



Prevention of Sexual Harassment at Work Policy

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1. Introduction

The ng group is committed to providing a positive experience whilst at work for all our employees, Board members, agency workers, contractors and consultants which includes a zero-tolerance approach to sexual harassment.

The policy sets out the ng group's expectations of behaviours by employees, Board members, agency workers, contractors and consultants and provides information on how we will deal with complaints of sexual harassment.

2. Definitions

The Equality Act 2010 defines sexual harassment as 'conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment'. Sexual harassment is unlawful under the Equality Act 2010. It is also unlawful to treat someone less favourably because they have submitted a complaint of sexual harassment or have rejected such a behaviour.

Sexual harassment includes a wide range of behaviours including, but not limited to:

- Making sexual remarks about a colleague's body, clothing or appearance
- Suggestive looks, staring, or leering
- Propositions and sexual advances
- Sexual gestures
- Emailing, texting or messaging sexual content
- Unwelcome touching, hugging, massaging or kissing
- Sexual comments or offensive jokes
- Making sexual comments or jokes about someone's sexual orientation or gender reassignment
- Displaying or sharing sexually graphic images, or other sexual content
- Criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications

The above list is illustrative but not exhaustive and other behaviours / actions could constitute sexual harassment.

Sexual harassment can be a singular event or something that is an ongoing pattern of behaviour. Sexual harassment may be physical, verbal or non-verbal conduct. It can occur face to face or can be done by email, phone calls, online and on social media. Sexual harassment may occur at work or outside work.

Sexual conduct that has been welcomed previously can become unwanted, the person in receipt of the behaviour decides whether it is unwanted. An individual can experience sexual harassment from someone of the same or different sex.

Sexual interactions that are invited, mutual and consensual are not considered as sexual harassment.

3. Behaviour and Expectations

The ng group expects you to follow the expectations as set out within the Code of Conduct. Any sexual harassment by employees towards others in connection with work will be considered under the Disciplinary/Grievance policy and action taken under this policy can include up to and including dismissal. Sexual harassment may constitute gross misconduct and may result in dismissal.

4. Preventative Duties

The Worker Protection Act (Amendment of the Equality Act 2010) requires employers to take reasonable steps to prevent sexual harassment. The ng group has taken preventative steps to ensure a workplace free from any sexual harassment. In addition to this policy, a risk assessment will be completed to assess the risks and introduce preventative steps including:

- **Communication** - sharing the Prevention of Sexual Harassment at Work Policy through email, IT system N drive and communication.
- **Engaging with staff members and teams** – through staff check-ins, team meetings, staff surveys, exit interviews
- **Training & Development** – introducing specific training e.g. sexual harassment training for managers and staff and/or specific groups based on risk and to support managers capability in dealing with these matters
- **Dealing effectively with complaints** – Having a clear process, ensuring managers and staff awareness, and the importance of dealing with matters confidentially and sensitively
- **Third party complaints** – training managers, induction/comms for third parties
- **Reporting** – ensuring effective reporting procedures are in place, an anonymous complaints process, to include communication of these processes / procedures
- **Monitoring and evaluating policy and complaints** – learning from incidents, reviewing the policy regularly, reviewing trends on related complaints and taking action to rectify any cultural concerns

5. Reporting procedure for dealing with all sexual harassment complaints

Allegations should always be taken seriously, and action taken as quickly as possible to stop any further inappropriate behaviour identified. Where possible, breaches of this policy should be dealt with informally in the first instance. Dependant on the serious nature of some complaints together with the risk to the safety of the complainant and others, we may need to take formal action immediately.

Informal stage

In managing the issue informally employees should:

1. In the first instance alert their line manager to the behaviour
2. Thereafter the employee should be encouraged by the line manager and with their support approach the individual and highlight what behaviour has been offensive.
3. Should the employee be uncomfortable with this then the line manager should approach the individual and have the same discussion
4. A note should then be put on file of the person who has displayed the inappropriate behaviour and the individual that raised the issue.

