



# **HILBRE HIGH SCHOOL HUMANITIES COLLEGE**

## **SEXUAL HARASSMENT POLICY**

Author:  
Name of Committee approved:  
Date ratified at Full Governors:  
Date to be reviewed:

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## **Introduction:**

This policy should be read with the Equal Opportunities policy and the Bullying and Harassment policy.

Every employee is expected to share the responsibility with the school to maintain a working environment free of sexual harassment. Consequently every employee, whether a victim or not of sexual harassment, is encouraged to report such harassment to their line manager immediately.

## **What is Sexual Harassment?**

Sexual harassment is defined as:

- a) Unwanted conduct of a sexual nature that has the purpose and effect of violating another's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for another.
- b) Unwanted conduct of a sexual nature or conduct related to gender reassignment or sex that has the purpose or effect of violating another's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment and because of the victim's rejection or submission to that conduct, the harasser treats the victim less favourably than they would have treated that person had he or she not rejected or submitted to the conduct.

Sexual harassment in the workplace covers behaviour, such as:

- a) Comments about the way in which a person looks;
- b) Lewd remarks;
- c) Questions about a person's sex life;
- d) Request for sexual favours;
- e) Intimate physical contact;
- f) Sexual assault.

## **Third Party Harassment:**

As is outlined in the Bullying and Harassment policy, an employer may be liable for the harassment of its employees by third parties, such as suppliers and contractors, etc., over whom an employer does not have direct control.

All employees are encouraged to bring any unwanted conduct of a sexual nature or that is related to gender reassignment or sex to the attention of the school immediately in order that the school can take all appropriate and reasonable steps to protect all employees from such behaviour.

## **What an employer must do:**

As any employer, the school has a responsibility to ensure that sexual harassment is prevented and, if this is not possible, to respond effectively when a complaint is raised.

The school has developed a Sexual Harassment policy covering all our employees regardless of sexual orientation which stipulates that sexual harassment is not acceptable behaviour.

As an employer the school has:

- a) A policy condemning sexual harassment. This policy has:
- Defined unacceptable behaviour;
  - Made it clear that sexual harassment can be treated as a disciplinary offence where the harasser is an employee of the school;
  - Pointed out that both sexes can be subjected to harassment;
  - Explained that it is for the person on the receiving end of any behaviour to decide whether or not they find it unacceptable.
- b) The procedure:
- Specifies to whom a complaint should be made and provides an alternative in the event that the person would normally hear grievances made by the person accused of harassment;
  - Ensures that complaints are treated seriously and sympathetically;
  - Wherever possible, provides for an employee of the same sex as the complainant to hear the complaint;
  - Ensures that any complaint is dealt with promptly and with due care. The investigation of a complaint should be carried out objectively and independently and by someone of sufficient authority to be able to handle the matter objectively. Full records should be kept. If a complaint is upheld, the harasser should be dealt with under the normal disciplinary procedure where they are an employee of the school. If dismissal is a possible outcome, it is important that the usual procedure be followed, i.e. an investigation and a proper hearing at which the alleged harasser can comment on the case against them;
  - Provides that the school will take all appropriate and reasonable steps to ensure that there is not a repeat of such harassment in the event that the harasser is a third party;
  - Ensures that the procedure sets out a time frame for investigation. The complainant and the alleged harasser (if an employee of the school) should be told at the outset how long the investigation is likely to take and who will be communicating with them. Complainants should be kept well informed at every stage;
  - Ensures that the harassed person is not victimised for making a complaint.

### **What employees must do:**

If you feel you are being sexually harassed at work, there are several things that you can do. We are under a responsibility to all employees to take steps to prevent sexual harassment and to respond effectively to any allegation that is raised.

You have the right not to be sexually harassed. Keep a record of the incidents. This is important. You may need to recall what has happened to you. Make a note of the date and the time of any incidents and of the name of anyone who was around at the time and might have seen what happened.

If you deem the harassment to be of a low level, you can try to deal with it on an informal basis:

In the event that the harasser is an employee of the school, make it clear to the harasser that you object to his or her behaviour:

- You could ask the harasser to stop what they are doing. If you are too embarrassed to confront the harasser yourself, you could ask someone else to do it. For example, a trusted colleague might be willing to speak informally to the person on your behalf;
- In the event that the harasser is a third party, you should discuss the situation with your Line Manager.

If you deem the harassment to be more serious or continuous, you should report the harasser to the Headteacher.

The Headteacher will make sure that your complaint is investigated quickly, that it is treated confidentially and that appropriate action is taken. If it is decided that your complaint is well founded, the harasser will be disciplined. If so, this will be done in accordance with the existing disciplinary procedures. Depending on the nature of the harassment, this may result in the harasser receiving a disciplinary warning or even being dismissed.