

 <small>BROADSTAIRS & ST. PETER'S TOWN COUNCIL</small>	SEXUAL HARASSMENT POLICY
	BROADSTAIRS & ST. PETER'S TOWN COUNCIL Adopted by Council Next review due

1. Policy Statement

Broadstairs and St Peter's Town Council is committed to providing all employees with a safe working environment that is free of any discrimination and harassment, including sexual harassment. We operate a zero-tolerance approach for any form of sexual harassment in the workplace and will treat all incidents seriously. We will investigate all allegations promptly and respectfully and will endeavour to treat them in confidence.

Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal. Nobody will be victimised for making a complaint.

2. Definition of sexual harassment

Sexual harassment is any unwelcome conduct of a sexual nature which makes a person feel offended, uncomfortable, humiliated and/or intimidated. This includes 'quid pro quo' harassment, in which a person is asked to engage in a sexual activity as a condition of their employment, and situations that create an environment which is considered hostile, intimidating and humiliating for the recipient.

Sexual harassment can involve single or multiple incidents. Actions constituting harassment may be physical, verbal or non-verbal. Examples of these types of behaviour include, but are not limited to:

Physical conduct

Unwelcome physical contact including pinching,

- inappropriate touching,
- patting,
- stroking,
- kissing,
- hugging
- fondling.

Physical violence, such as sexual assault.

The use of job-related rewards or threats to solicit sexual favours.

Verbal conduct

Intrusive questions about someone's private life.

Sexual comments, stories and inappropriate jokes.

Sexual advances.

Repeated and unwanted invitations for physical intimacy or dates.

Comments on an employee's appearance, age, private life etc.

Insults based on sex.

Sending sexually explicit messages, such as by phone, email or via social media.

Non-verbal conduct

Displaying sexually explicit, suggestive or erotic material.

Sexually suggestive signals or gestures.

Whistling.

Leering.

This list is by no means exhaustive. Sexual harassment can include any conduct of a sexual nature which is unwanted and unwelcome by the recipient.

Anybody can be a victim of sexual harassment, regardless of their sex and the sex of the harasser. Sexual harassment can also occur between people of the same sex. Similarly, we recognise that sexual harassment can occur between peers or through power disparities, such as a manager and an employee.

Anybody, including employees, clients, customers, casual workers, cleaners, contractors or visitors who sexually harass another will be reprimanded as set out in this policy.

All forms of sexual harassment are prohibited whether they take place on our work premises or offsite, including at social events, business trips, training sessions or conferences.

3. Complaints procedures

Anybody subject to sexual harassment should, if possible, inform the harasser that the conduct is unwanted and unwelcome. However, we realise that sexual harassment may occur in unequal power relationships (such as between an employee and a supervisor) so it may not be possible for the victim to inform the harasser.

If this is the case, he/she can approach one of the designated staff members responsible for handling complaints of sexual harassment. The designated staff members are the Town Clerk, the Deputy Town Clerk and the Staff Liaison Councillor.

When the designated person receives a complaint of sexual harassment, they will:

- Record the dates and times of the incident(s).
- Record the facts of the incident(s).
- Ask the victim what outcome they want from the complaint.
- Ensure the victim is aware of the complaint procedure and how the company will handle it.
- Discuss and agree the next steps.
- Keep a confidential record of all discussions.
- Respect the choice of the victim and not push them to act differently.
- Explain to the victim that they can take the complaint outside the company, such as to an employment tribunal, if they wish.

Employees are entitled to receive counselling services to discuss the emotional impact of sexual harassment if they wish to do so.

4. Informal complaints

If the victim wishes for the matter to be dealt with more informally, the designated person will:

- Speak to the alleged harasser and give them the opportunity to respond to the complaint.
- Ensure that the alleged harasser understands the complaints procedure.
- Facilitate discussion between both parties to achieve an informal resolution that the complainant is happy with or refer the issue to a mediator.
- Keep a confidential record of the events and what happens.
- Follow up after the resolution has been achieved to ensure the behaviour has stopped.
- Ensure that the complaint is handled within ten days of being made.

5. Formal complaints

If the victim wishes to make a formal complaint, or if the informal complaint procedure has not given them a satisfactory outcome, then a formal complaint procedure should be followed. If the latter is the reason for the formal complaint, then the designated person who handled the first complaint should be different to who handles the second.

The person carrying out the investigation should:

- Interview the victim and harasser separately.
- Interview other relevant third parties separately.
- Find out the details of what took place.
- Produce a report detailing the investigations and findings.
- Decide the appropriate outcome for the harasser and liaise with the victim to do so.
- Follow up after the procedure to ensure the behaviour has stopped and the victim is happy with the outcome.
- Keep a record of all actions taken and ensure these remain confidential.
- Make sure that the complaint is addressed in a fair and timely manner and within days of the complaint being made.

6. External complaints

A person subjected to sexual harassment can also make a complaint outside a company. This can be done through an employment tribunal, ombudsperson, etc.

7. Sanctions and disciplinary measures

Anybody found guilty to have sexually harassed another person, as outlined in the definitions section of this policy, may be subjected to any of the following sanctions:

- A verbal or written warning.
- Performance evaluation.
- Demotion.
- Transfer.
- Suspension.
- Dismissal.

The disciplinary measure taken will depend on the extent and seriousness of the harassment. Our zero-tolerance policy means that issues such as these are not trivial. Certain cases, such as sexual assault, will be reported to the police.

8. Implementation of the policy

Broadstairs and St Peter's Town Council will ensure that this policy is circulated to everyone in the company as well as included in the staff handbook. All new employees must be trained on this policy as part of their induction in the company.

Every year, Broadstairs and St Peter's Town Council will require all employees to undertake refresher training on sexual harassment. It is the responsibility of all managers to ensure that their employees are aware of this policy.

9. Monitoring of the policy

We recognise the importance of monitoring this sexual harassment policy and evaluating its effectiveness. As a result, we will ensure that we continuously check the effectiveness of the policy by anonymously gathering data, such as through questionnaires.

Supervisors, managers and those who are responsible for dealing with sexual harassment cases will report on staff compliance with this policy. They will also report on the number of incidents, how they were dealt with and any recommendations made by victims.

10.Support

There are many external support agencies that can offer you help and support if you are a victim of sexual harassment and you need someone to talk to. Some examples include:

- Contact Citizens Advice 0800 144 8848.
- Contact the ACAS helpline: 0845 747 4747.

If you have been the victim of sexual assault or rape, you can contact:

- NHS direct on 111
- Victim Support line: 0808 168 9111.
- Survivors UK 0808 8010332
- Male Survivors Partnership www.malesurvivor.co.uk