Formal Stage

If the behaviour is of a more serious nature or it continues after the informal approach has been taken, then the issue should be dealt with by mirroring our grievance procedure.

1. The employee must put their concerns in writing and give this to their line manager
2. The line manager should then arrange a meeting with the employee who has highlighted the concerns. At this meeting the manager should establish what the concerns are, and how the employee would like matters resolved
3. The manager should then conduct any necessary investigations. No investigation should take place prior to there being a meeting with the employee
4. Once the investigation has been concluded, there could be a variety of outcomes including:
 - There is no evidence to uphold the complaint
 - There is evidence that may involve action against another employee which will be managed through the disciplinary policy.
 - Learning is identified on an organisational basis

Where action is required against another employee, agency worker or consultant this will follow the organisation's disciplinary procedures. Where action is taken regarding a member of staff other than the person who raised the complaint, the complainant will not be informed of any action taken against other individuals.

Anonymous complaint

We may receive anonymous allegations of sexual harassment through the "Whistleblowing procedure". While we recognise that it can be difficult to investigate such complaints, we will conduct as thorough an investigation as possible, given the information available. This will always include informing the accused person that a complaint has been received about them.

Third Party Sexual Harassment

The ng group will also take reasonable steps to prevent any sexual harassment by third parties, as required by the Worker Protection Act 2023. A third party can include a customer, consultant, contractor or visitor.

Employees, Board members, agency workers contractors and consultants are encouraged to report any sexual harassment, which may involve a third party.

ng group will follow the process as detailed within Section 5. 'Reporting Procedure for dealing with all sexual harassment complaints'.

When a complaint is received, we will ensure that steps are taken to protect the individual raising the complaint. ng group will take steps to remedy a complaint and action to prevent this from happening again.

Examples of action that the ng group may take, but not limited to are:

- Warning a customer about their behaviour
- Banning a customer
- Reporting any criminal acts to the police
- Sharing information with other parts of the business
- Reporting the matter to the appropriate external organisation to be dealt with through their policies/procedures e.g. reporting this to the appropriate person in the Contractor organisation where the complaint is against a member of their staff
- Banning a contractor or other third party from our premises

Support for those affected or involved

We understand that anyone affected by, or involved with, a complaint relating to sexual harassment, or a breach of this policy may feel anxious or upset and we will do what we can to support you during this period. Employee counselling services can be accessed via Simplyhealth on 0800 975 3347.

Witness to unwanted conduct of a sexual nature

Tackling sexual harassment is everybody's responsibility. You do not have to be the recipient or target of sexual harassment to raise a concern or make a complaint. If you see it happening or become aware of it, you should report it in line with '*Reporting procedure for dealing with all sexual harassment complaints*' if you feel able to do so.

Your actions can be important in helping create a culture free from sexual harassment.

6. Individuals found to be in breach of the principles of this policy

Where individuals are found to be in breach of this policy the appropriate action will be taken. Employees, Board members, and agency workers will be dealt with through our internal procedures and in accordance with our Codes of Conduct, Disciplinary Policy, Grievance Policy and other relevant policies. This may result in disciplinary action up to and

including dismissal. Contractors, consultants and other external parties will be dealt with through an appropriate process.

7. Other Related Policies/Procedures

- Equality and Diversity
- Dignity at Work
- Racial Harassment
- Staff Code of Conduct
- Board members Code of Conduct
- Discipline and Grievance
- Terms and Conditions of Employment

8. UK General Data Protection Regulation 2021

The ng group will treat your personal data in line with our obligations under the UK General Data Protection Regulation 2021 (UK GDPR) and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in our Fair Processing Notice.

9. Policy Review

This policy will be reviewed every three years or earlier in line with changes in the workplace or good practice guidelines.

10. Equality Impact Assessment

This policy is equally applicable to all and has no detrimental impact on protected characteristic groups as specified within the Equality Act 2010.