harassment.

As an charity we promote a culture of respect and dignity for all. Any inappropriate behaviour including sexual harassment will not be tolerated and could lead to disciplinary action and ultimately dismissal.

The Equality Act 2010 defines sexual harassment as unwanted behaviour of a sexual nature. This unwanted behaviour must have either:

- Violated someone's dignity and/or
- Created an intimidating, hostile, degrading, humiliating or offensive environment for someone

It can be sexual harassment if the behaviour:

- Has one of these effects even if it was not intended
- Intended to have one of these effects even if it did not have that affect

Sexual harassment can be a one-off incident, or an ongoing pattern of behaviour. It could occur in a number of ways, for example in person, online meetings, social media, or messaging tools.

ACAS.org.uk list a range of sexual harassment examples.

- 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

This list is not exhaustive.

Some people may refer to their behaviour as a joke or banter or 'this is what happens in our workplace', but it is important to realise that this can still be sexual harassment.

Sexual harassment can often be directed at an individual however there are behaviours that may include others such as sharing sexual images. A complaint of sexual harassment could still take place in this situation.

There are other types of harassment, details of which can be found in our Equality, Diversity and Inclusion policy and someone could experience more than one type of harassment.

Who does this policy apply to?

This policy applies to employees, trustees, volunteers, self-employed people, job applicants and individuals outside of our charity known by law as third party.

Employment Legislation

Sexual harassment is part of the Equality Act 2010 and protects people against sexual harassment at work. The law requires employers to take steps to prevent sexual harassment happening and enforced on 26 October 2024. This is called the preventative duty as is a legal requirement.

The law expects there to have been steps taken to prevent discrimination, for example, training staff. The Equality and Human Rights Commission set out an 8 Step guide to support and develop an effective anti-harassment policy. More details are explained below.

Anyone who sexually harasses someone at work, is responsible for their own actions, however employers can be responsible too. This is known as vicarious liability. Vicarious liability is when an employer could be held responsible if one of their employees discriminate against someone in the course of their employment including

something that is linked to the employee's work. This could be at work or outside the workplace, for example a work party or through social media that's linked to work.

We have taken proactive steps to prevent sexual harassment and promote a safe environment for all. Our culture is one which enables respect, dignity, inclusion for all.

This means it is everyone's responsibility to ensure we conduct ourselves in a professional manner and treat one another with respect and dignity. We want each person to feel valued and we will not tolerate behaviour from anyone who undermines this intention.

Harassment by a third party, such as a client, supplier or contractor will not be tolerated.

If there is an allegation of sexual harassment from a third party, their contract may be placed on hold whilst an investigation takes place. Further action may be considered including terminating the business/volunteering/partnership relationship immediately.

Monitor and evaluate our actions

We will regularly evaluate this policy and our procedures to ensure the actions we have put in place prevent sexual harassment.

Consequences of breaching this policy.

Should anyone breach this policy action will be taken in line with our procedures.

If a client, volunteer, trustee or visitor breaches this policy they may be barred from continuing their link with the charity.

This policy will work in conjunction with all other employee policies and/or our complaint procedure.

Who do I approach if I have any queries about this policy?

Please approach the Project Manager if you have any questions about this policy.